

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

Butler

Mailed: September 24, 2010

Cancellation No. 92050333

**Remington Health Products,
LLC**

v.

Tropicana Products, Inc.

On September 20, 2010, the Board entered an order in view of the petitioner's stipulated submission on September 8, 2010 of the parties' desired disposition of this case. This order clarifies the September 20, 2010 order. By the September 8, 2010 submission, which evidences the written consent of each party, respondent's Registration No. 2319909 is cancelled without prejudice; the counterclaim against Registration No. 2552892 is dismissed without prejudice; and the petition to cancel is dismissed without prejudice. Trademark Rules 2.114(c) and 2.134(a).

Insofar as respondent's Registration No. 2319909 was cancelled under Section 8 of the Trademark Act after the petitioner filed the September 8, 2010 stipulated submission,

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no further action is necessary to effectuate cancellation of said registration.¹

*By the Trademark Trial
and Appeal Board*

¹ In addition, the provisions of Trademark Rule 2.134(b) are not applicable because the voluntary surrender was filed before the Section 8 cancellation and because the parties have entered into an agreement to the disposition of this case which, as evidenced by the stipulated disposition, does not contemplate pursuit of judgment on the record.