

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

Am

Mailed: October 31, 2011

Cancellation No. 92053211

Constellation Brands, Inc.

v.

Rudd Wines, Inc.

Petitioner, without the written consent of respondent, filed a withdrawal of the petition for cancellation on October 13, 2011.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition for cancellation may not be withdrawn without prejudice except with the written consent of respondent.

In view thereof, and because the withdrawal was filed after answer, the petition for cancellation is dismissed with prejudice.

***By the Trademark Trial  
and Appeal Board***