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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053846
Party	Plaintiff Sears Brands, LLC
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Date	10/05/2011
Attachments	motion.pdf (2 pages)(24451 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SEARS BRANDS, LLC)	
)	
Petitioner,)	
)	
v.)	
)	Cancellation No. 92053846
ROBERT GIANCROCE,)	Registration No. 3,104,379
)	
Registrant.)	

MOTION TO DISMISS TTAB PROCEEDING WITHOUT PREJUDICE

Pursuant to 37 C.F.R. § 2.106(c), and Rule 601.01 of the Trademark Trial and Appeal Board Manual of Procedure, Petitioner hereby requests the Trademark Trial and Appeal Board dismiss this proceeding without prejudice, in view of the fact that Petitioner is now the owner of the registration at issue by way of assignment from Registrant. Petitioner does not need the consent of Registrant, since Registrant has not filed an Answer.

Dated: October 5, 2011

Respectfully submitted

/s/ Jeffrey P. Dunning
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss TTAB Proceeding
Without Prejudice was served on Registrant by First Class Mail, addressed to:

Lindsey W. Cooper, Jr., Esq.
Mallory Anne Lopata, Esq.
The Law Offices of L.W. Cooper Jr.
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October 5, 2011

/JeffreyP.Dunning/