

ESTTA Tracking number: **ESTTA571739**

Filing date: **11/19/2013**

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

Proceeding	92054658
Party	Plaintiff Swank, Inc.
Correspondence Address	KARIN SEGALL LEASON ELLIS LLP ONE BARKER AVENUE, FIFTH FLOOR WHITE PLAINS, NY 10601 UNITED STATES Fields@leasonellis.com
Submission	Withdrawal of Cancellation
Filer's Name	Paul Fields
Filer's e-mail	tmdocket@leasonellis.com,fields@leasonellis.com
Signature	/Paul Fields/
Date	11/19/2013
Attachments	DOC111913-005.pdf(39754 bytes)

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Swank, Inc.,

Registrant,

v.

Swank Farms Produce, Inc.,

Applicant.

Cancellation No. 92054658
Trademark: SWANKY MODES
Reg. No. 3,432,570

**STIPULATION OF WITHDRAWAL OF CANCELLATION PROCEEDING
WITHOUT PREJUDICE**

WHEREAS, the undersigned are the attorneys of record for all the parties to the above entitled cancellation proceeding, and

WHEREAS, no party is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the actions, and

WHEREAS, the parties have entered into an Agreement, dated as of October 9, 2013 which settles these actions; now, therefore,

IT IS HEREBY STUPULATED AND AGREED as follows:

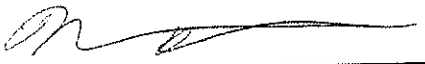
1. The above entitled action shall be, and hereby is, dismissed without prejudice.
2. This stipulation of withdrawal is without costs or disbursements to either part as against the other, and each party shall pay its own attorneys' fees.

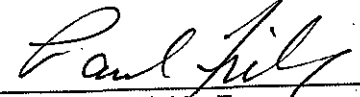
November
Date: October 18, 2013

November
Date: October 19, 2013

321 LAW, INC.

LEASON ELLIS LLP

By: 
Matthew A. Powelson, Esq.
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By: 
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CERTIFICATE OF SERVICE

I, Lauren Kennedy, hereby certify that I caused a true and correct copy of the foregoing **STIPULATION OF WITHDRAWAL OF CANCELLATION PROCEEDING WITHOUT PREJUDICE** to be served, by first-class mail, postage prepaid, upon the following counsel of record:

Matthew A. Powelson, Esq.
321 Law, Inc.
P.O. Box 911
Monterey, CA 93942

November
Dated: October 19, 2013

