

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

WINTER/tdc

Mailed: March 1, 2017

Cancellation No. 92064799

Lit International Group

v.

Jagermaestro Music/Lit Co.

By the Trademark Trial and Appeal Board:

On February 10, 2017, the Board entered judgment against Respondent, granted the petition to cancel, and indicated that Registration No. 4738899 would be cancelled. However, it has come to the attention of the Board that Petitioner sought relief only under Section 18 of the Trademark Act, 15 U.S.C. § 1068, and requested that the goods in International Class 25 of Petitioner's registration be restricted.¹ Accordingly, the Board's February 10, 2017 order is hereby VACATED.

In view thereof, insofar as neither an answer nor a response to the notice of default was filed, judgment by default is hereby entered against Respondent, the petition to cancel is granted to the extent that Registration No. 4738899 shall be restricted such that the goods in International Class 25 shall read as follows: **“clothing in the nature of souvenir merchandise, namely, T-shirts, hats, jackets and**

¹ The Board apologizes for the oversight.

sweatshirts sold exclusively in association with a rock band.” The registration will be restricted in due course by the Commissioner for Trademarks. *See* Fed. R. Civ. P. 55(b), and Trademark Rule 2.114(a).

