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

Proceeding	92068496
Party	Plaintiff Jonathan Timmerman
Correspondence Address	Kenneth A. Knox THOMAS HORSTEMEYER, LLP 3200 Windy Hill Road, SESUITE 1600E Atlanta, GA 30339 UNITED STATES Email: kenny.knox@thomashorstemeyer.com, carla.stone@thomashorstemeyer.com, wes- ley.roberts@thomashorstemeyer.com, trademarks@thomashorstemeyer.com
Submission	Withdrawal of Petition to Cancel
Filer's Name	Kenneth A. Knox
Filer's email	kenny.knox@thomashorstemeyer.com, trademarks@thomashorstemeyer.com
Signature	/Kenneth A. Knox/
Date	06/20/2018
Attachments	Motion_to_Dismiss.pdf(95938 bytes)

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

In Re Trademark Registration No.: 5,011,960

For the Mark: **Awaken Coffee Roasters**

Registered on August 2, 2016

JONATHAN TIMMERMAN &)
BRENT DAUGHERTY)
)
Petitioners,)
)
v.)
)
ROGER JOYNER)
)
Registrant.)
_____)

Cancellation No. 92/068,496

Docket No. 100101-7010

PETITIONERS' MOTION TO DISMISS WITHOUT PREJUDICE

Pursuant to 37 C.F.R. § 2.106(c), and in light of a settlement being reached between Petitioners and Registrant, it is hereby requested that the Petition for Cancellation be dismissed without prejudice. Petitioners note that this cancellation action may be withdrawn without the consent of the Registrant, and without prejudice with respect to the ability to file a new proceeding against the mark at a later date, as this motion is submitted prior to an answer being filed. *See* 37 C.F.R. § 2.106(c).

This Motion to Dismiss without Prejudice is being submitted via the Electronic System for the Trademark Trial and Appeal Board.

This 20th day of June, 2018.

Respectfully submitted,

/Kenneth A. Knox/

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Attorneys for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Petitioners' Motion to Dismiss without Prejudice has been served on Roger Joyner, the Registrant in this proceeding, by forwarding said copy on June 20, 2018, via email to:

Roger Joyner
rogerj@theburn247.com

This 20th day of June, 2018.

Respectfully submitted,

/Kenneth A. Knox/

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