

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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RK

June 10, 2021

Cancellation No. **92071435**

Engage Health, Inc.

v.

ClinEdge, LLC

By the Trademark Trial and Appeal Board:

On December 10, 2020, Respondent filed a voluntary surrender of its Registration No. 4715257 under Section 7(e) of the Trademark Act.¹ On June 10, 2021, Respondent moved to withdraw its counterclaim with prejudice.²

Trademark Rule 2.134(a) provides that if the respondent in a cancellation proceeding applies for cancellation of the involved registration under Section 7(e) of the Trademark Act without the written consent of every adverse party to the proceeding, judgment shall be entered against the respondent.

In view thereof, and because Petitioner's written consent to the voluntary surrender is not of record, **judgment is entered against Respondent, the**

¹ 25 TTABVUE. Respondent's filing fails to indicate proof of service on Petitioner as required by Trademark Rule 2.119. In order to expedite this matter, Petitioner is referred to <https://ttabvue.uspto.gov/ttabvue/v?pno=92071435&pty=CAN&eno=25> to view and obtain a copy of the filing.

² 26 TTABVUE.

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petition to cancel is granted, and Registration No. 4715257 will be cancelled in due course by the Commissioner for Trademarks.

As for Respondent's consented motion to withdraw its counterclaim, the motion is **GRANTED** and the counterclaim is **DISMISSED with prejudice**.

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