

ESTTA Tracking number: **ESTTA1130610**

Filing date: **04/30/2021**

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

Proceeding	92071578
Party	Plaintiff UT Vapes, LLC
Correspondence Address	ARNOLD S WEINTRAUB THE WEINTRAUB GROUP PLC 24901 NORTHWESTERN HWY SUITE 311 SOUTHFIELD, MI 48075 UNITED STATES Primary Email: aweintraub@weintraubgroup.com 248-809-2005
Submission	Other Motions/Submissions
Filer's Name	Arnold S. Weintraub
Filer's email	ipdocket@weintraubgroup.com
Signature	/Arnold S. Weintraub/
Date	04/30/2021
Attachments	20210430 CONSENT TO JUDGMENT for Filing.pdf(82305 bytes)

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

UT VAPES, LLC,)
A Michigan Limited Liability Company,)

Petitioner,)

vs.)

WE SELL RE SELL, LLC)
A California Limited Liability Company)

Registrant.)
_____)

Cancellation No.: 92071578

Registration No.: 4,704,912

Registration Date: March 17, 2015

THE WEINTRAUB GROUP, P.L.C.
Arnold S. Weintraub
Attorney for Petitioner
24901 Northwestern Hwy., Suite 201
Southfield, MI 48075
(248) 809-2005

STURMAN LAW, LLC
Jeffrey Sturman
Attorney for Registrant
8700 E. Jefferson Ave., #371706
Denver, CO 80237
(720) 772-1724

CONSENT TO JUDGMENT

NOW COMES Petitioner, UT VAPES, LLC, by and through its Counsel, THE WEINTRAUB GROUP, P.L.C., and ARNOLD S. WEINTRAUB, and pursuant to TBMP §604 hereby consents to Judgment with prejudice against itself in connection with the above identified Cancellation Proceeding.

Accordingly, it is respectfully requested that the Trademark Trial & Appeal Board enter Judgment against UT VAPES, LLC in connection with the above-captioned matter.

Dated: April 30, 2021

Respectfully Submitted:

/Arnold S. Weintraub/
Arnold S. Weintraub
Attorney for Petitioner
THE WEINTRAUB GROUP, P.L.C.
24901 Northwestern Hwy., Suite 311
Southfield, MI 48075
(248) 809-2005

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2021, I served a true and complete copy of the Consent to Judgment upon Mr. Jeffrey Sturman, Attorney for Registrant by email to jeffrey@sturmanlaw.com.

Dated: April 30, 2021

/Dede Phillips/
Dede Phillips
The Weintraub Group, P.L.C.
24901 Northwestern Hwy., Suite 311
Southfield, Michigan 48075
Tel: 248-809-2005

604 Consent to Judgment

If a party to an inter partes proceeding before the Board does not wish to litigate the case, and is willing to accept entry of judgment against itself, the party may file a statement with the Board indicating that it consents to entry of judgment against itself. Upon receipt of such a statement, the Board will enter judgment against the filing party. [**Note 1.**]

NOTES:

1. See, e.g., *Multisorb Tech, Inc. v. Pactiv Corp.*, 109 USPQ2d 1170, 1172 (TTAB 2013) (where respondent consented to entry of judgment on one claim which resulted in cancellation of the registration, Board did not enter judgment on remaining claim which related specifically to procurement of the involved registration and which would not bar a new application or form a basis of preclusion to challenge any new such registration).