

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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May 14, 2021

Cancellation No. 92073343 (Parent)

Cancellation No. 92073380

Cancellation No. 92073408

Jam City, Inc.

v.

Hangzhou Mengku Technology Co., Ltd.

**M. Catherine Faint,
Interlocutory Attorney:**

On March 23, 2021, Respondent filed a voluntary surrender of its Registration Nos. 5780987, 5780982, 5780969, 5780967, 5804215, 5804216, 5781760, and 5781759 under Section 7(e) of the Trademark Act. On March 31, 2021, Petitioner filed a stipulated withdrawal of the consolidated petitions for cancellation and counterclaim, contingent upon the voluntary surrender of aforementioned registrations.

Registration Nos. 5780987, 5780982, 5780969, 5780967, 5804215 and 5804216 are involved in the above-captioned consolidated cancellation proceedings. In view of the foregoing, Registration Nos. 5780987, 5780982, 5780969, 5780967, 5804215 and 5804216 will be cancelled in due course by the Commissioner for Trademarks.

However, Registration Nos. 5781760 and 5781759 are not involved in a Board proceeding. The Board has no jurisdiction over an application or registration unless

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and until it becomes involved in a Board inter partes proceeding. Unless the registration is the subject of a cancellation proceeding before the Trademark Trial and Appeal Board, a request for surrender is handled by the Post Registration Section. TMEP § 1608. Accordingly, Respondent's voluntary surrender of Registration Nos. 5781760 and 5781759 will not be considered.

Because the withdrawal of the consolidated petitions for cancellation and counterclaim are contingent upon abandonment of all the aforementioned registrations, proceedings are **suspended** so that Respondent may file its voluntary surrender of Registration Nos. 5781760 and 5781759 through TEAS.

The parties must contact the Board with a submission filed through ESTTA within **thirty days** of this order indicating that Respondent has filed (or plans to file) its voluntary surrender through TEAS; or the parties may otherwise contact the Board with a submission filed through ESTTA with a withdrawal of the cancellation, or with a motion regarding how the parties may otherwise wish to proceed.

If the parties proceed with filing Respondent's voluntary surrender of Registration Nos. 5781760 and 5781759 through TEAS, the parties must contact the Board by filing a paper through ESTTA within **twenty days** after final resolution of the voluntary surrender so that the Board may consider resuming this proceeding and take appropriate action.

Proceedings are otherwise suspended.