

ESTTA Tracking number: **ESTTA1286208**

Filing date: **05/19/2023**

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

Proceeding no.	92082160
Party	Plaintiff Algix, LLC
Correspondence address	MIKHAIL MURSHAK LOOMIS, EWERT, PARSLEY, DAVIS & GOTTING, PC 124 WEST ALLEGAN SUITE 700 LANSING, MI 48933 UNITED STATES Primary email: mmurshak@loomislaw.com Secondary email(s): mlsutterer@loomislaw.com 517-482-2400
Submission	Withdrawal of Petition to Cancel
Filer's name	Mikhail Murshak
Filer's email	mmurshak@loomislaw.com
Signature	/Mikhail Murshak/
Date	05/19/2023
Attachments	RISE Motion to Withdraw_2023MAY17.pdf(116810 bytes)

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

In re Registration of Material Innovations, LLC

Mark: RISE
Reg. No.: 5292541
Date of Registration: September 19, 2017

Algix, LLC :
 :
 :
 v. Petitioner, :
 : Proceeding No.: 92082160
 :
 :
 Material Innovations, LLC :
 :
 :
 Registrant. :

Trademark Trial and Appeal Board
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION FOR WITHDRAWAL OF PETITION FOR PARTIAL CANCELLATION

SUBJECT TO 37 CFR 2.114(c)

Petitioner submits this motion to unilaterally withdraw its petition for partial cancellation of U.S. Registration No. 5292541, Proceeding No. 92082160 (the “Proceeding”) without prejudice.

Petitioner and Registrant have entered into a settlement by way of a consent agreement. According to 37 C.F.R. 2.114(c) – “*The petition for cancellation may be withdrawn without prejudice before the answer is filed.*” The Registrant’s answer has not yet been filed and it is not due until June 4, 2023.

