

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

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Mailed: February 6, 2004

Opposition No. 90,158

Coors Brewing Company

v.

Anheuser-Busch  
Incorporated

This case originally included opposer's opposition to applicant's involved application serial no. 74/248,452 and applicant's counterclaims to cancel six of opposer's registrations [registrations no. 654,931, no. 1,202,255, no. 1,282,740, no. 1,285,493, no. 1,626,199, and no. 1,671,293].

In a previous order, a panel of the Board noted (1) the filing of a consented abandonment of the opposed application and that the opposition was therefore dismissed without prejudice, (2) the consented withdrawal of the counterclaims against registrations no. 1,285,493 and no. 1,671,293, and (3) entry of judgment against opposer on the counterclaim to cancel registration no. 1,626,199, because of opposer's failure to maintain the registration and to show cause why such failure should not result in entry of judgment against opposer. Thus, all that remained for disposition were the counterclaims against opposer's three other registrations.

The Board therefore issued an interlocutory order in regard to the remaining counterclaims. The order was primarily directed to opposer. After opposer responded to that order, applicant filed its own response, contesting one aspect of opposer's response. Opposer then filed an amended response. The current filings from the parties now reveal how the remaining counterclaims should be disposed of.

The interlocutory order for opposer to show cause why judgment should not be entered in applicant's favor on the counterclaim to cancel Registration No. 654,931 is discharged. The registration remains cancelled for failure to renew it. The counterclaim to cancel that registration is dismissed as moot.

Opposer has also forwarded to the Board copies of the surrenders it filed, with applicant's consent, of registrations no. 1,202,255 and no. 1,282,740. Accordingly, the counterclaims to cancel those two registrations are moot and are dismissed without prejudice.<sup>1</sup>

***By The Trademark Trial  
and Appeal Board***

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<sup>1</sup> In a previous order, the Board noted that the original surrender documents apparently had been received by the Post Registration section, but had never been processed. The Board will forward the copies to Post Registration for appropriate action. It will be opposer's obligation to communicate with the Post Registration section if it has any concerns regarding processing of the surrender documents or status of the registrations as shown in USPTO records.