

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Johnson

Mailed: December 17, 2002

Opposition No. 91117588

Opposition No. 91118153

MORGAN STANLEY DEAN WITTER
& CO.

v.

BENTLEY SYSTEMS,
INCORPORATED

On October 11, 2002, applicant filed abandonments of its applications, namely, Serial Nos. 75/236,327 and 75/200,182, under Trademark Rule 2.68.

However, the applicable rule is Trademark Rule 2.135, which provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against the applicant.

Accordingly, because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

***By the Trademark Trial
and Appeal Board***