

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

tww

Mailed: March 13, 2003

Opposition No. 91-120,351

PAINWEBBER INCORPORATED

v.

COUNTRYWIDE CREDIT
INDUSTRIES, INC.

Thomas W. Wellington
Interlocutory Attorney,
Trademark Trial and Appeal Board:

On October 29, 2002, applicant filed what the Board construes as an abandonment of its application Serial No. 75/534,552.¹

Trademark Rule 2.135 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 applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, **defendant is allowed twenty**

¹Applicant filed a "Surrender for Cancellation" of U.S. Registration 2,432,614, with original copy of said registration. The Board notes that in spite the fact that this opposition proceeding was instituted on September 22, 2000, application Serial No. 75/534,552 inadvertently matured into U.S. Registration No. 2,432,614 on March 6, 2001. The registration was cancelled under Section 7 of the Trademark Act on January 2, 2003.

days to show cause why judgment should not be entered against applicant, failing which judgment will be entered, the opposition sustained and registration to applicant is refused.

Proceedings otherwise are suspended.