

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

Johnson

Mailed: May 22, 2003

Opposition No. 91123764

LEBANESE ARAK CORPORATION

v.

KEYSAR NASR

On March 21, 2003, the Board issued its judgment order against applicant in view of its abandonment of its application Serial No. 76/040417, without opposer's written consent as required by Trademark Rule 2.135.

However, it has since come to the attention of the Board that on March 19, 2003, opposer's filed a withdrawal of opposition without prejudice, with applicant's written consent. Given the close proximity of the filings, the Board will presume that the parties intended the separate filings as a complete disposition of the proceeding.

Opposition No. 91123764

In view thereof, the Board's order of March 21, 2003 is hereby vacated, application Serial No. 76/040,417 stands abandoned, and the opposition is dismissed without prejudice. See Trademark Rules 2.106(c) and 2.135.

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