

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

Johnson

Mailed: May 7, 2003

Opposition No. 91125074

STUDIOCANAL IMAGE S.A. F/K/A  
CANAL + D.A

v.

SONIC TRADING MANAGEMENT LLC

On April 9, 2003, applicant filed an abandonment of its application Serial No. 76/006,700 under Trademark Rule 2.68.<sup>1</sup> In addition, on April 9, 2003, opposer filed a withdrawal of the opposition.<sup>2</sup>

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. Given the close proximity of the filings, the Board will presume that the parties intended

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<sup>1</sup> Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.

<sup>2</sup> Opposer's withdrawal does not indicate proof of service of a copy of same on counsel for applicant as required by Trademark Rule 2.119. In

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the separate filings as a complete disposition of the proceeding.

Accordingly, because opposer's written consent to the abandonment is not of record, the application stands abandoned, with prejudice, and because no answer is of record, the opposition is dismissed without prejudice. See Trademark Rules 2.135 and 2.106(c).

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

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order to expedite this matter, a copy of said withdrawal is forwarded herewith to counsel for applicant.