

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

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Mailed: May 11, 2004

Opposition No. 91150443

HASBRO, INC.

v.

LEDRAPLASTIC SPA

Frances S. Wolfson, Interlocutory Attorney:

On April 2, 2004, applicant filed an abandonment of its application Serial No. 75524850 without prejudice.¹ In view thereof, registration to applicant is hereby refused.

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.

Applicant claims that it has the written consent of opposer in a settlement agreement, but failed to provide

¹ 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. This is the second time that applicant's attorney has been advised of her failure to comply with Trademark Rule 2.119. Inasmuch as applicant is abandoning its application, the Board will consider the filing and forwards a copy herewith to opposer. Counsel is encouraged to familiarize herself with the Trademark Rules of Practice that govern Board proceedings.

opposer's written consent to the Board. Accordingly, applicant is allowed until THIRTY DAYS from the mailing date of this order to provide opposer's written consent to the abandonment, failing which judgment shall be entered against applicant and the opposition sustained.

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