

**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: September 8, 2003

Opposition No. 151,239

GABRIELLE STUDIO, INC.

v.

BCNY INTERNATIONAL INC.

On July 28, 2003, applicant filed an abandonment of its application Serial No. 76/150,155 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. Applicant's application stands abandoned.

In view of the stipulation filed July 22, 2003, the opposition is dismissed with prejudice.

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