

**UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451**

acampbell

Mailed: February 11, 2005

Opposition No. 91154661

BRIDGESTONE/FIRESTONE NORTH  
AMERICAN TIRE, LLC.

v.

Orteck International, Inc.

**Cheryl S. Goodman, Attorney:**

On December 10, 2004, applicant filed an abandonment of its application Serial No. 76369339 with prejudice advising that its abandonment was in connection with a "letter agreement" executed between the parties. However, applicant did not include the letter agreement with its abandonment and/or the written consent of opposer.

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, applicant is allowed until THIRTY DAYS from the mailing date of this order to provide opposer's written consent to applicant's abandonment of its application with prejudice, failing which, judgment will be entered

against applicant, the opposition sustained and registration to applicant refused.<sup>1</sup>

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<sup>1</sup> Opposer's consented motion to amend the notice of opposition, filed November 29, 2004, is granted.