

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

King

Mailed: February 3, 2004

Opposition No. 91155174

EDMONT P. D'ASCOLI, TURSTEE  
OF THE EDMON T P. D'ASCOLI  
REVOCABLE LIVING TRUST T P.  
D'ASCOLI REVOCABLE LIVING  
TRUST

v.

Exel Oyj

On January 12, 2004, applicant filed an abandonment of its application Serial No. 76/301162.

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, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

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