

United States Patent and Trademark Office
Commissioner for Trademarks
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Baez

Mailed: November 18, 2004

Opposition No. 91157630

CAREFIRST OF MARYLAND, INC.,
D/B/A CAREFIRST BLUECROSS
BLUSHIELD

v.

3C Incorporated

On October 1, 2004, applicant filed an abandonment of its application Serial No. 78/148,698 under Trademark Rule 2.68.¹

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.

Accordingly, because opposer's written consent to the abandonment is not of record, judgment is hereby entered

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. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.

against applicant, the opposition is sustained and registration to applicant is refused.

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