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

Mailed: March 7, 2007

Opposition No. 91158237

World Confections, Inc.

v.

Kencraft, Inc.

**Thomas W. Wellington,  
Interlocutory Attorney:**

On January 25, 2006, the Board entered against applicant, the opposition was sustained, and registration to applicant refused.

The Board's decision was appealed to the U.S. Court of Appeals for the Federal Circuit.

On November 9, 2006, applicant filed an abandonment of its application Serial No. 76362977 pursuant to a "settlement agreement," but without opposer's written consent. A copy of the settlement agreement was not attached.

Under Trademark Rule 2.135, if an applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant. Thus, under this rule, judgment would be entered

against applicant because opposer's written consent to the abandonment is not of record.

In view of the fact that action on the abandonment would only be duplicative of the Board's January 25, 2006 decision, the abandonment is moot and will not be considered.

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