

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: April 27, 2005

Opposition No 91165023  
Serial No. 78347988

REQUISITE SOLUTIONS INC.  
2750 N WAYNE UNIT F  
CHICAGO, IL 60614-1256

**Detroit Tigers, Inc.**

v.

**Requisite Solutions Incorporated**

Antonio Borrelli  
Cowan, Liebowitz & Latman, P.C.  
1133 Avenue of the Americas  
New York, NY 10036

**Sandra Thompson, Legal Assistant**

On April 11, 2005, opposer, Detroit Tigers, Inc., by filing a timely notice of opposition, commenced proceedings against the registration sought in application Serial No. 78347988. A copy of the notice of opposition is attached. On April 10, 2005, applicant filed an express abandonment of its application Serial No. 78347988 via USPTO's TEAS electronic filing system.

Because the notice of opposition was filed before applicant filed it express abandonment, the rules for inter partes proceedings apply. Trademark Rule 2.135 provides that if in an inter partes proceedings, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against the applicant. An exception to the rule exists for those cases, such as this one, where by the Board of the commencement of the proceedings. In such cases, the Board allows the applicant time to obtain the required written consent. If such written consent cannot be obtained, the applicant may withdraw the abandonment and defend the opposition; otherwise, judgment is entered in accordance with Trademark Rule 2.135.

In view thereof, the abandonment of Serial No. 78367166 is hereby set aside and applicant is allowed until thirty days from the mailing of this order to either (1) obtain and file with the Board opposer's written consent to the abandonment; (2) withdraw the abandonment of the application and proceed to defend the opposition by filing an answer thereto within **forty days** of the mailing of this order; or (3) do nothing and have judgment entered against applicant. Notices

concerning the rules changes, as well as the Trademark Trial and Appeal Board Manual of Procedure (TBMP), are available at [www.uspto.gov/web/offices/dcom/ttab/](http://www.uspto.gov/web/offices/dcom/ttab/).

**Discovery and testimony periods are set as follows:**

Discovery period to open:	May 17, 2005
Discovery period to close:	November 13, 2005
30-day testimony period for party in position of plaintiff to close:	February 11, 2006
30-day testimony period for party in position of defendant to close:	April 12, 2006
15-day rebuttal testimony period for plaintiff to close:	May 27, 2006

**New Developments at the Trademark Trial and Appeal Board**

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.