

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

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Mailed: October 15, 2005

Opposition No. 91165045

CLARK EQUIPMENT COMPANY,
D/B/A BOBCAT COMPANY

v.

MAGUS GmbH
(by assignment from)
UNOVA Industrial Automation
Systems, Inc.¹

On September 29, 2005, applicant filed an abandonment of its application Serial No. 78121669, with prejudice, and with opposer's written consent and opposer filed a withdrawal of the opposition, without prejudice with applicant's written consent.

In view thereof, application Serial No. 78121669 stands abandoned with prejudice, and the opposition is dismissed without prejudice. See Trademark Rule 2.135.

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

¹ Assignment recorded with the Assignment Branch of the Office.
Reel/Frame 3079/0956.