

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

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Mailed: September 28, 2007

Opposition No. 91171120

3M ESPE AG

v.

Oralogix Corporation

On August 16, 2007, the Board issued an order allowing applicant time in which to submit opposer's written consent to the abandonment of applicant's application.

On September 17, 2007, applicant filed a new abandonment of its application Serial No. 78536986 with prejudice.

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***