

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

am

Mailed: August 21, 2007

Opposition No. 91172060

Athletics Investment Group
LLC d/b/a The Oakland
Athletics Baseball Company

v.

Palace Baseball, LLC

On July 23, 2007, applicant filed an abandonment of its application Serial No. 78620096 under Trademark Rule 2.68.

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 against applicant, the opposition is sustained and registration to applicant is refused.¹

By the Trademark Trial

¹ Opposer's motion to suspend filed August 6, 2007 is moot.

and Appeal Board