

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

vb

Mailed: December 2, 2008

Opposition No. 91173381

Mr. Bruce Moreland

v.

Funsten, Stan

On November 20, 2008, applicant filed an abandonment of its application Serial No. 78591881 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.¹

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

¹ In view of the above decision, the show cause order issued by the Board on November 13, 2008 is moot.