

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

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Mailed: May 2, 2007

Opposition No. 91174711

General Motors Corporation

v.

The Parts Place, Inc.

Lalita R. Greer, Paralegal Specialist:

On February 15, 2007, opposer filed a "withdrawal of the opposition" and a copy of a consent agreement.¹

However, Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the **written** consent of applicant. It is unclear from the parties' consent agreement whether applicant consents to the withdrawal of the opposition with or without prejudice.

In view thereof, opposer is allowed thirty days from the mailing date of this order in which to submit applicant's

¹ While the parties filed a copy of their consent agreement, the Board prefers a stipulation signed by both parties stating the desired disposition of the proceeding (i.e., "It is hereby stipulated that the opposition be sustained," "It is hereby stipulated that the opposition be dismissed with prejudice."). See TBMP § 605.03(a).

written consent to the withdrawal, failing which the
opposition will be dismissed with prejudice.