

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

am/al

Mailed: January 28, 2010

Opposition No. 91170857  
Cancellation No. 92046253

Autodesk, Inc.

v.

SolidWorks Corporation

Opposition No. 91174972  
Opposition No. 91175197

SolidWorks Corporation

v.

Autodesk, Inc.

**Opposition No. 91170857**

On January 19, 2010, applicant filed an abandonment of its application Serial No. 78651780.

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.

**Cancellation No. 92046253**

Also on January 19, 2009, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 3134536.

Trademark Rule 2.134(a) provides that if the respondent in a cancellation proceeding applies to cancel its involved registration under Section 7(e) without the written consent of every adverse party to the proceeding, judgment shall be entered against respondent.

In view thereof, and because petitioner's written consent to the voluntary surrender is not of record, judgment is hereby entered against respondent, the petition to cancel is granted, and Registration No. 3134536 will be cancelled in due course.

**Opposition Nos. 91174972 and 91175197**

Opposer, without the written consent of applicant, filed a withdrawal of the oppositions on January 19, 2010.

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the oppositions are dismissed with prejudice.

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