

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

cv/bb

Mailed: January 22, 2008

Opposition No. 91179145

Sportopia Entertainment, LLC
and William Hunt Archbold

v.

Eatertainment, Inc.

On December 5, 2007, applicant filed an abandonment of its application Serial No. 77058756 and its counterclaim.

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 opposers' 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. Applicant's counterclaim is dismissed with prejudice.

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