

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

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Mailed: November 15, 2008

Opposition No. 91181841

Brasseler USA, Inc.

v.

Gebr. Brasseler GmbH & Co.  
KG

On September 23, 2008, applicant filed an abandonment of its application Serial No. 77039633 under Trademark Rule 2.68 and 2.135.

It is noted that 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.

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