

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

lg/em

Mailed: May 21, 2012

Opposition Nos. 91186510
91186653

Franklin Loufrani

v.

Harvey Ball Smile Limited

On November 17, 2011, the Board issued an order allowing applicant thirty days to show cause why the abandonment of application Serial No. 79045616 should not be deemed to be the equivalent of an abandonment of the application without the consent of the adverse party, and should not result in entry of judgment against applicant. The record shows no response thereto.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant in this proceeding, the opposition is sustained and registration to applicant is refused. See Trademark Rule 2.135.

Opposition Nos. 91186510 and 91186653

Inasmuch as Opposition No. 91186510 is now concluded, Opposition No. 91186653, the other proceeding in the consolidated series, will go forward.

Trial dates including disclosure, discovery, and testimony periods in Opposition No. 91186653, are reset indicated below:

Initial Disclosures Due	6/20/2012
Expert Disclosures Due	10/18/2012
Discovery Closes	11/17/2012
Plaintiff's Pretrial Disclosures	1/1/2013
Plaintiff's 30-day Trial Period Ends	2/15/2013
Defendant's Pretrial Disclosures	3/2/2013
Defendant's 30-day Trial Period Ends	4/16/2013
Plaintiff's Rebuttal Disclosures	5/1/2013
Plaintiff's 15-day Rebuttal Period Ends	5/31/2013

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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