

**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 9, 2009

Opposition No. 91190298

Cherokee Nation

v.

The Lost Cherokee of
Arkansas and Missouri, Inc.

Linda Skoro, Interlocutory Attorney

On November 5, 2009, applicant filed an abandonment of its application Serial No. 77082909.

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. Applicant has alleged opposer's verbal consent to its abandonment of its application.

In view thereof, before the Board acts on applicant's request for abandonment without prejudice, opposer is allowed TWENTY days to provide its written consent to applicant's abandonment, failing which the abandonment will be with prejudice, the opposition sustained and registration to applicant is refused.

Proceedings otherwise remain suspended.