

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

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Mailed: February 28, 2011

Opposition No. 91193796

Opposition No. 91193798 ✓

PB Brands, LLC

v.

Rakesh Patel

Cheryl S. Goodman, Interlocutory Attorney:

Opposition No. 91193796

On February 4, 2011, applicant filed an abandonment of its application Serial No. 77713464 (the involved application in Opposition No. 91193796).¹ On February 8, 2011 the parties filed a stipulated withdrawal of Opposition no. 91193796 with prejudice.

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 of the parties' stipulated withdrawal, it appears the abandonment may have been in conjunction with

¹ Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark

the parties' settlement of the matter. In view thereof, applicant is allowed until THIRTY DAYS from the mailing date of this order to provide opposer's written consent to the abandonment of involved application Serial No. 77713464, failing which, judgment will be entered against applicant in Opposition no. 91193798.

The parties have filed no withdrawal of Opposition no. 91193798, therefore, once the disposition is clarified for Opposition No. 91193796, proceedings will go forward with respect to Opposition No. 91193798.

Rule 2.119. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.