

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

mc/dmd

Mailed: May 26, 2010

Opposition No. 91194396

The North Face Apparel Corp

v.

South Butt, LLC, The

On April 17, 2010, applicant filed an abandonment of its application Serial No. 77840757.

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 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.¹

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

¹ In view of applicant's withdrawal of the application, opposer's motion filed April 7, 2010 to suspend proceedings is deemed moot and will not receive further consideration.