

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

coggins

Mailed: July 27, 2010

Opposition No. 91194562

Agape Roofing and
Construction, LLC

v.

Karl Burgeson, and
Lynne Burgeson

Applicants' motion (filed June 1, 2010) for an extension of time in which to respond to the notice of opposition is granted as conceded.¹ Trademark Rule 2.127(a). Accordingly, applicants' combined answer and motion to dismiss (filed June 25, 2010) are timely and noted.

Inasmuch as applicants' motion to dismiss was timely, and opposer has failed to file a brief in opposition thereto², the motion to dismiss is hereby granted as

¹ The appearance of counsel (filed July 16, 2010) for applicant is noted and entered.

² A response to the motion to dismiss was due from opposer on July 15, 2010. See Trademark Rules 2.119(c) and 2.127(a). However, the record shows no response by opposer to the motion.

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conceded. See Trademark Rule 2.127(a) and Fed. R. Civ. P. 12(b). Accordingly, the opposition is dismissed with prejudice.

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