

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

RA/EM

Mailed: May 25, 2010

Opposition No. 91194642

Simso Tex Sublimation
Printing & Finishing, Inc.

v.

TB Solutions

It has come to the attention of the Board that back on February 19, 2009 applicant filed an express abandonment of its application Serial No. 77409585, which is noted.

The Board further notes that this application had inadvertently issued into a registration after the dismissal of a co-pending Opposition No. 91186600, despite there being another potential opposer Simso Tex Sublimation Printing & Finishing, Inc. who had timely filed its notice of opposition. The application status was restored to pendency status in February of 2009.

Applicant's abandonment of its application Serial No. 77409585 filed on February 19, 2009 is noted.

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.

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