

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

MT

Mailed: December 14, 2010

Opposition No. 91196979

ZIA Cosmetics, Inc.

v.

WTFN, Inc.

Andrew P. Baxley, Interlocutory Attorney:

On December 10, 2010, applicant filed an abandonment of its application Serial No. 85018839 with prejudice, but indicated that the parties have agreed that judgment will not be entered against applicant.

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, applicant is allowed thirty days from the mailing date of this order in which to submit opposer's written consent to the abandonment, failing which judgment will be entered against applicant, and the opposition will be sustained.