

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

tlc/dmd

Mailed: March 23, 2012

Opposition No. 91197053

Opposition No. 91199117

Merial

v.

Sergeant's Pet Care
Products, Inc.

Opposition No. 91197053

On February 8, 2012, opposer filed its stipulated withdrawal of Opposition No. 91197053 without prejudice with respect to application Serial Nos. 85021194 and 85021239; and with prejudice with respect to application Serial No. 85021258, contingent upon applicant's withdrawal of that application.

On February 20, 2012, the parties filed applicant's abandonment of its application Serial Nos. 85021258. The contingency having been met, Opposition No. 91197053 is dismissed without prejudice with respect to application Serial Nos. 85021194 and 85021239; application Serial No. 85021258 stands abandoned; and the opposition with regard to application Serial No. 85021258 is dismissed with prejudice.

Opposition No. 91199117

On February 8, 2012, opposer filed a withdrawal of the oppositon without the written consent of applicant.

Opposition Nos. 91197053 and 91199117

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the **written** consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

*By the Trademark Trial
and Appeal Board*