

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

Mailed: August 21, 2012

Opposition No. 91202136

Aton Pharma, Inc.

v.

James W. Brady and Patricia  
M. Brady

**Karl Kochersperger, Paralegal Specialist:**

On August 13, 2012, applicant filed an abandonment of its application Serial No. 85167740.

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 the applicant.

Applicant claims that it has the written consent of opposer, but failed to provide opposer's written consent to the Board. Accordingly, applicant is allowed until *thirty days* from the mailing date of this order to provide opposer's written consent to the abandonment, failing which judgment shall be entered against applicant and the opposition sustained.