

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

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Mailed: April 12, 2012

Opposition No. 91204332

HMS Holdings Corporation

v.

Highmark Medicare Services¹

On April 4, 2012, applicant filed an abandonment of its application Serial Nos. 85424329 and 85426644 with prejudice.

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

¹ Applicant's filing indicates that the involved applications have been assigned to Diversified Service Options, Inc., and this company then changed its name to Novitas Solutions, Inc. There has been no record of these assignments with the Assignment Branch of the Office. Accordingly, the caption of this proceeding remains unchanged.

and Appeal Board