

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

Mailed: May 5, 2014

Opposition No. 91204667

Caymus Vineyards

v.

Caymus Medical, Inc.

By the Trademark Trial and Appeal Board:

On April 17, 2014, applicant filed a (corrected) abandonment of its application Serial Nos. 85279926, 85281308, with prejudice and a withdrawal of its counterclaim, with prejudice.¹

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 entered against applicant, the opposition is sustained, registration to applicant is refused and the counterclaim is dismissed with prejudice.

¹ Applicant's withdrawal of application and counterclaim previously filed on April 17, 2014 is noted.