

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

am

Mailed: January 8, 2013

Opposition No. 91208348

Fifty-Six Hope Road Music  
Limited

v.

Michael F. Smith DBA Mike &  
Marley

On December 10, 2012, applicant filed an abandonment of its application Serial No. 85548294 with an allegation of opposer's consent. Also on December 10, 2012 opposer filed a response to applicant's abandonment indicating applicant's abandonment was without opposer consent.

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  
and Appeal Board***