

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

GCP

Mailed: October 4, 2013

Opposition No. 91210565

Bayer Healthcare, LLC

v.

PSS World Medical, Inc.

On September 30, 2013, applicant filed an abandonment of its application Serial No. 85683811.¹

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 hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

***By the Trademark Trial
and Appeal Board***

¹ Applicant's appointment of new counsel filed on June 12, 2013 and applicant's change of correspondence address filed on August 21, 2013 are noted. Board records have been updated accordingly.