

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

RA

Mailed: April 29, 2015

Opposition No. 91210643
Cancellation No. 92057408¹

Tristar Products, Inc.

v.

Blue Gentian, LLC

By the Trademark Trial and Appeal Board:

On March 31, 2015, applicant filed an abandonment of its application Serial No. 85684030 under Trademark Rule 2.68.

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.

Accordingly, because opposer's written consent to the abandonment is not of record, judgment is entered against applicant, the opposition is sustained and registration to applicant is refused.

¹ The Board has issued a separate order with respect to the voluntary surrender of registrant's registration No. 4,351,590 in the child case.