

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

Mailed: December 13, 2013

Opposition No. 91212043

Herschend Family
Entertainment Corporation¹

v.

Jimmie DeRamus

Rochelle Adams, Paralegal Specialist:

On November 13, 2013, applicant filed an abandonment of its application Serial No. 85626880, with an allegation of opposer's 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, applicant is allowed until thirty days from the mailing of this order in which to submit opposer's written consent. Failing, which judgment will be entered against applicant, at such time the opposition will be sustained and registration to applicant refused.

¹ Opposer's November 4, 2013 motion for default judgment is noted and deemed moot in view of the applicant's abandonment filed.