

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Mailed: December 11, 2015

Opposition No. 91220321

Primal Kitchen, LLC

v.

*Primal Nutrition, Inc.*¹

By the Trademark Trial and Appeal Board:

On November 17, 2015, Opposer filed an abandonment of its pleaded application Serial No. 86390627 and a withdrawal of the opposition with prejudice with Applicant's written consent.

Opposer's pleaded application is suspended in *ex parte* examination and is not subject to Board jurisdiction. *See* TBMP Section 212.01 (3d ed. 2011). Accordingly, any abandonment of that application must be processed by the examining attorney. The abandonment has been forwarded to the examining attorney for processing.

In view of Opposer's withdrawal of the notice of opposition with prejudice, the opposition is dismissed with prejudice.

¹ The substitution of counsel for Applicant filed October 8, 2015 is noted and the proceeding file has been updated accordingly to reflect the change.