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

Faint

Mailed: April 8, 2016

Opposition No. 91221777

eos Products, LLC

v.

H&M Hennes & Mauritz AB

By the Trademark Trial and Appeal Board:

Application Serial No. 79148505, the subject of this Opposition proceeding, is a request for extension of protection to the United States, filed pursuant to Trademark Act § 66(a), 15 U.S.C. § 1141(f)(a). On April 29, 2015, Opposer filed the notice of opposition opposing only Class 3 in Applicant's multiple class application. On March 1, 2016, the International Bureau notified the USPTO that International Class 3 is deleted from Applicant's Application Serial No. 79148505. Pursuant to Trademark Rule 7.30,

> When the International Bureau notifies the office of the cancellation or expiration of an international registration, in whole or in part, the Office shall cancel, in whole or in part, the corresponding pending or registered extension of protection to the United States. The date of cancellation of an extension of protection or relevant part shall be the expiration of the corresponding international registration or relevant part.

In view thereof, the extension of protection is hereby cancelled as to International Class 3.

Applicant Allowed Time to Show Cause

The extension of protection having been cancelled as to Class 3, Applicant is allowed until **THIRTY DAYS** from the mailing date of this order to show cause why its failure to maintain the international registration should not be deemed to be the equivalent of an abandonment without the written consent of the adverse party, and should not result in entry of judgment against Applicant as provided by Trademark Rule 2.135. In the absence of a showing of good and sufficient cause, judgment may be entered against Applicant. *See* Trademark Rule 2.135.

If, in response to this order, Applicant submits a showing that the failure to maintain the international registration was the result of inadvertence or mistake, judgment will not be entered against it.

In that case, Opposer will be given time in which to elect whether it wishes to go forward with the opposition proceeding, or to have the opposition dismissed without prejudice as moot.

Applicant Allowed Time to Inform Board Regarding Counterclaim

Applicant is allowed until **THIRTY DAYS** from the mailing date of this order to inform the Board whether it wishes to go forward and obtain a judgment on the counterclaim. If Applicant fails to respond to this order, the counterclaim will be dismissed as moot.

Proceedings are otherwise suspended.

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