

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451
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GMM/vv

Mailed: February 2, 2016

Opposition No. 91222134

InterDesign, Inc.

v.

E & E Co., Ltd.

By the Trademark Trial and Appeal Board:

On August 13, 2015, Applicant filed a proposed amendment to application Serial No. 86262516 by which it sought to delete all of the goods set forth in International Class 21.¹

On November 23, 2015, in response to the Board's November 23, 2015, order, Applicant submitted Opposer's written consent to the proposed amendment.

On December 10, 2015, Opposer filed a withdrawal of the opposition, with the written consent of Applicant.

In an opposition to an application having multiple classes, if the applicant files a request to amend the application to delete an opposed class in its entirety, the request for amendment is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135. *See* TBMP § 602.01 (2015).

¹ International Classes 16, 20, and 24 of the subject application remain unchanged.

Trademark Rule 2.135 provides as follows:

After the commencement of an opposition, concurrent use, or interference proceeding, if the applicant files a written abandonment of the application or of the mark without the written consent of every adverse party to the proceeding, judgment shall be entered against the applicant. The written consent of an adverse party may be signed by the adverse party or by the adverse party's attorney or other authorized representative.

Because Opposer provided written consent to the abandonment, International Class 21 of the subject application is abandoned. *See* Trademark Rule 2.135. International Classes 16, 20, and 24 remain unchanged.

The opposition is dismissed pursuant to the agreement of the parties. *See* Trademark Rule 2.106(c).