

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

Mailed: January 19, 2016

Opposition No. 91222169

Allergan, Inc.

v.

Amorepacific Corporation

By the Trademark Trial and Appeal Board:

On December 28, 2015, Applicant filed an abandonment of its application Serial No. 86334705.

Additionally Opposer's withdrawal of opposition filed December 31, 2015 is noted

Because of the close proximity of the parties' filings and the USPTO website outage the Board presumes that the separate filings are intended to settle this case. It is noted, however, that Applicant's abandonment is without Opposer's written 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.

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In view thereof, and because Opposer's written consent to the abandonment is not of record, judgment is entered against Applicant and registration to the Applicant is refused.

Additionally, because no answer is of record, the opposition is dismissed without prejudice. *See* Trademark Rule 2.106(c).