

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Mailed: January 22, 2016

Opposition No. 91222169

Allergan, Inc.

v.

Amorepacific Corporation

By the Trademark Trial and Appeal Board:

On January 19, 2016, the Board issued an order entering judgment against Applicant because Opposer's written consent was not of record to the abandonment of application Serial No. 86334705. In response, the parties filed a request to modify the Board's order on January 19, 2016 and a stipulation requesting an abandonment of the application without prejudice on January 21, 2016.¹

In view thereof, the Board's January 19, 2016 judgment order is modified to the extent that application Serial No. 86334705 is now abandoned **without prejudice**,

¹ The Board notes that the parties intended to first have the opposition dismissed and then follow up with a withdrawal of the application. The parties are notified that abandonments of an opposed application should be filed with the Board, and a single stipulation stating the desired disposition of the application and the opposition would suffice. The parties can refer to TBMP 602.01 for information on the various situations involving the abandonment of an opposed application.

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and the opposition remains as previously dismissed without prejudice.² *See* Trademark Rules 2.106(c) and 2.135.

² It is noted that the Board's January 19, 2016 order inadvertently listed the filing date of the withdrawal of opposition as December 31, 2015, when the actual mailroom date was December 28, 2015. The Board's records have been accordingly corrected.