

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

GCP

Mailed: August 14, 2015

Opposition No. 91222288

*Prop Supply & Service, LLC*

v.

*TBM Sand & Storage Logistics, LLC*

**By the Trademark Trial and Appeal Board:**

On August 13, 2015, Applicant filed an abandonment of its application Serial No. 86118239, with Opposer's written consent.

In view thereof, application Serial No. 86118239 stands abandoned, and the opposition is dismissed **without prejudice**. See Trademark Rule 2.135.

Notwithstanding the foregoing, the Board notes that Applicant filed a counterclaim on July 20, 2015 seeking to cancel Opposer's pleaded registered PROPMASER mark. In view thereof, Applicant is allowed until **twenty (20) days** from the mailing date of this order to advise the Board whether or not it wishes to proceed with its counterclaim, failing which the Board will reset trial dates solely in regard to the counterclaim. To the extent Applicant does not want to proceed with its counterclaim, Applicant should file a withdrawal of the counterclaim.

Proceedings are otherwise suspended pending Applicant's response to this order.