

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

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Mailed: October 24, 2016

Opposition No. 91230701

*Neonode, Inc.*

*v.*

*Veeam Software AG*

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

It has come to the Board's attention that Applicant filed an express abandonment of the subject application prior to the commencement of this proceeding.<sup>1</sup> In view thereof, the Board's October 19, 2016 institution order is hereby vacated, and application Serial No 86272564 stands abandoned without prejudice. *See* Trademark Rule 2.68.

Further, an application that has been abandoned is no longer subject to the filing of an opposition, and any opposition filed on or after the filing date of the abandonment will not be considered, and the fee will be refunded. *See* TBMP § 218.

Accordingly, this opposition is dismissed as a nullity, and the matter will be referred to the Finance Division of the Office for a refund of any fees paid.

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<sup>1</sup> Applicant filed the express abandonment with the Trademark Examining Operation on October 13, 2016. A copy of the abandonment has been placed in the Board's proceeding file.