

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: August 4, 2004

Opposition No. 91116153

WILLIAM SEARS

v.

REXALL SUNDOWN, INC.

Angela Campbell, Paralegal Specialist:

On February 28, 2004, the Board sent an order to show cause under Trademark Rule 2.128(a)(3) regarding opposer's failure to file a brief on the case.

Inasmuch as no response has been received, judgment is hereby entered against opposer under Trademark Rule 2.128(a)(3), and the opposition is dismissed with prejudice.

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