

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

ACAMPBELL

Mailed: January 15, 2003

Opposition No. 91117695

NOVARTIS CONSUMER HEALTH,
INC.

v.

BRAINTREE LABORATORIES, INC.

ANGELA CAMPBELL, PARALEGAL SPECIALIST:

On November 13, 2002, applicant filed an abandonment of its application Serial No. 75/700,842 with prejudice.

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.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

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