

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Mailed: March 4, 2003

Opposition No. 91-123,283

CANAL + D.A.

v.

DC COMICS, ET AL.,

Peter Cataldo, Interlocutory Attorney

On September 6, 2002, opposer filed a withdrawal without prejudice of the instant opposition. On September 24, 2002, applicant filed an abandonment of its application Serial No. 75/754,584. On November 26, 2002, the Board issued an order allowing the parties thirty days in which to indicate their intentions for the disposition of this proceeding, failing which, judgment would be entered against applicant under Trademark Rule 2.135.

Office records indicate no response thereto.

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***