

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

Baez/KSK

Mailed: July 22, 2003

**Opposition No. 91151548**

**MASTERCARD INTERNATIONAL  
INCORPORATED**

**v.**

**TELEVISA S.A. DE C.V.**

On May 2, 2003, applicant filed a proposed amendment to its application Serial No. 76/006,285.<sup>1</sup>

By the proposed amendment applicant seeks to delete all goods in **International Class 036**. The request to amend an application by deleting an opposed class is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135, which 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 the applicant. See TBMP Section 602.

Accordingly, because opposer's written consent to the abandonment is not of record, judgment is hereby entered

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<sup>1</sup> Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.

against applicant as to **International Class 036** the opposition is sustained and registration to applicant is refused as to **International Class 036**.

If this resolves the dispute herein, opposer is allowed until **thirty days** from the mailing date of this order to file a withdrawal of the notice of opposition, failing which the opposition will go forward on the application as amended.<sup>2</sup> See Trademark Rule 2.106(c).

Proceedings are otherwise suspended.

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

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<sup>2</sup> Upon entry of the amendment approved herein, application Serial No. 76/006,285 will move forward on the remaining classes, namely, Classes 35, 38, 41 and 42.