

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

WRITER

Mailed: August 14, 2002

Opposition No. 91151712

Capital Energy, Inc

v.

PTP SERVICES LLC

Frances S. Wolfson, Interlocutory Attorney:

On June 24, 2002, applicant filed an abandonment of its application Serial No. 76217465.

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***