

**UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451**

MT

Mailed: July 26, 2011

Opposition No. 91150278

Opposition No. 91154632

Wal-Mart Stores, Inc.

v.

Franklin Loufrani

Opposition No. 91152145

Franklin Loufrani

v.

Wal-Mart Stores, Inc.

By the Trademark Trial and Appeal Board:

On March 20, 2009, the Board issued a final decision wherein it sustained Opposition Nos. 91150278 and 91154632 and dismissed Opposition No. 91152145.

Following the issuance of that decision, Franklin Loufrani commenced a civil action styled *Loufrani and The Smiley Company SPRL v. Wal-Mart Stores, Inc.*, Case No. 1:09-cv-03062, in the United States District Court for the Northern District of Illinois. On June 16, 2011, the parties filed a stipulation to dismiss with prejudice the complaint and counterclaim in the civil action, which

Opposition Nos. 91150278, 91152145 and 91154632

resulted in the June 21, 2011 dismissal of that civil action. In view of such dismissal, the Board's March 20, 2009 decision stands.