

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

dmd

Mailed: December 17, 2003

Opposition No. 91155704

Inovonics Wireless
Corporation

v.

Innov-ICs

Denise M. DelGizzi, Paralegal Specialist

On December 1, 2003, applicant filed an abandonment of its application Serial No. 76302713 under Trademark Rule 2.68.¹

However, the applicable rule is 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.

Accordingly, 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.

¹ Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule

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

2.119. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.