

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

TDC/apb

Mailed: May 4, 2006

Opposition No. 91162932

Mars, Incorporated

v.

Walter Williams, Jr.

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

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on May 1, 2006.<sup>1</sup>

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

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<sup>1</sup> The Board notes that the withdrawal of opposition did not include proof of service upon opposing counsel as required by Trademark Rule 2.119(a). The opposer is reminded of its obligation to send a service copy of any paper filed in an inter partes proceeding to the adverse party, and to include proof of service when the paper is filed with the Board. To expedite matters, a copy of the withdrawal of opposition is included with applicant's copy of this order.