

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

Baxley

Mailed: July 12, 2007

Opposition No. 91163128

Duramed Pharmaceuticals, Inc.

v.

Natural Alternatives  
International, Inc.

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

On July 10, 2007, applicant filed an abandonment of its application Serial No. 78292508 under Trademark Rule 2.68.

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.