

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

Mailed: May 18, 2006

Opposition No. 91163449

CarbSmart, Inc.

v.

Lifestyle Evolution, Inc.

**Thomas W. Wellington,  
Interlocutory Attorney:**

On April 18, 2006, the Board issued a show cause order because opposer had not filed a trial brief.

On May 8, 2006, opposer filed a response to the show cause order and stated that the parties had previously stipulated to dismissal of this opposition proceeding and filed a copy of said stipulation with the Board (on November 4, 2005). Opposer attached a copy of the stipulation.

In view of the above, the Board's show cause order is set aside and the opposition is dismissed with prejudice, in accordance with the stipulation. Trademark Rule 2.106(c).

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