

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

Pologeorgis

Mailed: February 24, 2009

Opposition No. 91174969

William Grant & Sons, Inc.

v.

Craig Dieffenbach

On November 19, 2008, applicant filed a communication with the Board advising the status of the civil action which occasioned the suspension of these proceedings. Applicant advised that a Judgment and Permanent Injunction has been issued in the civil action and, pursuant to the court order in the civil case, the subject application in this case has been expressly abandoned. Applicant included a copy of its express abandonment of its application Serial No. 78781902 with its November 19, 2008 filing.

Trademark Rule 2.135 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 applicant.

In view thereof, and 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.<sup>1</sup>

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

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<sup>1</sup> In light of the instant order, opposer's motion (filed February 17, 2009) for entry of judgment in light of applicant's abandonment of its subject application is deemed moot and will be given no further consideration.