

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

cv/bb

Mailed: December 10, 2007

Opposition No. 91175745

Alticor Inc.

v.

Burrows, Bruce D.

On October 17, 2007, applicant filed an abandonment of its application Serial No. 78787498.¹ The Board notes that Application Serial No. 78787498 as well as application Serial No. 78789820 are both the subject of Opposition No. 91175745.

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 partially against applicant, the opposition is sustained and registration to applicant is refused with respect to

¹ Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.

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application Serial No. 78787498 *only*. As applicant has not abandoned application Serial No. 78789820, that application is live and remains the subject of pending Opposition No. 91175745.

Lastly, the Board notes the motion to suspend (filed December 3, 2007) and will decide that motion in due course.