

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

Tdc

Mailed: June 12, 2009

Opposition No. 91164925  
91169546  
91169605  
91169606  
91169607  
91169609  
91169610  
91169611  
91169613  
91169617  
91169618  
91169619  
91169621  
91169622  
91169624  
91169625  
91169626  
91175335  
91175687  
91179283  
91183397  
91182903

NFL Properties LLC and Dallas  
Cowboys Football Club, Ltd.

v.

America's Team Properties, Inc.

On June 10, 2009, applicant filed an abandonment of its  
application Serial Nos. 78339705, 78339355, 78339395, 78458731,  
78342112, 78339973, 78339701, 78339388, 78340668, 78339350,  
78340661, 78362836, 78362838, 78339613, 78340252, 78339446,

78362837, 78346995, 78340681, 78346999, 77264628 and 77272693, with prejudice under Trademark Rule 2.68.<sup>1</sup>

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.

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

---

<sup>1</sup> 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.