

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

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Mailed: February 10, 2009

Opposition No. 91182962

Crocs, Inc., Ocean Minded,
Inc.

v.

Ocean Moody Creations, LLC

On February 6, 2009, the Board issued an order wherein opposer was allowed time to submit the appropriate fee for amending its Registration No. 2282012. It has come to the attention of the Board that opposer's registration was amended during the renewal process of the registration on January 5, 2009. Opposer, therefore, has submitted the appropriate fee.

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on December 18, 2008. In addition, opposer consented to judgment on applicant's counterclaim for partial cancellation of Registration No. 2282012 to delete the following terms from the description of goods: "t-shirts, sweatshirts, shorts and hats."

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice. In further view thereof, the counterclaim is sustained for partial cancellation of Registration No. 2282012 to delete the following terms from the description of goods: "t-shirts, sweatshirts, shorts and hats."

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