

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

WINTER

Mailed: January 4, 2011

Opposition No. 91185925

Rainforest Cafe, Inc.

v.

Save Your World, L.L.C.

On September 20, 2010, opposer filed a motion requesting that the Board enter judgment against applicant in the opposition and dismiss applicant's counterclaim with prejudice because applicant's counsel had informed opposer that applicant will not take any further action in this proceeding.

When a party to an *inter partes* proceeding before the Board advises the adverse party that it will not take any further action in the case, the adverse party may file a motion asserting this fact and request entry of judgment in its favor. If the motion is uncontested, the Board will normally grant it in accordance with its authority to manage the cases on its docket and to enter sanctions against a

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party. See Trademark Rule 2.127(a); and TBMP § 527.03 (2d ed. rev. 2004) and cases cited therein.

In view of the foregoing, the opposition is accordingly sustained, registration to applicant is refused, and applicant's counterclaims are dismissed with prejudice.

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