

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

nmt

Mailed: September 8, 2009

Opposition No. 91190370

Nature's Way Holding Company  
and Enzymatic Therapy, Inc.

v.

Schiff Nutrition  
International, Inc.

On September 2, 2009, applicant filed an abandonment of its application Serial No. 77639145 with prejudice.

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.

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