

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

Mailed: August 20, 2009

Opposition No. **91190986**

Caterpillar Inc.

v.

SolarCAT, Inc.

Rochelle Ricks, Paralegal Specialist:

On August 18, 2009, applicant filed an abandonment of its application Serial No. 77530415, with an allegation of applicant's consent.

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, applicant is allowed until thirty days from the date of this order to submit opposer's written consent. Failing, which judgment will be entered against applicant, and the opposition sustained.