

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

cv

Mailed: September 11, 2010

Opposition No. 91192940

Cornucopia Beverages, Inc.

v.

Grupo Andrea, S.A. de C.V.

On August 16, 2010, applicant filed an abandonment of its application Serial No. 77579891.

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.¹

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

¹The Board notes that judgment was already entered against applicant in Opposition No. 91192941, on September 2, 2010. The application remains as previously abandoned.