

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

AM

Mailed: January 10, 2013

Opposition No. 91205744

Sazerac Company, Inc.

v.

Nelson's Green Brier
Distillery, LLC

On October 25, 2012, applicant filed an abandonment of its application Serial No. 85481397, without opposer's written consent. On October 26, 2012 the Board entered judgment against applicant because opposer's written consent to the abandonment was not of record.

On November 9, 2012 and January 2, 2013 applicant filed a response to the Board's judgment order and included opposer's written consent to applicant abandonment of its application Serial No. 85481397.

In view thereof, the Board's October 26, 2012 order is hereby modified. Application Serial No. 85481397 stands abandoned, and the opposition is dismissed without prejudice. See Trademark Rule 2.135.

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