

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

Mailed: October 3, 2012

Opposition No. 91206989

Pfizer Inc.

v.

Forest Laboratories, Inc.

**George C. Pologeorgis,
Interlocutory Attorney:**

On October 3, 2012, applicant filed an abandonment of its application Serial No. 85509688, with an allegation of opposer's consent.¹

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.

Inasmuch as opposer's written consent to the abandonment of applicant's involved application is not of record, applicant is allowed **ten (10) days** from the mailing date of this order to submit opposer's written consent, failing which judgment will be entered against applicant, the opposition

¹ Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said abandonment is forwarded herewith to counsel for opposer.

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will be sustained and registration to applicant will be refused.

Proceedings are otherwise suspended pending a response to this order.