

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

GCP

Mailed: May 10, 2014

Opposition No. 91208866

Imagewear Apparel Corp.

v.

Alex S. Lee

By the Trademark Trial and Appeal Board:

On May 7, 2014, applicant filed an abandonment of its application Serial No. 85565794 pursuant to the parties' settlement agreement. Applicant did not, however, submit a copy of the settlement agreement nor did he submit opposer's written consent to the abandonment.

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 entered against applicant, the opposition is sustained and registration to applicant is refused.