

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

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Mailed: May 9, 2014

Opposition No. 91212021

The Old Bushmills Distillery  
Company Limited

v.

Madikwe International, Inc.

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

The Board's order of January 29, 2014, which apparently crossed in the mail with applicant's January 22, 2014 filing, is hereby VACATED.

On January 22, 2014, applicant filed an abandonment of its application Serial No. 85844081 under Trademark Rule 2.68.

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 the applicant.

Accordingly, 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.