

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

MC

Mailed: April 3, 2015

Opposition No. 91213693

Diageo North America, Inc.

v.

Pierre-Louis, David

By the Trademark Trial and Appeal Board:

On March 3, 2015, Applicant filed an abandonment of its application Serial No. 85864725 with prejudice. The record indicates that Applicant served a copy of its withdrawal on Opposer's previous attorney, prior to the Board updating Opposer's appearance of attorney.¹ To expedite matters, the Board includes a copy of Applicant's withdrawal with Opposer's copy of this order.

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 The Board notes and hereby updates its records to reflect Opposer's appearance of counsel filed October 14, 2014.