

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: January 9, 2015

Opposition No. 91216121

San Mar Corporation

v.

The Southern Shirt Company, LLC

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

On December 4, 2014,<sup>1</sup> applicant filed an abandonment of its application Serial No. 85905381.

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.

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<sup>1</sup> Applicant's filing was made by ESTTA and also by U.S. mail. When a party files a document electronically by ESTTA, the party should not send a follow-up copy by mail unless the Board specifically requests a follow-up copy. Trademark Rule 2.193(g)(2); TMEP Section 302.02.