

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

MT

Mailed: July 19, 2014

Opposition No. 91216259

HBI Branded Apparel Enterprises,  
LLC

v.

Tealii Tupou

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

On July 9, 2014, applicant filed in response to the Board's show cause order an abandonment of its application Serial No. 86036168.<sup>1</sup>

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 abandonment does not indicate proof of service of a copy of same on counsel for opposer, as required by Trademark Rule 2.119. A copy of the abandonment can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.