

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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al/vw

June 28, 2019

Opposition No. 91219198

Matt Brewing Co., Inc.

v.

Adirondack Pub & Brewery, Inc.

By the Trademark Trial and Appeal Board:

On May 16, 2019, Opposer was allowed thirty days to inform the Board whether it wished to go forward and obtain a judgment in this proceeding, in view of Applicant's abandonment of application Serial No. 86027053, and subsequent judgement against Applicant in Opposition No. 91219162 on January 9, 2019.

On June 17, 2019, Opposer filed a response with the Board requesting the Board enter judgment on the grounds that Applicant has abandoned subject application Serial No. 86027053.

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 and the opposition is sustained.