

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Alexandria, VA 22313-1451  
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Mailed: May 10, 2016

Opposition No. 91225922

*The Echo Design Group, Inc.*

*v.*

*Echoes & Angels, LLC*

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

On May 2, 2016, Applicant filed an amendment to its application Serial No. 86203632.

By the proposed amendment Applicant seeks to change the identification of goods and services by deleting Class 25 from the application.

In an opposition to an application having multiple classes, if the Applicant files a request to amend the application to delete an opposed class, the request for amendment is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135.

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.

Applicant claims that it has the consent of Opposer in a settlement agreement, but failed to provide Opposer's written consent to the Board. Accordingly, proceedings are suspended<sup>1</sup> and Applicant is allowed until thirty (30) days from the mailing date of this order to provide Opposer's written consent to the abandonment, failing which judgment shall be entered against Applicant and the opposition sustained.

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<sup>1</sup> Opposer's consented motion to extend filed April 29, 2016 is accordingly moot.