

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: October 26, 2016

Opposition No. 91228156

*The ACT 1 Group, Inc.*

*v.*

*Agile Legal Holdings, LLC*

**Andrew P. Baxley, Interlocutory Attorney:**

On October 11, 2016, Applicant filed a proposed amendment to its application Serial No. 86214031, with an allegation of Opposer's consent. By the proposed amendment, Applicant seeks to delete International Class 35 in its entirety.<sup>1</sup>

Applicant's proposed deletion of Class 35 from the application operates as an abandonment of the application in that class. See TBMP § 602.01 (2016).

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, Applicant is allowed until thirty days from the mailing date to submit Opposer's written consent to the abandonment of the subject application in Class 35, failing which judgment will be entered against Applicant in Class 35. Proceedings herein are otherwise suspended.

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<sup>1</sup> The application remains unchanged in unopposed International Classes 9 and 45.