

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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tdc

October 29, 2018

Opposition No. 91238164

Bonobos, Inc.

v.

Natural Cosmeceuticals of America Inc.

By the Trademark Trial and Appeal Board:

On September 14, 2018, Applicant filed an abandonment of its application Serial No. 87266841 with prejudice, with Opposer's written consent, and Opposer's withdrawal of opposition without prejudice.¹

It has come to the Board's attention that the notice of opposition filed against Serial No. 87266841, involved in duplicate proceeding, Opposition No. 91239531, was untimely and should not have been added to that proceeding. Additionally, Serial No. 87266841 is not involved in this proceeding. Therefore, the Board will give no further

¹ The Board notes that the parties' stipulated submission was not accompanied by a certificate of service. Even though the filing is stipulated, the party filing the request with the Board must include proof of service of the filing on its adversary, as required by Trademark Rule 2.119(b). Counsel should be aware of this requirement. The Board exercises its discretion to consider the filing. However, strict compliance is required in all future submissions filed with the Board. A copy of the filing can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

Opposition No. 91238164

consideration to the abandonment of Serial No. 87266841, but will forward Applicant's abandonment to the Trademark Examining Operation for processing.

In view thereof, the opposition is dismissed without prejudice.² *See* Trademark Rules 2.106(c) and 2.135.

² In view thereof, Applicant's motion to suspend filed March 27, 2018 is moot and will receive no further consideration.