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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91245033
Party	Defendant G.L.- ImportaÃ§Ã£o E ExportaÃ§Ã£o, S.A.
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Submission	Request for Reconsideration of Final Board Decision
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Date	03/12/2019
Attachments	2019 03 12 - Joint Motion To Permit Abandonment.pdf(49775 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Transnational Foods, LLC
Opposer,

v.

G.L.- IMPORTAÇÃO E EXPORTAÇÃO,
S.A.,
Applicant

Opposition Proceeding No. 91/245,033
Filed: 7/25/2018
Application Serial No. 79215939
Mark: SONATURAL

**JOINT CONSENT MOTION FOR RECONSIDERATION
AND PERMIT ABANDONMENT OF APPLICATION**

This joint motion is made on behalf of, and with the consent of, both parties, to this proceeding. Pursuant to TBEP §543 and 37 C.F.R. §2.129(c), the Parties respectfully request that the Board reconsider its refusal of registration and permit the Express Abandonment on Consent of the instant application which is the subject of this opposition proceeding.

On March 5, 2019, the parties entered into a confidential settlement agreement to conclude the matter of the opposition. That agreement provided, in writing and signed by both parties, that “Applicant shall abandon the Opposed Application with the consent of Opposer,” but the remainder of that agreement was and is otherwise confidential.

That day, Applicant filed a paper in this proceeding entitled EXPRESS ABANDONMENT ON CONSENT, which indicated that the Applicant had the consent of the Opposer to abandon the application and so abandoned the application, pursuant to the parties agreement.

On March 7, 2019, the Board issued an order rejecting Applicant's *Express Abandonment* pursuant to Trademark Rule 2.135 and instead refused registration of the Application; on the grounds that the abandonment was filed without the written consent of every adverse party to the proceeding. However, the Parties respectfully submit that Applicant *did* actually have the written consent of every adverse party to the proceeding, on the confidential settlement agreement. To the extent there is any question on the matter, each of the undersigned parties submits that their signatures below operate as written consent for Applicant to abandon the mark.

In order to fulfill the agreement between the parties settling this matter, each Party respectfully requests that the board reconsider its March 7, 2019 order [Dkt. 9], rescind the refusal of the application, recognize Applicant's express abandonment of the Application, and then terminate this proceeding in view of such abandonment.

Respectfully Submitted,

Date: 12 March 2019

By: /*Erik Dykema*

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Brooklyn, New York 11201

Attorney for Applicant G.L.-
IMPORTAÇÃO E EXPORTAÇÃO, S.A.

Date: 12 March 2019

By: /Stephanie C. Alvarez/

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Attorney for Opposer Transnational
Foods, LLC

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing document upon Respondent's counsel via email, on consent, to: Stephanie C. Alvarez (stephanie@yourtrademarkfirm.com)

Date: 12 March 2019

By: /Erik Dykema/

Erik Dykema
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