

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

October 7, 2020

Opposition No. 91243859
(parent case)

Dynamite Wholesale, LLC

v.

American Promotional Events, Inc.

Opposition No. 91246372

American Promotional Events, Inc.

v.

Dynamite Wholesale, LLC

By the Trademark Trial and Appeal Board:

Opposition No. 91243859

Opposer, without the written consent of Applicant, filed a withdrawal of the opposition on September 1, 2020.

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of Applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

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On September 1, 2020, Applicant filed an abandonment of its application Serial No. 88013087.

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 entered against Applicant, the opposition is sustained and registration to Applicant is refused.