

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

December 5, 2019

Opposition No. 91251399

Carol Cole Company

v.

YA-MAN LTD

By the Trademark Trial and Appeal Board:

On November 22, 2019, in view of Applicant's failure to file a timely answer or request an extension of time to file an answer, the Board issued a notice of default. In response, on November 27, 2019, Applicant filed an abandonment of its involved application Serial No. 88056062.¹

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

¹ Additionally, in view of the abandonment of application Serial No. 88056062 the notice of default is moot.