

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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April 8, 2020

Opposition No. 91252401

*ROL Aktiebolag*

*v.*

*Indiggo Associates, LLC*

**Veronica P. White, Lead Paralegal Specialist:**

On February 21, 2020, the Board approved the amendment to Applicant's involved application Serial No. 88280438, and allowed Opposer time in which to file a withdrawal of the opposition. On the same day, Opposer filed a "stipulated" withdrawal of the opposition pursuant to the parties' settlement agreement.

Although Opposer indicates that its submission is stipulated, the filing fails to include the signature of Applicant so as to constitute a stipulation of the parties regarding withdrawal of the opposition. Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the **written** consent of Applicant.

Accordingly, Opposer is allowed until **TWENTY DAYS** from the date of this order in which to file Applicant's written consent to the withdrawal, failing which the opposition will be dismissed with prejudice.<sup>1</sup>

Proceedings otherwise remain suspended pending a response to this order.

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<sup>1</sup> It is not necessary that the parties file a copy of their settlement agreement with the Board. Rather, simply file electronically a stipulation signed by both parties stating the desired disposition of the proceeding (*e.g.*, "It is hereby stipulated that the opposition be dismissed without prejudice," "It is hereby stipulated that the opposition be dismissed with prejudice."). *See* TBMP § 605.03(a).