

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

March 26, 2021

Opposition No. 91252638

Gardens Alive, Inc.

v.

Mastronardi Produce Ltd.

By the Trademark Trial and Appeal Board:

On March 25, 2021, Opposer filed a withdrawal of the opposition, without prejudice and with Applicant's written consent. 15 TTABVUE.

In view thereof, the opposition is dismissed without prejudice.

The record shows that Applicant has asserted counterclaims to cancel Opposer's pleaded registrations, namely, Registration Nos. 3055528 and 5122304 (4 TTABVUE). Accordingly, Applicant is allowed **thirty (30) days from the mailing date of this order** to inform the Board whether it wishes to pursue its counterclaim, failing which the said counterclaims will be dismissed.