

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500
General Email: TTABInfo@uspto.gov

September 16, 2020

Opposition No. 91254036

Compass Minerals Ogden, Inc.

v.

The Fuel Ox LLC

Victoria von Vistauxx, Paralegal Specialist:

On September 14, 2020, Applicant filed an abandonment of its involved application Serial No. 88450327, with allegation of Opposer's consent.¹ 6 TTABVUE.

¹ Applicant's abandonment fails to include proof of service on the counsel for Opposer, as required by Trademark Rule 2.119(a). Copies of all submissions filed in this proceeding must be served upon the other party or parties, and accompanied by a statement signed by the attorney or other authorized representative, attached to or appearing on the original submission when filed, clearly stating the date and manner in which service was made. *See* Trademark Rule 2.119(a); TBMP § 113.03. The statement will be accepted as prima facie proof of service, must be signed and dated, and should take the form of a certificate of service as follows:

I hereby certify that a true and complete copy of the foregoing (insert title of submission) has been served on (insert name of opposing counsel or party) by forwarding said copy on (insert date of mailing), via email (or insert other appropriate method of delivery) to: (set out name, and address or email address of opposing counsel or party).

Signature _____

Date _____

Compliance with the Rule is expected in all future filings with the Board. At the following link to TTABVUE, the parties may view all submissions in this proceeding: <http://ttabvue.uspto.gov>.

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, Applicant is allowed until **TWENTY (20) DAYS from the mailing date of this order** in which to provide Opposer's written consent to the abandonment of the subject application, failing which a judgment will be entered against Applicant, the opposition sustained and registration to Applicant will be refused.