

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

Opposition No. 91254573

JC Hospitality LLC

v.

Tarpley Music Co., Inc.

By the Trademark Trial and Appeal Board:

On April 2, 2020, Applicant filed an abandonment of its application Serial No. 86892111 with prejudice under Trademark Rule 2.68.¹

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 the applicant.

Accordingly, 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.²

¹ Applicant's abandonment does not indicate proof of service of a copy of same on counsel for Opposer, as required by Trademark Rule 2.119(a). The Board may decline to consider any filing which does not include proof of service. The abandonment can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

² Applicant's appearance of attorney filed through the TEAS filing system on April 1, 2020 is noted and the Board's records have been updated accordingly.