

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

January 6, 2022

Opposition No. 91271355

Diana Food SAS

v.

E. & J. Gallo Winery

By the Trademark Trial and Appeal Board:

On December 30, 2021, Opposer submitted Applicant's abandonment¹ of its application Serial No. 88760678 without prejudice, which included Opposer's written consent, and Opposer's withdrawal of opposition without prejudice.

In view thereof, application Serial No. 88760678 stands abandoned without prejudice, and the opposition is dismissed without prejudice. *See* Trademark Rules 2.106(c) and 2.135.

¹ The Board also notes the actual abandonment for this proceeding is viewable on page 4 of the submission.