

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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MCF/ca

December 6, 2022

Opposition No. 91280806

*Ambiance Design Consultants, INC. dba Sole
Shades*

v.

Blacklock Designs, Inc.

By the Trademark Trial and Appeal Board:

On November 10, 2022, Applicant filed a proposed amendment to application Serial No. 97102924, and November 11, 2022, Opposer filed its withdrawal with prejudice of the opposition together with the parties' Consent Agreement.

By the proposed amendment, Applicant seeks to delete Class 20 in its entirety.¹

In an opposition to an application having multiple classes, if the applicant files a request to amend the application to delete an opposed class, the request for amendment is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135 which requires the written consent of every adverse party.

¹ Classes 12, 18,22, and 25 which are not subject to this opposition, remain unchanged.

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The Board construes Opposer's filing of the parties' Consent Agreement together with its withdrawal of the Opposition as a written consent to Applicant's abandonment of Class 20.

In view thereof, application Serial No. 97102924 stands abandoned with prejudice **as to Class 20 only**, and the opposition is dismissed with prejudice. *See* Trademark Rule 2.135.