

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

July 12, 2024

Opposition No. 91291852

Retrobrands America LLC

v.

Mary E Tracy

By the Trademark Trial and Appeal Board:

On July 11, 2024, Applicant filed an abandonment of its application Serial No. 97871518 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.

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>.