

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

nmt

Mailed: April 21, 2010

**Opposition No. 91189313
(parent case)**

Ned C. Bowers

v.

MilSpec Products, Inc.

**Opposition No. 91191446
Cancellation No. 92051339**

Jeremy Summers

v.

Ned C. Bowers

Opposition No. 91189313

On March 25, 2010, applicant Milspec Products, Inc. filed an express abandonment of its application Serial No. 77582025 under Trademark Rule 2.68, and a withdrawal of its counterclaim for cancellation of opposer Ned C. Bowers' pleaded Registration No. 3375434 with prejudice.

Trademark Rule 2.135 provides that if, in an inter partes proceeding, applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against the applicant.

Because opposer's written consent to the abandonment of Serial No. 77582025 is not of record, judgment is hereby entered against applicant Milspec Products, Inc., Opposition No. 91189313 is sustained, and registration to applicant is refused. The counterclaim is dismissed with prejudice.

Opposition No. 91191446,

On March 25, 2010, opposer Jeremy Summers filed a withdrawal of Opposition No. 91191446 with prejudice.¹ In view thereof, Opposition No. 91191446 is dismissed with prejudice.

Cancellation No. 92051339

On March 25, 2010, petitioner Jeremy Summers filed a withdrawal of its petition filed in Cancellation No. 92051339 with prejudice.² In view thereof, Cancellation No. 92051339 is dismissed with prejudice.

*By the Trademark Trial
and Appeal Board*

¹ The withdrawal references opposer Jeremy Summers' filing of an abandonment of application Serial No. 77786063. The Board notes that said express abandonment was filed with and processed by the trademark examining operation on March 25, 2010.

² The withdrawal references petitioner Jeremy Summers' filing of an abandonment of application Serial No. 77786403. The Board notes that said express abandonment was filed on March 25, 2010, and processed by the trademark examining operation on March 26, 2010.