

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

jh/Butler

Mailed: February 18, 2006

Opposition No. 94002055

Rocky Mountain Soda Brew  
Company, Inc., The

v.

Pinnacle Rawhide, L.L.C. and  
Wild Horse Pass Development  
Authority (joined as named  
Excepted registrant)

On September 23, 2005, the Board sent an order to show cause under Trademark Rule 2.128(a)(3) regarding current use applicant's (The Rocky Mountain Soda Brew Company, Inc.) failure to file a brief on the case.

Inasmuch as no response has been received, judgment is hereby entered against the concurrent use applicant under Trademark Rule 2.128(a)(3).

The concurrent use proceeding is dissolved and registration to the concurrent use applicant (The Rocky Mountain Soda Brew Company, Inc.) is refused.

***By the Trademark Trial  
and Appeal Board***