



07-02-04

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

EXOGEN INC.)	
)	
Opposer,)	
)	Opposition No. 91,155,846
v.)	Serial No. 76/401,694
)	Mark: EXOJET
JOHNSON & JOHNSON)	
)	
Applicant.)	

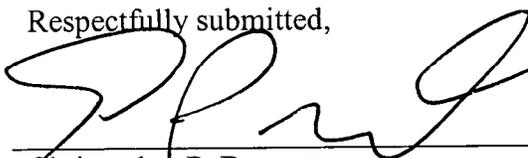
JOINT STIPULATED MOTION TO DISMISS OPPOSITION WITHOUT PREJUDICE

The parties have entered into a settlement agreement concerning the use of their respective marks at issue in this proceeding. Therefore, in accordance with Rule 2.106(c) of the Trademark Rules of Practice, the parties stipulate that the opposition proceeding be dismissed without prejudice.

Respectfully submitted,



 Norm D. St. Landau
 Mary Pat Weyback



 Christopher P. Bussert
 Alex S. Fonoroff

DRINKER BIDDLE & REATH LLP
1500 K Street, NW
Suite 1100
Washington, D.C. 20005-1209
202-842-8800 (telephone)
202-842-8465 (facsimile)

Attorneys for Applicant

KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530
404-815-6500 (telephone)
404-815-6555 (facsimile)

Attorneys for Opposer

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Opposition No. 91,155,846

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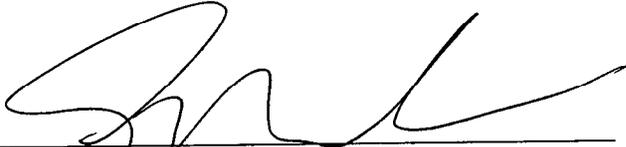
Mark: EXOJET

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing JOINT STIPULATED MOTION TO DISMISS OPPOSITION WITHOUT PREJUDICE was served on Applicant by first-class mail, postage pre-paid, addressed as follows:

Norm D. St. Landau
Mary Pat Weyback
DRINKER BIDDLE & REATH LLP
1500 K Street, NW
Suite 1100
Washington, D.C. 20005-1209

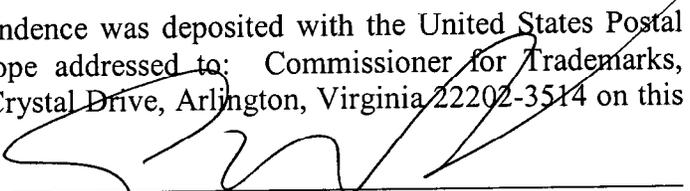
This 28 day of June 2004.



Christopher P. Bussert

CERTIFICATE OF MAILING

This is to certify that this correspondence was deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Trademarks, Trademark Trial and Appeal Board, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on this the 28 day of June 2004.



Christopher P. Bussert

 **KILPATRICK
STOCKTON LLP**
Attorneys at Law

Suite 2800 1100 Peachtree St.
Atlanta GA 30309-4530
t 404 815 6500 f 404 815 6555
www.KilpatrickStockton.com

June 29, 2004

CHRISTOPHER P. BUSSERT
direct dial 404 815 6545
direct fax 404 541 3144
CBussert@KilpatrickStockton.com

Commissioner for Trademarks
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3514

TTAB



Re: Exogen, Inc. v. Johnson & Johnson
Mark: EXOJET
Serial No.: 76/401,694
Opposition No.: 91,155,846
Our Ref.: 41482.284310

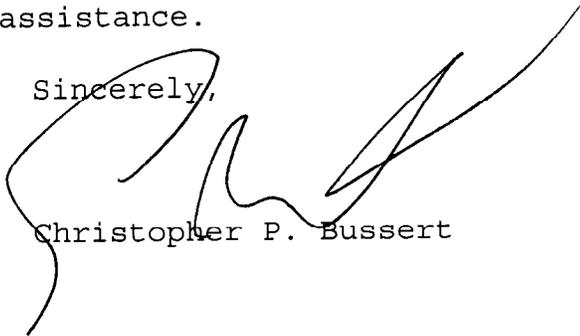
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Ladies/Gentlemen:

Enclosed please find an original and two copies of a *Joint Stipulated Motion to Dismiss Opposition Without Prejudice* to be filed in connection with the above-referenced matter. Please acknowledge receipt of the enclosures by initialing and dating the enclosed postcard and returning it to me.

Thank you for your assistance.

Sincerely,


Christopher P. Bussert

CPB/mcb
Enclosures

cc: Mary Pat Weyback, Esq. (w/enc.)
William B. Clemmons, Esq. (w/enc.)