

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3513 ON THE DATE INDICATED BELOW.

TTAB

By: Valerie L. Maman
DATE: 8/17/04

BOX TTAB – NO FEE

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

BIOGEN, INC. :
 :
 Opposer, :
 :
 v. :
 :
 VIAGEN, INC. :
 :
 Applicant. :

Opposition No. 91,157,307

Commissioner for Trademarks
Box: TTAB
2900 Crystal Drive
Arlington, VA 22202-3513

CONTINGENT WITHDRAWAL OF OPPOSITION

Pursuant to an agreement reached between the parties, and contingent on the acceptance of the amendment to the application which is the subject of this proceeding filed September 1, 2004, Opposer hereby withdraws its opposition to registration of the mark of application serial no. 78/152,650 as amended.

Respectfully submitted

Date: Sept 7, 2004

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