

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

MBA

Mailed: July 22, 2008

Opposition No. 91159799

Smiths Medical ASD, Inc.
(formerly Level 1, Inc.)

v.

Portland Orthopaedics Pty
Ltd.

Applicant's motion to dismiss for failure to prosecute, filed June 9, 2008, is hereby granted as conceded. See, Trademark Rules 2.127(a) and 2.132(a) and (c); TBMP § 534.02 (2d ed. Rev. 2004).

Accordingly, the opposition is dismissed with prejudice.

*By the Trademark Trial
and Appeal Board*