

ESTTA Tracking number: **ESTTA330181**

Filing date: **02/03/2010**

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

Proceeding	91165912
Party	Plaintiff Wyeth
Correspondence Address	Sandra Edelman, Esq. Dorsey & Whitney LLP 250 Park Avenue 15th Floor New York, NY 10177 UNITED STATES Ewing.Bruce@dorsey.com
Submission	Other Motions/Papers
Filer's Name	Cynthia Young, Docket Clerk, USDC
Filer's e-mail	cynthia_young@ilnd.uscourts.gov
Signature	/cynthia young/
Date	02/03/2010
Attachments	08cv5694a.pdf (13 pages)(206932 bytes)



MICHAEL W. DOBBINS
CLERK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

312-435-5670

February 2, 2010

Gerard F. Rogers
Acting Chief Administrative Trademark Judge
Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Walgreen Co. v. Wyeth (TTAB No. 911695912)
USDC No.: 08 cv 5694

Dear Judge Rogers:

Pursuant to an order entered by Judge Wayne R. Andersen on February 1, 2010, the following documents are being remanded to the Trademark Trial and Appeal Board through ESTTA (Electronic System for Trademark Trials and Appeals):

1. Certified Copy of the United States District Court's Docket; and
2. Certified Copy of Judge Andersen's Order.

Please acknowledge receipt of this transmission.

Sincerely yours,

Michael W. Dobbins, Clerk

By: /s/ Cynthia Young -
Deputy Clerk

Enclosure(s):

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WALGREEN CO.)	
(an Illinois corporation),)	
Plaintiff,)	
)	Civil Action No. 08-cv-5694
v.)	
)	Judge W.R. Andersen
WYETH)	Magistrate Judge A. Keys
(a Delaware corporation),)	
Defendant.)	

ORDER

Upon consideration of the Parties' Joint Motion to Remand to the Trademark Trial and Appeal Board ("TTAB"), and the Court being fully informed and good cause having been shown, it is hereby:

ORDERED, that the Motion is GRANTED, such that this case is hereby remanded to the TTAB, and it is further

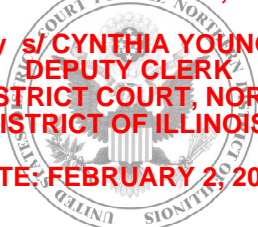
ORDERED, that this Court hereby instructs the TTAB to vacate the TTAB decision dated August 5, 2008 and rendered in opposition proceeding No. 91165912 (the "Decision"), and it is further

ORDERED, that upon *vacatur* of the Decision, U.S. App. Serial No. 76/594,301 for WAL-VERT shall be deemed withdrawn with prejudice and Opp. No. 91165912 shall be dismissed as moot, and it is further

A TRUE COPY-ATTEST
MICHAEL W. DOBBINS, CLERK


By s/ CYNTHIA YOUNG
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS

DATE: FEBRUARY 2, 2010



ORDERED, that the case shall be reinstated in the unlikely event that the TTAB does not vacate its Decision. Each party to bear its own costs and fees.

Signed on this 1st day of February 2010, Chicago, Illinois.



WAYNE R. ANDERSEN
UNITED STATES DISTRICT JUDGE

AO279, KEYS, PROTO, TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 4.0.3 (Chicago)
CIVIL DOCKET FOR CASE #: 1:08-cv-05694
Internal Use Only

Walgreen Co. v. Wyeth
Assigned to: Honorable Wayne R. Andersen
Cause: 15:1125 Trademark Infringement (Lanham Act)

Date Filed: 10/06/2008
Date Terminated: 02/01/2010
Jury Demand: None
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

Walgreen Co.

represented by **Mark Jay Liss**
Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza
180 N. Stetson Ave. #4900
Chicago, IL 60601-6780
(312) 616-5600
Email: mliss@leydig.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Caroline Laing Stevens
Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza
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(312) 258-5500
Email: cstevens@leydig.com
ATTORNEY TO BE NOTICED

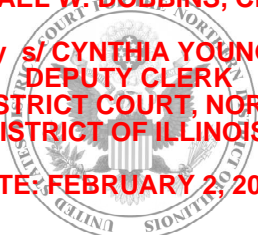
Tamara Anne Miller
Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza
180 N. Stetson Ave. #4900
Chicago, IL 60601-6780
(312) 616-5600
Fax: (312) 616-5700
Email: tmiller@leydig.com
ATTORNEY TO BE NOTICED

V.

Defendant

A TRUE COPY-ATTEST
MICHAEL W. DOBBINS, CLERK













By s/ CYNTHIA YOUNG
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS
DATE: FEBRUARY 2, 2010

































Wyeth
a Delaware corporation















represented by **Bruce R. Ewing**
Dorsey & Whitney
250 Park Avenue
New York, NY 10177
(212)415-9200
Email: ewing.bruce@dorsey.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

















Peter A. Tomaras
Wildman, Harrold, Allen & Dixon, LLP
225 West Wacker Drive
Suite 3000
Chicago, IL 60606-1229
(312) 201-2000
Email: tomaras@wildman.com
ATTORNEY TO BE NOTICED













Date Filed	#	Docket Text
10/06/2008	 1	COMPLAINT filed by Walgreen Co.; (Attachments: # 1 Exhibit 1)(cdy,) (Entered: 10/07/2008)
10/06/2008	 2	CIVIL Cover Sheet (cdy,) (Entered: 10/07/2008)
10/06/2008	 3	ATTORNEY Appearance for Plaintiff Walgreen Co. by Mark Jay Liss (cdy,) (Entered: 10/07/2008)
10/06/2008	 4	ATTORNEY Appearance for Plaintiff Walgreen Co. by Caroline Laing Stevens (cdy,) (Entered: 10/07/2008)
10/06/2008	 5	ATTORNEY Appearance for Plaintiff Walgreen Co. by Tamara Anne Miller (cdy,) (Entered: 10/07/2008)
10/06/2008	 6	(Court only) RECEIPT regarding payment of filing fee paid on 10/6/2008 in the amount of \$350.00, receipt number 3167356 (cdy,) (Entered: 10/07/2008)
10/07/2008	 7	(Court only) MAILED trademark report to Patent Trademark Office, Alexandria VA (cdy,) (Entered: 10/07/2008)
10/07/2008		MAILED to plaintiff(s) counsel Lanham Mediation Program materials (cdy,) (Entered: 10/07/2008)
10/07/2008	 8	ATTORNEY Appearance for Plaintiff Walgreen Co. by Mark Jay Liss (Liss, Mark) (Entered: 10/07/2008)
10/07/2008	 9	ATTORNEY Appearance for Plaintiff Walgreen Co. by Caroline Laing Stevens (Stevens, Caroline) (Entered: 10/07/2008)
10/07/2008	 10	ATTORNEY Appearance for Plaintiff Walgreen Co. by Tamara Anne Miller (Miller, Tamara) (Entered: 10/07/2008)
10/07/2008	 11	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Walgreen Co. (Miller, Tamara) (Entered: 10/07/2008)





10/07/2008	 12	Notice of Claim Involving A Trademark by Walgreen Co. (Miller, Tamara) (Entered: 10/07/2008)
10/08/2008	 13	SUMMONS Issued as to Defendant Wyeth (cdy,) (Entered: 10/08/2008)
10/21/2008	 14	CERTIFICATE Certificate of Compliance with Procedures for Voluntary Mediation Program for Lanham Act Cases (Liss, Mark) (Entered: 10/21/2008)
10/22/2008	 15	REQUEST for Waiver of Service sent to Bruce R. Ewing, Attorney for Wyeth on October 10, 2008 by Plaintiff Walgreen Co.. Waiver of service due by 11/10/2008. (Stevens, Caroline) (Entered: 10/22/2008)
10/23/2008	 16	MINUTE entry before the Honorable George W. Lindberg: Status hearing reset for 11/12/2008 at 10:00a.m. Mailed notice (slb,) (Entered: 10/23/2008)
10/23/2008	 17	MINUTE entry before the Honorable George W. Lindberg: The status hearing scheduled for 11/12/2008 is stricken. Status hearing reset for 12/3/2008 at 10:00a.m. Mailed notice (slb,) (Entered: 10/23/2008)
10/23/2008	 18	WAIVER OF SERVICE returned executed by Walgreen Co.. Wyeth waiver sent on 10/10/2008, answer due 12/9/2008. (Stevens, Caroline) (Entered: 10/23/2008)
10/23/2008	 19	CERTIFICATE Certificate of Service of Notice of Lawsuit and Waiver of Summons (Stevens, Caroline) (Entered: 10/23/2008)
10/30/2008	 20	MINUTE entry before the Honorable George W. Lindberg: At the request of defendant, Wyeth's local counsel, the status hearing scheduled for 12/3/2008 is stricken. Status hearing reset to 12/10/2008 at 11:00a.m. Mailed notice (slb,) (Entered: 10/30/2008)
10/31/2008	 21	CERTIFICATE of compliance with procedures for voluntary mediation program for Lanham Act cases. (cdy,) (Entered: 11/04/2008)
11/21/2008	 22	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 07520000000003299118. (Ewing, Bruce) (Entered: 11/21/2008)
11/21/2008	 23	ATTORNEY Appearance for Defendant Wyeth by Peter A. Tomaras (Tomaras, Peter) (Entered: 11/21/2008)
11/21/2008	 24	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Wyeth (Tomaras, Peter) (Entered: 11/21/2008)
11/21/2008	 25	ANSWER to Complaint by Wyeth (Attachments: # 1 Exhibit 1)(Tomaras, Peter) (Entered: 11/21/2008)
11/30/2008	 26	MINUTE entry before the Honorable George W. Lindberg: Motion by Bruce Roy Miller Ewing for leave to appear pro hac vice on behalf of the defendant 22 is granted. Mailed notice (cdy,) (Entered: 12/01/2008)
12/09/2008	 27	Joint Statement Regarding Participation in the Voluntary Mediation Program for Lanham Act Cases STATEMENT by Walgreen Co. (Stevens, Caroline) (Entered: 12/09/2008)
12/10/2008	 28	MINUTE entry before the Honorable George W. Lindberg: Status hearing held and continued to 1/14/2009 at 10:00a.m. Mailed notice (slb,) (Entered: 12/10/2008)












01/14/2009	 29	MINUTE entry before the Honorable George W. Lindberg: Status hearing held. Discovery cutoff set for 6/3/2009. Discovery hearing set for 5/6/2009 at 10:00a.m. Motion for summary judgment and supporting memorandum due 6/24/2009. Response due 7/8/2009. Reply due 7/15/2009. Ruling set for 8/19/2009 at 10:00a.m. Proposed final pretrial order to be submitted to chambers at 2:00p.m. on 8/31/2009. Trial set for 9/14/2009 at 10:00a.m. Mailed notice (slb,) (Entered: 01/14/2009)
04/20/2009	 30	MOTION by Plaintiff Walgreen Co. for protective order (<i>Agreed Motion for Entry</i>) (Stevens, Caroline) (Entered: 04/20/2009)
04/20/2009	 31	MEMORANDUM in Support of Agreed Stipulated Protective Order 30 by Walgreen Co. (Attachments: # 1 Exhibit A- Stipulated Protective Order)(Stevens, Caroline) Modified on 4/22/2009 (cdy,). (Entered: 04/20/2009)
04/20/2009	 32	NOTICE of Motion by Caroline Laing Stevens for presentment of motion for protective order 30 before Honorable George W. Lindberg on 4/29/2009 at 09:30 AM. (Stevens, Caroline) (Entered: 04/20/2009)
04/20/2009	 33	MINUTE entry before the Honorable George W. Lindberg: Plaintiff's agreed motion for protective order (30) is granted. Protective order to follow. Mailed notice (slb,) (Entered: 04/20/2009)
05/06/2009	 34	MINUTE entry before the Honorable George W. Lindberg: Discovery hearing held on 5/6/2009. Status hearing set for 6/3/2009 at 10:00a.m. Mailed notice (slb,) (Entered: 05/06/2009)
05/27/2009	 35	MINUTE entry before the Honorable George W. Lindberg: Status hearing reset to 6/3/2009 at 9:45a.m. Mailed notice (slb,) (Entered: 05/27/2009)
05/27/2009	 36	STIPULATED PROTECTIVE Order. Signed by the Honorable George W. Lindberg on 5/27/2009.(cdy,) (Entered: 05/29/2009)
06/03/2009	 37	MINUTE entry before the Honorable George W. Lindberg:Status hearing held on 6/3/2009. The page limit for the motion for summary judgment and the response to the motion for summary judgment is extended to 20 pages. Mailed notice (slb,) (Entered: 06/03/2009)
06/24/2009	 38	MOTION by Plaintiff Walgreen Co. for summary judgment <i>REDACTED</i> (Liss, Mark) (Entered: 06/24/2009)
06/24/2009	 39	NOTICE by Walgreen Co. re MOTION by Plaintiff Walgreen Co. for summary judgment <i>REDACTED</i> 38 (Liss, Mark) (Entered: 06/24/2009)
06/24/2009	 40	Statement of Undisputed Material Facts (<i>REDACTED</i>) STATEMENT by Walgreen Co. (Attachments: # 1 Exhibit 1, # 2 Exhibit 1-A, # 3 Exhibit 1-B, 1-C, # 4 Exhibit 1-D, # 5 Exhibit 1-E, 1-F, # 6 Exhibit 1-G, # 7 Exhibit 1-H Part 1, # 8 Exhibit 1-H Part 2, # 9 Exhibit 1-I, # 10 Exhibit 1-J, 1-K, 1-L, # 11 Exhibit 1-M, # 12 Exhibit 1-N, 1-O, 1-P, # 13 Exhibit 2, # 14 Exhibit 3, # 15 Exhibit 4, 5, 6, # 16 Exhibit 7 - 16)(Liss, Mark) (Entered: 06/24/2009)
06/24/2009	 41	MEMORANDUM by Walgreen Co. in support of motion for summary judgment 38 <i>REDACTED</i> (Attachments: # 1 Exhibit 1 - 8, # 2 Exhibit 9, # 3 Exhibit 10-19)(Liss, Mark) (Entered: 06/24/2009)


06/24/2009	 42	SEALED MOTION by Plaintiff Walgreen Co. <i>for Summary Judgment</i> (Liss, Mark) (Entered: 06/24/2009)
06/24/2009	 43	SEALED DOCUMENT by Plaintiff Walgreen Co. <i>Statement of Undisputed Material Facts</i> (Attachments: # 1 Exhibit 1, # 2 Exhibit 1-A through 1-F, # 3 Exhibit 1-G Part 1, # 4 Exhibit 1-G Part 2, # 5 Exhibit 1-H Part 1, # 6 Exhibit 1-H Part 2, # 7 Exhibit 1-I through 1-L, # 8 Exhibit 1-M, # 9 Exhibit 1-N through 1-O, # 10 Exhibit 1-P, # 11 Exhibit 2 - 7, # 12 Exhibit 7-A Part 1, # 13 Exhibit 7-A part 2 through 8-A, # 14 Exhibit 8-B, # 15 Exhibit 8-C, # 16 Exhibit 8-D Part 1, # 17 Exhibit 8-D Part 2, # 18 Exhibit 8-D Part 3, # 19 Exhibit 8-D Part 4, # 20 Exhibit 8-D Part 5, # 21 Exhibit 8-D Part 6, # 22 Exhibit 8-D Part 7, # 23 Exhibit 8-E Part 1, # 24 Exhibit 8-E Part 2, # 25 Exhibit 9 through 12-A, # 26 Exhibit 12-B, # 27 Exhibit 13 - 16)(Liss, Mark) (Entered: 06/24/2009)
06/24/2009	 44	SEALED DOCUMENT by Plaintiff Walgreen Co. <i>Memorandum in Support of Motion for Summary Judgment</i> (Attachments: # 1 Exhibit 1 - 8, # 2 Exhibit 9, # 3 Exhibit 10 - 19)(Liss, Mark) (Entered: 06/24/2009)
06/24/2009	 45	CERTIFICATE of Service by Mark Jay Liss on behalf of Walgreen Co. regarding SEALED MOTION by Plaintiff Walgreen Co. <i>for Summary Judgment</i> 42 , notice of filing 39 , sealed document,, 43 , MOTION by Plaintiff Walgreen Co. for summary judgment <i>REDACTED</i> 38 , memorandum in support of motion 41 , sealed document 44 , statement, 40 (Liss, Mark) (Entered: 06/24/2009)
07/08/2009	 46	DOCUMENTS permanently deleted per court order of 7/9/09 (Ewing, Bruce) Modified on 7/9/2009 (cdy,). (Entered: 07/08/2009)
07/08/2009	 47	DOCUMENT permanently deleted per court order dated 7/9/09 (Ewing, Bruce) Modified on 7/9/2009 (cdy,). (Entered: 07/08/2009)
07/08/2009	 48	SEALED RESPONSE <i>Defendant's Memorandum of Law in Opposition to Plaintiff's Motion for Summary Judgment</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 49	SEALED DOCUMENT by Defendant Wyeth <i>Rule 56 Statement</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 50	SEALED DOCUMENT by Defendant Wyeth <i>Declaration of Mary Baumann in Opposition to Plaintiff's Motion for Summary Judgment</i> (Attachments: # 1 Exhibits A-E)(Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 51	SEALED DOCUMENT by Defendant Wyeth <i>Declaration of George Mantis in Opposition to Plaintiff's Motion for Summary Judgment</i> (Attachments: # 1 Exhibits A-B)(Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 52	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declarations Exhibits A-E</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 53	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declaration Exhibits F-I</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 54	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declaration Exhibits J-O</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 55	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declaration Exhibits P-U</i> (Ewing, Bruce) (Entered: 07/08/2009)

07/08/2009	 56	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declaration Exhibits V-AA</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 57	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declaration Exhibits AB-AF</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 58	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declaration Exhibits AG-AH</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 59	SEALED EXHIBIT by Defendant Wyeth <i>Ewing Declaration Exhibits AI-AM</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 60	MEMORANDUM by Wyeth in Opposition to motion for summary judgment 38 (Attachments: # 1 Exhibits- Part 1, # 2 Exhibits - Part 2, # 3 Exhibits - Part 3)(Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 61	RULE 56 Statement (Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 62	DECLARATION of Bruce Ewing in Opposition to Plaintiff's Motion for Summary Judgment (Attachments: # 1 Exhibits A, # 2 Exhibits B-F, # 3 Exhibit G-X, # 4 Exhibit Y-AF, # 5 Exhibit AG-AH, # 6 Exhibit AI-AM)(Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 63	DECLARATION of Mary Baumann In Opposition To Plaintiff's Motion For Summary Judgment (Attachments: # 1 Exhibits A-E)(Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 64	DECLARATION of George Mantis in Opposition to Plaintiff's Motion for Summary Judgment (Attachments: # 1 Exhibits A-B)(Ewing, Bruce) (Entered: 07/08/2009)
07/08/2009	 65	NOTICE by Wyeth <i>Notice of Filing/Certificate of Service</i> (Ewing, Bruce) (Entered: 07/08/2009)
07/09/2009	 66	AGREED MOTION by Defendant Wyeth to Permanently Delete (Tomaras, Peter) Modified on 7/10/2009 (cdy,). (Entered: 07/09/2009)
07/09/2009	 67	MINUTE entry before the Honorable George W. Lindberg: Defendant's agreed motion to permanently delete document numbers 46 and 47 66 is granted. Mailed notice (slb,) (Entered: 07/09/2009)
07/15/2009	 68	SEALED MOTION by Plaintiff Walgreen Co. <i>Reply Memorandum in Support of Summary Judgment</i> (Attachments: # 1 Exhibit 1-13, # 2 Exhibit 14-19)(Liss, Mark) (Entered: 07/15/2009)
07/15/2009	 69	DOCUMENT ENTERED IN ERROR. (Liss, Mark) Modified on 7/16/2009 (mb,). (Entered: 07/15/2009)
07/15/2009	 70	SEALED RESPONSE by Walgreen Co. to SEALED MOTION by Plaintiff Walgreen Co. <i>Reply Memorandum in Support of Summary Judgment</i> 68 <i>Response to Defendant's Counter-Statement of Material Facts in Opposition to Plaintiff's Motion for Summary Judgment</i> (Liss, Mark) (Entered: 07/15/2009)
07/15/2009	 71	REPLY Memorandum by Plaintiff Walgreen Co. <i>In Support of Summary Judgment</i> (REDACTED) (Attachments: # 1 Exhibit 1-13, # 2 Exhibit 14-19)(Liss, Mark) Modified on 7/16/2009 (ca,). (Entered: 07/15/2009)

07/15/2009	 72	RESPONSE by Plaintiff Walgreen Co. to Rule 56 statement 61 of Defendant Wyeth (<i>Redacted</i>) (Liss, Mark) (Entered: 07/15/2009)
07/15/2009	 73	CERTIFICATE of Service by Mark Jay Liss on behalf of Walgreen Co. regarding SEALED MOTION by Plaintiff Walgreen Co. <i>Reply Memorandum in Support of Summary Judgment</i> 68 , reply 71 , sealed response, 70 , Response 72 (Liss, Mark) (Entered: 07/15/2009)
07/15/2009	 74	AGREED MOTION to Permanently Delete by Walgreen Co. (Liss, Mark) (Entered: 07/15/2009)
07/15/2009		(Court only) ***Motions terminated: MOTION by Plaintiff Walgreen Co. to seal document SEALED MOTION by Plaintiff Walgreen Co. <i>Reply Memorandum in Support of Summary Judgment</i> 68 Response to Defendant's Counter-Statement of Material Facts in Opposition to Plaintiff's M 69 (mb,) (Entered: 07/16/2009)
07/16/2009	 75	NOTICE of Correction regarding 69 . (mb,) (Entered: 07/16/2009)
07/16/2009	 76	MINUTE entry before the Honorable George W. Lindberg: Plaintiff's agreed motion to delete document number 69 74 , which was filed in error, is granted. Mailed notice (slb,) (Entered: 07/16/2009)
07/27/2009	 77	MINUTE entry before the Honorable George W. Lindberg: Plaintiff's motion for summary judgment [38, 42] is denied. Mailed notice (slb,) (Entered: 07/27/2009)
08/07/2009	 78	MINUTE entry before the Honorable George W. Lindberg: The date for submitting the proposed pretrial order is stricken and will be reset at a late date. The trial date remains the same. Mailed notice (slb,) (Entered: 08/07/2009)
08/25/2009	 79	TRANSCRIPT OF PROCEEDINGS held on 12/10/2008 before the Honorable George W. Lindberg. Court Reporter Contact Information: Rosemary Scarpelli, (312)435-5815, Rosemary_Scarpelli@ilnd.uscourts.gov. IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings. Redaction Request due 9/15/2009. Redacted Transcript Deadline set for 9/25/2009. Release of Transcript Restriction set for 11/23/2009. (Scarpelli, Rosemary) (Entered: 08/25/2009)
08/25/2009	 80	EXECUTIVE COMMITTEE ORDER: Case reassigned to the Honorable Wayne R. Andersen for all further proceedings. Signed by Executive Committee on 8/25/09.(cdy,) (Entered: 08/27/2009)
08/25/2009	 82	MINUTE entry before the Honorable Wayne R. Andersen:Settlement conference held on 8/25/2009.Mailed notice (tsa,) (Entered: 08/31/2009)
08/27/2009	 81	TRANSCRIPT OF PROCEEDINGS held on 12/10/2008 before the Honorable George W. Lindberg. Court Reporter Contact Information: Rosemary Scarpelli, (312)435-5815, Rosemary_Scarpelli@ilnd.uscourts.gov.

		<p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 9/17/2009. Redacted Transcript Deadline set for 9/28/2009. Release of Transcript Restriction set for 11/25/2009. (Scarpelli, Rosemary) (Entered: 08/27/2009)</p>
09/14/2009	 83	<p>MINUTE entry before the Honorable Wayne R. Andersen: Bench Trial set for 10/14/2009 at 09:30 AM.Mailed notice (tsa,) (Entered: 09/14/2009)</p>
09/29/2009	 84	<p>TRANSCRIPT OF PROCEEDINGS held on May 6, 2009 before the Honorable George W. Lindberg. Court Reporter Contact Information: Carolyn Cox, 312-435-5639, Carolyn_Cox@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 10/20/2009. Redacted Transcript Deadline set for 10/30/2009. Release of Transcript Restriction set for 12/28/2009. (Cox, Carolyn) (Entered: 09/29/2009)</p>
09/29/2009	 85	<p>TRANSCRIPT OF PROCEEDINGS held on June 3, 2009 before the Honorable George W. Lindberg. Court Reporter Contact Information: Carolyn Cox, 312-435-5639, Carolyn_Cox@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 10/20/2009. Redacted Transcript Deadline set for 10/30/2009. Release of Transcript Restriction set for 12/28/2009. (Cox, Carolyn) (Entered: 09/29/2009)</p>
10/01/2009	 86	<p>TRANSCRIPT OF PROCEEDINGS held on 1/14/09 before the Honorable George W. Lindberg. Court Reporter Contact Information: Tracey D. McCullough, 312-435-5570, Tracey_Mccullough@ilnd.uscourts.gov.</p> <p>IMPORTANT: The transcript may be viewed at the court's public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process,</p>

		<p>see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</p> <p>Redaction Request due 10/22/2009. Redacted Transcript Deadline set for 11/2/2009. Release of Transcript Restriction set for 12/30/2009. (Mccullough, Tracey) (Entered: 10/01/2009)</p>
10/05/2009	 87	Defendant's Opening Statement by Wyeth. (Ewing, Bruce) Modified on 10/6/2009 (aac,). Text edited by Clerk's Office to reflect correct filer. (Entered: 10/05/2009)
10/05/2009	 88	Plaintiff's Opening Statement (REDACTED) by Walgreen Co. (Miller, Tamara) (Entered: 10/05/2009)
10/05/2009	 89	SEALED DOCUMENT by Plaintiff Walgreen Co. <i>Plaintiff's Opening Statement</i> (Miller, Tamara) (Entered: 10/05/2009)
10/05/2009	 90	Agreed Statement of Uncontested Facts (REDACTED) by Walgreen Co. (Miller, Tamara) (Entered: 10/05/2009)
10/05/2009	 91	SEALED DOCUMENT by Plaintiff Walgreen Co. <i>Agreed Statement of Uncontested Facts</i> (Miller, Tamara) (Entered: 10/05/2009)
10/05/2009	 92	CERTIFICATE of Service for <i>Plaintiff's Opening Statement (Redacted and Sealed) and Agreed Statement of Uncontested Facts (Redacted and Sealed) and Trial Documents</i> by Tamara Anne Miller on behalf of Walgreen Co. regarding sealed document 89 , other 88 , other 90 , sealed document 91 (Miller, Tamara) (Entered: 10/05/2009)
10/14/2009	 93	MINUTE entry before the Honorable Wayne R. Andersen:Bench trial began. Bench trial held on 10/14/2009 and continued to 10/15/2009 at 01:00 PM. Advised in open court notice (tsa,) (Entered: 10/16/2009)
10/15/2009	 94	MINUTE entry before the Honorable Wayne R. Andersen:Bench trial held on 10/15/2009 and continued to 10/16/2009 at 08:30 AM. Advised in open court notice (tsa,) (Entered: 10/16/2009)
10/16/2009	 95	MINUTE entry before the Honorable Wayne R. Andersen:Bench trial completed on 10/16/2009.Advised in open court notice (tsa,) (Entered: 10/16/2009)
01/29/2010	 96	JOINT MOTION by Plaintiff Walgreen Co., Defendant Wyeth to remand <i>case to Trademark Trial and Appeal Board</i> (Liss, Mark) Modified on 2/1/2010 (ca,). (Entered: 01/29/2010)
02/01/2010	 97	MINUTE entry before Honorable Wayne R. Andersen:Upon consideration of the Parties Joint Motion to Remand to the Trademark Trial and Appeal Board ("TTAB"), and the Court being fully informed and good cause having been shown, it is hereby ORDERED, that the Motion is GRANTED, such that this case is hereby remanded to the TTAB, and it is furtherORDERED, that this Court hereby instructs the TTAB to vacate the TTAB decision dated August 5, 2008 and rendered in opposition proceeding No. 91165912 (the "Decision"), and it is further ORDERED, that upon vacatur of the Decision, U.S. App. Serial No. 76/594,301 for WAL-VERT shall be deemed withdrawn with prejudice and Opp. No. 91165912 shall be dismissed as moot, and it is furtherORDERED, that the case shall be reinstated in the unlikely event that the TTAB does not vacate its Decision. Each party to bear its own costs and fees. Civil case terminated. Mailed notice (slb,) (Entered: 02/01/2010)

		02/01/2010)
02/02/2010	 98	E-FILED remand letter, certified copy of the court's docket and certified copy of Judge Andersen's Order dated February 1, 2010 to Trademark Trial and Appeal Board, US Patent and Trademark Office. (cdy,) (Entered: 02/02/2010)