

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

Baxley

Mailed: August 3, 2006

Opposition No. **91169856**

SmithKline Beecham PLC

v.

Bio Therapeutics, Inc.

Andrew P. Baxley, Interlocutory Attorney:

In view of the Board's July 26, 2006 order wherein the Board set aside the notice of default that the Board issued herein on June 20, 2006, the motion for default judgment that opposer filed on July 31, 2006 is moot.

Discovery and testimony periods remain as reset in the July 26, 2006 order.