

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

In the Matter of Application Serial No. 77/007,953 - MERIDIUM XN

Published in the Official Gazette on May 8, 2007

ABBOTT LABORATORIES,)	
)	Opposition No. 91180586
Opposer,)	
)	
v.)	
)	
BIOCARE DIRECT, INC.,)	
)	
Applicant.)	

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEY OF RECORD

Dear Commissioner:

Please consider this our request for permission to withdraw as attorney of record pursuant to 37 CFR § 2.19 (b), and 37 CFR § 10.40(b)(4).

(1) The reason for this request is that the Applicant has discharged this office as attorneys of record, has instructed this office to cease all work for the Applicant, and has terminated the attorney client relationship.

(2) We have notified the Applicant of this request to withdraw on multiple occasions, and that we would be filing the necessary papers with the Trademark Trial and Appeal Board of the U.S. Patent & Trademark Office.



11-26-2007

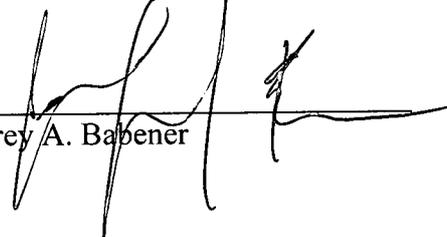
- (3) We have delivered to the Applicant all papers and property in the file concerning prosecution of the application and the Opposition.
- (4) Any fees paid by Applicant which were unearned have already been refunded.
- (5) Currently, an answer to the Notice of Opposition is due from Applicant on December 17, 2007, and this office believes this allows adequate time for employment of another practitioner.
- (6) The most recent address we have for the Applicant is:

BioCare Direct, Inc.
16410 N. 91st St., Suite 110
Scottsdale, AZ 85260
Phone: (480)-544-4467

Thank you for your attention to this matter, and if you have any questions, please do not hesitate to call.

Respectfully submitted,

BABENER & ASSOCIATES



Jeffrey A. Babener

DATE: 11/20/07

BABENER & ASSOCIATES
121 SW Morrison, #1020
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(503) 226-6600

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Request for Permission to Withdraw as Attorney of Record was sent by facsimile, and mailed, first class mail, postage prepaid, to Raymond I. Geraldson, Jr., Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, LLP, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606, and to Applicant, BioCare Direct, Inc., 16410 N. 91st St., Suite 110, Scottsdale, AZ 85260 this 20th day of November, 2007.

CERTIFICATE OF MAILING

Certificate of Mailing under 37 CFR § 2.197(a).

I hereby certify that this correspondence is being deposited with the United States Postal service with sufficient postage as first class mail in an envelope addressed to UNITED STATES PATENT AND

TRADEMARK OFFICE, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451
on November 20, 2007.

Sarah Smith

Sarah Smith

Signature

November 20, 2007

Date