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Filing date: **01/14/2011**

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

Proceeding	91192781
Party	Defendant Biogen Idec MA Inc.
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Submission	Other Motions/Papers
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Date	01/14/2011
Attachments	C1346.50000US00 Motion to Substitute Party and Recaption Proceedings.PDF ( 3 pages )(68225 bytes )

Attorney's Docket No.: C1346.50000US00

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

Opposer: Bayer HealthCare, LLC  
Applicant: Biogen IDEC MA Inc.  
Serial No.: 77/701134  
Filing Date:  
Mark: LIXALEV  
Published: July 28, 2009

Bayer HealthCare, LLC	)	Opposition No. 91192781
	)	
Opposer,	)	Application Serial No. 77/701134
	)	Mark: LIXALEV
	)	
v.	)	
	)	
Biogen Idec MA Inc.,	)	
	)	
Applicant	)	

**MOTION TO SUBSTITUTE PARTY AND RECAPTION PROCEEDINGS**

Applicant Biogen Idec MA Inc., pursuant to TMBP § 512.01, hereby moves to substitute Cardiokine Biopharma, LLC, a Delaware limited liability company with a place of business at 30 South 15<sup>th</sup> Street, 15<sup>th</sup> Floor, Philadelphia, PA 19102, in place of Biogen Idec MA Inc. in the above proceeding and to amend the caption of this proceeding accordingly.

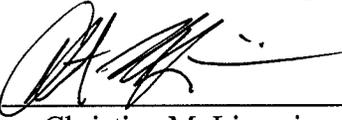
On December 15, 2010, Biogen Idec MA transferred all title and interest, along with the associated goodwill, for Application Serial No. 77/701134 to Cardiokine Biopharma, LLC. The assignment was recorded with the United States Patent and Trademark Office on December 22, 2010 at Reel/Frame 4439/0335.

Opposer has not responded to Applicant's request for consent of this Motion.

A motion to substitute a party based on transfer of title is routinely granted under the provisions of Federal Rules of Civil Procedure 15. *Raker Paint Factory v. United Lacquer Mfg. Corp.*, 141 USPQ 407 (TTAB 1964).

Respectfully submitted,

Cardiokine Biopharma, LLC  
(successor in interest to Biogen Idec MA)

By: 

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Attorneys for Applicant

Date: January 14, 2011  
Docket No.: C1346.500000US00

**CERTIFICATE OF SERVICE**

I hereby certify that on January 14, 2011, I served a copy of  
MOTION TO SUBSTITUTE PARTY AND RECAPTION PROCEEDINGS  
upon counsel for Opposer, by first-class mail, postage-prepaid, addressed to:

Beth M. Goldman  
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