

ESTTA Tracking number: **ESTTA395290**

Filing date: **02/26/2011**

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

| | |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proceeding | 91193328 |
| Party | Plaintiff Sepracor Inc. |
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| Submission | Withdrawal of Opposition |
| Filer's Name | Jennifer L. Barry of Latham & Watkins |
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| Signature | /s/ Jennifer L. Barry |
| Date | 02/26/2011 |
| Attachments | 91193328_Withdrawal of Opposition.pdf (2 pages)(15562 bytes) |

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

In re the Application of Cal India Foods International DBA Specialty Enzymes and
Biotechnologies
Serial No. 77/689736
Filed: March 12, 2009
Trademark: **SERRACOR-NK**
Published: July 14, 2009

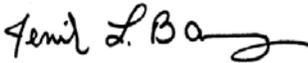
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|----------------------------------------|---|-------------------------|
| Sepracor Inc., |) | OPPOSITION NO. 91193328 |
| a Delaware corporation, |) | |
| |) | |
| Opposer, |) | |
| v. |) | |
| |) | |
| Cal India Foods International DBA |) | |
| Specialty Enzymes and Biotechnologies, |) | |
| a California corporation, |) | |
| |) | |
| Applicant. |) | |
| _____ |) | |

WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE

Opposer Sunovion Pharmaceuticals Inc. f/k/a Sepracor Inc. hereby withdraws without
prejudice its Opposition to Application Serial No. 77/689736 for the mark **SERRACOR-NK**.

Dated: February 26, 2011

LATHAM & WATKINS LLP

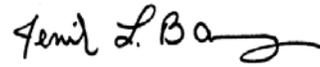
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Attorneys for Opposer Sunovion
Pharmaceuticals Inc. f/k/a Sepracor Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE** has been served on Applicant Cal India Foods International DBA Specialty Enzymes and Biotechnologies by mailing said copy via First Class Mail, postage prepaid to Applicant's Attorney/Correspondent of Record by mailing said copy via First Class Mail, postage prepaid to:

Charles C. Valauskas
Valauskas & Pine LLC
150 S. Wacker Dr., Ste. 620
Chicago, IL 60606-4102



Jennifer L. Barry