

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

AM

Mailed: June 15, 2011

Opposition No. 91198768

Kythera Biopharmaceuticals,  
Inc.

v.

Nutritional Therapeutics,  
Inc.

On June 14, 2011, the parties filed applicant's abandonment of its application Serial No. 85006155, without prejudice, with opposer's written consent, and opposer's withdrawal of opposition without prejudice.<sup>1</sup>

In view thereof, application Serial No. 85006155 stands abandoned without prejudice, and the opposition is dismissed without prejudice. See Trademark Rules 2.106(c) and 2.135.

***By the Trademark Trial  
and Appeal Board***

---

<sup>1</sup>Applicant's abandonment does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said abandonment can be viewed at:  
<http://ttabvue.uspto.gov/ttabvue/v?pno=91198768&pty=OPP&eno=8>