

ESTTA Tracking number: **ESTTA554451**

Filing date: **08/16/2013**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Millennium Pharmaceuticals, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	40 Landsdowne Street Cambridge, MA 02139 UNITED STATES		

Attorney information	James D. Weinberger Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES jweinberger@fzlj.com, agreenberg@fzlj.com Phone:2128135900		
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Applicant Information

Application No	85837467	Publication date	07/23/2013
Opposition Filing Date	08/16/2013	Opposition Period Ends	08/22/2013
Applicant	Millennium Pharmacy Systems, Inc. 1515 W. 22nd Street, Suite 910 Oak Brook, IL 60523 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: Computer Software for managing the distribution of pharmaceuticals
Class 042. All goods and services in the class are opposed, namely: Providing on-line non-downloadable software for managing the distribution of pharmaceuticals

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2097386	Application Date	08/21/1996
Registration Date	09/16/1997	Foreign Priority Date	NONE
Word Mark	MILLENNIUM		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1994/04/00 First Use In Commerce: 1994/04/00 consulting services, namely, research, development, validation and testing services for others in the biomedical field and in the fields of genomics and pharmaceuticals

U.S. Registration No.	2972544	Application Date	02/14/2001
Registration Date	07/19/2005	Foreign Priority Date	NONE
Word Mark	MILLENNIUM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2003/05/19 First Use In Commerce: 2003/05/19 prescription pharmaceutical preparations for use in the diagnosis or treatment of human diseases, namely, oncologic diseases and disorders, excluding analgesics		

U.S. Registration No.	3029962	Application Date	02/14/2001
Registration Date	12/13/2005	Foreign Priority Date	NONE
Word Mark	MILLENNIUM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2005/08/09 First Use In Commerce: 2005/08/09 prescription pharmaceutical preparations for use in the diagnosis or treatment of human diseases and disorders, namely, auto-immune or immune-related diseases and disorders, excluding analgesics		

U.S. Registration No.	3042119	Application Date	02/14/2001
Registration Date	01/10/2006	Foreign Priority Date	NONE
Word Mark	MILLENNIUM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2005/08/23 First Use In Commerce: 2005/08/23 Medical and diagnostic services, namely, diagnosing, [preventing,] and predicting disease, identifying hereditary risk factors, diagnostic testing, prognostic testing, gene and protein testing, [identifying physiological characteristics, establishing individual preventative programs,] establishing disease treatment based on gene and protein expression and/or activity, evaluating clinical trial progress, drug monitoring and computer tracking of a patient's health progress; research services, namely, research, development, validation, testing, data analysis and product development services in the biomedical, genomic, pharmaceutical, pharmacogenomic, diagnostic, clinical		

	trial design, and biotechnology fields [; research consulting services, namely, research, development, validation, testing, data analysis and product development services for others in the biomedical, genomic, pharmaceutical, pharmacogenomics, diagnostic, clinical trial design, and biotechnology fields]
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U.S. Registration No.	3934763	Application Date	11/28/2007
Registration Date	03/22/2011	Foreign Priority Date	NONE
Word Mark	MILLENNIUM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2007/04/26 First Use In Commerce: 2009/01/00 Prescription pharmaceutical preparations for use in the diagnosis or treatment of human diseases and disorders, namely, gastrointestinal diseases and disorders, excluding analgesics		

Attachments	Notice of Opposition (MILLENNIUM MED NAVIGATOR) (F1288576).PDF(863809 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/James D. Weinberger/
Name	James D. Weinberger
Date	08/16/2013

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

MILLENNIUM PHARMACEUTICALS, INC.

Opposer,

-against-

MILLENNIUM PHARMACY SYSTEMS, INC.

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

Opposer Millennium Pharmaceuticals, Inc., a Delaware corporation with a place of business at 40 Landsdowne Street, Cambridge, Massachusetts 02139 (“Opposer”), believes that it will be damaged by the issuance of a registration for the trademark MILLENNIUM MED NAVIGATOR applied for in Application Serial No. 85/837,467 filed January 31, 2013, for “computer software for managing the distribution of pharmaceuticals” in International Class 9 and “providing on-line non-downloadable software for managing the distribution of pharmaceuticals” in International Class 42 by Millennium Pharmacy Systems, Inc. (“Applicant”), and therefore opposes the same. As grounds for the opposition, Opposer alleges as follows:

1. Opposer was established in 1993 as a genomics company applying world-class recombinant technology to the discovery and development of innovative new therapies in a broad spectrum of diseases. Opposer, under the MILLENNIUM trade name, trademark and service mark, has since grown into a fully integrated biopharmaceutical company offering pharmaceuticals, with a pipeline of investigational drug candidates.

2. As a result of tremendous success in the marketplace and years of advertising and promotion, as well as a significant investment in product development and quality control, Opposer's MILLENNIUM mark is well-known, representing a substantial amount of goodwill.

3. In addition, Opposer is the owner of the following U.S. trademark registrations for the mark MILLENNIUM:

- Reg. No. 2,097,386, filed on August 21, 1996 and registered on September 16, 1997, covering “consulting services, namely, research, development, validation and testing services for others in the biomedical field and in the fields of genomics and pharmaceuticals” in Int. Cl. 42 based on first use in interstate commerce on April 1994;
- Reg. No. 2,972,544, filed on February 14, 2001 and registered on July 19, 2005, covering “prescription pharmaceutical preparations for use in the diagnosis or treatment of human diseases, namely, oncologic diseases and disorders, excluding analgesics” in Intl. Cl. 5 based on first use in interstate commerce on May 19, 2003;
- Reg. No. 3,029,962*, filed on February 14, 2001 and registered on December 13, 2005, covering “prescription pharmaceutical preparations for use in the diagnosis or treatment of human diseases and disorders, namely, auto-immune or immune-related diseases and disorders, excluding analgesics” in Int. Cl. 5 based on first use in interstate commerce on August 9, 2005;
- Reg. No. 3,042,119*, filed on February 14, 2001 and registered on January 10, 2006, covering “medical and diagnostic services, namely, diagnosing, preventing, and predicting disease, identifying hereditary risk factors, diagnostic testing, prognostic testing, gene and protein testing, identifying physiological characteristics, establishing individual preventative programs, establishing disease treatment based on gene and protein expression and/or activity, evaluating clinical trial progress, drug monitoring and

computer tracking of a patient's health progress; research services, namely, research, development, validation, testing, data analysis and product development services in the biomedical, genomic, pharmaceutical, pharmacogenomic, diagnostic, clinical trial design, and biotechnology fields; research consulting services, namely, research, development, validation, testing, data analysis and product development services for others in the biomedical, genomic, pharmaceutical, pharmacogenomics, diagnostic, clinical trial design, and biotechnology fields” in Intl. Cl. 42 based on first use in interstate commerce on August 23, 2005; and

- Reg. No. 3,934,763*, filed on November 28, 2007 and registered on March 22, 2011, covering “prescription pharmaceutical preparations for use in the diagnosis or treatment of human diseases and disorders, namely, gastrointestinal diseases and disorders, excluding analgesics” in Int. Cl. 5 based on first use in interstate commerce on January 2009.

These registrations are valid, subsisting and in full effect and serve as *prima facie* evidence of the validity of the mark and of Opposer’s exclusive right to use MILLENNIUM in connection with the goods and services identified therein, pursuant to Section 33(b) of the Lanham Act, 15 U.S.C. § 1115(a). Additionally, the above referenced registrations (other than those marked with an *) have become incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065.

Attached hereto as **Exhibit A** is a printout from the TSDR electronic database records of the U.S. Patent and Trademark Office showing the current status and title of the registrations relied upon herein.

4. On January 31, 2013, Applicant, a corporation organized under the laws of Delaware with offices at 1515 W. 22nd Street, Suite 910, Oak Brook, IL 60523, filed Application Serial No. 85/837,467 to register the mark MILLENNIUM MED NAVIGATOR for

“computer software for managing the distribution of pharmaceuticals” in International Class 9 and “providing on-line non-downloadable software for managing the distribution of pharmaceuticals” in International Class 42 based on an intent to use the mark, pursuant to 15 U.S.C. § 1051.

**FIRST CLAIM FOR RELIEF UNDER
SECTION 2(a) OF THE LANHAM ACT**

5. Opposer repeats and re-alleges each and every allegation contained in Paragraphs 1 through 4 as if fully set forth herein.

6. Applicant’s mark MILLENNIUM MED NAVIGATOR falsely suggests a connection with an institution, namely, Opposer.

7. Registration of the MILLENNIUM MED NAVIGATOR mark in connection with the goods and services set forth in Application Serial No. 85/837,467 therefore violates Section 2(a) of the Lanham Act, 15 U.S.C. § 1052(a).

8. By reason of the foregoing, Opposer is likely to be harmed by a registration of Application Serial No. 85/837,467 for the mark MILLENNIUM MED NAVIGATOR.

**SECOND CLAIM FOR RELIEF UNDER
SECTION 2(d) OF THE LANHAM ACT**

9. Opposer repeats and re-alleges each and every allegation contained in Paragraphs 1 through 8 as if fully set forth herein.

10. The MILLENNIUM marks have been registered and used continuously by Opposer since dates all of which are prior to any date on which Applicant can rely.

11. Applicant’s mark MILLENNIUM MED NAVIGATOR is confusingly similar to Opposer’s MILLENNIUM mark, including, without limitation, because the term MILLENNIUM comprises the salient portion of Applicant’s mark and the terms MED and NAVIGATOR are

generic or highly suggestive as used in connection with medical/pharmaceutical field and software, respectively.

12. Applicant's use and registration of the MILLENNIUM MED NAVIGATOR mark for the goods identified in its registration is likely to create the erroneous impression that Applicant's software for managing the distribution of pharmaceuticals, and the service associated with distribution of the same, originate from, are associated with, endorsed by or in some way connected with Opposer, who has long offered pharmaceutical products and related services, including, for example, "data analysis . . . in the . . . pharmaceutical [field]", under its MILLENNIUM marks. All of the above being to Opposer's injury and harm.

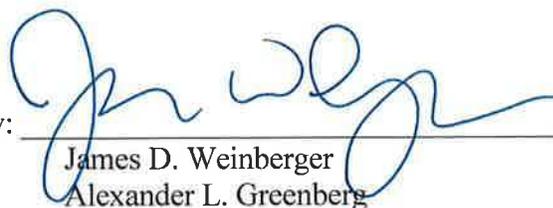
13. Registration of the MILLENNIUM MED NAVIGATOR mark in connection with the goods and services set forth in Application Serial No. 85/837,467 is likely to cause confusion, cause mistake, or to deceive the public into the false belief that the goods offered by Applicant under the MILLENNIUM MED NAVIGATOR mark come from or are otherwise sponsored by or connected with Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

14. By reason of the foregoing, Opposer is likely to be harmed by a registration of Application Serial No. 85/837,467 for the mark MILLENNIUM MED NAVIGATOR.

Dated: August 16, 2013
New York, New York

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By:



James D. Weinberger
Alexander L. Greenberg

866 United Nations Plaza
New York, New York 10017
(212) 813-5900

Attorneys for Opposer

EXHIBIT A

Generated on: This page was generated by TSDR on 2013-08-08 14:11:23 EDT

Mark: MILLENNIUM

US Serial Number: 75153672 **Application Filing Date:** Aug. 21, 1996
US Registration Number: 2097386 **Registration Date:** Sep. 16, 1997
Register: Principal
Mark Type: Service Mark
Status: The registration has been renewed.
Status Date: Mar. 19, 2007
Publication Date: Jun. 24, 1997

Mark Information

Mark Literal Elements: MILLENNIUM
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: consulting services, namely, research, development, validation and testing services for others in the biomedical field and in the fields of genomics and pharmaceuticals

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 1994

Use in Commerce: Apr. 1994

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Millennium Pharmaceuticals, Inc.
Owner Address: 40 LANDSDOWNE STREET
Cambridge, MASSACHUSETTS 02139
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney Name: DAVID EHRLICH **Attorney of Record**
Docket Number: MILL 0414183

Correspondent

Correspondent Name/Address: DAVID EHRLICH
FROSS ZELNICK LEHRMAN & ZISSU PC
866 UNITED NATIONS PLZ
NEW YORK, NEW YORK 10017
UNITED STATES

Domestic Representative - Not Found

Prosecution History

Table with 3 columns: Date, Description, Proceeding Number. Rows include dates from 1997 to 2007 and descriptions like 'REGISTERED AND RENEWED', 'REGISTERED - SEC. 8', 'CASE FILE IN TICRS', etc.

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Sep. 16, 2007

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 19, 2007

Proceedings

Summary

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: 91121745

Filing Date: Dec 27, 2000

Status: Terminated

Status Date: Nov 29, 2001

Interlocutory Attorney: CHERYL A BUTLER

Defendant

Name: MILLENNIUM-RX.COM, INC.

Correspondent Address: TAROLLI, SUNDHEIM, COVELL, TUMMINO
526 SUPERIOR AVENUE 1111 LEADER BUILDING
CLEVELAND OH, 44114-1400

Associated marks

Table with 4 columns: Mark, Application Status, Serial Number, Registration Number. Row: MILLENNIUM-RX.COM, Abandoned - After Inter-Partes Decision, 75699045

Plaintiff(s)

Name: MILLENNIUM PHARMACEUTICALS, INC.

Correspondent Address: HALE AND DORR LLP
60 STATE STREET
BOSTON MA , 02109

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Renewed	<u>75153672</u>	<u>2097386</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 27, 2000	
2	NOTICE SENT; ANSWER DUE	Jan 22, 2001	
3	PENDING, INSTITUTED	Jan 22, 2001	
4	LETTER OF EXPRESS ABANDONMENT	Mar 02, 2001	
5	DEF'S ALLOWED 30 DAYS TO SUBMIT PL'S CON SENT	Jun 07, 2001	
6	BOARD'S DECISION: SUSTAINED	Nov 29, 2001	
7	TERMINATED	Nov 29, 2001	

Type of Proceeding: Opposition

Proceeding Number: 91116480

Filing Date: Dec 24, 1999

Status: Terminated

Status Date: Jun 28, 2001

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: MICHAEL G. KNICKERBOCKER

Correspondent Address: ROBERT F. FRIJOUF
FRIJOUF RUST & PYLE P.A.
201 EAST DAVIS BLVD.
TAMPA FL , 33606

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Cancelled - Section 8	<u>75547638</u>	<u>2742230</u>

Plaintiff(s)

Name: MILLENNIUM PHARMACEUTICALS, INC.

Correspondent Address: SARAH L. BYRNE
HALE AND DORR LLP
60 STATE STREET
BOSTON MA , 02109

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Renewed	<u>75153672</u>	<u>2097386</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 24, 1999	
2	NOTICE SENT; TRIAL DATES SET; ANSWER DUE 2-19-00	Jan 10, 2000	
3	PENDING, INSTITUTED	Jan 10, 2000	
4	ANSWER	Feb 18, 2000	
5	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Oct 20, 2000	
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Nov 22, 2000	
7	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Dec 29, 2000	
8	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 26, 2001	
9	SUSPENDED	Feb 13, 2001	
10	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 29, 2001	
11	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 20, 2001	
12	AMENDMENT OF 75/547,638	May 04, 2001	
13	CONTINGENT W/D OF OPPOSITION	May 04, 2001	

14 BD'S DECISION: DISMISSED W/ PREJUDICE Jun 28, 2001
 15 TERMINATED Jun 28, 2001

Type of Proceeding: Opposition

Proceeding Number: 91103780 **Filing Date:** Oct 11, 1996
Status: Terminated **Status Date:** Jul 29, 1997

Interlocutory Attorney:

Defendant

Name: ARCVENTURES, INC.
Correspondent Address: GERALD T. SHEKLETON
 WELSH & KATZ, LTD.
 135 SOUTH LASALLE STREET, SUITE 1625
 CHICAGO IL , 60603-4302

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM 3 RESEARCH	Abandoned - After Inter-Partes Decision	<u>75011809</u>	

Name: MILLENNIUM PHARMACEUTICALS, INC.

Correspondent Address: MICHAEL J. BEVILACQUA
 HALE AND DORR
 60 STATE STREET
 BOSTON MA , 02109

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Renewed	<u>75153672</u>	<u>2097386</u>

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 11, 1996	
2	SIGNED OPPOSITION	Oct 25, 1996	
3	NOTICE SENT; ANSWER DUE (DUE DATE)	Nov 04, 1996	Dec 04, 1996
4	PENDING, INSTITUTED	Nov 04, 1996	
5	NOTICE OF DEFAULT	May 22, 1997	
6	BOARD'S DECISION: SUSTAINED	Jul 29, 1997	
7	TERMINATED	Jul 29, 1997	

Correspondent

Correspondent Name/Address: NANCY C. DICONZA
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA
NEW YORK, NEW YORK 10017
UNITED STATES

Phone: 212-813-5900

Fax: 212-813-5901

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 15, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Sep. 15, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Sep. 07, 2010	TEAS SECTION 8 & 15 RECEIVED	
Jul. 19, 2005	REGISTERED-PRINCIPAL REGISTER	
May 26, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	78288
May 20, 2005	ASSIGNED TO LIE	78288
May 13, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 13, 2005	ASSIGNED TO EXAMINER	76927
Apr. 21, 2005	STATEMENT OF USE PROCESSING COMPLETE	76569
Mar. 15, 2005	USE AMENDMENT FILED	76569
Apr. 19, 2005	DIVISIONAL PROCESSING COMPLETE	
Mar. 15, 2005	DIVISIONAL REQUEST RECEIVED	
Mar. 15, 2005	PAPER RECEIVED	
Dec. 21, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 28, 2004	PUBLISHED FOR OPPOSITION	
Sep. 08, 2004	NOTICE OF PUBLICATION	
Jul. 30, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Jul. 30, 2004	ASSIGNED TO LIE	70629
Jul. 29, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2004	AMENDMENT FROM APPLICANT ENTERED	70629
Jul. 06, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Jul. 06, 2004	PAPER RECEIVED	
Mar. 30, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2004	NON-FINAL ACTION MAILED	
Dec. 02, 2003	CASE FILE IN TICRS	
Jun. 29, 2001	LETTER OF SUSPENSION MAILED	
Jun. 18, 2001	ASSIGNED TO EXAMINER	76927
Jun. 11, 2001	ASSIGNED TO EXAMINER	78488

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 108

Date in Location: Sep. 15, 2010

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91194977](#)

Filing Date: May 20, 2010

Status: Terminated

Status Date: Sep 01, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Anthony Gonzalez

Correspondent Address: ANTHONY GONZALEZ
15029 LOS LOTES AVE.
WHITTIER CA , 90605
UNITED STATES

Correspondent e-mail: tonygla@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Abandoned - After Inter-Partes Decision Plaintiff(s)	77813021	

Name: Millennium Pharmaceuticals, Inc.

Correspondent Address: JAMES D. WEINBERGER
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA, 6TH FLOOR
NEW YORK NY , 10017
UNITED STATES

Correspondent e-mail: jweinberger@fzlz.com , ndiconza@fzlz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Section 8 and 15 - Accepted and Acknowledged	76977494	2972544
MILLENNIUM	Section 8 - Accepted	76977759	3029962
MILLENNIUM	Section 8 - Accepted	76210514	3042119

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 20, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2010	Jun 29, 2010
3	PENDING, INSTITUTED	May 20, 2010	
4	NOTICE OF DEFAULT	Jul 15, 2010	
5	BOARD'S DECISION: SUSTAINED	Sep 01, 2010	
6	TERMINATED	Sep 01, 2010	

Correspondent

Correspondent Name/Address: NANCY C. DICONZA
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA
NEW YORK, NEW YORK 10017-1822
UNITED STATES

Phone: (212) 813-5900

Fax: (212) 813-5901

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 07, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED	70131
May 07, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Apr. 19, 2011	TEAS SECTION 8 RECEIVED	
Dec. 13, 2005	REGISTERED-PRINCIPAL REGISTER	
Oct. 29, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	70824
Oct. 21, 2005	ASSIGNED TO LIE	70824
Oct. 18, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 06, 2005	STATEMENT OF USE PROCESSING COMPLETE	76873
Aug. 29, 2005	USE AMENDMENT FILED	76873
Sep. 06, 2005	DIVISIONAL PROCESSING COMPLETE	
Aug. 29, 2005	DIVISIONAL REQUEST RECEIVED	
Aug. 29, 2005	PAPER RECEIVED	
May 13, 2005	ASSIGNED TO EXAMINER	76927
Apr. 21, 2005	EXTENSION 1 GRANTED	76569
Mar. 15, 2005	EXTENSION 1 FILED	76569
Apr. 19, 2005	DIVISIONAL PROCESSING COMPLETE	
Mar. 15, 2005	DIVISIONAL REQUEST RECEIVED	
Mar. 15, 2005	PAPER RECEIVED	
Dec. 21, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 28, 2004	PUBLISHED FOR OPPOSITION	
Sep. 08, 2004	NOTICE OF PUBLICATION	
Jul. 30, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	70629
Jul. 30, 2004	ASSIGNED TO LIE	70629
Jul. 29, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2004	AMENDMENT FROM APPLICANT ENTERED	70629
Jul. 06, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Jul. 06, 2004	PAPER RECEIVED	
Mar. 30, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2004	NON-FINAL ACTION MAILED	
Dec. 02, 2003	CASE FILE IN TICRS	
Jun. 29, 2001	LETTER OF SUSPENSION MAILED	
Jun. 18, 2001	ASSIGNED TO EXAMINER	76927
Jun. 11, 2001	ASSIGNED TO EXAMINER	78488

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None
File Location

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91194977](#)

Filing Date: May 20, 2010

Status: Terminated

Status Date: Sep 01, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Anthony Gonzalez

Correspondent Address: ANTHONY GONZALEZ
15029 LOS LOTES AVE.
WHITTIER CA , 90605
UNITED STATES

Correspondent e-mail: tonygla@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Abandoned - After Inter-Partes Decision Plaintiff(s)	77813021	

Name: Millennium Pharmaceuticals, Inc.

Correspondent Address: JAMES D. WEINBERGER
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA, 6TH FLOOR
NEW YORK NY , 10017
UNITED STATES

Correspondent e-mail: weinberger@fzlz.com , ndiconza@fzlz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Section 8 and 15 - Accepted and Acknowledged	76977494	2972544
MILLENNIUM	Section 8 - Accepted	76977759	3029962
MILLENNIUM	Section 8 - Accepted	76210514	3042119

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 20, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2010	Jun 29, 2010
3	PENDING, INSTITUTED	May 20, 2010	
4	NOTICE OF DEFAULT	Jul 15, 2010	
5	BOARD'S DECISION: SUSTAINED	Sep 01, 2010	
6	TERMINATED	Sep 01, 2010	

Correspondent NANCY C. DICONZA
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Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 29, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 - MAILED	
Dec. 29, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED	67603
Dec. 06, 2011	POST REGISTRATION ACTION MAILED - SEC. 8	67603
Dec. 02, 2011	TEAS SECTION 8 RECEIVED	
Jun. 07, 2006	CERTIFICATE OF CORRECTION ISSUED	
Mar. 03, 2006	SEC 7 REQUEST FILED	
Apr. 28, 2006	ASSIGNED TO PARALEGAL	67603
Mar. 03, 2006	PAPER RECEIVED	
Jan. 10, 2006	REGISTERED-PRINCIPAL REGISTER	
Nov. 28, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	66230
Nov. 25, 2005	ASSIGNED TO LIE	66230
Nov. 18, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 18, 2005	STATEMENT OF USE PROCESSING COMPLETE	70565
Oct. 03, 2005	USE AMENDMENT FILED	70565
Oct. 03, 2005	PAPER RECEIVED	
Mar. 24, 2005	EXTENSION 1 GRANTED	71427
Feb. 08, 2005	EXTENSION 1 FILED	71427
Feb. 08, 2005	PAPER RECEIVED	
Dec. 21, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 28, 2004	PUBLISHED FOR OPPOSITION	
Sep. 08, 2004	NOTICE OF PUBLICATION	
Jul. 30, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Jul. 30, 2004	ASSIGNED TO LIE	70997
Jul. 28, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2004	AMENDMENT FROM APPLICANT ENTERED	70629
Jul. 06, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	70629
Jul. 06, 2004	PAPER RECEIVED	
Mar. 30, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 05, 2004	NON-FINAL ACTION MAILED	
Dec. 02, 2003	CASE FILE IN TICRS	
Oct. 15, 2002	ASSIGNED TO EXAMINER	76927
Mar. 25, 2002	LETTER OF SUSPENSION MAILED	
Dec. 03, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 04, 2001	NON-FINAL ACTION MAILED	
May 25, 2001	ASSIGNED TO EXAMINER	76927

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Change in Registration: Yes

Correction made to Registration: In the statement, Column 2, Line 7, after the word development, validation, testing, data analysis and product development services should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Dec, 29, 2011

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91194977](#)

Filing Date: May 20, 2010

Status: Terminated

Status Date: Sep 01, 2010

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Anthony Gonzalez

Correspondent Address: ANTHONY GONZALEZ
15029 LOS LOTES AVE.
WHITTIER CA , 90605
UNITED STATES

Correspondent e-mail: tonygla@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Abandoned - After Inter-Partes Decision Plaintiff(s)	77813021	

Name: Millennium Pharmaceuticals, Inc.

Correspondent Address: JAMES D. WEINBERGER
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA, 6TH FLOOR
NEW YORK NY , 10017
UNITED STATES

Correspondent e-mail: jweinberger@fzlz.com , ndiconza@fzlz.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MILLENNIUM	Section 8 and 15 - Accepted and Acknowledged	76977494	2972544
MILLENNIUM	Section 8 - Accepted	76977759	3029962
MILLENNIUM	Section 8 - Accepted	76210514	3042119

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 20, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 20, 2010	Jun 29, 2010
3	PENDING, INSTITUTED	May 20, 2010	
4	NOTICE OF DEFAULT	Jul 15, 2010	
5	BOARD'S DECISION: SUSTAINED	Sep 01, 2010	
6	TERMINATED	Sep 01, 2010	

Correspondent

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NEW YORK, NEW YORK 10017-1822
UNITED STATES

Phone: 212-813-5900

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 22, 2011	REGISTERED-PRINCIPAL REGISTER	
Feb. 12, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Feb. 11, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	68658
Feb. 10, 2011	ASSIGNED TO LIE	68658
Feb. 10, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 24, 2011	STATEMENT OF USE PROCESSING COMPLETE	66154
Jan. 21, 2011	USE AMENDMENT FILED	66154
Jan. 21, 2011	TEAS STATEMENT OF USE RECEIVED	
Jul. 24, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Jul. 23, 2010	EXTENSION 4 GRANTED	66154
Jul. 14, 2010	EXTENSION 4 FILED	66154
Jul. 14, 2010	TEAS EXTENSION RECEIVED	
Jan. 19, 2010	EXTENSION 3 GRANTED	66154
Jan. 14, 2010	EXTENSION 3 FILED	66154
Jan. 14, 2010	TEAS EXTENSION RECEIVED	
Aug. 03, 2009	EXTENSION 2 GRANTED	66154
Jul. 09, 2009	EXTENSION 2 FILED	66154
Aug. 03, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Jul. 09, 2009	TEAS EXTENSION RECEIVED	
Nov. 20, 2008	EXTENSION 1 GRANTED	98765
Nov. 20, 2008	EXTENSION 1 FILED	98765
Nov. 20, 2008	TEAS EXTENSION RECEIVED	
Jul. 22, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 29, 2008	PUBLISHED FOR OPPOSITION	
Apr. 09, 2008	NOTICE OF PUBLICATION	
Mar. 24, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76985
Mar. 24, 2008	ASSIGNED TO LIE	76985
Mar. 06, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 2008	ASSIGNED TO EXAMINER	78326
Dec. 03, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

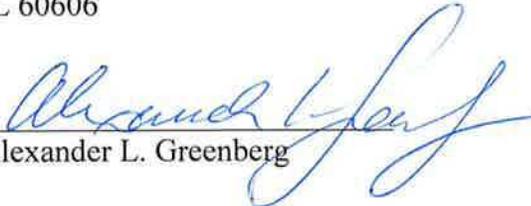
Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 11, 2011

CERTIFICATE OF SERVICE

I hereby certify that this 16th day of August, 2013 a copy of the foregoing **NOTICE OF OPPOSITION** was sent by first class mail postage pre-paid to Applicant's correspondent of record at

Andrew L. Goldstein
Freeborn & Peters LLP
311 South Wacker Drive
Suite 3000
Chicago, IL 60606


Alexander L. Greenberg