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

Proceeding	91215035
Party	Defendant CHD Bioscience, Inc.
Correspondence Address	JOHN J OMALLEY VOLPE AND KOENIG PC 30 S 17TH STRETT, SUITE 1800 PHILADELPHIA, PA 19103 UNITED STATES Jomalley@vklaw.com, ktinker@vklaw.com, trademarks@vklaw.com
Submission	Other Motions/Papers
Filer's Name	John J. O'Malley
Filer's e-mail	jomalley@vklaw.com, mmorgan@vklaw.com, trademarks@vklaw.com, litigation-paralegals@vklaw.com
Signature	/John J. O'Malley/
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Vertex Pharmaceuticals Incorporated,  Opposer,  v.  CHD Bioscience, Inc.,  Applicant.	Serial No.:    86/073,577 Mark:          VERIOX Opposition No.: 91218760  Serial No.:    85/887,894 Mark:          VERIOX Opposition No.: 91215035
Diversey, Inc.,  Opposer,  v.  CHD Bioscience, Inc.,  Applicant.	Mark:          VERIOX Serial No.:    86/073,577 Opposition No.: 91220061

**APPLICANT’S REQUEST TO AMEND APPLICATION WITH CONSENT  
PURSUANT TO 37 C.F.R. §2.133, AND REQUEST FOR WITHDRAWAL OF  
OPPOSITION UPON ENTRY**

Applicant, CHD Bioscience, Inc., (“Applicant”), by and through its attorneys, hereby requests amendment to the recitation of goods for U.S. Application Serial Nos. 85/887,894 and 86/073,577 (“Applications”), pursuant to 37 C.F.R. §2.133 and Trademark Trial and Appeal Board Manual of Procedure §§212.07 and 514.02 *et seq.* This request for amendment is filed with the express consent of Vertex Pharmaceuticals Incorporated and Diversey, Inc. (“Opposers”) and such consent is acknowledged by the undersigned counsel for Opposers. This request is filed

pursuant to agreements reached between Opposers and Applicant to settle these matters.

Upon entry of the amendment, Opposers hereby request withdrawal of the Oppositions.

Applicant requests amendment to Application Serial No. 85/887,894, International Class 5 as follows:

~~All-purpose~~ disinfectants for medical instruments, ~~healthcare facility surfaces,~~ and for coating medical bandages; irrigation solutions, namely, medical cleansers for wounds; coatings for surgical implants and medical devices, namely, antimicrobial coatings to prevent the growth of viruses, bacteria, spores, biofilms and fungus on ~~various~~ the surfaces of surgical, medical, dental and veterinary apparatus, instruments, implants, sutures, bandages, dressings, and plasters; antibacterial creams and ointments for use in dental procedures; ~~pharmaceutical preparations for the treatment of pulmonary infections; all-purpose~~ disinfectants for surgical, medical, dental and veterinary purposes".

International Class 10 to Application Serial No. 85/887,894 remains unchanged.

Applicant requests amendment to Application Serial No. 86/073,577, International Class 5 as follows:

Chemical ingredients in the nature of antimicrobial substances and preparations for medical purposes for treating, inhibiting and preventing viruses, fungus, mold, bacteria, spores and biofilms; chemical ingredients in the nature of antimicrobial substances sold as a component ingredient of antimicrobial coatings to treat, inhibit and prevent the growth of viruses, fungus, mold, bacteria, spores and biofilms on ~~various~~ the surfaces of surgical, medical, dental and veterinary apparatus, instruments, implants, sutures, bandages, dressings, and plasters; chemical ingredients in the nature of antimicrobial substances sold as a component ingredient of biostatic antimicrobial preparations for treating, inhibiting and preventing viruses, fungus, mold, bacteria, spores and biofilms; ~~chemical ingredients in the nature of antimicrobial substances sold as a component ingredient of pharmaceutical preparations for the treatment of pulmonary infections;~~

chemical ingredients in the nature of antimicrobial substances sold as a component ingredient of antimicrobial creams and ointments for treating, inhibiting and preventing viruses, fungus, mold, bacteria, spores and biofilms; chemical ingredients in the nature of antimicrobial substances sold as a component ingredient of irrigation solutions, namely, medical cleansers for wounds; surgical implants comprising living tissue impregnated with an antimicrobial treatment; surgical implants comprising living tissue coated with an antimicrobial treatment; coatings sold as an integral component of medical bandages for skin wounds; coatings sold as an integral component of surgical implants comprising living tissue; Antimicrobial preparations for treating, inhibiting and preventing viruses, fungus, mold, bacteria, spores and biofilms; antimicrobial coatings to treat, inhibit and prevent the growth of viruses, fungus, mold, bacteria, spores and biofilms on the various surfaces of surgical, medical, dental and veterinary apparatus, instruments, implants, sutures, bandages, dressings, and plasters; biostatic antimicrobial preparations for treating, inhibiting and preventing viruses, fungus, mold, bacteria, spores and biofilms; antimicrobial creams and ointments for treating, inhibiting and preventing viruses, fungus, mold, bacteria, spores and biofilms; antimicrobial creams and ointments for treating, inhibiting and preventing viruses, fungus, mold, bacteria, spores and biofilms for use in dental procedures; microfiber towels impregnated with an antimicrobial treatment; medical bandages impregnated with an antimicrobial treatment.

WHEREFORE, in accordance with 37 C.F.R. § 2.133 and for other good cause shown. Applicant respectfully requests that the Board grant Applicant's request to amend. Upon acceptance of the amendments, withdrawal of the Oppositions is respectfully requested.

Respectfully submitted,

By: s/Brandon T. Scruggs (with permission)      Date: July 17, 2015  
Brandon T. Scruggs  
Sunstein Kann Murphy &  
Timbers LLP  
125 Summer Street  
Boston, MA 02110  
[bscruggs@sunsteinlaw.com](mailto:bscruggs@sunsteinlaw.com)  
*Attorneys for Opposer,*  
*Vertex Pharmaceuticals Inc.*  
*Opposition Nos. 91218760 and*  
*91215035*

By: s/Stephen P. Demm (*with permission*)

Date: July 17, 2015

Stephen P. Demm, Esq.  
Hunton & Williams LLP  
951 East Byrd Street  
Riverfront Plaza, East Tower  
Richmond, VA 23219-4074  
[sdemm@hunton.com](mailto:sdemm@hunton.com)

*Attorneys for Opposer,  
Diversey, Inc.  
Opposition No. 91220061*

By: s/John J. O'Malley

Date: July 17, 2015

John J. O'Malley  
Volpe and Koenig, P.C.  
30 South 17th Street  
Philadelphia, Pa 19103  
[jomalley@vklaw.com](mailto:jomalley@vklaw.com)

*Attorneys for Applicant,  
CHD Bioscience, Inc*

**CERTIFICATE OF SERVICE**

Vertex Pharmaceuticals Incorporated,  Opposer,  v.  CHD Bioscience, Inc.,  Applicant.	Serial No.:    86/073,577 Mark:          VERIOX Opposition No.: 91218760  Serial No.:    85/887,894 Mark:          VERIOX Opposition No.: 91215035
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I hereby certify that a true and correct copy of Applicant’s Request To Amend Application With Consent Pursuant To 37 C.F.R. §2.133, And Request For Withdrawal Of Opposition Upon Entry is being served via email and first class mail, postage pre-paid, to the following:

Brandon T. Scruggs  
Sunstein Kann Murphy &  
Timbers LLP  
125 Summer Street  
Boston, MA 02110  
[bscruggs@sunsteinlaw.com](mailto:bscruggs@sunsteinlaw.com)  
*Attorneys for Opposer,  
Vertex Pharmaceuticals Inc.  
Opposition Nos. 91218760 and  
91215035*

Stephen P. Demm, Esq.  
Hunton & Williams LLP  
951 East Byrd Street  
Riverfront Plaza, East Tower  
Richmond, VA 23219-4074  
[sdemm@hunton.com](mailto:sdemm@hunton.com)  
*Attorneys for Opposer,  
Diversey, Inc.  
Opposition No. 91220061*

Date: July 17, 2015

By: s/John J. O’Malley  
John J. O’Malley