

ESTTA Tracking number: **ESTTA703547**

Filing date: **10/21/2015**

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	Vertex Pharmaceuticals Incorporated		
Entity	Corporation	Citizenship	Massachusetts
Address	50 Northern Avenue Boston, MA 02110 UNITED STATES		

Attorney information	Lisa M. Tittmore Sunstein Kann Murphy & Timbers 125 Summer Street Boston, MA 02110-1618 UNITED STATES ltittmore@sunsteinlaw.com, acavazos@sunsteinlaw.com Phone:617-443-9292		
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Applicant Information

Application No	79159937	Publication date	09/22/2015
Opposition Filing Date	10/21/2015	Opposition Period Ends	10/22/2015
International Registration No.	1234670	International Registration Date	11/20/2014
Applicant	JEFARMA GmbH Steinlestrasse 6 GERMANY		

Goods/Services Affected by Opposition

Class 005. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: pharmaceutical preparations for the treatment of depression, sedatives, and mood stabilizers

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1630448	Application Date	11/14/1989
Registration Date	01/01/1991	Foreign Priority Date	NONE
Word Mark	VERTEX		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1989/05/03 First Use In Commerce: 1989/05/03 PHARMACEUTICAL RESEARCH

U.S. Registration No.	2578974	Application Date	07/31/1997
Registration Date	06/11/2002	Foreign Priority Date	NONE

Word Mark	VERTEX
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 1999/04/26 First Use In Commerce: 1999/04/26 pharmaceutical preparations for the diagnosis, treatment or prevention of [conditions or diseases of the central nervous system or peripheral nervous system, neurologic disorders, neurodegenerative disorders,] hepatitis-C, [cancer, multi-drug resistance,] autoimmune diseases, and HIV infection and AIDS Class 042. First use: First Use: 1998/02/23 First Use In Commerce: 1998/02/23 pharmaceutical research services for others
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U.S. Registration No.	2704913	Application Date	10/09/1998
Registration Date	04/08/2003	Foreign Priority Date	NONE

Word Mark	VERTEX
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 005. First use: First Use: 1996/10/24 First Use In Commerce: 1996/10/24 house mark for pharmaceutical preparations
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U.S. Registration No.	3531356	Application Date	11/19/2001
Registration Date	11/11/2008	Foreign Priority Date	NONE

Word Mark	VERTEX
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 1999/04/26 First Use In Commerce: 1999/04/26 house mark for pharmaceutical preparations

Attachments	75333578#TMSN.png(bytes) 76339906#TMSN.png(bytes) Notice of Opposition - SERTEX.pdf(53380 bytes) Exhibit A to Notice of Opposition - SERTEX.pdf(296205 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	/Lisa M. Tittlemore/
Name	Lisa M. Tittlemore
Date	10/21/2015

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

In the Matter of Application:

Serial No.: 79/159,937
Filed: November 20, 2014
Applicant: JEFARMA GmbH
Mark: SERTEX
For: Pharmaceutical preparations for the treatment of depression, sedatives, and mood stabilizers (Class 5)
Published: September 22, 2015

VERTEX PHARMACEUTICALS
INCORPORATED,

Opposer,

v.

JEFARMA GmbH

Applicant.

NOTICE OF OPPOSITION

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Sir or Madam:

Vertex Pharmaceuticals Incorporated (“Opposer”), a corporation organized and existing under the laws of the Commonwealth of Massachusetts and having its principal place of business at 50 Northern Avenue, Boston, MA, 02210, believes that it will be damaged by registration of the mark shown in Application Serial No. 79/159,937 filed on November 20, 2014, and thus hereby opposes said application on the grounds that:

1. Application Serial No. 79/159,937, filed by JEFARMA GmbH on November 20, 2014 seeks registration of the mark SERTEX in connection with “pharmaceutical preparations for the treatment of depression, sedatives, and mood stabilizers” in International Class 5.

2. Application Serial No. 79/159,937 was filed under Section 66(a) of the Trademark Act, on the basis of Applicant’s International Registration No. 1,234,670.

3. Opposer has used and continues to use the marks VERTEX and VERTEX (plus design) in connection with pharmaceutical research services since at least as early as November 4, 1989, and in connection with pharmaceutical preparations since at least as early as July 13, 1994. Opposer intends to continue using its VERTEX-formative marks with the same and/or related goods and services in the future.

4. In addition to other applications and registrations for its VERTEX marks, Opposer is the owner of the following registrations for VERTEX-formative marks:

VERTEX: Registration No. 1,630,448; registered on January 1, 1991; for pharmaceutical research.

VERTEX (plus design): Registration No. 2,578,974; registered on June 11, 2002; for pharmaceutical preparations for the diagnosis, treatment or prevention of hepatitis-C, autoimmune diseases, and HIV infection and AIDS; pharmaceutical research services for others.

VERTEX: Registration No. 2,704,913; registered on April 8, 2003; for a housemark for pharmaceutical preparations.

VERTEX (plus design): Registration No. 3,531,356; registered on November 11, 2008; for a housemark for pharmaceutical preparations

Records of the registrations are attached to this Notice as Exhibit A.

5. Opposer’s registrations remain in full force and effect, having neither been revoked nor canceled. Furthermore, at least three of the registrations owned by Opposer for the VERTEX and VERTEX (plus design) marks have attained incontestable status.

6. Opposer has been using its VERTEX-formative marks since prior to Applicant's filing of the above-identified Application and Applicant's first use of its proposed mark.

7. Through Opposer's significant and long-term promotional and sales activities, Opposer's VERTEX-formative marks identify Opposer as the source of the relevant goods and services to the relevant segment of purchasers, and embody extensive goodwill with high industry recognition.

8. The goods described in the Application are similar and/or related to the goods and services that Opposer sells in connection with its VERTEX-formative marks, and are likely to be sold through the related marketing channels to the same class of purchasers.

9. Applicant's mark SERTEX mark is confusingly similar to Opposer's VERTEX marks.

10. Applicant's use and registration of the proposed SERTEX mark will cause purchasers, prospective purchasers, users and others to be confused, mistaken or deceived into the belief, contrary to fact, that Applicant's goods emanate from or are sponsored or approved by Opposer or are related to Opposer's goods and services, thereby damaging Opposer. Applicant's mark is thus unregistrable under §§ 2(d) and 13 of the Trademark Act, 15 U.S.C. §§ 1052(d) and 1063.

WHEREFORE, Opposer prays that the present opposition be sustained and registration of the SERTEX mark sought by Applicant be refused.

Dated: October 21, 2015

VERTEX PHARMACEUTICALS INCORPORATED

By its attorneys,

/Lisa M. Tittlemore/

Lisa M. Tittlemore

Alexandra Cavazos

SUNSTEIN KANN MURPHY & TIMBERS LLP

125 Summer Street

Boston, Massachusetts 02110-1618

(617) 443-9292

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on Dean R. Karau, Attorney of Record, by U.S. mail on the above date, to Fredrikson & Byron, P.A., Suite 4000, 200 South Sixth Street, Minneapolis, MN 55402-1425.

/Alexandra Cavazos/

Alexandra Cavazos

01618/05150 2389302.2

EXHIBIT A

Generated on: This page was generated by TSDR on 2015-10-19 16:34:23 EDT

Mark: VERTEX

US Serial Number: 73839157
US Registration Number: 1630448
Register: Principal
Mark Type: Service Mark
Status: The registration has been renewed.
Status Date: Nov. 23, 2010
Publication Date: Oct. 09, 1990

Application Filing Date: Nov. 14, 1989
Registration Date: Jan. 01, 1991

Mark Information

Mark Literal Elements: VERTEX
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 incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: PHARMACEUTICAL RESEARCH

International Class(es): 042 - Primary Class
U.S Class(es): 100

Class Status: ACTIVE

Basis: 1(a)

First Use: May 03, 1989
Use in Commerce: May 03, 1989

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: VERTEX PHARMACEUTICALS INCORPORATED

Owner Address: 50 Northern Avenue
Boston, MASSACHUSETTS 02210
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: MASSACHUSETTS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: LISA M. TITTEMORE
Attorney Primary Email: trademarks@sunsteinlaw.com
Docket Number: 1618/208
Attorney Email: Yes

Address: _____

Authorized:

Correspondent

Correspondent Name/Address: LISA M. TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON, MASSACHUSETTS 02110-1618
UNITED STATES

Phone: 617-443-9292

Fax: 617-443-0004

Correspondent e-mail: trademarks@sunsteinlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 14, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 23, 2010	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75461
Nov. 23, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 18, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Nov. 09, 2010	TEAS SECTION 8 & 9 RECEIVED	
Nov. 24, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 06, 2009	CASE FILE IN TICRS	
Apr. 21, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Apr. 21, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 02, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Feb. 01, 1997	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Jan. 06, 1997	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 01, 1991	REGISTERED-PRINCIPAL REGISTER	
Oct. 09, 1990	PUBLISHED FOR OPPOSITION	
Sep. 08, 1990	NOTICE OF PUBLICATION	
Aug. 08, 1990	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 23, 1990	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jan. 24, 1990	NON-FINAL ACTION MAILED	
Jan. 08, 1990	ASSIGNED TO EXAMINER	66062

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 01, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Nov. 23, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: VERTEX PHARMACEUTICALS
INCORPORATED

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [5320/0098](#)

Pages: 9

Date Recorded: Jul. 10, 2014

Supporting Documents: [assignment-tm-5320-0098.pdf](#)

Assignor

Name: [VERTEX PHARMACEUTICALS INCORPORATED](#)

Execution Date: Jul. 09, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [MACQUARIE US TRADING LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 125 WEST 55 STREET
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: IP GROUP OF DLA PIPER LLP (US)

Correspondent Address: ONE LIBERTY PLACE
1650 MARKET ST. SUITE 4900
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 14

Type of Proceeding: Opposition

Proceeding Number: [91220185](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Be Powerful, LLC

Correspondent Address: JOHN C CAREY
CAREY RODRIGUEZ ET AL
1395 BRICKELL AVENUE, SUITE 700
MIAMI FL , 33131
UNITED STATES

Correspondent e-mail: icarey@careyrodriguez.com , aunderwood@careyrodriguez.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1MR VORTEX	Opposition Pending	86076649	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLC
125 SUMMER STREET
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: sternberg@sunsteinlaw.com , littemore@sunsteinlaw.com , acavazos@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 15, 2015	Feb 24, 2015
3	PENDING, INSTITUTED	Jan 15, 2015	

4 ANSWER Feb 24, 2015
 5 STIP TO SUSP PEND SETTL NEGOTIATIONS Sep 03, 2015
 6 SUSPENDED Sep 03, 2015

Type of Proceeding: Opposition

Proceeding Number: [91218760](#) **Filing Date:** Oct 09, 2014
Status: Pending **Status Date:** Oct 09, 2014
Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.
Correspondent Address: JOHN J O'MALLEY
 VOLPE AND KOENIG PC
 STE 1800 30 S, 17TH ST
 PHILADELPHIA PA , 19103
 UNITED STATES
Correspondent e-mail: trademarks@vklaw.com , jomalley@vklaw.com , mmorgan@vklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	86073577	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated
Correspondent Address: BRANDON T SCRUGGS
 SUNSTEIN KANN MURPHY & TIMBERS LLP
 125 SUMMER ST
 BOSTON MA , 02110
 UNITED STATES
Correspondent e-mail: bscruggs@sunsteinlaw.com , sabreu@sunsteinlaw.com , littemore@sunsteinlaw.com , ssternberg@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 09, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 09, 2014	Nov 18, 2014
3	PENDING, INSTITUTED	Oct 09, 2014	
4	ANSWER AND COUNTERCLAIM (FEE)	Nov 18, 2014	
5	D MOT TO CONSOLIDATE	Nov 18, 2014	
6	CONSOLIDATION GRANTED	Dec 17, 2014	
7	CONSOLIDATION GRANTED	Dec 17, 2014	
8	ANSWER TO COUNTERCLAIM	Jan 12, 2015	
9	MOT TO AMEND APPLICATION	Jul 22, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91215035](#) **Filing Date:** Feb 21, 2014
Status: Pending **Status Date:** Feb 21, 2014
Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.
Correspondent Address: JOHN J O'MALLEY
 VOLPE AND KOENIG PC
 30 S 17TH ST, STE 1800
 PHILADELPHIA PA , 19103
 UNITED STATES
Correspondent e-mail: Jomalley@vklaw.com , ktinker@vklaw.com , trademarks@vklaw.com , mmorgan@vklaw.com , litigation-paralegals@vklaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	85887894	
Plaintiff(s)			

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 21, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 21, 2014	Apr 02, 2014
3	PENDING, INSTITUTED	Feb 21, 2014	
4	STIP FOR EXT	Apr 01, 2014	
5	EXTENSION OF TIME GRANTED	Apr 01, 2014	
6	ANSWER AND COUNTERCLAIM (FEE)	May 02, 2014	
7	ANSWER TO COUNTERCLAIM DUE THIRTY DAYS	May 31, 2014	
8	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Jun 30, 2014	
9	D OPP/RESP TO MOTION	Jul 21, 2014	
10	P REPLY IN SUPPORT OF MOTION	Aug 05, 2014	
11	SUSP PEND DISP OF OUTSTNDNG MOT	Sep 08, 2014	
12	PROCEEDINGS RESUMED	Oct 06, 2014	
13	ANSWER TO COUNTERCLAIM	Nov 03, 2014	
14	D MOT TO CONSOLIDATE	Nov 18, 2014	
15	CONSOLIDATED - PARENT OF 91218760	Dec 17, 2014	
16	ANSWER TO COUNTERCLAIM	Jan 12, 2015	
17	D MOT FOR EXT W/ CONSENT	Jun 10, 2015	
18	EXTENSION OF TIME GRANTED	Jun 15, 2015	
19	MOT TO AMEND APPLICATION	Jul 17, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91210960](#)

Filing Date: Jun 06, 2013

Status: Terminated

Status Date: Dec 18, 2013

Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Anacapa technologies Inc.

Correspondent Address: SCOTT D BALDERSTON
MH2 TECHNOLOGY LAW GROUP
1951 KIDWELL DR STE 550
TYSONS CORNER VA , 22182-3984
UNITED STATES

Correspondent e-mail: scott@mh2law.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VETREX

Abandoned - After Inter-Partes Decision

[85794539](#)**Plaintiff(s)****Name:** Vertex Pharmaceuticals Incorporated**Correspondent Address:** STEVEN ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02130
UNITED STATES**Correspondent e-mail:** ltittemore@sunsteinlaw.com , sabreu@sunsteinlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX	Renewed	75567963	2704913

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 06, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 06, 2013	Jul 16, 2013
3	PENDING, INSTITUTED	Jun 06, 2013	
4	ANSWER	Jul 15, 2013	
5	W/DRAW OF APPLICATION	Nov 27, 2013	
6	BD DECISION: SUSTAINED	Dec 18, 2013	
7	TERMINATED	Dec 18, 2013	

Type of Proceeding: Opposition**Proceeding Number:** [91205803](#)**Filing Date:** Jun 27, 2012**Status:** Terminated**Status Date:** Sep 02, 2015**Interlocutory Attorney:** BENJAMIN U OKEKE**Defendant****Name:** Hercules Brand Corporation**Correspondent Address:** SARA AMANI
HERCULES BRAND CORPORATION
630 FIFTH AVENUE STE 2000
NEW YORK NY , 10111
UNITED STATES**Correspondent e-mail:** samani@herculesbrand.com , strinidad@herculesbrand.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VERTOX	Abandoned - After Inter-Partes Decision	85505191	

Plaintiff(s)**Name:** Vertex Pharmaceuticals Incorporated**Correspondent Address:** SHARONA H STERNBERG
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110-1618
UNITED STATES**Correspondent e-mail:** ssternberg@sunsteinlaw.com , ltittemore@sunsteinlaw.com , sabreu@sunsteinlaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry	History Text	Date	Due Date
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Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 27, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 27, 2012	Aug 06, 2012
3	PENDING, INSTITUTED	Jun 27, 2012	
4	D MOT FOR EXT W/ CONSENT	Aug 06, 2012	
5	EXTENSION OF TIME GRANTED	Aug 06, 2012	
6	ANSWER	Sep 05, 2012	
7	BOARD'S COMMUNICATION RE: SERVICE	Sep 06, 2012	
8	P MOT FOR EXT W/ CONSENT	Mar 25, 2013	
9	EXTENSION OF TIME GRANTED	Mar 25, 2013	
10	D MOT FOR EXT W/ CONSENT	May 03, 2013	
11	EXTENSION OF TIME GRANTED	May 03, 2013	
12	D MOT FOR EXT W/ CONSENT	May 31, 2013	
13	EXTENSION OF TIME GRANTED	Jun 03, 2013	
14	D MOT FOR EXT W/ CONSENT	Jun 28, 2013	
15	EXTENSION OF TIME GRANTED	Jun 28, 2013	
16	D MOT FOR EXT W/ CONSENT	Jul 29, 2013	
17	EXTENSION OF TIME GRANTED	Jul 29, 2013	
18	D MOT FOR EXT W/ CONSENT	Aug 29, 2013	
19	EXTENSION OF TIME GRANTED	Aug 29, 2013	
20	D REQ TO W/DRAW AS ATTORNEY	Sep 04, 2013	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 26, 2013	Oct 26, 2013
22	TRIAL DATES RESET	Oct 16, 2013	
23	P MOT FOR EXT W/ CONSENT	Dec 30, 2013	
24	EXTENSION OF TIME GRANTED	Dec 30, 2013	
25	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jan 14, 2014	
26	D OPP/RESP TO MOTION	Jan 27, 2014	
27	P REPLY IN SUPPORT OF MOTION	Feb 11, 2014	
28	P MOT FOR SUMMARY JUDGMENT	Feb 28, 2014	
29	D PRETRIAL DISCLOSURES	Mar 10, 2014	
30	TRIAL DATES REMAIN AS SET	Mar 14, 2014	
31	P NOTICE OF RELIANCE EXHS A - O	Mar 31, 2014	
32	P MOT TO AMEND PLEADING/AMENDED PLEADING	Apr 14, 2014	
33	D OPP/RESP TO MOTION	Apr 28, 2014	
34	P REPLY IN SUPPORT OF MOTION	May 13, 2014	
35	D FIRST NOTICE OF RELIANCE & EXHS A - Q	May 30, 2014	
36	TRIAL DATES RESET	Jun 11, 2014	
37	ANSWER	Jun 26, 2014	
38	P TESTIMONY OF VIRGINIA CARNAHAN	Jul 25, 2014	
39	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 1 - 10	Jul 25, 2014	
40	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 11 - 14	Jul 25, 2014	
41	D PRETRIAL DISCLOSURES	Nov 08, 2014	
42	CHANGE OF CORRESP ADDRESS	Oct 03, 2014	
43	D SECOND NOTICE OF RELIANCE & EXHS A - H	Oct 03, 2014	
44	P FINAL BRIEF: TM RULE 2.128	Jan 16, 2015	
45	D FINAL BRIEF: TM RULE 2.128	Feb 13, 2015	
46	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Mar 02, 2015	
47	SUBMITTED ON BRIEF	Mar 12, 2015	

48 BD DECISION: SUSTAINED

May 19, 2015

49 TERMINATED

Sep 02, 2015

Type of Proceeding: Opposition

Proceeding Number: [91199395](#)

Filing Date: Apr 12, 2011

Status: Terminated

Status Date: Jul 25, 2011

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: AngioDynamics, Inc.

Correspondent Address: ANGIODYNAMICS INC
603 QUEENSBURY AVE
QUEENSBURY NY , 12804-7619
UNITED STATES

Correspondent e-mail: dbiddiscombe@angiodynamics.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VORTEX	Abandoned - After Inter-Partes Decision	77931464	

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
SUNSTEIN KANN MURPHY TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , littemore@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 12, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2011	May 22, 2011
3	PENDING, INSTITUTED	Apr 12, 2011	
4	NOTICE OF DEFAULT	Jun 08, 2011	
5	BOARD'S DECISION: SUSTAINED	Jul 25, 2011	
6	TERMINATED	Jul 25, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91197847](#)

Filing Date: Dec 15, 2010

Status: Terminated

Status Date: Dec 01, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: VG Innovations, Inc

Correspondent Address: MARK J PANDISCIO
PANDISCIO & PANDISCIO PC
470 TOTTEN POND ROAD
WALTHAM MA , 02451
UNITED STATES

Correspondent e-mail: mail@pandisciowlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTELX	Registered	77774490	4250384

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
 SUNSTEIN KANN MURPHY & TIMBERS LLP
 125 SUMMER STREET
 BOSTON MA , 02110
 UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , littemore@sunsteinlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 15, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 15, 2010	Jan 24, 2011
3	PENDING, INSTITUTED	Dec 15, 2010	
4	ANSWER	Jan 31, 2011	
5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 28, 2011	
6	EXTENSION OF TIME GRANTED	Feb 03, 2011	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 07, 2011	
8	TRIAL DATES RESET	Apr 12, 2011	
9	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 06, 2011	
10	EXTENSION OF TIME GRANTED	May 13, 2011	
11	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 31, 2011	
12	EXTENSION OF TIME GRANTED	Jun 08, 2011	
13	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 07, 2011	
14	EXTENSION OF TIME GRANTED	Jul 18, 2011	
15	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 01, 2011	
16	EXTENSION OF TIME GRANTED	Aug 08, 2011	
17	MOTION TO AMEND W CONSENT	Aug 22, 2011	
18	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 26, 2011	
19	BOARD ORDER - SUSPENDED	Sep 12, 2011	
20	RESPONSE TO A BOARD'S ORDER	Oct 12, 2011	
21	BOARD ORDER - SUSPENDED	Oct 13, 2011	
22	D'S RESPONSE TO BOARD ORDER/INQUIRY	Nov 04, 2011	
23	RESPONSE DUE 30 DAYS (DUE DATE)	Nov 15, 2011	Dec 15, 2011
24	WITHDRAWAL OF OPPOSITION	Nov 21, 2011	
25	BOARD'S DECISION: DISMISSED	Dec 01, 2011	
26	TERMINATED	Dec 01, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91181006](#)

Filing Date: Nov 28, 2007

Status: Terminated

Status Date: Jul 10, 2008

Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: BioPolymer GmbH & Co. KG

Correspondent Address: Jeffrey P. Thennisch
 Dobrusin & Thennisch PC
 29 W. Lawrence Street, Suite 210
 Pontiac MI , 48342
 UNITED STATES

Correspondent e-mail: jeff@patentco.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VURDEX	Abandoned - After Inter-Partes Decision	79030025	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: Lisa M. Tittmore
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110-1618
UNITED STATES

Correspondent e-mail: ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 28, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 30, 2007	Jan 09, 2008
3	PENDING, INSTITUTED	Nov 30, 2007	
4	ANSWER	Jan 09, 2008	
5	WITHDRAWAL OF APPLICATION	Jun 30, 2008	
6	BOARD'S DECISION: SUSTAINED	Jul 10, 2008	
7	TERMINATED	Jul 10, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91180884](#)

Filing Date: Nov 21, 2007

Status: Terminated

Status Date: May 08, 2008

Interlocutory Attorney: BRIAN D BROWN

Defendant

Name: Antove Best Health, Inc.

Correspondent Address: CHARLES L. GROTTTS
LAW OFFICE OF CHARLES L. GROTTTS
17800 CASTLETON STREET, SUITE 568
CITY OF INDUSTRY CA , 91748-6747
UNITED STATES

Correspondent e-mail: attorney.grotts@verizon.net

Associated marks

Mark	Application Status	Serial Number	Registration Number
VA-VERSEX	Abandoned - After Inter-Partes Decision	77000716	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: Lisa M. Tittmore, Keith E. Toms
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110-1618
UNITED STATES

Correspondent e-mail: ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590

VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 21, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 21, 2007	Dec 31, 2007
3	PENDING, INSTITUTED	Nov 21, 2007	
4	ANSWER	Dec 17, 2007	
5	WITHDRAWAL OF APPLICATION WITH CONSENT	Apr 23, 2008	
6	BD'S DECISION: DISMISSED W/O PREJUDICE	May 08, 2008	
7	TERMINATED	May 08, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91173655](#) **Filing Date:** Oct 23, 2006
Status: Terminated **Status Date:** Nov 29, 2006
Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Vertrx Corporation
Correspondent Address: DANIEL R. GROPPER
DANIEL R. GROPPER, PC
9908 DALE RIDGE CT
VIENNA VA , 22181-5348
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTRX - YOUR QUALITY PRESCRIPTION	Abandoned - After Inter-Partes Decision	78888431	

Plaintiff(s)

Name: VERTEX PHARMACEUTICALS INCORPORATED
Correspondent Address: LISA M. TITTEMORE
BROMBERG & SUNSTEIN LLP
125 SUMMER ST 11TH FL
BOSTON MA , 02110-1618
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2006	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 30, 2006	Dec 09, 2006
3	PENDING, INSTITUTED	Oct 30, 2006	
4	WITHDRAWAL OF APPLICATION	Nov 28, 2006	
5	BOARD'S DECISION: SUSTAINED	Nov 29, 2006	
6	TERMINATED	Nov 29, 2006	

Type of Proceeding: Opposition

Proceeding Number: [91173691](#) **Filing Date:** Oct 23, 2006
Status: Terminated **Status Date:** Nov 29, 2006
Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Vertrx Corporation
Correspondent Address: DANIEL R. GROPPER
DANIEL R. GROPPER, PC

9908 DALE RIDGE CT
VIENNA VA , 22181-5348
UNITED STATES

Correspondent e-mail: dgropper@drqlaw.net

Mark	Application Status	Serial Number	Registration Number
VERTRX	Abandoned - After Inter-Partes Decision	78796369	

Plaintiff(s)

Name: VERTEX PHARMACEUTICALS INCORPORATED

Correspondent Address: LISA M. TITTEMORE
BROMBERG & SUNSTEIN LLP
125 SUMMER ST 11TH FL
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: jward@bromsun.com

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 23, 2006	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 01, 2006	Dec 11, 2006
3	PENDING, INSTITUTED	Nov 01, 2006	
4	WITHDRAWAL OF APPLICATION	Nov 28, 2006	
5	BOARD'S DECISION: SUSTAINED	Nov 29, 2006	
6	TERMINATED	Nov 29, 2006	

Type of Proceeding: Opposition

Proceeding Number: [91159280](#)

Filing Date: Jan 12, 2004

Status: Terminated

Status Date: Oct 26, 2006

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: Nutrex Research, Inc.

Correspondent Address: AVA K. DOPPELT, ESQ.
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST, P.A.
255 SOUTH ORANGE AVENUE - SUITE 1401
ORLANDO FL , 32801
UNITED STATES

Correspondent e-mail: ldolan@addmg.com , adoppelt@addmg.com

Mark	Application Status	Serial Number	Registration Number
VITRIX	Section 8 and 15 - Accepted and Acknowledged	78201055	3249912

Plaintiff(s)

Name: VERTEX PHARMACEUTICALS INCORPORATED

Correspondent Address: LISA M. TITTEMORE
BROMBERG & SUNSTEIN LLP
125 SUMMER ST
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: jward@bromsun.com

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448

Prosecution History

Entry Number	History Text	Date	Due Date
	FILED AND FEE		

1	FILED AND FEE	Jan 12, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 03, 2004	Mar 14, 2004
3	PENDING, INSTITUTED	Feb 03, 2004	
4	P'S MOTION FOR DEFAULT JUDGEMENT	Mar 29, 2004	
5	DEFENDANT'S RESPONSE TO MOTION FOR DEFAULT; ANSWER; APPEARANCE & REQUEST TO FILE LATE ANSWER	Apr 15, 2004	
6	P'S REPLY FOR MOTION FOR DEFAULT	May 10, 2004	
7	TRIAL DATES SET	Jun 21, 2004	
8	OPPOSER'S MOTION TO COMPEL APPLICANT'S RESPONSES TO DISCOVERY REQUESTS	Jul 22, 2004	
9	SUSPENDED PENDING MOT COMPEL	Jul 28, 2004	
10	D'S RESPONSE TO P'S MOTION TO COMPEL	Aug 09, 2004	
11	P'S REPLY FOR MOTION TO COMPEL	Sep 01, 2004	
12	PROCEEDINGS RESUMED	Nov 01, 2004	
13	PL'S MOTION FOR DEFAULT JUDGMENT DUE TO APPLICANT FAILURE TO COMPLY	Jan 07, 2005	
14	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Jan 12, 2005	
15	D'S OPPOSITION/RESPONSE TO MOTION	Jan 13, 2005	
16	PAGE 6 OF OPPOSER'S MOTION FOR DEFAULT JUDGMENT	Jan 10, 2005	
17	P'S REPLY FOR MOTION FOR DEFAULT JUDGMENT	Feb 10, 2005	
18	PARTIES ALLOWED 30 DAYS TO RESP; PROC RESUMED AND TRIAL DATES RESET	Mar 29, 2005	
19	STIP PROTECTIVE ORDER	May 10, 2005	
20	STIP PROTECTIVE ORDER NOTED	May 31, 2005	
21	PLAINTIFF'S NOTICE OF RELIANCE	Aug 30, 2005	
22	DEFENDANT'S NOTICE OF RELIANCE	Oct 12, 2005	
23	STIPULATION FOR AN EXTENSION OF TIME	Nov 21, 2005	
24	EXTENSION OF TIME GRANTED	Nov 21, 2005	
25	DEF'S DEPOSITION	Nov 23, 2005	
26	BRIEF ON MERITS FOR PLAINTIFF	Mar 08, 2006	
27	D'S REBUTTAL BRIEF	Mar 27, 2006	
28	TESTIMONY FOR PLAINTIFF	Apr 14, 2006	
29	TESTIMONY FOR PLAINTIFF	Apr 14, 2006	
30	P'S REQUEST FOR ORAL HEARING	Apr 18, 2006	
31	PL'S REPLY BRIEF	Apr 14, 2006	
32	P'S REQUEST FOR ORAL HEARING	Apr 26, 2006	
33	PAPER RECEIVED AT TTAB	May 26, 2006	
34	PAPER RECEIVED AT TTAB	Jun 01, 2006	
35	ORAL HEARING SCHEDULED	Jul 17, 2006	
36	P'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 16, 2006	
37	APPLICANT'S AMENDMENT	Aug 25, 2006	
38	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 06, 2006	Oct 06, 2006
39	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 14, 2006	Oct 20, 2006
40	WITHDRAWAL OF OPPOSITION	Oct 20, 2006	
41	BD'S DECISION: DISMISSED W/ PREJUDICE	Oct 26, 2006	
42	TERMINATED	Oct 26, 2006	

Type of Proceeding: Extension of Time

Proceeding Number: [78201055](#)

Filing Date: Oct 10, 2003

Status: Terminated

Status Date: Oct 21, 2003

Interlocutory Attorney:

Defendant

Name: Nutrex Research, Inc.

Correspondent Address: NUTREX RESEARCH, INC.
6869 STAPOINT COURTSUITE 106
WINTER PARK FL , 32792
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VITRIX	Section 8 and 15 - Accepted and Acknowledged	78201055	3249912
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Potential Opposer(s)

Name: VERTEX PHARMACEUTICALS INCORPORATED

Correspondent Address: JOHN F. WARD
BROMBERG & SUNSTEIN LLP
125 SUMMER STREET
BOSTON MA , 02110-1618
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VERTEX	Renewed	73839157	1630448
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Prosecution History

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Oct 10, 2003	
2	EXTENSION OF TIME GRANTED	Oct 21, 2003	
3	INCOMING - EXT TIME TO OPPOSE FILED	Nov 10, 2003	
4	EXTENSION OF TIME GRANTED	Nov 21, 2003	
5	INCOMING - EXT TIME TO OPPOSE FILED	Dec 10, 2003	
6	EXTENSION OF TIME GRANTED	Dec 15, 2003	
7	TERMINATED	Feb 03, 2004	

Type of Proceeding: Opposition

Proceeding Number: [91120260](#)

Filing Date: Sep 06, 2000

Status: Terminated

Status Date: Jun 06, 2001

Interlocutory Attorney: CHERYL S GOODMAN

Defendant

Name: CONSUMER RESPONSE SOLUTIONS LLC.

Correspondent Address: RICHARD C. CLEARY
CLEARY LAW OFFICE, PA
21 MILITARY STREET
HOULTON ME , 04730
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VEREXX	Abandoned - After Inter-Partes Decision	75797439	
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Plaintiff(s)

Name: VERTEX PHARMACEUTICALS INCORPORATED

Correspondent Address: JENNIFER M. REYNOLDS
BROMBERG & SUNSTEIN LLP.
125 SUMMER STREET
BOSTON MA , 02110-1618
UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VERTEX	Renewed	73839157	1630448
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Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Sep 06, 2000	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Sep 19, 2000	Oct 29, 2000
3	PENDING, INSTITUTED	Sep 19, 2000	

4	ANSWER	Oct 18, 2000
5	PL'S MOT TO COMPEL AND MEMO IN SUPPORT	Jan 05, 2001
6	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Feb 06, 2001
7	DEF'S ABANDONMENT OF APP W/O P'S CONSENT	Apr 25, 2001
8	BOARD'S DECISION: SUSTAINED	Jun 06, 2001
9	TERMINATED	Jun 06, 2001

Generated on: This page was generated by TSDR on 2015-10-20 09:29:12 EDT

Mark: VERTEX



US Serial Number: 75333578
US Registration Number: 2578974
Register: Principal
Mark Type: Trademark, Service Mark
Status: The registration has been renewed.
Status Date: Jun. 12, 2012
Publication Date: Jun. 23, 1998
Application Filing Date: Jul. 31, 1997
Registration Date: Jun. 11, 2002
Notice of Allowance Date: Sep. 15, 1998

Mark Information

Mark Literal Elements: VERTEX
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Design Search Code(s): 26.05.21 - Triangles that are completely or partially shaded
26.13.21 - Quadrilaterals that are completely or partially shaded

Related Properties Information

Claimed Ownership of US Registrations: 1630448, 1630449

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 incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: pharmaceutical preparations for the diagnosis, treatment or prevention of [conditions or diseases of the central nervous system or peripheral nervous system, neurologic disorders, neurodegenerative disorders,] hepatitis-C, [cancer, multi-drug resistance,] autoimmune diseases, and HIV infection and AIDS

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 26, 1999

Use in Commerce: Apr. 26, 1999

For: pharmaceutical research services for others

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 23, 1998

Use in Commerce: Feb. 23, 1998

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: Vertex Pharmaceuticals Incorporated

Owner Address: 50 Northern Avenue
Boston, MASSACHUSETTS 02210
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: STEVEN A. ABREU
Docket Number: 1618/210
Attorney Primary Email Address: trademarks@sunsteinlaw.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: STEVEN A. ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON, MASSACHUSETTS 02110-1618
UNITED STATES
Phone: 617-443-9292 Fax: 617-443-0004
Correspondent e-mail: trademarks@sunsteinlaw.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 14, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 12, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jun. 12, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Jun. 12, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67723
Jun. 11, 2012	TEAS SECTION 8 & 9 RECEIVED	
Nov. 24, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 01, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Jun. 24, 2008	ASSIGNED TO PARALEGAL	67723
Jun. 11, 2008	TEAS SECTION 8 & 15 RECEIVED	
Sep. 18, 2007	CASE FILE IN TICRS	
Jun. 11, 2002	REGISTERED-PRINCIPAL REGISTER	
Nov. 04, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 04, 2001	ASSIGNED TO EXAMINER	74816
Oct. 24, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Sep. 15, 2001	USE AMENDMENT FILED	
Apr. 12, 2001	EXTENSION 5 GRANTED	
Mar. 12, 2001	EXTENSION 5 FILED	
Nov. 24, 2000	EXTENSION 4 GRANTED	
Sep. 11, 2000	EXTENSION 4 FILED	
May 10, 2000	EXTENSION 3 GRANTED	
Mar. 15, 2000	EXTENSION 3 FILED	
Sep. 15, 1999	EXTENSION 2 GRANTED	
Sep. 15, 1999	EXTENSION 2 FILED	
Apr. 02, 1999	EXTENSION 1 GRANTED	
Mar. 11, 1999	EXTENSION 1 FILED	
Sep. 15, 1998	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 23, 1998	PUBLISHED FOR OPPOSITION	
May 22, 1998	NOTICE OF PUBLICATION	

Mar. 30, 1998 APPROVED FOR PUB - PRINCIPAL REGISTER
Mar. 24, 1998 EXAMINER'S AMENDMENT MAILED
Mar. 10, 1998 ASSIGNED TO EXAMINER

74661

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 11, 2012

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jun. 12, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Vertex Pharmaceuticals Incorporated

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [5320/0098](#)

Pages: 9

Date Recorded: Jul. 10, 2014

Supporting Documents: [assignment-tm-5320-0098.pdf](#)

Assignor

Name: [VERTEX PHARMACEUTICALS INCORPORATED](#)

Execution Date: Jul. 09, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [MACQUARIE US TRADING LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 125 WEST 55 STREET
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: IP GROUP OF DLA PIPER LLP (US)

Correspondent Address: ONE LIBERTY PLACE
1650 MARKET ST. SUITE 4900
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 10

Type of Proceeding: Opposition

Proceeding Number: [91220185](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Be Powerful, LLC

Correspondent Address: JOHN C CAREY
CAREY RODRIGUEZ ET AL
1395 BRICKELL AVENUE, SUITE 700
MIAMI FL , 33131
UNITED STATES

Correspondent e-mail: jcarey@careyrodriguez.com , aunderwood@careyrodriguez.com

Associated marks

Serial

Registration

Mark	Application Status	Number	Number
1MR VORTEX	Opposition Pending	86076649	

Plaintiff(s)
Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLC
125 SUMMER STREET
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: ssternberg@sunsteinlaw.com , ltittmore@sunsteinlaw.com , acavazos@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 15, 2015	Feb 24, 2015
3	PENDING, INSTITUTED	Jan 15, 2015	
4	ANSWER	Feb 24, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Sep 03, 2015	
6	SUSPENDED	Sep 03, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91218760](#)

Filing Date: Oct 09, 2014

Status: Pending

Status Date: Oct 09, 2014

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.

Correspondent Address: JOHN J O'MALLEY
VOLPE AND KOENIG PC
STE 1800 30 S, 17TH ST
PHILADELPHIA PA , 19103
UNITED STATES

Correspondent e-mail: trademarks@vklaw.com , jomalley@vklaw.com , mmorgan@vklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	86073577	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: BRANDON T SCRUGGS
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: bscruggs@sunsteinlaw.com , sabreu@sunsteinlaw.com , ltittmore@sunsteinlaw.com , ssternberg@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry	History Text	Date	Due Date
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Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 09, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 09, 2014	Nov 18, 2014
3	PENDING, INSTITUTED	Oct 09, 2014	
4	ANSWER AND COUNTERCLAIM (FEE)	Nov 18, 2014	
5	D MOT TO CONSOLIDATE	Nov 18, 2014	
6	CONSOLIDATION GRANTED	Dec 17, 2014	
7	CONSOLIDATION GRANTED	Dec 17, 2014	
8	ANSWER TO COUNTERCLAIM	Jan 12, 2015	
9	MOT TO AMEND APPLICATION	Jul 22, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91215035](#)

Filing Date: Feb 21, 2014

Status: Pending

Status Date: Feb 21, 2014

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.

Correspondent Address: JOHN J OMALLEY
VOLPE AND KOENIG PC
30 S 17TH ST, STE 1800
PHILADELPHIA PA , 19103
UNITED STATES

Correspondent e-mail: Jomalley@vklaw.com , ktinker@vklaw.com , trademarks@vklaw.com , mmorgan@vklaw.com , litigation-paralegals@vklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	85887894	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 21, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 21, 2014	Apr 02, 2014
3	PENDING, INSTITUTED	Feb 21, 2014	
4	STIP FOR EXT	Apr 01, 2014	
5	EXTENSION OF TIME GRANTED	Apr 01, 2014	
6	ANSWER AND COUNTERCLAIM (FEE)	May 02, 2014	
7	ANSWER TO COUNTERCLAIM DUE THIRTY DAYS	May 31, 2014	
8	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Jun 30, 2014	
9	D OPP/RESP TO MOTION	Jul 21, 2014	
10	P REPLY IN SUPPORT OF MOTION	Aug 05, 2014	
11	SUSP PEND DISP OF OUTSTNDNG MOT PROCEEDINGS RESUMED	Sep 08, 2014	

12	PROCEEDINGS RESUMED	Oct 06, 2014
13	ANSWER TO COUNTERCLAIM	Nov 03, 2014
14	D MOT TO CONSOLIDATE	Nov 18, 2014
15	CONSOLIDATED - PARENT OF 91218760	Dec 17, 2014
16	ANSWER TO COUNTERCLAIM	Jan 12, 2015
17	D MOT FOR EXT W/ CONSENT	Jun 10, 2015
18	EXTENSION OF TIME GRANTED	Jun 15, 2015
19	MOT TO AMEND APPLICATION	Jul 17, 2015

Type of Proceeding: Opposition

Proceeding Number: [91210960](#) **Filing Date:** Jun 06, 2013
Status: Terminated **Status Date:** Dec 18, 2013
Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Anacapa technologies Inc.
Correspondent Address: SCOTT D BALDERSTON
 MH2 TECHNOLOGY LAW GROUP
 1951 KIDWELL DR STE 550
 TYSONS CORNER VA , 22182-3984
 UNITED STATES
Correspondent e-mail: scott@mh2law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VETREX	Abandoned - After Inter-Partes Decision	85794539	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated
Correspondent Address: STEVEN ABREU
 SUNSTEIN KANN MURPHY & TIMBERS LLP
 125 SUMMER STREET
 BOSTON MA , 02130
 UNITED STATES
Correspondent e-mail: littimore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX	Renewed	75567963	2704913

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 06, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 06, 2013	Jul 16, 2013
3	PENDING, INSTITUTED	Jun 06, 2013	
4	ANSWER	Jul 15, 2013	
5	W/DRAW OF APPLICATION	Nov 27, 2013	
6	BD DECISION: SUSTAINED	Dec 18, 2013	
7	TERMINATED	Dec 18, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91205803](#) **Filing Date:** Jun 27, 2012
Status: Terminated **Status Date:** Sep 02, 2015
Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Hercules Brand Corporation
Correspondent Address: SARA AMANI
 HERCULES BRAND CORPORATION

630 FIFTH AVENUE STE 2000
 NEW YORK NY , 10111
 UNITED STATES

Correspondent e-mail: samani@herculesbrand.com , trinidad@herculesbrand.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERTOX	Abandoned - After Inter-Partes Decision	85505191	
Plaintiff(s)			

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: SHARONA H STERNBERG
 SUNSTEIN KANN MURPHY & TIMBERS LLP
 125 SUMMER ST
 BOSTON MA , 02110-1618
 UNITED STATES

Correspondent e-mail: ssternberg@sunsteinlaw.com , littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 27, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 27, 2012	Aug 06, 2012
3	PENDING, INSTITUTED	Jun 27, 2012	
4	D MOT FOR EXT W/ CONSENT	Aug 06, 2012	
5	EXTENSION OF TIME GRANTED	Aug 06, 2012	
6	ANSWER	Sep 05, 2012	
7	BOARD'S COMMUNICATION RE: SERVICE	Sep 06, 2012	
8	P MOT FOR EXT W/ CONSENT	Mar 25, 2013	
9	EXTENSION OF TIME GRANTED	Mar 25, 2013	
10	D MOT FOR EXT W/ CONSENT	May 03, 2013	
11	EXTENSION OF TIME GRANTED	May 03, 2013	
12	D MOT FOR EXT W/ CONSENT	May 31, 2013	
13	EXTENSION OF TIME GRANTED	Jun 03, 2013	
14	D MOT FOR EXT W/ CONSENT	Jun 28, 2013	
15	EXTENSION OF TIME GRANTED	Jun 28, 2013	
16	D MOT FOR EXT W/ CONSENT	Jul 29, 2013	
17	EXTENSION OF TIME GRANTED	Jul 29, 2013	
18	D MOT FOR EXT W/ CONSENT	Aug 29, 2013	
19	EXTENSION OF TIME GRANTED	Aug 29, 2013	
20	D REQ TO W/DRAW AS ATTORNEY	Sep 04, 2013	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 26, 2013	Oct 26, 2013
22	TRIAL DATES RESET	Oct 16, 2013	
23	P MOT FOR EXT W/ CONSENT	Dec 30, 2013	
24	EXTENSION OF TIME GRANTED	Dec 30, 2013	
25	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jan 14, 2014	
26	D OPP/RESP TO MOTION	Jan 27, 2014	
27	P REPLY IN SUPPORT OF MOTION	Feb 11, 2014	
28	P MOT FOR SUMMARY JUDGMENT	Feb 28, 2014	

29	D PRETRIAL DISCLOSURES	Mar 10, 2014
30	TRIAL DATES REMAIN AS SET	Mar 14, 2014
31	P NOTICE OF RELIANCE EXHS A - O	Mar 31, 2014
32	P MOT TO AMEND PLEADING/AMENDED PLEADING	Apr 14, 2014
33	D OPP/RESP TO MOTION	Apr 28, 2014
34	P REPLY IN SUPPORT OF MOTION	May 13, 2014
35	D FIRST NOTICE OF RELIANCE & EXHS A - Q	May 30, 2014
36	TRIAL DATES RESET	Jun 11, 2014
37	ANSWER	Jun 26, 2014
38	P TESTIMONY OF VIRGINIA CARNAHAN	Jul 25, 2014
39	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 1 - 10	Jul 25, 2014
40	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 11 - 14	Jul 25, 2014
41	D PRETRIAL DISCLOSURES	Nov 08, 2014
42	CHANGE OF CORRESP ADDRESS	Oct 03, 2014
43	D SECOND NOTICE OF RELIANCE & EXHS A - H	Oct 03, 2014
44	P FINAL BRIEF: TM RULE 2.128	Jan 16, 2015
45	D FINAL BRIEF: TM RULE 2.128	Feb 13, 2015
46	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Mar 02, 2015
47	SUBMITTED ON BRIEF	Mar 12, 2015
48	BD DECISION: SUSTAINED	May 19, 2015
49	TERMINATED	Sep 02, 2015

Type of Proceeding: Opposition

Proceeding Number: [91199395](#)

Filing Date: Apr 12, 2011

Status: Terminated

Status Date: Jul 25, 2011

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: AngioDynamics, Inc.

Correspondent Address: ANGIODYNAMICS INC
603 QUEENSBURY AVE
QUEENSBURY NY , 12804-7619
UNITED STATES

Correspondent e-mail: dbiddiscombe@angiodynamics.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VORTEX	Abandoned - After Inter-Partes Decision	77931464	

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
SUNSTEIN KANN MURPHY TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , littemore@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 12, 2011	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2011 May 22, 2011
3	PENDING, INSTITUTED	Apr 12, 2011
4	NOTICE OF DEFAULT	Jun 08, 2011
5	BOARD'S DECISION: SUSTAINED	Jul 25, 2011
6	TERMINATED	Jul 25, 2011

Type of Proceeding: Opposition

Proceeding Number: [91197847](#) **Filing Date:** Dec 15, 2010
Status: Terminated **Status Date:** Dec 01, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: VG Innovations, Inc

Correspondent Address: MARK J PANDISCIO
PANDISCIO & PANDISCIO PC
470 TOTTEN POND ROAD
WALTHAM MA , 02451
UNITED STATES

Correspondent e-mail: mail@pandisciowlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTELX	Registered	77774490	4250384

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , littimore@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 15, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 15, 2010	Jan 24, 2011
3	PENDING, INSTITUTED	Dec 15, 2010	
4	ANSWER	Jan 31, 2011	
5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 28, 2011	
6	EXTENSION OF TIME GRANTED	Feb 03, 2011	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 07, 2011	
8	TRIAL DATES RESET	Apr 12, 2011	
9	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 06, 2011	
10	EXTENSION OF TIME GRANTED	May 13, 2011	
11	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 31, 2011	
12	EXTENSION OF TIME GRANTED	Jun 08, 2011	
13	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 07, 2011	
14	EXTENSION OF TIME GRANTED	Jul 18, 2011	
15	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 01, 2011	
16	EXTENSION OF TIME GRANTED	Aug 08, 2011	
17	MOTION TO AMEND W CONSENT	Aug 22, 2011	

18	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 26, 2011	
19	BOARD ORDER - SUSPENDED	Sep 12, 2011	
20	RESPONSE TO A BOARD'S ORDER	Oct 12, 2011	
21	BOARD ORDER - SUSPENDED	Oct 13, 2011	
22	D'S RESPONSE TO BOARD ORDER/INQUIRY	Nov 04, 2011	
23	RESPONSE DUE 30 DAYS (DUE DATE)	Nov 15, 2011	Dec 15, 2011
24	WITHDRAWAL OF OPPOSITION	Nov 21, 2011	
25	BOARD'S DECISION: DISMISSED	Dec 01, 2011	
26	TERMINATED	Dec 01, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91181782](#) **Filing Date:** Jan 07, 2008
Status: Terminated **Status Date:** Mar 05, 2008
Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: ERGO-PHARM; Beteiligungsgesellschaft mbH

Correspondent Address: Donna Burton
Nixon & Vanderhye PC
901 N Glebe Road, 11th Floor
Arlington VA , 22203
UNITED STATES

Correspondent e-mail: nixonptomail@nixonvan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	IR CANCELLED - NO TRANSFORMATION FILED	79027107	

Plaintiff(s)

Name: Vertex Pharmaceuticals, Inc.

Correspondent Address: Steven A. Abreu
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110
UNITED STATES

Correspondent e-mail: trademarks@bromsun.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	75333578	2578974
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 07, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 09, 2008	Feb 18, 2008
3	PENDING, INSTITUTED	Jan 09, 2008	
4	WITHDRAWAL OF APPLICATION	Feb 15, 2008	
5	BOARD'S DECISION: SUSTAINED	Mar 05, 2008	
6	TERMINATED	Mar 05, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91181006](#) **Filing Date:** Nov 28, 2007
Status: Terminated **Status Date:** Jul 10, 2008
Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: BioPolymer GmbH & Co. KG

Correspondent Address: Jeffrey P. Thennisch
Dobrusin & Thennisch PC
29 W. Lawrence Street, Suite 210
Pontiac MI , 48342

UNITED STATES

Correspondent e-mail: jeff@patentco.com

Mark	Application Status	Serial Number	Registration Number
VURDEX	Abandoned - After Inter-Partes Decision	79030025	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: Lisa M. Tittmore
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110-1618
UNITED STATES

Correspondent e-mail: ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 28, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 30, 2007	Jan 09, 2008
3	PENDING, INSTITUTED	Nov 30, 2007	
4	ANSWER	Jan 09, 2008	
5	WITHDRAWAL OF APPLICATION	Jun 30, 2008	
6	BOARD'S DECISION: SUSTAINED	Jul 10, 2008	
7	TERMINATED	Jul 10, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91180884](#)

Filing Date: Nov 21, 2007

Status: Terminated

Status Date: May 08, 2008

Interlocutory Attorney: BRIAN D BROWN

Defendant

Name: Antove Best Health, Inc.

Correspondent Address: CHARLES L. GROTTIS
LAW OFFICE OF CHARLES L. GROTTIS
17800 CASTLETON STREET, SUITE 568
CITY OF INDUSTRY CA , 91748-6747
UNITED STATES

Correspondent e-mail: attorney.grotts@verizon.net

Mark	Application Status	Serial Number	Registration Number
VA-VERSEX	Abandoned - After Inter-Partes Decision	77000716	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: Lisa M. Tittmore, Keith E. Toms
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110-1618
UNITED STATES

Correspondent e-mail: ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com

Mark	Application Status	Serial	Registration
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		Number	Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 21, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 21, 2007	Dec 31, 2007
3	PENDING, INSTITUTED	Nov 21, 2007	
4	ANSWER	Dec 17, 2007	
5	WITHDRAWAL OF APPLICATION WITH CONSENT	Apr 23, 2008	
6	BD'S DECISION: DISMISSED W/O PREJUDICE	May 08, 2008	
7	TERMINATED	May 08, 2008	

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: STEVEN A. ABREU
Attorney Primary Email Address: trademarks@sunsteinlaw.com
Docket Number: 1618/212
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: STEVEN A. ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON, MASSACHUSETTS 02110-1618
UNITED STATES
Phone: 617-443-9292
Fax: 617-443-0004
Correspondent e-mail: trademarks@sunsteinlaw.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 03, 2014	COUNTERCLAIM OPP. NO. 999999	215035
Jan. 14, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 14, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 18, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 18, 2012	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	76533
May 18, 2012	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	76533
May 17, 2012	TEAS SECTION 8 & 9 RECEIVED	
Nov. 24, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 05, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	76533
Feb. 25, 2009	ASSIGNED TO PARALEGAL	76533
Feb. 23, 2009	TEAS SECTION 8 & 15 RECEIVED	
May 02, 2008	CASE FILE IN TICRS	
Apr. 08, 2003	REGISTERED-PRINCIPAL REGISTER	
Feb. 10, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 06, 2003	ASSIGNED TO EXAMINER	76582
Feb. 04, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Nov. 12, 2002	USE AMENDMENT FILED	
Nov. 14, 2002	PAPER RECEIVED	
Apr. 25, 2002	EXTENSION 5 GRANTED	
Apr. 03, 2002	EXTENSION 5 FILED	
Apr. 03, 2002	PAPER RECEIVED	
Dec. 07, 2001	EXTENSION 4 GRANTED	
Nov. 19, 2001	EXTENSION 4 FILED	
Jun. 04, 2001	EXTENSION 3 GRANTED	
May 22, 2001	EXTENSION 3 FILED	
Apr. 25, 2001	EXTENSION 2 GRANTED	
Nov. 22, 2000	EXTENSION 2 FILED	
Jun. 19, 2000	EXTENSION 1 GRANTED	
Apr. 28, 2000	EXTENSION 1 FILED	
Nov. 23, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 31, 1999	PUBLISHED FOR OPPOSITION	

Jul. 30, 1999 NOTICE OF PUBLICATION
May 19, 1999 APPROVED FOR PUB - PRINCIPAL REGISTER
May 06, 1999 ASSIGNED TO EXAMINER

76519

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 08, 2013

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 18, 2012

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Vertex Pharmaceuticals Incorporated

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [5320/0098](#)

Pages: 9

Date Recorded: Jul. 10, 2014

Supporting Documents: [assignment-tm-5320-0098.pdf](#)

Assignor

Name: [VERTEX PHARMACEUTICALS INCORPORATED](#)

Execution Date: Jul. 09, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [MACQUARIE US TRADING LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 125 WEST 55 STREET
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: IP GROUP OF DLA PIPER LLP (US)

Correspondent Address: ONE LIBERTY PLACE
1650 MARKET ST. SUITE 4900
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 12

Type of Proceeding: Opposition

Proceeding Number: [91220185](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Be Powerful, LLC

Correspondent Address: JOHN C CAREY
CAREY RODRIGUEZ ET AL
1395 BRICKELL AVENUE, SUITE 700
MIAMI FL , 33131
UNITED STATES

Correspondent e-mail: jcarey@careyrodriguez.com , aunderwood@careyrodriguez.com

Associated marks

Serial

Registration

Mark	Application Status	Number	Number
1MR VORTEX	Opposition Pending	86076649	

Plaintiff(s)
Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLC
125 SUMMER STREET
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: ssternberg@sunsteinlaw.com , ltittmore@sunsteinlaw.com , acavazos@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 15, 2015	Feb 24, 2015
3	PENDING, INSTITUTED	Jan 15, 2015	
4	ANSWER	Feb 24, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Sep 03, 2015	
6	SUSPENDED	Sep 03, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91218760](#)

Filing Date: Oct 09, 2014

Status: Pending

Status Date: Oct 09, 2014

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.

Correspondent Address: JOHN J O'MALLEY
VOLPE AND KOENIG PC
STE 1800 30 S, 17TH ST
PHILADELPHIA PA , 19103
UNITED STATES

Correspondent e-mail: trademarks@vklaw.com , jomalley@vklaw.com , mmorgan@vklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	86073577	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: BRANDON T SCRUGGS
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: bscruggs@sunsteinlaw.com , sabreu@sunsteinlaw.com , ltittmore@sunsteinlaw.com , ssternberg@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry	History Text	Date	Due Date
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Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 09, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 09, 2014	Nov 18, 2014
3	PENDING, INSTITUTED	Oct 09, 2014	
4	ANSWER AND COUNTERCLAIM (FEE)	Nov 18, 2014	
5	D MOT TO CONSOLIDATE	Nov 18, 2014	
6	CONSOLIDATION GRANTED	Dec 17, 2014	
7	CONSOLIDATION GRANTED	Dec 17, 2014	
8	ANSWER TO COUNTERCLAIM	Jan 12, 2015	
9	MOT TO AMEND APPLICATION	Jul 22, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91215035](#)

Filing Date: Feb 21, 2014

Status: Pending

Status Date: Feb 21, 2014

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.

Correspondent Address: JOHN J OMALLEY
VOLPE AND KOENIG PC
30 S 17TH ST, STE 1800
PHILADELPHIA PA , 19103
UNITED STATES

Correspondent e-mail: Jomalley@vklaw.com , ktinker@vklaw.com , trademarks@vklaw.com , mmorgan@vklaw.com , litigation-paralegals@vklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	85887894	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 21, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 21, 2014	Apr 02, 2014
3	PENDING, INSTITUTED	Feb 21, 2014	
4	STIP FOR EXT	Apr 01, 2014	
5	EXTENSION OF TIME GRANTED	Apr 01, 2014	
6	ANSWER AND COUNTERCLAIM (FEE)	May 02, 2014	
7	ANSWER TO COUNTERCLAIM DUE THIRTY DAYS	May 31, 2014	
8	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Jun 30, 2014	
9	D OPP/RESP TO MOTION	Jul 21, 2014	
10	P REPLY IN SUPPORT OF MOTION	Aug 05, 2014	
11	SUSP PEND DISP OF OUTSTNDNG MOT PROCEEDINGS RESUMED	Sep 08, 2014	

12	PROCEEDINGS RESUMED	Oct 06, 2014
13	ANSWER TO COUNTERCLAIM	Nov 03, 2014
14	D MOT TO CONSOLIDATE	Nov 18, 2014
15	CONSOLIDATED - PARENT OF 91218760	Dec 17, 2014
16	ANSWER TO COUNTERCLAIM	Jan 12, 2015
17	D MOT FOR EXT W/ CONSENT	Jun 10, 2015
18	EXTENSION OF TIME GRANTED	Jun 15, 2015
19	MOT TO AMEND APPLICATION	Jul 17, 2015

Type of Proceeding: Opposition

Proceeding Number: [91210960](#) **Filing Date:** Jun 06, 2013
Status: Terminated **Status Date:** Dec 18, 2013
Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Anacapa technologies Inc.
Correspondent Address: SCOTT D BALDERSTON
 MH2 TECHNOLOGY LAW GROUP
 1951 KIDWELL DR STE 550
 TYSONS CORNER VA , 22182-3984
 UNITED STATES
Correspondent e-mail: scott@mh2law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VETREX	Abandoned - After Inter-Partes Decision	85794539	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated
Correspondent Address: STEVEN ABREU
 SUNSTEIN KANN MURPHY & TIMBERS LLP
 125 SUMMER STREET
 BOSTON MA , 02130
 UNITED STATES
Correspondent e-mail: littimore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX	Renewed	75567963	2704913

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 06, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 06, 2013	Jul 16, 2013
3	PENDING, INSTITUTED	Jun 06, 2013	
4	ANSWER	Jul 15, 2013	
5	W/DRAW OF APPLICATION	Nov 27, 2013	
6	BD DECISION: SUSTAINED	Dec 18, 2013	
7	TERMINATED	Dec 18, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91205803](#) **Filing Date:** Jun 27, 2012
Status: Terminated **Status Date:** Sep 02, 2015
Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Hercules Brand Corporation
Correspondent Address: SARA AMANI
 HERCULES BRAND CORPORATION

630 FIFTH AVENUE STE 2000
 NEW YORK NY , 10111
 UNITED STATES

Correspondent e-mail: samani@herculesbrand.com , trinidad@herculesbrand.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERTOX	Abandoned - After Inter-Partes Decision	85505191	
Plaintiff(s)			

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: SHARONA H STERNBERG
 SUNSTEIN KANN MURPHY & TIMBERS LLP
 125 SUMMER ST
 BOSTON MA , 02110-1618
 UNITED STATES

Correspondent e-mail: ssternberg@sunsteinlaw.com , littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 27, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 27, 2012	Aug 06, 2012
3	PENDING, INSTITUTED	Jun 27, 2012	
4	D MOT FOR EXT W/ CONSENT	Aug 06, 2012	
5	EXTENSION OF TIME GRANTED	Aug 06, 2012	
6	ANSWER	Sep 05, 2012	
7	BOARD'S COMMUNICATION RE: SERVICE	Sep 06, 2012	
8	P MOT FOR EXT W/ CONSENT	Mar 25, 2013	
9	EXTENSION OF TIME GRANTED	Mar 25, 2013	
10	D MOT FOR EXT W/ CONSENT	May 03, 2013	
11	EXTENSION OF TIME GRANTED	May 03, 2013	
12	D MOT FOR EXT W/ CONSENT	May 31, 2013	
13	EXTENSION OF TIME GRANTED	Jun 03, 2013	
14	D MOT FOR EXT W/ CONSENT	Jun 28, 2013	
15	EXTENSION OF TIME GRANTED	Jun 28, 2013	
16	D MOT FOR EXT W/ CONSENT	Jul 29, 2013	
17	EXTENSION OF TIME GRANTED	Jul 29, 2013	
18	D MOT FOR EXT W/ CONSENT	Aug 29, 2013	
19	EXTENSION OF TIME GRANTED	Aug 29, 2013	
20	D REQ TO W/DRAW AS ATTORNEY	Sep 04, 2013	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 26, 2013	Oct 26, 2013
22	TRIAL DATES RESET	Oct 16, 2013	
23	P MOT FOR EXT W/ CONSENT	Dec 30, 2013	
24	EXTENSION OF TIME GRANTED	Dec 30, 2013	
25	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jan 14, 2014	
26	D OPP/RESP TO MOTION	Jan 27, 2014	
27	P REPLY IN SUPPORT OF MOTION	Feb 11, 2014	
28	P MOT FOR SUMMARY JUDGMENT	Feb 28, 2014	

29	D PRETRIAL DISCLOSURES	Mar 10, 2014
30	TRIAL DATES REMAIN AS SET	Mar 14, 2014
31	P NOTICE OF RELIANCE EXHS A - O	Mar 31, 2014
32	P MOT TO AMEND PLEADING/AMENDED PLEADING	Apr 14, 2014
33	D OPP/RESP TO MOTION	Apr 28, 2014
34	P REPLY IN SUPPORT OF MOTION	May 13, 2014
35	D FIRST NOTICE OF RELIANCE & EXHS A - Q	May 30, 2014
36	TRIAL DATES RESET	Jun 11, 2014
37	ANSWER	Jun 26, 2014
38	P TESTIMONY OF VIRGINIA CARNAHAN	Jul 25, 2014
39	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 1 - 10	Jul 25, 2014
40	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 11 - 14	Jul 25, 2014
41	D PRETRIAL DISCLOSURES	Nov 08, 2014
42	CHANGE OF CORRESP ADDRESS	Oct 03, 2014
43	D SECOND NOTICE OF RELIANCE & EXHS A - H	Oct 03, 2014
44	P FINAL BRIEF: TM RULE 2.128	Jan 16, 2015
45	D FINAL BRIEF: TM RULE 2.128	Feb 13, 2015
46	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Mar 02, 2015
47	SUBMITTED ON BRIEF	Mar 12, 2015
48	BD DECISION: SUSTAINED	May 19, 2015
49	TERMINATED	Sep 02, 2015

Type of Proceeding: Opposition

Proceeding Number: [91199395](#)

Filing Date: Apr 12, 2011

Status: Terminated

Status Date: Jul 25, 2011

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: AngioDynamics, Inc.

Correspondent Address: ANGIODYNAMICS INC
603 QUEENSBURY AVE
QUEENSBURY NY , 12804-7619
UNITED STATES

Correspondent e-mail: dbiddiscombe@angiodynamics.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VORTEX	Abandoned - After Inter-Partes Decision	77931464	

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
SUNSTEIN KANN MURPHY TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , littemore@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 12, 2011	

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2011 May 22, 2011
3	PENDING, INSTITUTED	Apr 12, 2011
4	NOTICE OF DEFAULT	Jun 08, 2011
5	BOARD'S DECISION: SUSTAINED	Jul 25, 2011
6	TERMINATED	Jul 25, 2011

Type of Proceeding: Opposition

Proceeding Number: [91197847](#) **Filing Date:** Dec 15, 2010
Status: Terminated **Status Date:** Dec 01, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: VG Innovations, Inc

Correspondent Address: MARK J PANDISCIO
PANDISCIO & PANDISCIO PC
470 TOTTEN POND ROAD
WALTHAM MA , 02451
UNITED STATES

Correspondent e-mail: mail@pandisciowlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTELX	Registered	77774490	4250384

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , littimore@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 15, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 15, 2010	Jan 24, 2011
3	PENDING, INSTITUTED	Dec 15, 2010	
4	ANSWER	Jan 31, 2011	
5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 28, 2011	
6	EXTENSION OF TIME GRANTED	Feb 03, 2011	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 07, 2011	
8	TRIAL DATES RESET	Apr 12, 2011	
9	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 06, 2011	
10	EXTENSION OF TIME GRANTED	May 13, 2011	
11	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 31, 2011	
12	EXTENSION OF TIME GRANTED	Jun 08, 2011	
13	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 07, 2011	
14	EXTENSION OF TIME GRANTED	Jul 18, 2011	
15	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 01, 2011	
16	EXTENSION OF TIME GRANTED	Aug 08, 2011	
17	MOTION TO AMEND W CONSENT	Aug 22, 2011	

18	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 26, 2011	
19	BOARD ORDER - SUSPENDED	Sep 12, 2011	
20	RESPONSE TO A BOARD'S ORDER	Oct 12, 2011	
21	BOARD ORDER - SUSPENDED	Oct 13, 2011	
22	D'S RESPONSE TO BOARD ORDER/INQUIRY	Nov 04, 2011	
23	RESPONSE DUE 30 DAYS (DUE DATE)	Nov 15, 2011	Dec 15, 2011
24	WITHDRAWAL OF OPPOSITION	Nov 21, 2011	
25	BOARD'S DECISION: DISMISSED	Dec 01, 2011	
26	TERMINATED	Dec 01, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91181006](#) **Filing Date:** Nov 28, 2007
Status: Terminated **Status Date:** Jul 10, 2008
Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: BioPolymer GmbH & Co. KG
Correspondent Address: Jeffrey P. Thennisch
Dobrusin & Thennisch PC
29 W. Lawrence Street, Suite 210
Pontiac MI , 48342
UNITED STATES
Correspondent e-mail: jeff@patentco.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VURDEX	Abandoned - After Inter-Partes Decision	79030025	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated
Correspondent Address: Lisa M. Tittmore
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110-1618
UNITED STATES
Correspondent e-mail: ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 28, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 30, 2007	Jan 09, 2008
3	PENDING, INSTITUTED	Nov 30, 2007	
4	ANSWER	Jan 09, 2008	
5	WITHDRAWAL OF APPLICATION	Jun 30, 2008	
6	BOARD'S DECISION: SUSTAINED	Jul 10, 2008	
7	TERMINATED	Jul 10, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91180884](#) **Filing Date:** Nov 21, 2007
Status: Terminated **Status Date:** May 08, 2008
Interlocutory Attorney: BRIAN D BROWN

Defendant**Name:** Antove Best Health, Inc.**Correspondent Address:** CHARLES L. GROTTTS
LAW OFFICE OF CHARLES L. GROTTTS
17800 CASTLETON STREET, SUITE 568
CITY OF INDUSTRY CA , 91748-6747
UNITED STATES**Correspondent e-mail:** attorney.grotts@verizon.net**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VA-VERSEX	Abandoned - After Inter-Partes Decision	77000716	

Plaintiff(s)**Name:** Vertex Pharmaceuticals Incorporated**Correspondent Address:** Lisa M. Tittmore, Keith E. Toms
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110-1618
UNITED STATES**Correspondent e-mail:** ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 21, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 21, 2007	Dec 31, 2007
3	PENDING, INSTITUTED	Nov 21, 2007	
4	ANSWER	Dec 17, 2007	
5	WITHDRAWAL OF APPLICATION WITH CONSENT	Apr 23, 2008	
6	BD'S DECISION: DISMISSED W/O PREJUDICE	May 08, 2008	
7	TERMINATED	May 08, 2008	

Type of Proceeding: Opposition**Proceeding Number:** [91176163](#)**Filing Date:** Feb 20, 2007**Status:** Terminated**Status Date:** May 30, 2007**Interlocutory Attorney:** ROBERT COGGINS**Defendant****Name:** Valerx Pharmaceuticals, LLC**Correspondent Address:** HOLLY A. COLDIRON
HUTCHISON LAW GROUP
5410 TRINITY RD STE 400
RALEIGH NC , 27607-3815
UNITED STATES**Associated marks**

Mark	Application Status	Serial Number	Registration Number
VALERX PHARMACEUTICALS	Abandoned - After Inter-Partes Decision	78903145	

Plaintiff(s)**Name:** Vertex Pharmaceuticals Incorporated**Correspondent Address:** KEITH E. TOMS
BROMBERG & SUNSTEIN LLP
125 SUMMER STREET
BOSTON MA , 02110-1618

UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VERTEX Renewed [75567963](#) [2704913](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 20, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 13, 2007	Apr 22, 2007
3	PENDING, INSTITUTED	Mar 13, 2007	
4	PLS RETURNED CHECK FEE	Apr 04, 2007	
5	P'S MOTION FOR DEFAULT JUDGEMENT	Apr 27, 2007	
6	BOARD'S DECISION: SUSTAINED	May 30, 2007	
7	TERMINATED	May 30, 2007	

Type of Proceeding: Extension of Time

Proceeding Number: [76426346](#) Filing Date: Jul 28, 2004
 Status: Terminated Status Date: Nov 28, 2004

Interlocutory Attorney:

Defendant

Name: Health Care Investment Visions LLC

Correspondent Address: REECE R. HALPERN
 METHVEN & ASSOCIATES
 2232 SIXTH STREET
 BERKELEY CT , 94710
 UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VERTEX PROFESSIONAL COMMUNITY Abandoned - After Inter-Partes Decision [76426346](#)

Potential Opposer(s)

Name: Schering AG

Correspondent Address: William F. Lawrence
 Frommer Lawrence & Haug LLP
 745 Fifth Avenue
 New York NY , 10151
 UNITED STATES

Correspondent e-mail: doCKET@flhlaw.com

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M. TITTEMORE
 BROMBERG & SUNSTEIN LLP
 125 SUMMER STREET
 BOSTON MA , 02110-1618
 UNITED STATES

Associated marks			
Mark	Application Status	Serial Number	Registration Number

VERTEX Renewed [75567963](#) [2704913](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jul 28, 2004	
2	EXTENSION OF TIME GRANTED	Jul 28, 2004	
3	INCOMING - EXT TIME TO OPPOSE FILED	Aug 20, 2004	
4	EXTENSION OF TIME GRANTED	Aug 20, 2004	

Type of Proceeding: Opposition

Proceeding Number: [91161485](#) Filing Date: Jul 27, 2004
 Status: Terminated Status Date: Dec 22, 2004

Interlocutory Attorney:

Defendant

Name: Health Care Investment Visions LLC

Correspondent Address: REECE R. HALPERN
METHVEN & ASSOCIATES
2232 SIXTH STREET
BERKELEY CT , 94710
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX PROFESSIONAL COMMUNITY	Abandoned - After Inter-Partes Decision	76426346	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M. TITTEMORE
BROMBERG & SUNSTEIN LLP
125 SUMMER STREET
BOSTON MA , 02110-1618
UNITED STATES

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	75567963	2704913

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jul 27, 2004	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jul 28, 2004	Sep 06, 2004
3	PENDING, INSTITUTED	Jul 28, 2004	
4	ANSWER	Aug 31, 2004	
5	VOLUNTARY ABANDONMENT OF APPLICATION AND STIPULATION OF DISMISSAL	Dec 08, 2004	
6	BD'S DECISION: DISMISSED W/O PREJUDICE	Dec 22, 2004	
7	TERMINATED	Dec 22, 2004	

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Mark: VERTEX



US Serial Number: 76339906 Application Filing Date: Nov. 19, 2001
US Registration Number: 3531356 Registration Date: Nov. 11, 2008
Register: Principal
Mark Type: Trademark
Status: A Section 8 declaration has been accepted.
Status Date: Nov. 24, 2014
Publication Date: Jun. 14, 2005 Notice of Allowance Date: Sep. 06, 2005

Mark Information

Mark Literal Elements: VERTEX
Standard Character Claim: No
Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Color(s) Claimed: Color is not claimed as a feature of the mark.
Design Search Code(s): 26.05.21 - Triangles that are completely or partially shaded
26.11.21 - Rectangles that are completely or partially shaded

Related Properties Information

International Registration Number: 1105515
International Application(s) /Registration(s) Based on this Property: A0027052/1105515
Claimed Ownership of US Registrations: 1630448, 1630449, 2201590

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 incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: house mark for pharmaceutical preparations
International Class(es): 005 - Primary Class U.S Class(es): 006, 018, 044, 046, 051, 052
Class Status: ACTIVE
Basis: 1(a)
First Use: Apr. 26, 1999 Use in Commerce: Apr. 26, 1999

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	Amended Use: No
Filed ITU: Yes	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: Vertex Pharmaceuticals Incorporated

Owner Address: 50 Northern Avenue
Boston, MASSACHUSETTS 02210
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Steven A. Abreu
Docket Number: 1618/227
Attorney Primary Email Address: trademarks@sunsteinlaw.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: STEVEN A. ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON, MASSACHUSETTS 02110-1618
UNITED STATES
Phone: 617-443-9292
Fax: 617-443-0004
Correspondent e-mail: trademarks@sunsteinlaw.com
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 24, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Nov. 24, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED	76873
Nov. 24, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	76873
Nov. 07, 2014	TEAS SECTION 8 RECEIVED	
Jun. 03, 2014	COUNTERCLAIM OPP. NO. 999999	215035
Jan. 14, 2014	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jan. 14, 2014	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 24, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 11, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 09, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	70138
Oct. 07, 2008	ASSIGNED TO LIE	70138
Sep. 26, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Sep. 10, 2008	STATEMENT OF USE PROCESSING COMPLETE	70565
Sep. 04, 2008	USE AMENDMENT FILED	70565
Sep. 10, 2008	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Sep. 04, 2008	TEAS STATEMENT OF USE RECEIVED	
Mar. 19, 2008	EXTENSION 5 GRANTED	64657
Feb. 27, 2008	EXTENSION 5 FILED	64657
Feb. 27, 2008	TEAS EXTENSION RECEIVED	
Aug. 31, 2007	EXTENSION 4 GRANTED	98765
Aug. 31, 2007	EXTENSION 4 FILED	98765
Aug. 31, 2007	TEAS EXTENSION RECEIVED	
Jun. 05, 2007	ASSIGNED TO EXAMINER	77868
May 23, 2007	EXTENSION 3 GRANTED	71034
Feb. 27, 2007	EXTENSION 3 FILED	71034
Feb. 27, 2007	TEAS EXTENSION RECEIVED	
Oct. 19, 2006	EXTENSION 2 GRANTED	71280
Aug. 31, 2006	EXTENSION 2 FILED	71280
Sep. 05, 2006	PAPER RECEIVED	
Mar. 28, 2006	EXTENSION 1 GRANTED	64657

Mar. 06, 2006	EXTENSION 1 FILED	64657
Mar. 08, 2006	PAPER RECEIVED	
Sep. 06, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 14, 2005	PUBLISHED FOR OPPOSITION	
May 25, 2005	NOTICE OF PUBLICATION	
Feb. 23, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76532
Feb. 15, 2005	ASSIGNED TO LIE	76532
Feb. 07, 2005	ASSIGNED TO LIE	70644
Feb. 03, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 03, 2005	AMENDMENT FROM APPLICANT ENTERED	77075
Jan. 07, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	77075
Jan. 07, 2005	PAPER RECEIVED	
Dec. 13, 2004	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	76529
Oct. 27, 2003	CASE FILE IN TICRS	
Feb. 06, 2002	LETTER OF SUSPENSION MAILED	
Feb. 01, 2002	ASSIGNED TO EXAMINER	74816
Feb. 01, 2002	ASSIGNED TO EXAMINER	78485

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 115

Date in Location: Nov. 24, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Vertex Pharmaceuticals Incorporated

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [5320/0098](#)

Pages: 9

Date Recorded: Jul. 10, 2014

Supporting Documents: [assignment-tm-5320-0098.pdf](#)

Assignor

Name: [VERTEX PHARMACEUTICALS INCORPORATED](#)

Execution Date: Jul. 09, 2014

Legal Entity Type: CORPORATION

State or Country Where Organized: MASSACHUSETTS

Assignee

Name: [MACQUARIE US TRADING LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 125 WEST 55 STREET
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: IP GROUP OF DLA PIPER LLP (US)

Correspondent Address: ONE LIBERTY PLACE
1650 MARKET ST. SUITE 4900
PHILADELPHIA, PA 19103

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 10

Type of Proceeding: Opposition

Proceeding Number: [91220185](#)

Filing Date: Jan 14, 2015

Status: Pending

Status Date: Jan 14, 2015

Interlocutory Attorney: ELIZABETH WINTER

Defendant

Name: Be Powerful, LLC

Correspondent Address: JOHN C CAREY
CAREY RODRIGUEZ ET AL
1395 BRICKELL AVENUE, SUITE 700
MIAMI FL , 33131
UNITED STATES

Correspondent e-mail: jcarey@careyrodriquez.com , aunderwood@careyrodriquez.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
1MR VORTEX	Opposition Pending	86076649	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLC
125 SUMMER STREET
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: sternberg@sunsteinlaw.com , littemore@sunsteinlaw.com , acavazos@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 14, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 15, 2015	Feb 24, 2015
3	PENDING, INSTITUTED	Jan 15, 2015	
4	ANSWER	Feb 24, 2015	
5	STIP TO SUSP PEND SETTL NEGOTIATIONS	Sep 03, 2015	
6	SUSPENDED	Sep 03, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91218760](#)

Filing Date: Oct 09, 2014

Status: Pending

Status Date: Oct 09, 2014

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.

Correspondent Address: JOHN J O'MALLEY
VOLPE AND KOENIG PC
STE 1800 30 S, 17TH ST
PHILADELPHIA PA , 19103
UNITED STATES

Correspondent e-mail: trademarks@vklaw.com , jomalley@vklaw.com , mmorgan@vklaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	86073577	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: BRANDON T SCRUGGS
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: bscruggs@sunsteinlaw.com , sabreu@sunsteinlaw.com , littemore@sunsteinlaw.com , ssternberg@sunsteinlaw.com

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 09, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 09, 2014	Nov 18, 2014
3	PENDING, INSTITUTED	Oct 09, 2014	
4	ANSWER AND COUNTERCLAIM (FEE)	Nov 18, 2014	
5	D MOT TO CONSOLIDATE	Nov 18, 2014	
6	CONSOLIDATION GRANTED	Dec 17, 2014	
7	CONSOLIDATION GRANTED	Dec 17, 2014	
8	ANSWER TO COUNTERCLAIM	Jan 12, 2015	
9	MOT TO AMEND APPLICATION	Jul 22, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91215035](#)

Filing Date: Feb 21, 2014

Status: Pending

Status Date: Feb 21, 2014

Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: CHD Bioscience, Inc.

Correspondent Address: JOHN J OMALLEY
VOLPE AND KOENIG PC
30 S 17TH ST, STE 1800
PHILADELPHIA PA , 19103
UNITED STATES

Correspondent e-mail: Jomalley@vklaw.com , ktinker@vklaw.com , trademarks@vklaw.com , mmorgan@vklaw.com , litigation-paralegals@vklaw.com

Mark	Application Status	Serial Number	Registration Number
VERIOX	Opposition Pending	85887894	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: LISA M TITTEMORE
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER ST
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History			
Entry Number	History Text	Date	Due Date

1	FILED AND FEE	Feb 21, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 21, 2014	Apr 02, 2014
3	PENDING, INSTITUTED	Feb 21, 2014	
4	STIP FOR EXT	Apr 01, 2014	
5	EXTENSION OF TIME GRANTED	Apr 01, 2014	
6	ANSWER AND COUNTERCLAIM (FEE)	May 02, 2014	
7	ANSWER TO COUNTERCLAIM DUE THIRTY DAYS	May 31, 2014	
8	P MOT TO DISMISS COUNTERCLAIM: FRCP 12(B)	Jun 30, 2014	
9	D OPP/RESP TO MOTION	Jul 21, 2014	
10	P REPLY IN SUPPORT OF MOTION	Aug 05, 2014	
11	SUSP PEND DISP OF OUTSTNDNG MOT	Sep 08, 2014	
12	PROCEEDINGS RESUMED	Oct 06, 2014	
13	ANSWER TO COUNTERCLAIM	Nov 03, 2014	
14	D MOT TO CONSOLIDATE	Nov 18, 2014	
15	CONSOLIDATED - PARENT OF 91218760	Dec 17, 2014	
16	ANSWER TO COUNTERCLAIM	Jan 12, 2015	
17	D MOT FOR EXT W/ CONSENT	Jun 10, 2015	
18	EXTENSION OF TIME GRANTED	Jun 15, 2015	
19	MOT TO AMEND APPLICATION	Jul 17, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91210960](#) **Filing Date:** Jun 06, 2013
Status: Terminated **Status Date:** Dec 18, 2013
Interlocutory Attorney: CHRISTEN M ENGLISH

Defendant

Name: Anacapa technologies Inc.
Correspondent Address: SCOTT D BALDERSTON
MH2 TECHNOLOGY LAW GROUP
1951 KIDWELL DR STE 550
TYSONS CORNER VA , 22182-3984
UNITED STATES
Correspondent e-mail: scott@mh2law.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VETREX	Abandoned - After Inter-Partes Decision	85794539	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated
Correspondent Address: STEVEN ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02130
UNITED STATES
Correspondent e-mail: littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX	Renewed	75567963	2704913

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 06, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE: PENDING, INSTITUTED	Jun 06, 2013	Jul 16, 2013

3	PENDING, INSTITUTED	Jun 06, 2013
4	ANSWER	Jul 15, 2013
5	W/DRAW OF APPLICATION	Nov 27, 2013
6	BD DECISION: SUSTAINED	Dec 18, 2013
7	TERMINATED	Dec 18, 2013

Type of Proceeding: Opposition

Proceeding Number: [91205803](#)

Filing Date: Jun 27, 2012

Status: Terminated

Status Date: Sep 02, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Hercules Brand Corporation

Correspondent Address: SARA AMANI
HERCULES BRAND CORPORATION
630 FIFTH AVENUE STE 2000
NEW YORK NY , 10111
UNITED STATES

Correspondent e-mail: samani@herculesbrand.com , strinidad@herculesbrand.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTOX	Abandoned - After Inter-Partes Decision	85505191	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: SHARONA H STERNBERG
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125 SUMMER ST
BOSTON MA , 02110-1618
UNITED STATES

Correspondent e-mail: ssternberg@sunsteinlaw.com , littemore@sunsteinlaw.com , sabreu@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 27, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 27, 2012	Aug 06, 2012
3	PENDING, INSTITUTED	Jun 27, 2012	
4	D MOT FOR EXT W/ CONSENT	Aug 06, 2012	
5	EXTENSION OF TIME GRANTED	Aug 06, 2012	
6	ANSWER	Sep 05, 2012	
7	BOARD'S COMMUNICATION RE: SERVICE	Sep 06, 2012	
8	P MOT FOR EXT W/ CONSENT	Mar 25, 2013	
9	EXTENSION OF TIME GRANTED	Mar 25, 2013	
10	D MOT FOR EXT W/ CONSENT	May 03, 2013	
11	EXTENSION OF TIME GRANTED	May 03, 2013	
12	D MOT FOR EXT W/ CONSENT	May 31, 2013	
13	EXTENSION OF TIME GRANTED	Jun 03, 2013	
14	D MOT FOR EXT W/ CONSENT	Jun 28, 2013	
15	EXTENSION OF TIME GRANTED	Jun 28, 2013	
16	D MOT FOR EXT W/ CONSENT	Jul 29, 2013	
17	EXTENSION OF TIME GRANTED	Jul 29, 2013	

18	D MOT FOR EXT W/ CONSENT	Aug 29, 2013	
19	EXTENSION OF TIME GRANTED	Aug 29, 2013	
20	D REQ TO W/DRAW AS ATTORNEY	Sep 04, 2013	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Sep 26, 2013	Oct 26, 2013
22	TRIAL DATES RESET	Oct 16, 2013	
23	P MOT FOR EXT W/ CONSENT	Dec 30, 2013	
24	EXTENSION OF TIME GRANTED	Dec 30, 2013	
25	P MOT TO AMEND PLEADING/AMENDED PLEADING	Jan 14, 2014	
26	D OPP/RESP TO MOTION	Jan 27, 2014	
27	P REPLY IN SUPPORT OF MOTION	Feb 11, 2014	
28	P MOT FOR SUMMARY JUDGMENT	Feb 28, 2014	
29	D PRETRIAL DISCLOSURES	Mar 10, 2014	
30	TRIAL DATES REMAIN AS SET	Mar 14, 2014	
31	P NOTICE OF RELIANCE EXHS A - O	Mar 31, 2014	
32	P MOT TO AMEND PLEADING/AMENDED PLEADING	Apr 14, 2014	
33	D OPP/RESP TO MOTION	Apr 28, 2014	
34	P REPLY IN SUPPORT OF MOTION	May 13, 2014	
35	D FIRST NOTICE OF RELIANCE & EXHS A - Q	May 30, 2014	
36	TRIAL DATES RESET	Jun 11, 2014	
37	ANSWER	Jun 26, 2014	
38	P TESTIMONY OF VIRGINIA CARNAHAN	Jul 25, 2014	
39	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 1 - 10	Jul 25, 2014	
40	P TESTIMONY OF VIRGINIA CARNAHAN EXHS 11 - 14	Jul 25, 2014	
41	D PRETRIAL DISCLOSURES	Nov 08, 2014	
42	CHANGE OF CORRESP ADDRESS	Oct 03, 2014	
43	D SECOND NOTICE OF RELIANCE & EXHS A - H	Oct 03, 2014	
44	P FINAL BRIEF: TM RULE 2.128	Jan 16, 2015	
45	D FINAL BRIEF: TM RULE 2.128	Feb 13, 2015	
46	P REPLY BRIEF OR REBUTTAL BRIEF ON COUNTERCLAIM: TM RULE 2.128	Mar 02, 2015	
47	SUBMITTED ON BRIEF	Mar 12, 2015	
48	BD DECISION: SUSTAINED	May 19, 2015	
49	TERMINATED	Sep 02, 2015	

Type of Proceeding: Opposition

Proceeding Number: [91199395](#)

Filing Date: Apr 12, 2011

Status: Terminated

Status Date: Jul 25, 2011

Interlocutory Attorney: ANN LINNEHAN VOGLER

Defendant

Name: AngioDynamics, Inc.

Correspondent Address: ANGIODYNAMICS INC
603 QUEENSBURY AVE
QUEENSBURY NY , 12804-7619
UNITED STATES

Correspondent e-mail: dbiddiscombe@angiodynamics.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VORTEX	Abandoned - After Inter-Partes Decision	77931464	

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
SUNSTEIN KANN MURPHY TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02110

UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , ltitemore@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 12, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 12, 2011	May 22, 2011
3	PENDING, INSTITUTED	Apr 12, 2011	
4	NOTICE OF DEFAULT	Jun 08, 2011	
5	BOARD'S DECISION: SUSTAINED	Jul 25, 2011	
6	TERMINATED	Jul 25, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91197847](#)

Filing Date: Dec 15, 2010

Status: Terminated

Status Date: Dec 01, 2011

Interlocutory Attorney: GEORGE POLOGEORGIS

Defendant

Name: VG Innovations, Inc

Correspondent Address: MARK J PANDISCIO
PANDISCIO & PANDISCIO PC
470 TOTTEN POND ROAD
WALTHAM MA , 02451
UNITED STATES

Correspondent e-mail: mail@pandisciow.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTELX	Registered	77774490	4250384

Plaintiff(s)

Name: Vertex Pharmaceutical Incorporated

Correspondent Address: STEVEN A ABREU
SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON MA , 02110
UNITED STATES

Correspondent e-mail: sabreu@sunsteinlaw.com , ltitemore@sunsteinlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 15, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 15, 2010	Jan 24, 2011
3	PENDING, INSTITUTED	Dec 15, 2010	
4	ANSWER	Jan 31, 2011	
5	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 28, 2011	

6	EXTENSION OF TIME GRANTED	Feb 03, 2011	
7	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Apr 07, 2011	
8	TRIAL DATES RESET	Apr 12, 2011	
9	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 06, 2011	
10	EXTENSION OF TIME GRANTED	May 13, 2011	
11	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 31, 2011	
12	EXTENSION OF TIME GRANTED	Jun 08, 2011	
13	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jul 07, 2011	
14	EXTENSION OF TIME GRANTED	Jul 18, 2011	
15	D'S MOT FOR EXTEN. OF TIME W/ CONSENT	Aug 01, 2011	
16	EXTENSION OF TIME GRANTED	Aug 08, 2011	
17	MOTION TO AMEND W CONSENT	Aug 22, 2011	
18	D'S MOT TO SUSP PEND SETLMT NEGOTIATIONS	Aug 26, 2011	
19	BOARD ORDER - SUSPENDED	Sep 12, 2011	
20	RESPONSE TO A BOARD'S ORDER	Oct 12, 2011	
21	BOARD ORDER - SUSPENDED	Oct 13, 2011	
22	D'S RESPONSE TO BOARD ORDER/INQUIRY	Nov 04, 2011	
23	RESPONSE DUE 30 DAYS (DUE DATE)	Nov 15, 2011	Dec 15, 2011
24	WITHDRAWAL OF OPPOSITION	Nov 21, 2011	
25	BOARD'S DECISION: DISMISSED	Dec 01, 2011	
26	TERMINATED	Dec 01, 2011	

Type of Proceeding: Opposition

Proceeding Number: [91181782](#)

Filing Date: Jan 07, 2008

Status: Terminated

Status Date: Mar 05, 2008

Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: ERGO-PHARM; Beteiligungsgesellschaft mbH

Correspondent Address: Donna Burton
Nixon & Vanderhye PC
901 N Glebe Road, 11th Floor
Arlington VA , 22203
UNITED STATES

Correspondent e-mail: nixonptomail@nixonvan.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
	IR CANCELLED - NO TRANSFORMATION FILED	79027107	

Plaintiff(s)

Name: Vertex Pharmaceuticals, Inc.

Correspondent Address: Steven A. Abreu
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110
UNITED STATES

Correspondent e-mail: trademarks@bromsun.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	75333578	2578974
VERTEX	Section 8 - Accepted	76339906	3531356

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 07, 2008	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 09, 2008	Feb 18, 2008

3	PENDING, INSTITUTED	Jan 09, 2008
4	WITHDRAWAL OF APPLICATION	Feb 15, 2008
5	BOARD'S DECISION: SUSTAINED	Mar 05, 2008
6	TERMINATED	Mar 05, 2008

Type of Proceeding: Opposition

Proceeding Number: [91181006](#) **Filing Date:** Nov 28, 2007
Status: Terminated **Status Date:** Jul 10, 2008
Interlocutory Attorney: YONG OH (RICHARD) KIM

Defendant

Name: BioPolymer GmbH & Co. KG
Correspondent Address: Jeffrey P. Thennisch
 Dobrusin & Thennisch PC
 29 W. Lawrence Street, Suite 210
 Pontiac MI , 48342
 UNITED STATES
Correspondent e-mail: jeff@patentco.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VURDEX	Abandoned - After Inter-Partes Decision	79030025	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated
Correspondent Address: Lisa M. Tittmore
 Bromberg & Sunstein LLP
 125 Summer Street
 Boston MA , 02110-1618
 UNITED STATES
Correspondent e-mail: ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 28, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 30, 2007	Jan 09, 2008
3	PENDING, INSTITUTED	Nov 30, 2007	
4	ANSWER	Jan 09, 2008	
5	WITHDRAWAL OF APPLICATION	Jun 30, 2008	
6	BOARD'S DECISION: SUSTAINED	Jul 10, 2008	
7	TERMINATED	Jul 10, 2008	

Type of Proceeding: Opposition

Proceeding Number: [91180884](#) **Filing Date:** Nov 21, 2007
Status: Terminated **Status Date:** May 08, 2008
Interlocutory Attorney: BRIAN D BROWN

Defendant

Name: Antove Best Health, Inc.
Correspondent Address: CHARLES L. GROTTTS
 LAW OFFICE OF CHARLES L. GROTTTS
 17800 CASTLETON STREET, SUITE 568
 CITY OF INDUSTRY CA , 91748-6747
 UNITED STATES

Correspondent e-mail: attorney.grotts@verizon.net

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VA-VERSEX	Abandoned - After Inter-Partes Decision	77000716	

Plaintiff(s)

Name: Vertex Pharmaceuticals Incorporated

Correspondent Address: Lisa M. Tittmore, Keith E. Toms
Bromberg & Sunstein LLP
125 Summer Street
Boston MA , 02110-1618
UNITED STATES

Correspondent e-mail: ltittmore@bromsun.com , ktoms@bromsun.com , sbrommelje@bromsun.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
VERTEX	Renewed	73839157	1630448
VERTEX	Cancelled - Section 8	74548697	2201590
VERTEX	Renewed	75333578	2578974
VERTEX	Renewed	75567963	2704913
VERTEX	Section 8 - Accepted	76339906	3531356
VERTEX CHANGING MEDICINE. FOR LIFE.	Abandoned - No Statement Of Use Filed	78749397	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 21, 2007	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 21, 2007	Dec 31, 2007
3	PENDING, INSTITUTED	Nov 21, 2007	
4	ANSWER	Dec 17, 2007	
5	WITHDRAWAL OF APPLICATION WITH CONSENT	Apr 23, 2008	
6	BD'S DECISION: DISMISSED W/O PREJUDICE	May 08, 2008	
7	TERMINATED	May 08, 2008	