



11-04-2002

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #71

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

U.S. Pharmaceutical Corp.,)
)
Petitioner,)
)
v.) Cancellation No. 40,300
) Registration No. 2,033,253
U.S. Pharmaceuticals, Inc.,) Mark: U.S. PHARMACEUTICALS
)
Respondent.)
_____)

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APPEAL BOARD

DISMISSAL OF CANCELLATION PROCEEDING WITH PREJUDICE

Petitioner, U.S. Pharmaceutical Corp., and Respondent, U.S. Pharmaceuticals, Inc., have resolved the referenced cancellation proceeding by entering into an Agreement. Accordingly, pursuant to TBMP § 601.02 and 37 C.F.R. § 2.116, Petitioner dismisses the above-identified cancellation proceeding with prejudice.

Respectfully submitted,

Christine M. Cason

Theodore H. Davis, Jr.
Christine M. Cason

Attorneys for Petitioner
U.S. Pharmaceutical Corp.

KILPATRICK STOCKTON LLP
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Suite 2800
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

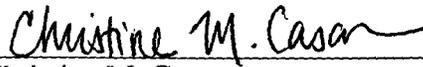
U.S. Pharmaceutical Corp.,)
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Petitioner,)
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v.) Cancellation No. 40,300
) Registration No. 2,033,253
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)
Respondent.)
_____)

CERTIFICATE OF SERVICE

This is to certify that DISMISSAL OF CANCELLATION PROCEEDING WITH PREJUDICE has been served on counsel for Respondent by depositing a copy thereof by first class mail, postage prepaid, and addressed as follows:

Alexander H. Buttermann
EDELL, SHAPIRO, FINNAN & LYTLE, LLC
1901 Research Boulevard
Suite 400
Rockville, Maryland 20850-3164

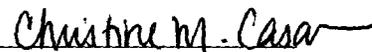
This 31st day of October, 2002.



Christine M. Cason

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, 2900 Crystal Drive, Box TTAB, Arlington, Virginia 22202 on October 31, 2002.



Christine M. Cason
Date: October 31, 2002

TTAB



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U.S. Patent & TMO/c/TM Mail Rcpt Dt. #71

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October 31, 2002

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VIA FIRST CLASS U. S. MAIL

Assistant Commissioner of Trademarks
2900 Crystal Drive
Box TTAB Fee
Arlington, Virginia 22202-3514

Re:	Petitioner:	U.S. Pharmaceutical Corp.
	Respondent:	U.S. Pharmaceuticals, Inc.
	Cancellation No.:	40,300
	Mark:	U.S. PHARMACEUTICALS
	Reg. No.:	2,033,253
	Our File:	39073.269379

Dear Sir or Madam:

Enclosed please find an original and two copies of a Dismissal of Cancellation Proceeding With Prejudice in the above-referenced matter.

Please acknowledge receipt of the enclosure by initialing and dating the enclosed postcard and returning it to me.

Thank you for your assistance.

Sincerely,

Christine M. Cason

Christine M. Cason

CMC/jaa
Enclosures
cc: Theodore H. Davis Jr., Esq.