

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

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Mailed: January 31, 2003

Cancellation No. 40,300

U.S. PHARMACEUTICALS,

CORPORATIO

N

v.

U.S. PHARMACEUTICALS, INC.

Petitioner, without the written consent of respondent, filed a withdrawal of the petition for cancellation on November 4, 2002.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition for cancellation may not be withdrawn without prejudice except with the written consent of respondent.

In view thereof, and because the withdrawal was filed after answer, the petition for cancellation is dismissed with prejudice.

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