

ESTTA Tracking number: **ESTTA90843**

Filing date: **07/20/2006**

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Solstice Neurosciences, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	40 General Warren Boulevard, Ste. 160 Malvern, PA 19355 UNITED STATES		

Correspondence information	Francine Hanson Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 19355 UNITED STATES trademarks@wsgr.com Phone:650-493-9300
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Registration Subject to Cancellation

Registration No	1594721	Registration date	05/01/1990
Registrant	SOLSTICE, INC. 2661 NORTH CAMINO DE OESTA TUCSON, AZ 87545 UNITED STATES		
Goods/Services Subject to Cancellation	Class 042. First Use: 1988/01/01 , First Use In Commerce: 1988/01/01 Goods/Services: MEDICAL AND HEALTH CARE SERVICES		
Grounds for Cancellation	The registered mark has been abandoned.		

Attachments	solsticecancel.pdf (3 pages)(82197 bytes)
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Signature	/Francine Hanson/
Name	Francine Hanson
Date	07/20/2006

3. On June 27, 2005, Petitioner filed with the United States Patent and Trademark Office an application to register the mark SOLSTICE in International Class 5. The application has been assigned Serial No. 78/659,268. The goods covered by that application are the following:

Class 5: pharmaceutical products, namely drugs for use in treating pain, neurological and muscular disorders, wrinkles, dermatologic conditions, spasms and tremors, urological conditions, hyperhidrosis, gastrointestinal conditions, morbid, obesity, arrhythmias, asthma and sialorrhea

4. On January 25, 2006, the United States Patent and Trademark Office refused to register Petitioner's mark SOLSTICE, application Serial No. 78/659,268, on the ground that the mark, when used in connection with the identified goods, so resembles the mark SOLSTICE in Registration No. 1,594,721 as to be likely to cause confusion, to cause mistake, or to deceive.

5. Petitioner is informed and believes, and therefore alleges, that Respondent owns Registration No. 1,594,721 for the mark SOLSTICE.

6. Respondent's mark SOLSTICE was registered by the United States Patent and Trademark Office on May 01, 1990.

7. Upon information and belief, Respondent dissolved as a corporation on April 19, 2001.

8. Upon information and belief, Respondent's mark SOLSTICE has been abandoned.

9. Petitioner has been and will be damaged by Respondent's registration because, among other reasons, Respondent's registration is an obstacle to registration of Petitioner's SOLSTICE mark.

WHEREFORE, Petitioner prays that Registration No. 1,594,721 be cancelled and that this Petition for Cancellation be sustained in favor of the Petitioner.

The Director is authorized to charge the \$300.00 filing fee and any additional fees that may be required, including extension fees, or credit any overpayment to deposit account no. 23-2415, Attn: 31242-TM1007.

Please address all communications regarding this Petition to Petitioner's attorneys:

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Dated: 7/20/06

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation


By: Francine Hanson
Attorneys for Petitioner