

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

VW

Mailed: May 28, 2009

Cancellation No. 92049402

ImClone LLC

v.

Louhann

By the Trademark Trial and Appeal Board:

On May 7, 2009, the Board allowed respondent twenty days in which to submit the appropriate fee for an earlier-filed proposed amendment to its Registration No. 3402003. On May 12, 2009, respondent filed the fee. In view thereof, the amendment now complies with all of the procedural requirements of Trademark Rule 2.173.

Inasmuch as the amendment is procedurally sufficient, is clearly limiting in nature, and petitioner consents thereto, it is approved. See Trademark Rule 2.133(a).

The amendment will be forwarded to the Post Registration Branch of this Office for appropriate action in accordance with Section 7(e) of the Trademark Act.

The contingency in petitioner's withdrawal having now been met, the petition to cancel is dismissed without prejudice.
