

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

jh/apb

Mailed: July 21, 2009

Cancellation No. 92050415

Myomed, Inc.

v.

BioForce, Inc.

Andrew P. Baxley, Interlocutory Attorney:

On July 13, 2009, respondent's attorneys filed a renewed request to withdraw as respondent's counsel of record in this case. The request to withdraw as counsel is in compliance with the requirements of Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40, and is accordingly granted. Marc L. Turman and the attorneys of the law firm of Callister Nebeker & McCullough no longer represents respondent in this proceeding.

In view of the withdrawal of respondent's counsel, and in accordance with standard Board practice, proceedings herein are suspended, except as noted. Respondent is allowed until thirty days from the mailing date set forth in this order to file a submission with the Board in which it either appoints new counsel or states that respondent has chosen to represent itself. If respondent files no response, the Board may issue an order to show cause why default judgment should not be

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entered against respondent based on respondent's apparent loss of interest in the case.

The parties will be notified by the Board when proceedings are resumed, and dates will be rescheduled at the appropriate time.

A copy of this order has been sent to all persons listed below.

cc: Marc L. Turman
Callister Nebeker & McCullough
Zions Bank Building, 10 East South Temple, Suite 900
Salt Lake City, UT 84133

Mitchell Sims
Myomed, Inc.
14503 Grover St, Ste 102
Omaha, NE 68144

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Bioforce, Inc.
881 West State Street
#140-114
Pleasant Grove, UT 84062

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:
<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:
<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>