

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

Baez

Mailed: March 15, 2003

Opposition No. 91151447

MEDTECH CONSUMER PRODUCTS,
LLC

v.

ENDO PHARMACEUTICALS INC.

David Mermelstein, Attorney:

On December 27, 2002, applicant filed a proposed amendment to its application Serial No. 76/299,889. On January 29, 2003, the parties filed a stipulated dismissal of the opposition with prejudice.

By the proposed amendment applicant seeks to amend the identification of goods, in International Class 5, to the following:

Pharmaceutical preparations, namely analgesics dispensed only by prescription.

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

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The contingency in the parties' dismissal having now been met, the opposition is dismissed with prejudice.

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