

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

SCOTT

Mailed: August 2, 2004

Opposition No. 91151693

Pharmacia Corporation and  
Pharmacia & Up

v.

STRATUS PHARMACEUTICALS INC

**JAMES SCOTT LEGAL ASSISTANT**

It has come to the attention of the Board that, due to a clerical error by the Patent and Trademark Office, Trademark Registration No. 2649461 (application Serial No. 78069088) for the mark ZIOX, was inadvertently issued on November 12, 2002. The registration issued inadvertently after a Notice of Opposition had been timely filed with the Trademark Trial and Appeal Board.

Accordingly, the above-identified application will be forwarded to the Office of the Assistant Commissioner for Trademarks for appropriate action.<sup>1</sup>

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<sup>1</sup> The Office of the Assistant Commissioner for Trademarks may issue an order cancelling the inadvertently issued registration and restoring the application to pendency, subject to the present opposition proceeding.

The parties are advised, however, that the opposition proceeding will go forward in the usual manner and in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations.

Dates remain as set in the Board's order of May 25, 2004.