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September 1, 2005

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria VA 22313-1451  
Att'n.: Trademark Trial and Appeal Board

RE: Opposition No. 91155077  
Motion to Amend Application No. 78/082,909, NOROMEGA

Enclosed is a Motion to Amend the subject application, to carry out the terms of a settlement agreement by which the parties, Nordic Naturals and Wyeth, have agreed to resolve the issues raised in the subject Opposition.

Also enclosed is a check in the amount of \$100.00 to cover the filing fee for the Amendment.

In the event that any further information, or any further action on Nordic Naturals' part, is required to enable the Board to terminate the Opposition proceeding, and permit registration of the mark NOROMEGA to issue to Nordic Naturals, please contact the undersigned attorney at the address shown above.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Barton A. Smith".

Barton A. Smith  
Attorney for Nordic Naturals, Inc., successors in interest to the Joar Opheim and Michele Opheim Partnership



09-02-2005

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

Genetics Institute, LLC	)	
v.	)	
Joar Opheim	)	
Opposition No.: 91155077	)	
Trademark Application Serial Number: 78/082,909	)	
NOROMEGA	)	

**Motion to Amend Application No. 78/082,909**

The Applicant moves the Board to Amend Application Serial No. 78/082,909, to comply with the terms of a settlement agreement between the parties to Opposition No. 91155077.

The purpose of the amendment is to narrow the scope of goods and/or services to be covered by the mark “Noromega” from “Nutritional and Dietary Supplement” to “over-the-counter nutritional and dietary supplement containing fish oil as a principal ingredient.”

The Applicant also requests that the Applicant Name be changed from “Joar Opheim” to “Joar Opheim and Michele Opheim, DBA Nordic Naturals” and that the Applicant entity be returned from “Individual” to “California Partnership of Michele Opheim (U.S.A.) and Joar Opheim (Norway).”

This is an allowable correction pursuant to TMEP 1201.02(c)(4), where the record is ambiguous as to who owns the mark, for example where an individual and a corporation are each identified as the owner in different places in the application, the application may be amended to indicate the proper Applicant. Here, the subject application was originally filed with the entity listed as above, and was incorrectly amended during prosecution.


WHEREFORE, Applicant respectfully requests entry of the amendment.



Barton A. Smith  
Barton A. Smith  
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Dated: *Sept. 1, 2005*

Consented:  
GENETICS INSTITUTE, LLC



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Mary M. Cheli  
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Dated: *8/29/05*