

ESTTA Tracking number: **ESTTA49872**

Filing date: **10/21/2005**

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

Proceeding	91160810
Party	Plaintiff SMITHKLINE BEECHAM CORPORATION ,
Correspondence Address	GARY D. KRUGMAN SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20037-3202
Submission	Motion to Join/Substitute Party
Filer's Name	Leigh Ann Lindquist
Filer's e-mail	llindquist@sughrue.com
Signature	/Leigh Ann Lindquist/
Date	10/21/2005
Attachments	Substitution of Opposer.pdf.PDF (2 pages)

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

The Mentholatum Company,

Opposer (by assignment),

Opposition No. _____

vs.

Therox, Inc.,

Applicant.

**SUBSTITUTION OF OPPOSER
WITH CONSENT OF APPLICANT**

Opposer/counterclaim defendant respectfully requests that the above-captioned proceeding be held in the name of The Mentholatum Company, a Delaware corporation with an address of 707 Sterling Drive, Ocala, Florida 32767, substituted as the party Opposer in the above-captioned proceeding.

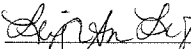
SmithKline Beecham Corporation has assigned all of its trademark registrations and marks pleaded in this proceeding to The Mentholatum Company pursuant to an Assignment Agreement. The Assignment of the pleaded registrations was effective as of the date of the Assignment. The Assignment has been filed at the Trademark Office and the Trademark Office file number is Reel/Frame 3149/0867.

In view of the assignment of the pleaded registrations, it is requested that The Mentholatum Company be substituted for SmithKline Beecham Corporation in the above-captioned proceedings.

Counsel for the Applicant/Counterclaimant consented to the substitution of The Mentholatum Company as the party Opposer in the above-captioned proceeding.

Respectfully submit

THE MENTHOLA

By: 
Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION
2100 Pennsylvania
Washington, D.C.
Telephone: (202) .
Attorneys for Opp