

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

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Mailed: March 15, 2005

Opposition No. 91162239

DADE BEHRING INC.

v.

Baxter International Inc.

On December 1, 2005,<sup>1</sup> applicant filed an abandonment of its application Serial No. 78191835.

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

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

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<sup>1</sup> On December 28, 2004, applicant was allowed thirty days to provide opposer's consent to its abandonment. No response has been received thereto.