

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

Mailed: December 14, 2006

Opposition No. 91162757

Exxon Mobil Corporation

v.

ImClone Systems Incorporated

Cindy B. Greenbaum, Attorney:

On November 29, 2006 , applicant filed a proposed amendment to its application Serial No. 76536109, with opposer's consent.

By the proposed amendment applicant seeks to amend the application by adding the following statement to the description of the mark: "The mark comprises the words CETUXIMAB ERBITUX and an antibody design (shown in stippling)."

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).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).

