

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

acampbell

Mailed: June 13, 2006

Opposition No. 91169425

Aventis Pharma Deutschland
GMBH

v.

Breckenridge Pharmaceutical,
Inc.

Cheryl Butler, Attorney, Trademark Trial and Appeal Board

On June 9, 2006, the parties filed applicant's proposed amendment to its application Serial No. 78557555, with opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods **from**

**pharmaceutical preparation used as an antihistamine,
nasal decongestant, and cough suppressant**

to

**pharmaceutical preparation, dispensed in liquid form,
used as an antihistamine, nasal decongestant, and cough
suppressant.**

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).

The contingency in opposer's withdrawal having now been met, opposer is allowed until **thirty days** from the mailing date of this order to file its withdrawal, failing which, the opposition will be dismissed without prejudice. See Trademark Rule 2.102(c).