

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

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Mailed: July 8, 2008

Opposition No. 91174818

Iovate Health Sciences  
International Inc. and  
Iovate Health Sciences USA,  
Inc.

v.

NxCare, Inc.

On May 24, 2008, the Board sent an order to show cause under Trademark Rule 2.128(a)(3) regarding opposer's failure to file a brief on the case.

Inasmuch as no response has been received, judgment is hereby entered against opposer under Trademark Rule 2.128(a)(3), and the opposition is dismissed with prejudice.

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