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

Proceeding	91177185
Party	Defendant Renovo Limited
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/565,997  
Published in the Official Gazette on January 9, 2007  
Mark: JUVIDEX

BRISTOL-MYERS SQUIBB COMPANY,

*Opposer/Counterclaim-Respondent,*

v.

RENOVO LIMITED,

*Applicant/Counterclaim-Petitioner.*

**Opposition No. 91177185**

**MOTION ON CONSENT (a) TO PERMIT POST-PUBLICATION AMENDMENT; (b)  
TO SUSPEND OPPOSITION; and (c) FOR CONDITIONAL  
DISMISSAL OF OPPOSITION AND COUNTERCLAIMS WITHOUT PREJUDICE**

Opposer/Counterclaim-Respondent Bristol-Myers Squibb Company ("Opposer") and Applicant/Counterclaim-Petitioner Renovo Limited ("Applicant") hereby move a) to amend by post-publication amendment the goods for the mark JUVIDEX as contained in Application Ser. No. 78/565,997 which application is the subject of the opposition; b) to suspend the opposition pending the Board's review of the amendment; and c) to dismiss the opposition and Applicant's counterclaims, both without prejudice, conditioned upon acceptance of the amendment.

For its amendment, Applicant proposes, with Opposer's consent, to change the identified goods in App. Ser. No. 78/565,997 from the following:

Wound healing preparations namely preparations for accelerating wound healing, preparations for the promoting re-epithialisation, preparations for promoting the healing

of skin graft donor sites, preparations for promoting the healing of dermal wounds and chronic wounds including ulcers and pressure sores, preparations for promoting the healing of burns, preparations for the treatment of damaged ligaments, tendons or cartilage, preparations for the prevention, reduction, inhibition or treatment of scarring, namely dermal scarring and/or scarring arising from elective surgery and or trauma, nerves surgery, tendon & ligament surgery, eye and or corneal surgery procedures, preparations for the prevention, reduction, inhibition or treatment of fibrosis of fibrotic conditions including adhesions and strictures, preparations for the treatment of cardiovascular and vascular restenosis, preparation for the treatment of wounds or fibrotic conditions of the eye; all of the aforesaid for parenteral use including liquids for injection, in combination use with devices, eye drops, lavage solutions, ointments, creams, gels and the like for topical application.

to:

Pharmaceutical preparations, namely, wound healing preparations for accelerating wound healing, preparations for the promoting re-epithialisation, preparations for promoting the healing of dermal wounds, namely, skin graft donor sites, preparations for promoting the healing of dermal wounds and chronic wounds, including ulcers and pressure sores, preparations for promoting the healing of burns, preparations for the treatment of damaged ligaments, tendons and cartilage, preparations for the prevention, reduction, inhibition and treatment of scarring, namely, dermal scarring and scarring arising from elective surgery and trauma, nerves surgery, tendon and ligament surgery, eye and corneal eye surgery and procedures, preparations for the prevention, reduction, inhibition and treatment of fibrosis and fibrotic conditions, including adhesions and strictures, preparations for the treatment of cardiovascular and vascular restenosis, and preparations for the treatment of wounds and fibrotic conditions of the eye; all of the aforesaid for parenteral use and which may be administered by liquids for injection, in combination use with devices, eye drops, lavage solutions, ointments, creams, and gels for topical application.

The parties believe the amendment to be appropriate in that it is clearly limiting in nature under TMEP 1402.06 and 37 C.F.R. § 2.71(b). Indeed, the Board by its order of May 1, 2008 in the above-captioned matter has previously indicated that such proposed amendment would be acceptable.

The parties also jointly move to suspend the above-referenced opposition pending review of the proposed amendment. The parties further request that upon the approval and entry of the

proposed amendment to Application Serial No. 78/565,997, the opposition and all claims asserted therein, including all counterclaims, be dismissed without prejudice.

Dated: New York, New York

~~July, 2008~~ JULY 2, 2008

BRISTOL-MYERS SQUIBB  
COMPANY

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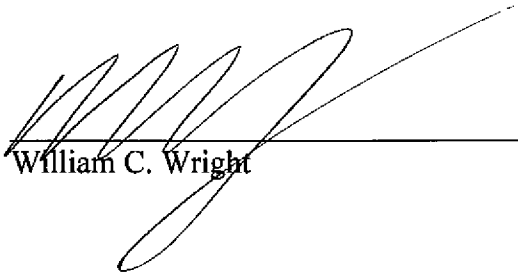
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Motion on Consent was served by e-mail on this 2<sup>nd</sup> day of July, 2008, upon Registrant's attorney of record:

Ulana Holubec  
Quinn Emanuel Urquhart Oliver & Hedges, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010

By:

  
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William C. Wright