

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

Winter/vb

Mailed: July 22, 2008

Opposition No. 91177185

Bristol-Myers Squibb Company

v.

Renovo Limited

On July 2, 2008, applicant filed the parties' stipulated second proposed amendment to the involved application, Serial No. 78565997, opposer's withdrawal of the opposition without prejudice, and a withdrawal of applicant's counterclaims without prejudice, both contingent upon entry of the amendment.

By the proposed amendment, applicant seeks to change the identification of goods as follows:

From:

Pharmaceutical preparations, namely, wound healing preparations, preparations for the prevention, reduction, inhibition or treatment of scarring, preparations for the treatment, reduction, inhibition or prevention of fibrosis, preparations for the treatment, inhibition or prevention of the development of fibrotic conditions, preparations for the purpose of prevention, reduction, inhibition or treatment of scarring in connection with elective surgery and trauma, treatment of nerves, surgery of nerves or trauma, preparations for the treatment, reduction, inhibition or prevention of dermal wounds, preparations for the treatment, reduction, inhibition or prevention of dermal scarring, preparations for the treatment, reduction, inhibition or prevention of dermal

Opposition No. 91177185

fibrotic conditions, preparations for the treatment of damaged ligaments, tendons or cartilage, preparations for the promotion of re-epithelialization, preparations for the treatment of chronic wounds, preparations for the treatment of burns, preparations for the treatment, reduction, inhibition or prevention of ulcers or pressure sores, preparations for the treatment, reduction, inhibition or prevention of adhesions and strictures, preparations for the treatment of cardiovascular and vascular restenosis, preparations for the purpose of prevention, reduction, inhibition or treatment of scarring in the treatment of the eye, preparations for the purpose of prevention, reduction, inhibition or treatment of scarring in the treatment of nerves, surgery of nerves or trauma.

To:¹

Pharmaceutical preparations, namely, wound healing preparations for accelerating wound healing, preparations for 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.

¹ The proposed amendment is comprised of the changes approved by the Interlocutory Attorney in the Board's order mailed May 1, 2008. In addition, the redundant term "the" has been deleted in the phrase "preparations for ~~the~~ promoting re-epithialisation." See TMEP § 707.02 (5th ed. 2007) (Correction of obvious misspellings, typographical errors, and redundancies in the identification of goods and services allowed without permission of applicant or applicant's attorney).

Opposition No. 91177185

Inasmuch as the proposed 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 the withdrawal of the parties' respective claims having now been met, the opposition and the counterclaims are dismissed without prejudice in accordance with the agreement between the parties.

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