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Filing date: **05/30/2007**

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

Proceeding	91177422
Party	Plaintiff Triumph Pharmaceuticals, Inc. Triumph Pharmaceuticals, Inc. ,
Correspondence Address	Lisabeth H. Coakley Harness, Dickey & Pierce, P.L.C. 5445 Corporate Drive, Suite 200 Troy, MI 48098 UNITED STATES docketingtm@hdp.com
Submission	Withdrawal of Opposition
Filer's Name	Lisabeth H. Coakley
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Date	05/30/2007
Attachments	91177422.pdf ( 2 pages )(49217 bytes )

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

Triumph Pharmaceuticals, Inc.,	)	
Opposer,	)	
	)	Opposition No. 91177422
v.	)	Serial No. 77/013209
	)	Mark: SMART RINSE
Warner-Lambert Company LLC, and	)	
Johnson & Johnson,	)	
Applicant.	)	

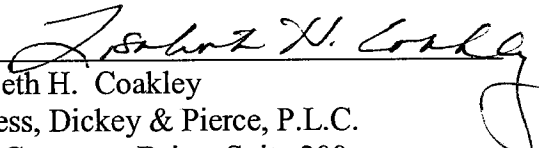
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**EXPRESS WITHDRAWAL OF NOTICE OF OPPOSITION  
WITHOUT PREJUDICE**

Opposer, Triumph Pharmaceuticals, Inc., hereby expressly withdraws its Notice of Opposition filed in this matter. Since the Applicants have not yet filed an answer to Opposer's Notice of Opposition, Opposer respectfully requests that this matter be terminated without prejudice.

Respectfully submitted,

Dated: May 30, 2007

By:   
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Attorneys for Triumph Pharmaceuticals, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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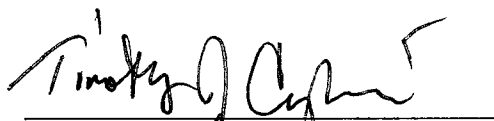
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Johnson & Johnson	)	
Applicant.	)	

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **Express Withdrawal of Opposition Without Prejudice** has been served on the following counsel of record for Applicants by mailing said copy on May 30, 2007, via First Class Mail, postage prepaid to:

Jake D. Feldman  
Johnson & Johnson  
Attn: Trademark Department  
One Johnson & Johnson Plaza  
New Brunswick, NJ 09833

  
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Timothy J. Comparoni