

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

TLC

Mailed: December 12, 2007

Opposition No. 91179640

Triumph Pharmaceuticals, Inc.

v.

Johnson & Johnson

**Robert H. Coggins,  
Interlocutory Attorney:**

The amended notice of opposition (filed September 25, 2007) is accepted as a matter of course and is opposer's operative pleading in this proceeding. See Fed. R. Civ. P. 15(a); and Trademark Rule 2.107(a).

Applicant's answer (filed October 31, 2007) to the amended notice of opposition is noted.<sup>1</sup>

Discovery and trial dates remain as set.<sup>2</sup>

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<sup>1</sup> Applicant's change of correspondence address (filed October 31, 2007) is also noted and entered.

<sup>2</sup> Upon accepting a plaintiff's amended complaint, the Board usually allows a defendant thirty days in which to respond to the amended complaint and often resets discovery and trial dates. However, inasmuch as applicant has already filed an answer to opposer's amended notice of opposition, the Board finds that resetting discovery and trial dates herein is unnecessary.