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Filing date: **10/28/2008**

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

Proceeding	91183245
Party	Defendant Glaxo Group Limited
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Submission	Motion to Amend Application
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Signature	/Keith E. Sharkin/
Date	10/28/2008
Attachments	BREUDA amendment.pdf (3 pages)(64799 bytes)

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

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SOLVAY PHARMACEUTICALS, INC., :
 :
Opposer, : Opposition No. 91183245
 :
v. :
 :
GLAXO GROUP LIMITED, :
 :
Applicant. :
 :
-----X

AMENDMENT TO APPLICATION WITH CONSENT
(37 C.F.R. § 2.133(a))

Applicant, Glaxo Group Limited, by its attorneys, King & Spalding LLP, hereby requests that the description of goods in the application that is subject of the above-identified opposition proceeding be amended. An application which is the subject of an opposition proceeding may be amended with the consent of the other party and the approval of the Board. 37 C.F.R. § 2.133(a). Opposer has consented to the amendment herein.

The requested amendment to the application is as follows:

Delete “cardiovascular, cardiopulmonary, genitourinary, sexual dysfunction, neurological, gastrointestinal, hormonal, and psychiatric” from the current description of the goods. The amended description of goods will then read as follows: “pharmaceutical preparations and substances for the treatment of infectious diseases, blood disorders, pain, inflammation, sepsis, alopecia and obesity, and for the treatment of viral, metabolic, endocrine, musculoskeletal, oncological, hepatological, ophthalmological, respiratory, and dermatological

related diseases and disorders, and for the treatment of damaged skin and tissue; and for vaccines.”

The amendment to the description of goods should be allowed because it clarifies and limits, and does not broaden, the identification of the goods with which the mark will be used in commerce. 37 C.F.R. § 2.71(a). Accordingly, applicant respectfully requests that the Board approve the amendment. Once the amendment is approved, the opposer will withdraw the opposition proceeding.

Respectfully submitted,

Dated: October 28, 2008

KING & SPALDING LLP
Attorneys for Applicant
GLAXO GROUP LIMITED

By: 
Keith E. Sharkin

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CERTIFICATE OF SERVICE


It is hereby certified that true and complete copies of the foregoing Amendment to Application with Consent are being deposited with the United States Postal Service as first class mail, postage prepaid, in envelopes addressed to:

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Attorneys for Opposer

on this 28th day of October, 2008



Jonathan L. Goodwill