

ESTTA Tracking number: **ESTTA232783**

Filing date: **08/26/2008**

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

Proceeding	91185562
Party	Defendant Glaxo Group Limited
Correspondence Address	MARIBETH DAY CASE GLAXOSMITHKLINE 709 SWEDELAND ROAD CIP TRADEMARKS UW 2220 KING OF PRUSSIA, PA 19406 trademarks@gsk.com
Submission	Withdrawal Of Application
Filer's Name	Maribeth Day Case
Filer's e-mail	maribeth.d.case@gsk.com, rtp_tm-trademarks@gsk.com, jean.x.aiken@gsk.com
Signature	/Maribeth Day Case/
Date	08/26/2008
Attachments	Mevacor v metator express abandonment.pdf (2 pages)(222930 bytes)

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Glaxo Group Limited
Serial No.: 77/172,736
Filing Date: May 4, 2007
Mark: METATOR

Trademark Trial and Appeal Board
U. S. Patent and Trademark Office
P. O. Box 1451
Alexandria, Virginia 22313-1451

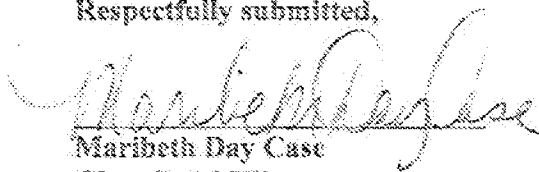
NOTICE OF EXPRESS ABANDONMENT OF APPLICATION WITHOUT PREJUDICE

Dear Sir or Madam:

Applicant, Glaxo Group Limited, hereby expressly abandons the above-referenced trademark application. As evidenced by signature of counsel for Opposer below, this Notice of Express Abandonment is entered with consent of Opposer in TTAB Opposition Proceeding 91185562, and the foregoing abandonment is therefore without prejudice.

Dated this 13 day of August, 2008.

Respectfully submitted,



Maribeth Day Case
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ATTORNEY FOR APPLICANT

Opposer, Merck & Co., Inc., by and through its undersigned attorney, hereby consents to Applicant's Notice of Express Abandonment of Trademark Application No. 77/172,736 (METATOR).



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ATTORNEY FOR OPPOSER