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

Proceeding	91189358
Party	Defendant Emergent BioSolutions Inc.
Correspondence Address	MONICA RIVA TALLEY FINNEGAN, HENDERSON, FARABOW, GARRETT & 901 NEW YORK AVE NW WASHINGTON, DC 20001-4432 UNITED STATES docketing@finnegan.com, monica.talley@finnegan.com, steven.claremon@finnegan.com, april.reeves@finnegan.com
Submission	Other Motions/Papers
Filer's Name	Monica Riva Talley
Filer's e-mail	monica.talley@finnegan.com, docketing@finnegan.com, melinda.robertson@finnegan.com, florence_niel_henits@merck.com, robert_peverada@merck.com
Signature	//monica riva talley//
Date	09/11/2009
Attachments	Stipulated Motionfor Opp No 91189358.pdf ( 1 page )(531529 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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Merck & Co., Inc.,	:	
	:	
Opposer,	:	Opposition No. 91189358
	:	
v.	:	Mark: MVATOR
	:	
Emergent BioSolutions Inc.	:	
	:	
Applicant.	:	

STIPULATED MOTION TO AMEND APPLICATION  
AND CONDITIONAL DISMISSAL OF OPPOSITION

Applicant hereby moves the Board for, and Opposer hereby stipulates to, the following amendment to the description of goods in Trademark Application No. 77489767 for the mark MVATOR.

Please delete the current identification of goods in International Class 5 and substitute the following:

Vector preparations for use in making recombinant viruses  
which are then used in vaccines and vector preparations for  
direct use in making vaccines, in International Class 5

The proposed amendment is limited in nature and thus in compliance with Trademark Rules 2.71 and 2.75. Opposer Merck & Co., Inc., expressly consents to the entry of the above amendment in accordance with Trademark Rule 2.133.


Conditioned upon the acceptance of this amendment by the Trademark Trial and Appeal Board and entry of this amendment by the U.S. Patent and Trademark Office, Opposers hereby withdraws this opposition with the consent of Applicant.

Respectfully submitted,

Merck & Co., Inc.

Emergent BioSolutions, Inc.

  
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Debra A. Bollwage  
Senior Assistant Secretary

  
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V.P. Legal Affairs - Intellectual Property