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

Proceeding	91205641
Party	Plaintiff Microflex Corporation
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Submission	Other Motions/Papers
Filer's Name	Alexa L. Lewis
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Signature	/s/ Alexa L. Lewis
Date	07/24/2012
Attachments	91205641 - Stip Mot to Amend App, Suspend Proceedings + Dismiss Opp (4753042).PDF (3 pages)(43780 bytes)

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

Microflex Corporation,)	
)	
Opposer,)	Opposition No. 91205641
)	
v.)	Application No. 85385669
)	Mark: MICROPHEX
Salix Pharmaceuticals, Ltd.,)	
)	
Applicant.)	

**STIPULATED MOTION TO AMEND APPLICATION,
SUSPEND PROCEEDINGS, AND DISMISS OPPOSITION**

Pursuant to an agreement reached by the parties, the parties have stipulated to, and respectfully request that the Board enter an order granting the following:

Applicant Salix Pharmaceuticals, Ltd. (“Applicant”), by and through its undersigned counsel, respectfully requests amendment to the recitation of goods and services identified in Trademark Application Serial No. 85385669 to the following:

“Prescription pharmaceutical preparations for the treatment and prevention of gastrointestinal diseases and disorders, to be dispensed from pharmacies or physicians” in Class 5; and

“Providing health information regarding prescription pharmaceutical preparations for the treatment and prevention of gastrointestinal diseases and disorders” in Class 44

Opposer Microflex Corporation (“Opposer”) consents to this amendment and has agreed to withdraw this opposition upon acceptance of the revised goods and services description by the Trademark Trial and Appeal Board (“TTAB”).


Pursuant to the Parties' agreement and contingent upon the TTAB's acceptance and entry of the amendment to the Application described above, Opposer respectfully requests dismissal of this opposition without prejudice in accordance with TBMP § 601.01.

The Parties also respectfully request, in accordance with TBMP § 510.03(a), that the Board suspend this proceeding until it has considered and ruled with regard to the both the proposed amendment and the requested dismissal.

The consent of the Parties to the requests set forth above is reflected by the signature of the attorneys for the Parties as set forth below.

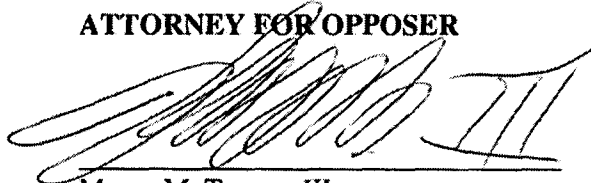
Respectfully submitted,

This the 24 day of July, 2012



Alexa L. Lewis
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ATTORNEY FOR OPPOSER



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ATTORNEY FOR APPLICANT

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through ESTTA pursuant to 37 C.F.R. § 2.195(a) on July 24, 2012.

Kimberly L. Stewart

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2012, a true and correct copy of the foregoing **STIPULATED MOTION TO AMEND APPLICATION, SUSPEND PROCEEDINGS, AND DISMISS OPPOSITION** was served upon Applicant's counsel of record via e-mail to mtepper@teiplaw.com and via U.S. Mail to the following address:

Maury M. Tepper, III
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Kimberly L. Stewart