

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

RA/DUNN

Mailed: September 4, 2012

Opposition No. 91205641

Microflex Corporation

v.

Salix Pharmaceuticals, Ltd.

On July 24, 2012, the parties filed applicant's proposed amendment to its application Serial No. 85385669, with opposer's consent, and opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the recitation of goods and services in International classes 5 and 44 to add the underlined clarifying language:

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

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

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed without prejudice.

***By the Trademark Trial
and Appeal Board***