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

Proceeding	91216543
Party	Defendant Moderna Therapeutics, Inc.
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Date	07/10/2015
Attachments	Amended Joint Motion and Request For An Amendment of Application and Withdrawal of Opposition.pdf(84029 bytes)

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

Sigma-Tau Pharma Limited,

Opposer,

v.

Moderna Therapeutics, Inc.

Applicant

Opposition No. 91216543

Appln. No. 85338411

**AMENDED JOINT MOTION AND REQUEST FOR AN
AMENDMENT OF APPLICATION AND WITHDRAWAL OF OPPOSITION**

The parties hereto jointly stipulated to the following joint amended motion. Pursuant to an agreement reached by the parties, Moderna Therapeutics, Inc., with the consent of Sigma Tau Pharma Limited, requests that goods covered by International Class 5 in Application Serial No. 85/338,411 for the mark NATIVE be amended to read:

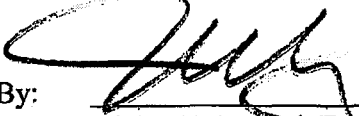
“A full line of pharmaceuticals, medicines, biologics, biotherapeutics, biosimilars, and therapeutics, **excluding chemotherapeutic agents** namely, nucleic acid therapeutics and polypeptide therapeutics for the treatment of disorders of the nervous system, the immune system, the cardio-vascular system, the metabolic system, the respiratory system, the musculo-skeletal system, the genitourinary system, inflammatory disorders, gastroenterological disorders, ocular disorders or diseases, bacteria-based diseases, diabetes, cancer, for use in oncology, for the treatment of immunoregulatory disorders, infectious diseases, reproductive disorders, cardiovascular disorders, for use in dermatology, oncology, nephrology, hematology and ophthalmology, anti-infective preparations, antiviral preparations, antibiotics, antifungal preparations and pharmaceutical preparations for use in tissue and organ transplantation.”

The services covered by International Class 42 in the application will remain as initially specified.

Opposer, Sigma Tau Pharma Limited requests that its Notice of Opposition against Serial No. 85/338,411, Opposition No. 91216543, be withdrawn with prejudice, provided that the foregoing requested amendment is approved by the U.S. Patent and Trademark Office.

SIGMA TAU PHARMA LIMITED


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Attorney for Applicant

Dated:

July 9, 2015

CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2015, a true and correct copy of the foregoing **AMENDED JOINT MOTION AND REQUEST FOR AN AMENDMENT OF APPLICATION AND WITHDRAWAL OF OPPOSITION** was served on Opposer's through Opposer's authorized attorney, Michael Mercanti, Esq., via electronic mail and via first class mail to:

Michael Mercanti, Esq.
Lucas & Mercanti LLP
30 Broad Street
New York, NY 10016

/s/ Jacqueline M. Lesser

Jacqueline M. Lesser