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

Proceeding	91253577
Party	Defendant Aclaris Therapeutics, Inc.
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Submission	Motion to Amend Application
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Date	05/28/2020
Attachments	Alcaris - Second Motion to Amend Application and Withdraw Opposition.pdf(11946 bytes)

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

NEUROCRINE BIOSCIENCES, INC.,)	
)	
)	Opposition Proceeding No.
Opposer,)	91253577
)	
)	Mark: KINECT
)	
v.)	
)	
)	
ACLARIS THERAPEUTICS, INC.,)	App. No.: 88/372841
)	
Applicant.)	
)	
)	

SECOND JOINT MOTION FOR AMENDMENT AND CONDITIONAL WITHDRAWAL
OF OPPOSITION

Pursuant to TBMP §§ 212.07, 514 and 601, Applicant Aclaris Therapeutics, Inc. (“Aclaris”) and Opposer Neurocrine Biosciences, Inc. (“Neurocrine”) jointly move to amend the description of services in U.S. App. No. 88/372,841 (the “841 Application”), and conditionally withdraw the present Opposition proceeding.

This second joint motion follows and is in response to the Board’s Order dated May 15, 2020 (the “Order”), which refused the parties’ Joint Motion for Amendment And Conditional Withdrawal of Opposition filed on April 1, 2020. [TTABVUE 9]. The Order denied the parties’ request to amend the ‘841 Application’s identification of services because the amended identification included the wording “a drug delivery platform,” which expanded the scope of the services in the ‘841 Application. [TTABVUE 9].

Pursuant to an agreement between the parties, Neurocrine consents to amendment of the description of services in the subject application as follows (which does not include the wording “a drug delivery platform”):

Research and development of pharmaceutical preparations, products and technology in the fields of dermatology; providing medical and scientific research information in the fields of dermatology and pharmaceuticals, ~~pharmaceuticals and clinical trials;~~ drug discovery services

A clean version of the amended description of services appears below:

Research and development of pharmaceutical preparations, products and technology in the fields of dermatology; providing medical and scientific research information in the fields of dermatology and pharmaceuticals; drug discovery services

Accordingly, the parties move for amendment of the description of services in the '841 Application as set forth above, and Neurocrine (as Opposer) moves for withdrawal of the present Opposition without prejudice¹ upon acceptance of the proposed amendment.

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¹ No Answer has been filed, so Neurocrine may withdraw the Opposition without prejudice. See TBMP § 601; 37 CFR § 2.106(c).

Respectfully submitted,

May 28, 2020

Date

/dcg/

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May 28, 2020

Date

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PROOF OF SERVICE

I hereby certify that a true, correct and complete copy of the foregoing SECOND JOINT MOTION FOR AMENDMENT AND CONDITIONAL WITHDRAWAL OF OPPOSITION was served upon all of the counsel identified below on May 28, 2020 by e-mail:

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