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

Proceeding	91169167
Party	Plaintiff SANOFI-AVENTIS
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Date	12/22/2008
Attachments	Opposer's Notice of Reliance on Official Records (F0394114).PDF ( 130 pages ) (1168977 bytes )

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

In the Matter of Application Serial No. 76/568989  
For the Mark: IMVANEX  
Published in the Official Gazette on August 23, 2005

SANOFI-AVENTIS,

Opposer,

v.

BAVARIAN NORDIC, A/S,

Applicant.

Opposition No. 91169167

**OPPOSER'S NOTICE OF RELIANCE  
ON OFFICIAL RECORDS**

Pursuant to Rule 2.122(e) of the Trademark Rules of Practice and Sections 704.03(b)(1)(B) and 704.03(b)(2) of the Trademark Trial and Appeal Board Manual of Procedure, Opposer Sanofi-Aventis hereby makes of record and notifies Applicant of its reliance on the official records of the U.S. Patent & Trademark Office for the following United States trademark registrations and applications, all of which are live, use-based applications or registrations that list in their respective identification of goods certain goods that also are listed both in Opposer's registration for IMPLAVEX, on which it relies in this opposition proceeding, and Applicant's application for IMVANEX, at issue in this opposition proceeding:

(a) U.S. Registration No. 2,527,867 for A (& Design) in the name of Avant Immunotherapeutics, Inc., for which a print-out from the official records of the United States Patent and Trademark Office through its online Trademark Applications and Registrations Retrieval database ("TARR") is attached as Exhibit 2;

(b) U.S. Registration No. 2,618,552 for R&S PHARMA in the name of R&S Pharma, Inc., for which a printout from TARR is attached as Exhibit 3;

(c) U.S. Registration No. 2,667,042 for BIORAL in the name of Biodelivery Sciences International, Inc., for which a printout from TARR is attached as Exhibit 4;

(d) U.S. Registration No. 2,667,861 for LEDERLE in the name of American Cyanamid Company, for which a printout from TARR is attached as Exhibit 5;

(e) U.S. Registration No. 2,786,698 for AVANT IMMUNOTHERAPEUTICS in the name of Avant Immunotherapeutics, Inc., for which a printout from TARR is attached as Exhibit 6;

(f) U.S. Registration No. 2,815,937 for AVANT (& Design) in the name of Avant Immunotherapeutics, Inc., for which a printout from TARR is attached as Exhibit 7;

(g) U.S. Registration No. 2,871,392 for KING PHARMACEUTICALS in the name of King Pharmaceuticals, Inc., for which a printout from TARR is attached as Exhibit 8;

(h) U.S. Registration No. 2,874,243 for KING PHARMACEUTICALS (& Design) in the name of King Pharmaceuticals, Inc., for which a printout from TARR is attached as Exhibit 9;

(i) U.S. Registration No. 2,893,097 for KING (& Design) in the name of King Pharmaceuticals, Inc., for which a printout from TARR is attached as Exhibit 10;

(j) U.S. Registration No. 2,902,146 for a design mark in the name of GPC Biotech AG, for which a printout from TARR is attached as Exhibit 11;

(k) U.S. Registration No. 2,990,679 for AKYMA in the name of Akyma Pharmaceuticals LLC, for which a printout from TARR is attached as Exhibit 12;

(l) U.S. Registration No. 3,027,189 for R&S in the name of R&S Sales LLC, for which a printout from TARR is attached as Exhibit 13;

(m) U.S. Registration No. 3,036,058 for SYNGENTA in the name of Syngenta Participations AG, for which a printout from TARR is attached as Exhibit 14;

(n) U.S. Registration No. 3,036,124 for V VETTER (& Design) in the name of Arzneimittel GmbH Apotheker Vetter & Co. Ravensburg, for which a printout from TARR is attached as Exhibit 15;

(o) U.S. Registration No. 3,068,626 for a design mark in the name of Kyowa Hakko Kogyo Co., Ltd., for which a printout from TARR is attached as Exhibit 16;

(p) U.S. Registration No. 3,074,234 for ZOOLIFE in the name of Zoolife International Limited, for which a printout from TARR is attached as Exhibit 17;

(q) U.S. Registration No. 3,339,696 for AVANT in the name of Avant Immunotherapeutics, Inc., for which a printout from TARR is attached as Exhibit 18;

(r) U.S. Registration No. 3,357,758 for ISENTRESS in the name of Merck & Co., Inc., for which a printout from TARR is attached as Exhibit 19;

(s) U.S. Registration No. 3,357,760 for INROCADE in the name of Merck & Co., Inc., for which a printout from TARR is attached as Exhibit 20;

(t) U.S. Registration No. 3,403,207 for ZOOLAB in the name of Zoolife International Limited, for which a printout from TARR is attached as Exhibit 21;

(u) U.S. Registration No. 3,403,594 for PLANKTON-EEZE in the name of Zoolife International Limited, for which a printout from TARR is attached as Exhibit 22;

(v) U.S. Registration No. 3,477,068 for EXXENTEROL in the name of Exxentia, Grupo Fitoterapeutico, S.A., for which a printout from TARR is attached as Exhibit 23;

(w) U.S. Registration No. 3,484,131 for ANESIDORA'S JAR TAKING THE LID OFF ALL GOOD FORMULATIONS in the name of Sharon G. Thompson, for which a printout from TARR is attached as Exhibit 24;

(x) U.S. Registration No. 3,527,240 for PANA-MED (& Design) in the name of International Biomedical Inc., for which a printout from TARR is attached as Exhibit 25;

(y) U.S. Application Serial No. 77504998 for NASALCARE (& Design) in the name of TechWorld Corporation, Inc., for which a printout from TARR is attached as Exhibit 26;

(z) U.S. Application Serial No. 77516146 for UNICHEM LABORATORIES LTD. in the name of Unichem Pharmaceuticals (USA), Inc., for which a printout from TARR is attached as Exhibit 27;


(aa) U.S. Application Serial No. 77510104 for UNICHEM PHARMACEUTICALS (USA), INC. in the name of Unichem Pharmaceuticals (USA), Inc., for which a printout from TARR is attached as Exhibit 28; and

(bb) U.S. Application Serial No. 77335777 for HISUN in the name of Zhejiang Hisun Pharmaceutical Co., Ltd., for which a printout from TARR is attached as Exhibit 29.

Respectfully submitted,

Dated: New York, New York  
December 22, 2008

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By:   
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