

UNITED STATES PATENT AND TRADEMARK OFFICE  
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MCF/mc

January 17, 2019

Opposition No. 91243291

*Lundbeck LLC*

*v.*

*Novartis AG*

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

On December 10, 2018, Applicant filed a proposed amendment to its application Serial No. 79222202, with Opposer's consent, and Opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the identification of ^ from

~~Anti infectives; anti-inflammatory; antibacterial pharmaceuticals; antibiotics; antifungal preparations; antivirals; cardiovascular pharmaceuticals; dermatological pharmaceutical preparations; inhaled pharmaceutical preparations for the prevention and treatment of respiratory diseases and disorders; pharmaceutical preparations acting on the central nervous system; pharmaceutical preparations and substances for the prevention and treatment of gastrointestinal diseases; pharmaceutical preparations for the prevention and treatment of diseases and disorders of the autoimmune system, the metabolic system, the endocrine system, the musculoskeletal system and the genitourinary system; pharmaceutical preparations for use in hematology and in tissue and organ transplantation; pharmaceutical preparations for the prevention and treatment of eye diseases and conditions; pharmaceutical preparations for the prevention and treatment of heart rhythm disorders; pharmaceutical preparations for the prevention and treatment of immune system related diseases and disorders; pharmaceutical preparations for the prevention and treatment of kidney diseases; pharmaceutical preparations for the prevention and treatment of~~

~~diabetes; pharmaceutical preparations for the prevention and treatment of hypertension; pharmaceutical preparations for the prevention and treatment of skin disorders; pharmaceutical preparations for use in dermatology; pharmaceutical preparations for use in urology; pharmaceutical preparations for ophthalmological use; pharmaceutical preparations for the prevention and treatment of cancer and tumors; pharmaceutical preparations for the prevention and the treatment of allergies; pharmaceutical preparations for the prevention and treatment of bone diseases; pharmaceutical preparations for the prevention and treatment of respiratory diseases and asthma~~

To:

pharmaceutical preparations for the prevention and treatment of cancer and tumors.

The amendment is limiting in nature, as required by Trademark Rule 2.71(a).

Because Opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposer's withdrawal having now been met, the opposition is dismissed with prejudice.