

ABBOTT LABORATORIES,  
Opposer,

INTER PARTES CASE NO. 3355

OPPOSITION TO:

- versus -

Application Serial No.: 62675  
Filed: September 10, 1987  
Applicant: AB Astra  
Trademark: BREMIDE  
Used On: Pharmaceutical preparations  
and substances

AB ASTRA,  
Respondent-Applicant.  
x-----x

DECISION NO. 90-22 (TM)  
June 25, 1990

### DECISION

This is an opposition instituted by Abbott Laboratories, a foreign corporation with principal office at Abott Park, Illinois 60064, U.S.A., against the registration of the trademark "BREMIDE" used on pharmaceutical preparations and substances filed by AB Astra on September 10, 1987 under Serial No. 62675, published on Page 13, Volume II, No. 2 of the February 28, 1989 issue of the BPTTT's Official Gazette.

On May 25, 1990, while this case was still at the initial stage of the trial, a Compromise Agreement signed by the parties' respective counsel and attorneys in-fact was filed before this Bureau averring the following:

"1. Respondent-Applicant has agreed as it hereby agrees to amend its Application Serial No. 62675 by substituting the following specification of goods in lieu of the former description, to wit:

'pharmaceutical preparations for the treatment of disease of the treatment of the central nervous system'

2. Respondent-Applicant shall execute any and all documents necessary to effect the above amendment to Application Serial No. 62675.

3. Opposer has agreed to withdraw as it hereby withdraws, its Notice of Opposition to respondent-applicant's Application Serial No. 62675, as amended for the trademark 'BREMIDE'.

4. It has been mutually agreed by both parties to submit this Compromise Agreement to this Honorable Bureau for approval and jointly pray herein for a judgment on its terms."

Finding said Compromise Agreement to be not contrary to law, morals, good customs and public policy and does not contravene any existing rule or regulation issued by this Bureau, the same is, as it is hereby, APPROVED. Parties are hereby enjoined to observe the provisions thereof.

WHEREFORE, this opposition is considered WITHDRAWN and this case is DISMISSED for being moot and academic. Respondent-Applicant's Application Serial No. 62675 for the trademark "BREMIDE" is hereby given due course, with the necessary amendments in accordance with the subject Compromise Agreement.

Let the records of this case be forwarded to the Trademark Examining Division for appropriate action in accordance with this Decision.

SO ORDERED.

IGNACIO S. SAPALO  
Director