

AO 120 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Delaware on the following Patents or X Trademarks:

DOCKET NO. 08cv277 JJF	DATE FILED 5/9/2008	U.S. DISTRICT COURT DISTRICT OF DELAWARE
PLAINTIFF Schering-Plough Healthcare Products, Inc.		DEFENDANT Fruit of the Earth, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 2,230,833	3/9/1999	Schering-Plough Healthcare Products, Inc.
2 3,061,444	2/28/2006	Schering-Plough Healthcare Products, Inc.
3 3,326,150	10/30/2007	Schering-Plough Healthcare Products, Inc.
4 2,815,419	2/17/2004	Schering-Plough Healthcare Products, Inc.
5 2,662,273	12/17/2002	Schering-Plough Healthcare Products, Inc.
	2,645,534	Schering-Plough Healthcare Products, Inc.
	3,030,970	Schering-Plough Healthcare Products, Inc.
	2,815,418	Schering-Plough Healthcare Products, Inc.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY		
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT SEE ATTACHED Stipulation of Dismissal

CLERK	(BY) DEPUTY CLERK	DATE
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SCHERING-PLOUGH HEALTHCARE
PRODUCTS, INC.,

Plaintiff,

v.

FRUIT OF THE EARTH, INC.,

Defendant.

Civil Action No. 08-277-JFF

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the above-captioned action is hereby dismissed with prejudice, each party bearing its own costs.

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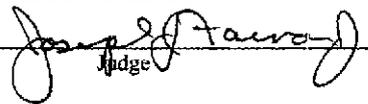
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SO ORDERED, this 17 day of October, 2008.


Judge