

Trademark/Service Mark Application, Principal Register

Serial Number: 90648307

Filing Date: 04/15/2021

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	90648307
MARK INFORMATION	
*MARK	\\TICRS\EXPORT18\IMAGEOUT18\906\483\90648307\xml1 \ APP0002.JPG
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	ORGOVYX
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of ORGOVYX in stylized form with a crescent shape design appearing next to the letter "X".
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	792 x 250
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Myovant Sciences GmbH
*MAILING ADDRESS	Viaduktstrasse 8
*CITY	Basel
*COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Switzerland
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	4051
*EMAIL ADDRESS	XXXX
LEGAL ENTITY INFORMATION	
TYPE	gesellschaft mit beschränkter haftung (gmbh)
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY WHERE LEGALLY ORGANIZED	Switzerland
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	005
*IDENTIFICATION	Pharmaceutical preparations for human use for the treatment of oncological diseases, disorders and conditions, and prostate cancer; biologic preparations for medical and therapeutic purposes for the treatment of oncological diseases, disorders and conditions, and prostate cancer
FILING BASIS	SECTION 44(d)

FOREIGN APPLICATION NUMBER	17779/2020
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Switzerland
FOREIGN FILING DATE	12/14/2020
INTENT TO PERFECT 44(d)	At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.
ATTORNEY INFORMATION	
NAME	Allison Strickland Ricketts
ATTORNEY DOCKET NUMBER	MYOV 2012875
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Fross Zelnick Lehrman & Zissu, P.C.
STREET	151 West 42nd Street, 17th Floor
CITY	New York
STATE	New York
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	10036
PHONE	212-813-5900
EMAIL ADDRESS	ricketts-docket@fzlz.com
OTHER APPOINTED ATTORNEY	Lawrence E. Apolzon, Andrew N. Fredbeck, Nancy Sabarra, Karen Lim, Charles T.J. Weigell, Ashford Tucker, Tamar Niv Bessinger, Joyce M. Ferraro
DOMESTIC REPRESENTATIVE INFORMATION	
NAME	Fross Zelnick Lehrman & Zissu, P.C.
FIRM NAME	Fross Zelnick Lehrman & Zissu, P.C.
STREET	151 West 42nd Street, 17th Floor
CITY	New York
STATE	New York
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP CODE	10036
PHONE	212-813-5900
EMAIL ADDRESS	ricketts-docket@fzlz.com
CORRESPONDENCE INFORMATION	
NAME	Allison Strickland Ricketts
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	ricketts-docket@fzlz.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	ferraro-docket@fzlz.com

FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Standard
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	350
*TOTAL FEES DUE	350
*TOTAL FEES PAID	350
SIGNATURE INFORMATION	
SIGNATURE	/Elke Hunsche/
SIGNATORY'S NAME	Hunsche, Elke Greta Irma
SIGNATORY'S POSITION	VP, Global Market Access & HEOR
SIGNATORY'S PHONE NUMBER	+41-43 210 8129
DATE SIGNED	04/15/2021
SIGNATURE METHOD	Sent to third party for signature

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To the Commissioner for Trademarks:

MARK: ORGOVYX (stylized and/or with design, see [mark](#))

The literal element of the mark consists of ORGOVYX. The applicant is not claiming color as a feature of the mark. The mark consists of ORGOVYX in stylized form with a crescent shape design appearing next to the letter "X".

The applicant, Myovant Sciences GmbH, a gesellschaft mit beschränkter haftung (gmbh) legally organized under the laws of Switzerland, having an address of

Viaduktstrasse 8
Basel 4051
Switzerland
XXXX

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 005: Pharmaceutical preparations for human use for the treatment of oncological diseases, disorders and conditions, and prostate cancer; biologic preparations for medical and therapeutic purposes for the treatment of oncological diseases, disorders and conditions, and prostate cancer

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Switzerland application number 17779/2020, filed 12/14/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

The owner's/holder's proposed attorney information: Allison Strickland Ricketts. Other appointed attorneys are Lawrence E. Apolzon, Andrew N. Fredbeck, Nancy Sabarra, Karen Lim, Charles T.J. Weigell, Ashford Tucker, Tamar Niv Bessinger, Joyce M. Ferraro. Allison Strickland Ricketts of Fross Zelnick Lehrman & Zissu, P.C., is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

151 West 42nd Street, 17th Floor
New York, New York 10036
United States
212-813-5900(phone)
ricketts-docket@fzlz.com

The docket/reference number is MYOV 2012875.

Allison Strickland Ricketts submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant hereby appoints Fross Zelnick Lehrman & Zissu, P.C. of Fross Zelnick Lehrman & Zissu, P.C.

151 West 42nd Street, 17th Floor
New York New York 10036
United States
212-813-5900(phone)
ricketts-docket@fzlz.com

as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

The applicant's current Correspondence Information:

Allison Strickland Ricketts

PRIMARY EMAIL FOR CORRESPONDENCE: ricketts-docket@fzlj.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): ferraro-docket@fzlj.com

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the applicant owner/holder and the applicant owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$350 has been submitted with the application, representing payment for 1 class(es).

Declaration

Basis:

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce and was in use in commerce as of the filing date of the application on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application and was used on or in connection with the goods/services in the application as of the application filing date; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

And/Or

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Elke Hunsche/ Date: 04/15/2021

Signatory's Name: Hunsche, Elke Greta Irma

Signatory's Position: VP, Global Market Access & HEOR

Signatory's Phone Number: +41-43 210 8129

Signature method: Sent to third party for signature

Payment Sale Number: 90648307

Payment Accounting Date: 04/15/2021

Serial Number: 90648307

Internet Transmission Date: Thu Apr 15 15:34:00 ET 2021

TEAS Stamp: USPTO/BAS-XX.XXX.XXX.XX-2021041515340051

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