



Similarly, with reference to the paragraph of Applicant's Brief bridging pages 18 and 19, dealing with duPont factor No. 6, the third party applications and registrations do not indicate any actual use of these marks.

In fact, the only evidence in this case concerning the issue of such use is Mr. Cohen's testimony, on behalf of Opposer, stating that he is aware of no other software being sold under a trademark including the word "Focus" (Cohen, pg. 44, l. 5-12).

Respectfully,

INFORMATION BUILDERS INC.

By Alan H. Levine

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New York, New York  
October 2, 2002

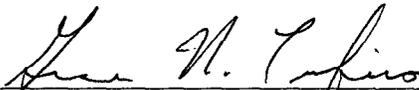
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202-3513, ON THE DATE INDICATED BELOW.

NAME Alan H. Levine  
DATE October 2, 2002

**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing REPLY BRIEF FOR OPPOSER has been sent this 2nd day of October, 2002, by first class mail, postage prepaid to:

Michael D. Oliver, Esq.  
Bowie & Jensen, LLC  
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\_\_\_\_\_  
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10-07-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

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October 2, 2002

-----X  
INFORMATION BUILDERS, INC. :  
  
Opposer, :  
  
v. :  
  
TECHINFOCUS, LLC. :  
  
Applicant. :  
-----X

Opposition Nos. 117,490  
117,505

Box TTAB  
NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

TRADEMARK TRIAL AND  
APPEAL BOARD  
02 OCT 16 PM 9:30

FILING OF REPLY BRIEF FOR OPPOSER

With reference to the above-identified consolidated opposition proceedings, enclosed herewith is the Reply Brief for Opposer, in triplicate.

Respectfully,  
  
Alan H. Levine  
Attorney for Opposer

AHL:gmt  
Enclosure

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202-3513, ON THE DATE INDICATED BELOW.

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