

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial No. 75/662,006
For the Trademark ORALMAX & Design
Published in the Official Gazette on August 28, 2001

GILLETTE CANADA COMPANY, dba)
ORAL-B LABORATORIES,)
)
Opposer,)
)
v.)
)
ROBIN RESEARCH LABORATORIES,)
)
Applicant.)

Opposition No. 91124984



06-01-2005

U.S. Patent & TMO/c/TM Mail Rpt Dt. #74

**OPPOSER’S REPLY TO APPLICANT’S MEMORANDUM OF LAW IN
OPPOSITION TO MOTION FOR RECONSIDERATION OF FINAL DECISION**

Opposer Gillette Canada Company dba Oral-B Laboratories (“Opposer”) respectfully files this Reply to respond to an inaccuracy in the Applicant’s Memorandum of Law in Opposition to Opposer’s Motion for Reconsideration of Final Decision, filed May 17, 2005. The Applicant argues that the timing of Opposer’s Notice of Reliance is not the relevant issue in the case because the registrations attached thereto were not certified copies prepared by the USPTO showing status and title. The language that the Applicant quotes from the Board’s decision is discussing the copies attached to the *Notice of Opposition*, not the *Notice of Reliance*, which did have the proper certified copies showing status and title attached. Accordingly, whether the Notice of Reliance was timely filed is of paramount importance in this case.

The Applicant offers no argument contradicting Opposer’s assertion that the Notice of Reliance should be considered timely filed since it was filed within the rebuttal testimony period. Accordingly, the Board should conclude that the Applicant has conceded the timeliness of the

filing, consider Opposer's Notice of Reliance, and grant Opposer's Motion for Reconsideration of Final Decision.

Respectfully submitted,

Dated: May 27, 2005

**GILLETTE CANADA COMPANY, DBA
ORAL-B LABORATORIES**



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37 C.F.R. § 1.8 Certificate of Mailing:

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(Name)

May 27, 2005

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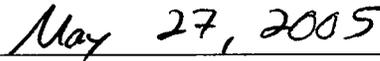
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Reply to Applicant's Memorandum of Law in Opposition to Opposer's Motion For Reconsideration of Final Decision is being served by first class mail, postage prepaid, upon the Applicant's attorney of record:

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Date