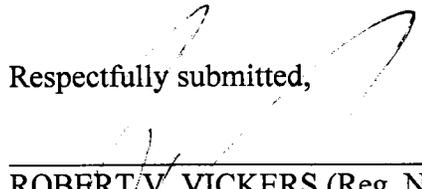


“appropriate” under Rule 56(e), last sentence F.R.C.P. Again, Opposer does not concede or acquiesce to any statements, facts or conclusions made in Applicant’s Motion for Summary Judgment.

Date: 4/12/05

Respectfully submitted,


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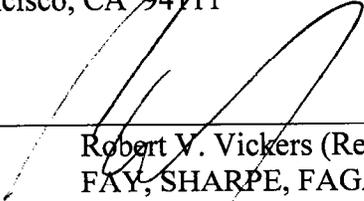
CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2005, a copy of the foregoing **OPPOSER'S RESPONSE TO APPLICANT'S BRIEF IN SUPPORT OF MOTION FOR JUDGMENT FOR OPPOSER'S FAILURE TO PROVE CASE AND MOTION FOR SUMMARY JUDGMENT** was served on the Applicant's counsel via first class U.S. postage prepaid, said service addressed to:

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