

TTAB



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October 7, 2003

Express Mail No. EL638312812US

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Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514



10-07-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

**Re: Richard-Allan Scientific Company v. Urocor, Inc.
Opposition No. 91156435**

Dear Commissioner:

Please find enclosed an original and two copies of the *Answer to Notice of Opposition* for the above-referenced opposition and a postage prepaid postcard.

Please acknowledge your receipt of these documents by placing your receipt stamp on the postcard and returning to the undersigned.

It is believed that there is no fee required to submit these documents; however, should fees be required, you are hereby authorized to charge same to Deposit Account No. 13-0110.

Sincerely,

Joseph J. Ferretti
For the Firm

JJF/knc
Enclosures

cc w/enc.: Thomas Kossl, Esq.

1288911.1

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10/14/2003 10:00 AM

AFFIRMATIVE DEFENSES

- 1. Opposer has failed to state a claim upon which relief may be granted.
- 2. Opposer will not be damaged by the registration of Applicant's Mark.

WHEREFORE, Applicant requests that the Notice of Opposition be dismissed in its entirety, and that a registration issue to Applicant for its trademark.

Respectfully submitted,



Joseph J. Ferretti

- Of the Firm-

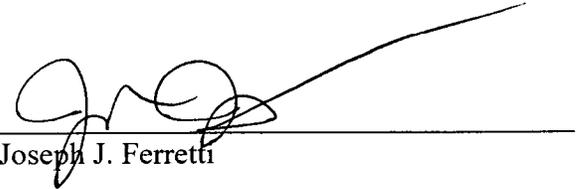
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ATTORNEYS FOR DIANON SYSTEMS, INC., as
successor-in-interest to UROCOR, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Answer to Notice of Opposition* was mailed first class mail, postage prepaid, this 7th day of October, 2003, to the following:

Edward R. Williams, Jr.
 Chief Intellectual Property Counsel
 Apogent Technologies, Inc.
 30 Penhallow Street
 Portsmouth, NH 03801
 Attorney for Opposer



Joseph J. Ferretti