

EXPRESS MAIL RECEIPT NO.: **EL638312018US**  
DEPOSITED ON: **SEPTEMBER 16, 2004**

TRADEMARK  
TM1483US10

IN THE UNITED STATES DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Applicant: DIANON SYSTEMS, INC. )  
Mark: CYTOCOOL ) Examining Attorney: Aretha Masterson  
Serial No.: 78/070,300 ) Law Office: 112  
Filed: June 21, 2001 )

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

**VOLUNTARY WITHDRAWAL OF APPLICATION**  
**WITH CONSENT OF OPPOSER**

Pursuant to 37 CFR §2.135, and in accordance with the Agreement effective September 10, 2004 between Richard-Allan Scientific Company, and Dianon Systems, Inc., and Laboratory Corporation of America Holdings, applicant, Dianon Systems, Inc., by and through their attorney of record, herein voluntarily withdraws, with consent, its application for the mark CYTOCOOL, trademark serial number 78/070,300.

Respectfully submitted,

  
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09-16-2004

U.S. Patent & TMOfo/TM Mail Ropt Dt. #22

CERTIFICATE OF SERVICE

I hereby certify that a true copy and complete copy of the foregoing Voluntary Withdrawal of Application with Consent of Opposer has been served on the Attorney for Opposer via First Class mail, postage prepaid to:

Edward R. Williams, Esq.  
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Dated: 9/16/04

  
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100 Years • 1902 - 2002

**TTAB**

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September 16, 2004

VIA EXPRESS MAIL RECEIPT NO.: EL638312018US

ATTN: TTAB  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

Re: United States Trademark Serial No.: 78/070,300  
Mark: CYTOCOOL  
Opposition No.: 91156435  
Docket No.: TM1483US10 (26319-00005)

Dear Commissioner:

Enclosed, please find the following documents for filing:

1. Voluntary Withdrawal of Application with Consent of Opposer (2 pages); and
2. An Acknowledgment postcard.

No fees are believed to be associated with this filing, however, in the event of a fee deficiency, you are hereby authorized to charge our deposit account no.: 13-0110 any associated fees. Please reference our docket no.: TM1483US10.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Joseph J. Ferretti  
For the Firm

JJF/jkw  
Enclosures

cc: Lilly Andress, Laboratory Corporation of America Holdings  
Thomas Kossl, Esq., Dianon Systems, Inc.  
Edward R. Williams, Esq., Apogent Technologies, Inc.



09-16-2004

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