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

Proceeding	91175319
Party	Plaintiff Intuitive Surgical, Inc.
Correspondence Address	Michelle D. Kahn Sheppard, Mullin, Richter & Hampton LLP Four Embarcadero Center, 17th Floor San Francisco, CA 94111 UNITED STATES mhirth@sheppardmullin.com, kwarman@sheppardmullin.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Michelle J. Hirth
Filer's e-mail	mhirth@sheppardmullin.com, kwarman@sheppardmullin.com
Signature	/mjh/
Date	05/13/2009
Attachments	Second Notice of Reliance.PDF (22 pages)(1245261 bytes) SNofRCertificate of Service.pdf (1 page)(21587 bytes)

of Use or to file a request for extension of time to file a Statement of Use and not as a result of a distinction between goods and services as set forth in Paragraph 4 of Applicant DaVinci Radiology Associates, P.L.'s First Notice of Reliance.

2. The Concise Columbia Encyclopedia, 2nd Ed., Columbia University Press, New York, 1983 (Barbara A. Chernow & George A. Vallasi, Editors); housed at the offices of Sheppard, Mullin, Richter & Hampton LLP located at Embarcadero Four, 17th Floor, San Francisco California 94111. Pages to be read: entry for "dentistry" on page 219. A copy of this encyclopedia entry is attached hereto as Exhibit 2. This encyclopedia entry is relevant to the distinction between dentistry and surgery in rebuttal of Applicant's submission of "U.S. Trademark Registrations, containing the name DAVINCI" and "containing the name DA VINCI" for goods or services pertaining to the dental field as set forth in Paragraphs 1 and 2 of, and attached as Exhibits 1 and 2 to, Applicant DaVinci Radiology Associates, P.L.'s First Notice of Reliance filed in this Proceeding.

3. The Concise Columbia Encyclopedia, 2nd Ed., Columbia University Press, New York, 1983 (Barbara A. Chernow & George A. Vallasi, Editors); housed at the offices of Sheppard, Mullin, Richter & Hampton LLP located at Embarcadero Four, 17th Floor, San Francisco California 94111. Pages to be read: entry for "surgery" on page 799. A copy of this encyclopedia entry is attached hereto as Exhibit 3. This encyclopedia entry is relevant to the distinction between dentistry and surgery in rebuttal of Applicant's submission of "U.S. Trademark Registrations, containing the name DAVINCI" and "containing the name DA VINCI" for goods or services pertaining to the dental field as set forth in Paragraphs 1 and 2 of, and

attached as Exhibits 1 and 2 to, Applicant DaVinci Radiology Associates, P.L.'s First Notice of Reliance filed in this Proceeding.

4. Dorland's Illustrated Medical Dictionary, 27th Ed., W.B. Saunders Company, Philadelphia, 1988 (Douglas M. Anderson, Joseph M. Patwell, Katherine Plaut & Kathleen McCullough, Editors); housed at the offices of Sheppard, Mullin, Richter & Hampton LLP located at Embarcadero Four, 17th Floor, San Francisco California 94111. Pages to be read: entry for "cosmetic" on page 389. A copy of this encyclopedia entry is attached hereto as Exhibit 4. This encyclopedia entry is relevant to the understanding of "cosmetic" surgery covered by U.S. Trademark Application Serial No. 77/614,883 for DAVINCI FACELIFT in the name of Ahmed Plastic Surgery and for which the file wrapper was submitted by Applicant as Exhibit 5 to Applicant DaVinci Radiology Associates, P.L.'s First Notice of Reliance in this Proceeding.

5. Dorland's Illustrated Medical Dictionary, 27th Ed., W.B. Saunders Company, Philadelphia, 1988 (Douglas M. Anderson, Joseph M. Patwell, Katherine Plaut & Kathleen McCullough, Editors); housed at the offices of Sheppard, Mullin, Richter & Hampton LLP located at Embarcadero Four, 17th Floor, San Francisco California 94111. Pages to be read: entry for "veneer" on page 1826. A copy of this encyclopedia entry is attached hereto as Exhibit 5. This encyclopedia entry is relevant to the understanding of veneers covered by a number of the "U.S. Trademark Registrations, containing the name DAVINCI" and "containing the name DA VINCI" for goods or services as set forth in Paragraphs 1 and 2 of, and attached as Exhibits 1 and 2 to, Applicant DaVinci Radiology Associates, P.L.'s First Notice of Reliance filed in this Proceeding.

This Second (Rebuttal) Notice of Reliance is timely filed and served during
Opposer's Rebuttal Period.

Dated: May 13, 2009

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

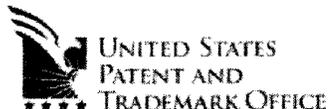
By



Michelle D. Kahn
Michelle J. Hirth
Attorneys for Opposer
INTUITIVE SURGICAL, INC.

Four Embarcadero Center
17th Floor
San Francisco, CA 94111
TEL: (415) 434-9100
FAX: (415) 434-3947

EXHIBIT 1



NOTICE OF ABANDONMENT
ISSUE DATE: 09-30-2002

The trademark application identified below was abandoned because the applicant failed to file for a statement of use or an extension of time.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the issue date of this notice.**

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 703-308-9000.

SERIAL NUMBER: 75664269
MARK: DA VINCI

EXHIBIT 2



THE
CONCISE COLUMBIA
ENCYCLOPEDIA

Second Edition

COLUMBIA UNIVERSITY PRESS NEW YORK

Columbia University Press
New York

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Demuth, Charles, 1883–1935, American painter; b. Lancaster, Pa. Known for his translucent WATERCOLORS of fruits and flowers, Demuth was one of the first painters to draw inspiration from the geometric shapes of technology.

Denali National Park: see NATIONAL PARKS (table).

dendrochronology: see DATING.

dengue fever, acute infectious disease caused by a virus and transmitted by the Aedes mosquito. It occurs in warm climates. Symptoms include headache, fever, and intense joint pain, followed by a generalized rash. There is no specific treatment, but the disease can be controlled by eradicating the mosquitoes and their breeding grounds.

Deng Xiaoping (dǒng shǎou-píng), 1904–, Chinese Communist leader. Twice purged from power (1967, 1976) and twice rehabilitated (1973, 1977); Deng was deputy premier under HUA GUOFENG. He soon became (1977) powerful as Communist party deputy chairman, and in 1979 visited the U.S. to seek closer U.S.-Chinese ties. In 1981 Deng strengthened his position in China by replacing Hua as Communist party chairman with his own protégé, HU YAOBANG. At the 1982 Communist Party Congress he was named to lead the newly created Central Advisory Commission.

De Niro, Robert, 1943–, American film actor; b. N.Y.C. After studying for the stage, he acted in films directed by Brian De Palma. In 1973, he made his first major movies, *Bang the Drum Slowly* and *Mean Streets*. Other films include *The Godfather Part II* (1974), *The Deer Hunter* (1979), *Raging Bull* (1981; Academy Award), and *Falling in Love* (1984).

Denis, Maurice (dané'), 1870–1943, French painter and writer. His paintings, often on religious themes, were not as influential as his art theories. His writings include *Theories* (2 vol., 1920, 1922) and *History of Religious Art* (1939).

Denmark, Dan. Danmark, officially the Kingdom of Denmark, country (1988 est. pop. 5,125,676), 16,629 sq mi (43,069 sq km), N Europe; bordered by West Germany (S), the North Sea (W), the Skagerrak (N), and the Kattegat and the Øresund (E). The southernmost of the Scandinavian countries, Denmark includes most of the JUTLAND peninsula as well as more than 450 islands. The FAEROE ISLANDS and GREENLAND, which are semiautonomous, lie to the northwest. COPENHAGEN is the capital and chief industrial center; other important cities are ÅRHUS, Odense, and Aalborg. Denmark, which is almost entirely low-lying, has traditionally been an agricultural country; after 1945, however, it greatly expanded its industrial base. The main commodities raised are livestock and poultry, root crops, and cereals. The leading manufactures include meat and dairy products, chemicals, and ships. Fishing and shipping are also important. Nearly all the inhabitants speak Danish, and most belong to the established Lutheran Church. Denmark is a constitutional monarchy, governed under the 1953 constitution. Legislative power is vested in the unicameral, 179-member Folketing (parliament); executive authority rests with the monarch and the appointed prime minister and cabinet. The reigning monarch is Queen MARGARET II, who succeeded her father, Frederick IX, upon his death in 1972.

History. The Danes probably settled Jutland by c.10,000 B.C., but little is known of Danish history before the 9th to 11th cent. A.D., when the Danes had an important role in the VIKING raids on W Europe. Harold Bluetooth (d. c.985) was the first Christian king of Denmark, and his son, Sweyn, conquered England. Danish hegemony over N Europe was first established (12th–13th cent.) by WALDEMAR I and WALDEMAR II. Queen MARGARET I achieved (1397) the KALMAR UNION of Denmark, Sweden, and Norway; the union with Sweden was largely ineffective and ended in 1523, but that with Norway lasted until 1814. The house of Oldenburg, from which the present dynasty is descended, acceded in 1448 with CHRISTIAN I, who also united Schleswig and Holstein with the Danish crown. Participation in the THIRTY YEARS WAR (1618–48) and the wars (1657–1660) of FREDERICK III with Sweden caused Denmark to lose prestige. Under the Treaty of Kiel (1814) Denmark lost Norway to Sweden, and following its defeat (1864) by Prussia and Austria it was deprived of SCHLESWIG-HOLSTEIN. Of more lasting importance was the internal reform of the 19th cent. that transformed

Denmark's poor peasantry into the most prosperous small farmers in Europe. Denmark was occupied (1940–45) by German forces in WORLD WAR II. In 1949 it broke a long tradition of neutrality and joined NATO, and in 1972 it joined the COMMON MARKET. The Social Democratic party has been dominant in the postwar era, although at times ruling in a coalition or as a minority government. A center-right coalition government, however, was formed in 1982.

density, ratio of the MASS of a substance to its volume. Because many substances, especially gases, can be compressed into a smaller volume by increasing the pressure on them, the temperature and pressure at which the density is measured are usually specified. See SPECIFIC GRAVITY.

dentistry, treatment and care of the TEETH and associated oral structures. Dentists are concerned with tooth decay, diseases of the supporting structures (such as the gums), faulty positioning of the teeth, and tooth replacements, as well as prevention of these problems. Specialized fields of dentistry include orthodontics (corrective dentistry) and periodontics (treatment of gum diseases; see GINGIVITIS and PERIODONTITIS).

Denver, city (1986 est. pop. 505,000; met. area 1,633,000), state capital, coextensive with Denver co., N central Colo., on the South Platte R.; inc. 1861. Colorado's largest city, Denver is a processing, shipping, and distributing point for a large agricultural area. It is the financial and administrative center of the ROCKY MOUNTAIN region, and a hub for energy resource development. Numerous federal agencies have offices there. Denver has stockyards, canneries, mills, and many diversified industries, including electronics. Tourism is also important. In the 1870s and 80s it was the center of a gold and silver boom. Its development into a major modern city began in the 1890s. Points of interest include a large park system, the state capitol, and the Denver Art Museum.

De Patinir, De Patenier, or De Patiner, Joachim: see PATINIR, JOACHIM DE.

depletion allowance, a tax exemption given to companies that extract oil, gas, coal, and other natural resources for depletion of the product that reduces the company's taxable income. U.S. law has sometimes permitted certain industries a flat percentage depletion allowance. Such a law is intended to encourage the growth of these industries.

depreciation, in ACCOUNTING, reduction in the value of fixed assets as a result of use, damage, or obsolescence. It can be estimated in several ways. In the straight-line method, annual depreciation is simply the cost of the asset (minus its value, if any, as scrap) divided equally over its estimated lifetime. Decreasing-charge methods assign higher depreciation costs to the early years. Depreciation allows companies to cut costs of capital investment through tax savings.

depressant: see DRUGS.

depression, in economics, a period of economic crisis in commerce, finance, and industry, characterized by falling prices, restriction of credit, reduced production, numerous bankruptcies, and high unemployment. A less severe crisis is usually known as a downturn, or recession; in the U.S. a recession is technically defined as two consecutive quarterly declines in the GROSS NATIONAL PRODUCT. A short period in which fear takes hold of the minds of businessmen is more properly called a PANIC. Depressions now tend to become worldwide in scope because of the international nature of trade and credit. Such was the case in the most severe economic reversal of the 20th cent., the GREAT DEPRESSION of the 1930s, which began in the U.S. and spread abroad. Since that time, governments have acted to stabilize economic conditions in an effort to prevent depressions, using tax and fiscal measures as well as tighter controls over BANKING and the STOCK EXCHANGES. Job-training programs and increased public welfare are other steps taken to alleviate economic slumps.

depression, in PSYCHIATRY, a disproportionately intense reaction to difficult situations, characterized by strong feelings of loss, sadness, worthlessness, or rejection. It may involve such physiological symptoms as tense posture, persistent frowning, slowing of activity, fatigue, lack of appetite, and insomnia. The depressed individual's tendency toward self-recrimination, self-punishment, and guilt may ultimately lead to SUICIDE. See also MANIC-DEPRESSIVE PSYCHOSIS.

EXHIBIT 3



**THE
CONCISE COLUMBIA
ENCYCLOPEDIA**
Second Edition

COLUMBIA UNIVERSITY PRESS NEW YORK

Columbia University Press
New York

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tion. Its decisions are rendered by majority vote. Cases are brought before the Court by appeal—when the ruling of the highest state court concerning the constitutionality of statutes is questioned—or by a writ of certiorari, granted at the Court's discretion, to review decisions by lower courts. As the court of last resort it has two functions: interpreting acts of Congress and determining whether federal and state statutes conform to the Constitution. Under the tenure (1801–35) of the "great chief justice," John MARSHALL, the principle of judicial review of congressional enactments was firmly established in *MARBURY V. MADISON* (1803). The powers of the federal government were confirmed in such cases as *GIBBONS V. OGDEN* (1824), which allowed the government to regulate interstate commerce. In contrast to such assertiveness, the Court later refused, in the *DRED SCOTT CASE* (1857), to take a stand against slavery. During the *NEW DEAL* of the 1930s, the Supreme Court struck down several major pieces of social legislation. In the 1950s, under Chief Justice Earl WARREN, it moved to protect the rights of minorities, as in *BROWN V. BOARD OF EDUCATION OF TOPEKA, KANSAS* (1954), outlawing public-school segregation. The judicial liberalism of the "Warren Court" receded in the 1970s with the appointment of Chief Justice Warren Burger and others (see biographical table) during the Nixon administration. Although the Court appeared more generally conservative (e.g., *UNIVERSITY OF CALIFORNIA REGENTS V. BAKKE*), with Pres. Reagan's appointment of the first woman to the Court in 1981 its direction remained unclear. In 1986, William Rehnquist replaced Warren Burger as Chief Justice.

Supreme Soviet: see SOVIET.

Sur: see TYRE.

Surabaya or **Soerabaja** (sōōrābī'ā), city (1980 pop. 2,017,000), capital of East Java prov., NE Java, Indonesia, on the Kali Mas R. Surabaya is the country's second largest city and its major naval base. A commercial and industrial center, it has railroad shops, automobile assembly and oil processing plants, and manufactures textiles, glass, and fertilizer. Damaged during the Indonesian independence struggle, it has been extensively rebuilt.

surface tension, the cohesion forces (see ADHESION AND COHESION) at the surface of a liquid. The molecules within a liquid are attracted equally from all sides, but those near the surface experience unequal attractions and thus are drawn

toward the center of the liquid mass by this net force. A result of surface tension is the tendency of a liquid to reduce its exposed surface to the smallest possible area.

surfing, sport of gliding toward the shore on a breaking wave, done on a board from 4 to 12 ft (122 to 366 cm) long. The larger surfboards have a stabilizing fin in the rear. The surfer paddles toward the beach until an incoming wave catches the board, then stands up and glides along or just under the crest of the wave. Developed in Hawaii, surfing spread to California in the 1920s and, by the 1960s, had become popular with youth in the U.S., Australia, and other countries.

surgery, branch of medicine concerned with the diagnosis and treatment of injuries and pathological conditions requiring manual or instrumental operative procedures. Surgery has been performed since prehistoric times (bloodletting, opening of abscesses) and was practiced with great skill and cleanliness by the ancient Greeks and Romans. During the Middle Ages in Europe it fell into the hands of unskilled barber-surgeons, and postoperative infection and GANGRENE were common. Surgery became more professional in the 18th cent. and entered its modern phase in the 19th cent. with the introduction of antiseptic techniques, sterilization, and ANESTHESIA. Twentieth-cent. advances include BLOOD TRANSFUSION techniques, new diagnostic tools (X RAY, CAT SCAN, ULTRASOUND), ANTIBIOTICS and other CHEMOTHERAPIES, microsurgery, and organ TRANSPLANTATION.

Suriname (sōōrīnām', -nām'), officially Republic of Suriname, formerly **Dutch Guiana**, republic (1984 pop. 370,000), 63,037 sq mi (163,266 sq km), NE South America, bordered by the Atlantic Ocean (N), French Guiana (E), Brazil (S), and Guyana (W). PARAMARIBO is the capital. It is part of the Guiana region. Suriname is one of the world's great producers of bauxite, which accounts for about 75% of export earnings. Rice is the chief crop, and sugarcane, citrus fruits, and coffee are also grown. The population is mixed, and Asian Indians, Creoles, and Indonesians are the largest groups. Dutch is the official language, but most of the people speak Sranang Tongo, a native patois. The Dutch established a colony here in 1616, and Dutch possession was confirmed by the Congress of VIENNA in 1815. Suriname became autonomous in 1954 and independent in 1975. Just prior to independence, some 100,000 Surinamese, mainly of Asian descent, migrated to the Netherlands. In 1980, a bloodless

1. UNITED STATES SUPREME COURT

REHNQUIST, WILLIAM HUBBS, 1924–, Chief Justice; b. Milwaukee, Wisc., grad. Stanford Law School (1952). He was an assistant attorney general from 1969 until his appointment to the Supreme Court (1971) by Pres. Nixon. A conservative Republican, he became known on the Court as a staunch advocate of law-and-order.

Blackmun, Harry Andrew, 1908–, b. Nashville, Ill., grad. Harvard Law School (1932). He served as judge of the U.S. Court of Appeals for the Eighth Circuit from 1959 until his appointment to the Supreme Court (1970) by Pres. Nixon. Blackmun has tended toward a liberal view on civil rights while remaining essentially conservative in other areas.

Brennan, William Joseph, Jr., 1906–, b. Newark, N.J., grad. Harvard Law School (1931). Served as justice of the New Jersey Supreme Court from 1952 until his appointment to the Supreme Court (1956) by Pres. Eisenhower. On the Court Brennan has supported individual liberties and a greater guarantee of justice to the poor.

Kennedy, Anthony M., 1936–, b. Sacramento, Calif., grad. Harvard Law School (1961). He was named to the U.S. Court of Appeals, Ninth Circuit, in 1975. He served in this position until his appointment (1988) to the Court by Pres. Reagan. The court's youngest member, he is regarded as a political and legal conservative.

Marshall, Thurgood, 1908–, b. Baltimore, Md., grad. Howard Law School (1933). He served under Pres.

Johnson as solicitor general of the U.S. from 1965 until his appointment (1967) by Johnson as the first black Supreme Court justice. Marshall has been particularly concerned with civil rights and economic justice.

O'Connor, Sandra Day, 1930–, b. El Paso, Tex., grad. Stanford Law School (1952). She served as judge of the Arizona Court of Appeals from 1979 until her appointment (1981) by Pres. Reagan as the first woman on the Supreme Court.

Scalia, Antonin, 1936–, b. Trenton, N.J., grad. Harvard Law School (1960). He was an assistant attorney general in the Justice Department from 1974–77 and was appointed (1982) to the U.S. Court of Appeals for the District of Columbia Circuit. He was appointed (1986) to the Court by Pres. Reagan and is regarded as a conservative.

Stevens, John Paul, 1920–, b. Chicago, Ill., grad. Northwestern Univ. School of Law (1947). He served as judge of the U.S. Court of Appeals for the Seventh Circuit from 1970 until his appointment to the Supreme Court (1975) by Pres. Ford. Stevens is regarded as independent and moderately conservative.

White, Byron Raymond, 1917–, b. Fort Collins, Colo., grad. Yale Law School (1946). He served as U.S. deputy attorney general from 1961 until his appointment to the Supreme Court (1962) by Pres. Kennedy. In recent years White has sided with the "strict-constructionist" Nixon appointees.

EXHIBIT 4

27th
Edition

DORLAND'S
ILLUSTRATED

Medical
Dictionary

W.B. SAUNDERS COMPANY
Harcourt Brace Jovanovich, Inc.

Philadelphia London Toronto
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Dorland's illustrated medical dictionary.

Philadelphia: W.B. Saunders Co.,

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Medical]

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Last digit is the print number: 9 8 7 6

pathogenic diphtheroid bacteria cultured from blood, tissue, and wound infections of immunosuppressed patients. **group 3 c.**, *Eubacterium lentum*.

Coryneform (ko-ri'nē-form) a group of asporogenous, gram-positive, irregular rod-shaped bacteria containing the genera *Arthrobacter*, *Cellulomonas*, *Corynebacterium*, and *Kurthia*.

coryneform (ko-ri'nē-form) [Gr. *korynē* club + L. *forma*] club-shaped; see under *bacteria*.

corytuberine (ko're-tu'ber-ēn) a crystalline alkaloid, $C_{10}H_{14}NO_4 \cdot 5H_2O$, from commercial corydaline.

coryza (kō-ri'zah) [L.; Gr. *koryza*] an acute catarrhal condition of the nasal mucous membrane, with a profuse discharge from the nostrils. **allergic c.**, hay fever. **c. foetida**, **ozena**. **infectious avian c.**, an acute respiratory disease of chickens characterized by nasal discharge, sneezing, and edema of the face, and caused by *Haemophilus gallinarum*. Infection of the lower respiratory tract sometimes occurs. **c. oedemato'sa**, a serous inflammation of the inferior and middle turbinate bones.

coryzavirus (kō-ri'zah-vi'rus) one of a group of viral agents isolated from patients with the common cold and believed to be an etiologic agent of the common cold; now called *rhinovirus*.

C.O.S. Canadian Ophthalmological Society.

Coschwitz' duct (kosh'vits) [Georgius Daniel Coschwitz, German physician, 1679-1729] see under *duct*.

cosensitize (ko-sen'si-tiz) to sensitize to two or more sensitizing agents.

Cosmegen (kos'mē-jen) trademark for a preparation of dactinomycin.

cosmetic (koz-met'ik) [Gr. *kosmētikos*] 1. beautifying the body; tending to preserve, restore, or confer bodily beauty. 2. a beautifying substance or preparation. 3. pertaining to surgical correction of a physical defect.

cosmid (koz'mid) [cohesive end site + plasmid] a vector constructed of plasmid DNA packaged in vitro into a phage, useful for cloning large (up to 50 kb) DNA fragments.

costa (kos'tah), gen. and pl. *costae* [L. "rib"] 1. NA alternative for *costale*. 2. a rodlike structure extending along the base of the undulating membrane in certain flagellate protozoa, such as trichomonads. **c. cervica'lis** [NA], cervical rib: a supernumerary rib arising from a cervical vertebra, usually the seventh. See also *scalenus (cervical rib) syndrome*, under *syndrome*. **c. fluctuans**, floating rib: one of the lowest two ribs on either side, whose ventral tips ordinarily have no attachment. **costae fluitan'tes** [NA], floating ribs: the lower two ribs on either side, which ordinarily have no ventral attachment; called also *costae fluctuantes*, *fluctuating ribs*, and *vertebral ribs*. **c. pri'ma** [NA] the first rib. **costae spu'riae** [NA], the lower five ribs on either side: the ventral tips of the upper three of the five pairs connect with the costal cartilages of the superiorly adjacent ribs; the ventral tips of the lower two pairs ordinarily have no attachment. Called also *false ribs*. **costae ve'rae** [NA], true ribs: the upper seven ribs on either side, which are connected to the sides of the sternum by their costal cartilages. Called also *sternal ribs* and *vertebrosternal ribs*.

costae (kos'te) [L.] genitive and plural of *costa*.

costal (kos'tal) [L. *costalis*] pertaining to a rib or ribs.

costalgia (kos-tal'je-ah) [*costa* + *-algia*] pain in the ribs.

costalis (kos-tal'is) [L.] costal; used in anatomical nomenclature to denote relationship to a rib.

costatectomy (kos'tah-tek'to-me) costectomy.

costectomy (kos-tek'to-me) [*costa* + Gr. *ektomē* excision] the operation of excising or resecting a rib.

Costen's syndrome (kos'tenz) [James Bray Costen, St. Louis otolaryngologist, 1895-1962] temporomandibular dysfunction syndrome.

costicartilage (kos'ti-kar'ti-lij) [*costa* + *cartilage*] the cartilage of a rib.

costicervical (kos'ti-ser'vi-kal) pertaining to or connecting the ribs and the neck.

costiferous (kos-tif'er-us) [*costa* + L. *ferre* to carry] bearing a rib, as the thoracic vertebrae of man.

costiform (kos'ti-form) shaped like a rib.

costispinal (kos-ti-spi'nal) pertaining to or connecting the ribs and spine.

costive (kos'tiv) 1. pertaining to, characterized by, or producing constipation. 2. an agent that depresses intestinal motility.

costiveness (kos'tiv-nes) constipation.

cost(o)- [L. *costa* rib] a combining form denoting relationship to the ribs.

costocentral (kos'to-sen'tral) pertaining to a rib and the centrum (body) of a vertebra.

costocervicalis (kos'to-ser'vi-ka'lis) [*costo-* + *cervicalis*] musculus iliocostalis cervicis; see *Table of Musculi*.

costochondral (kos'to-kon'dral) pertaining to a rib and its cartilage.

costoclavicular (kos'to-klah-vik'u-lar) pertaining to the ribs and clavicle.

costocoracoid (kos'to-kor'ah-koid) pertaining to the ribs and coracoid process.

costogenic (kos'to-jen'ik) [*costo-* + Gr. *gennan* to produce] arising from a rib, especially from defect of the marrow of the ribs.

costoinferior (kos'to-in-fe're-or) pertaining to the lower ribs.

costophrenic (kos'to-fren'ik) pertaining to the ribs and diaphragm.

costopleural (kos'to-plu'ral) pertaining to the ribs and the pleura.

costoscapular (kos'to-skap'u-lar) pertaining to the ribs and the scapula.

costoscapularis (kos'to-skap'u-la'ris) musculus serratus anterior; see *Table of Musculi*.

costosternal (kos'to-ster'nal) pertaining to a rib and to the sternum.

costosternoplasty (kos'to-ster'no-plas'te) surgical repair of funnel chest.

costosuperior (kos'to-su-pe're-or) pertaining to the upper ribs.

costotome (kos'to-tōm) [*costo-* + Gr. *temnein* to cut] a knife for dividing ribs or costal cartilages.

costotomy (kos-tot'o-me) [*costo-* + Gr. *tomē* a cut] incision or division of a rib or costal cartilage.

costotransverse (kos'to-trans-vers') lying between the ribs and transverse processes of the vertebrae.

costotransversectomy (kos'to-trans-ver-sek'to-me) excision of a part of a rib with the transverse process of a vertebra.

costovertebral (kos'to-ver'tē-bral) pertaining to a rib and a vertebra.

costoxiphoid (kos'to-zi'foid) connecting the ribs and the xiphoid cartilage.

cosyntropin (ko-sin-tro'pin) α^{1-24} -corticotropin: a synthetic corticotropin used in the screening of adrenal insufficiency by plasma cortisol response after intramuscular or intravenous injection.

Cotard's syndrome (ko-tarz') [Jules Cotard, French neurologist, 1840-1889] see under *syndrome*.

cotarnine chloride (ko-tar'nēn) chemical name: 7,8-dihydro-4-methoxy-6-methyl-1,3-dioxolo[4,5-g]isoquinolinium chloride. A substance, $C_{12}H_{14}ClNO_2$, prepared by oxidation of noscapine with dilute nitric acid; formerly used as a hemostatic agent.

Cotazym (kot'ah-zīm) trademark for a preparation of pancrelipase.

cothromboplastin (ko-throm'bo-plas'tin) Factor VII; see *coagulation factors*, under *factor*.

cotinine (ko'ti-nēn) the major urinary metabolite of nicotine. **c. fumarate**, an antidepressant, $(C_{10}H_{12}N_2O)_2 \cdot C_4H_4O_4$.

co-trimoxazole (ko'tri-moks'ah-zōl) a mixture of trimethoprim and sulfamethoxazole.

Cotte's operation (kots) [Gaston Cotte, Lyons surgeon, 1879-1951] see under *operation*.

Cotting's operation (kot'ingz) [Benjamin Eddy Cotting, American surgeon, 1812-1898] see under *operation*.

cotton (kot'n) [L. *gossypium*] a textile material derived from the seeds of one or more of the cultivated varieties of

EXHIBIT 5

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TABLE OF VENAE (Concluded)

v. thyreoideae ima, an occasional vein formed by high junction of the right and left inferior thyroid veins, and emptying usually into the left brachiocephalic vein.

ve'nae thyreoideae inferior'es, see *v. thyroidea inferior*.

ve'nae thyreoideae superior'es, 1. see *vena thyroidea superior*. 2. veins draining blood from the upper portion of the thyroid gland into the posterior facial vein.

v. thyroideae inferior [NA], inferior thyroid vein: either of two veins, left and right, that drain the thyroid plexus into the left and right brachiocephalic veins; occasionally they may unite into a common trunk to empty, usually, into the left brachiocephalic vein.

ve'nae thyroideae mediae [NA], middle thyroid veins: veins that drain blood from the thyroid gland into the internal jugular vein.

v. thyroideae superior [NA], superior thyroid vein: a vein arising from the upper part of the thyroid gland on either side, opening into the internal jugular vein, occasionally in common with the facial vein.

ve'nae tibiales anterior'es [NA], anterior tibial veins: venae comitantes of the anterior tibial artery, which unite with the posterior tibial veins to form the popliteal vein.

ve'nae tibiales posterior'es [NA], posterior tibial veins: venae comitantes of the posterior tibial artery, which unite with the anterior tibial veins to form the popliteal vein.

ve'nae tracheales [NA], tracheal veins: small branches that drain blood from the trachea into the brachiocephalic vein.

ve'nae transversae cervicis [NA], transverse cervical veins: veins that follow the transverse artery of the neck and open into the subclavian vein; called also *venae transversae colli*.

ve'nae transversae colli, *venae transversae cervicis*.

v. transversa facialis, NA alternative for *v. transversa faciei*.

v. transversa facialis [NA], transverse facial vein: a vein that passes backward with the transverse facial artery just below the zygomatic arch to join the retromandibular vein; called also *v. transversa facialis* [NA alternative].

v. transversa scapulae, *v. suprascapularis*.

ve'nae trunci encephalici, [NA], veins of encephalic trunk: the veins that drain the brainstem and empty into the basal or great cerebral vein; called also *venae mesencephalicae*. See *venae pontomesencephalicae*, *venae pontis*, *venae medullae oblongatae*, and *v. recessus lateralis ventriculi quarti*.

ve'nae tympanicae [NA], tympanic veins: small veins from the tympanic cavity that pass through the petrotympanic fissure, open into the plexus around the temporomandibular articulation, and finally drain into the retromandibular vein.

ve'nae ulnares [NA], ulnar veins: the venae comitantes of the ulnar artery, which unite with the radial veins at the elbow to form the brachial veins.

v. umbilicalis, umbilical vein: former NA term for either of the paired veins that carry blood from the chorion to the sinus venosus and heart in the early embryo; they later fuse and a single vessel persisting in the umbilical cord carries all the blood from the placenta to the ductus venosus of the fetus. See *v. umbilicalis sinistra*.

v. umbilicalis sinist'ra [NA], left umbilical vein of the fetus, the vein formed by fusion of the atrophied right umbilical vein with the left umbilical vein, which carries all the blood from the placenta to the ductus venosus.

v. un'ci [NA], vein of uncus: a vein that drains the uncus into the ipsilateral inferior cerebral vein.

ve'nae uterinae [NA], uterine veins: veins that drain the uterine plexus into the internal iliac veins.

ve'nae vasorum, small veins that return blood from the tissues making up the walls of the blood vessels themselves.

ve'nae ventriculares cordis [NA], the veins of the ventricles of the heart.

v. ventricularis inferior [NA], inferior ventricular vein: a vein that drains the temporal lobe into the basal vein.

v. ventriculi lateralis lateralis, *v. lateralis atrii*.

v. ventriculi lateralis medialis, *v. medialis atrii*.

v. ver'mis inferior, *v. inferior vermis*.

v. ver'mis superior, *v. superior vermis*.

v. vertebra'lis [NA], vertebral vein: a vein that arises from the suboccipital venous plexus, passes with the vertebral artery through the foramina of the transverse processes of the upper six cervical vertebrae, and opens into the brachiocephalic vein.

v. vertebra'lis accessoria [NA], accessory vertebral vein: a vein that sometimes arises from a plexus formed around the vertebral artery by the vertebral vein, descends with the vertebral vein, and emerges through the transverse foramen of the seventh cervical vertebra to empty into the brachiocephalic vein.

v. vertebra'lis anterior [NA], anterior vertebral vein: a small vein accompanying the ascending cervical artery; it arises in a venous plexus adjacent to the more cranial cervical transverse processes, and descends to end in the vertebral vein.

ve'nae vesicales [NA], vesical veins: veins passing from the vesical plexus to the internal iliac vein.

ve'nae vestibula'res [NA], vestibular veins: branches draining blood from the vestibule into the labyrinthine veins.

ve'nae vorticosae [NA], vorticosae veins: four veins that pierce the sclera and carry blood from the choroid to the superior ophthalmic vein; called also *posterior ciliary veins* and *venae choroideae oculi* [NA alternative].

venacavogram (ve'nah-ka'vo-gram) the film obtained by venacavography.

venacavography (ve'nah-ka-vog'rah-fe) radiography of a vena cava, usually of the inferior vena cava.

venae (ve'ne) [L.] genitive and plural of *vena*.

Vena medinensis (ve'nah med'i-nen'sis) *Dracunculus medinensis*.

venation (ve-na'shun) [L. *vena* vein] the manner of distribution of the veins of a part.

venectasia (ve'nek-ta'ze-ah) phlebectasia; varicosity.

venectomy (ve-nek'to-me) phlebectomy.

veneer (vè-nèr') in the construction of crowns or pontics, a layer of tooth-colored material, usually porcelain or acrylic resin, attached to the surface by direct fusion, cementation, or mechanical retention.

venenation (ven'è-na'shun) [L. *venenum* poison] poisoning; a condition of being poisoned.

veneniferous (ven'è-nif'er-us) [L. *venenum* poison + *ferre* to bear] carrying poison.

venenific (ven'è-nif'ik) [L. *venenum* poison + *facere* to make] forming poison.

Venosa (ven'è-no'sah) [pl., L. *venenosus* poisonous] a term once used to designate venomous snakes collectively; thanatophidia.

venosalivary (ven'è-no-sal'f-ver'e) venomosalivary.

venosity (ven'è-nos'i-te) the condition of being venomous.

venous (ven'è-nus) [L. *venenosus*] venomous.

venenum (vè-ne'num), gen. *vene'ni*, pl. *vene'na* [L.] a poison.

venepuncture (ven'e-punk'tūr) venipuncture.

venereal (ve-ne're-al) [L. *venereus*] pertaining or related to or transmitted by sexual contact; see *sexually transmitted disease*, under *disease*.

venereologist (ve-ne're-ol'o-jist) a specialist in venereology.

venereology (ve-ne're-ol'o-je) the branch of medicine that deals with sexually transmitted diseases.

venerupin (ven'er-oo'pin) [*Venerupis* (L. *veneria*) the Venus shell + *-in*, suffix for chemical compounds] a toxic substance, believed to be an amine, found in certain Japanese pelecypods which were formerly placed in the genus *Venerupis*; this toxin, the exact chemical nature of which is unknown, is entirely distinct from the paralytic shellfish poison found in other bivalves.

venery (ven'er-e) [L. *venereus* pertaining to Venus] coitus; sexual intercourse.

venesection (ven'è-sek'shun) [L. *vena* vein + *sectio* cutting] phlebotomy.

venesuture (ven'è-su'tūr) phleborrhaphy.

veniplex (ven'i-pleks) [L. *vena* vein + *plexus* plexus] a venous plexus.

venipuncture (ven'i-punk'tūr) puncture of a vein.

venisection (ven'i-sek'shun) phlebotomy.

venisuture (ven'i-su'tūr) [L. *vena* vein + *sutura* stitch] phleborrhaphy.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Opposer Intuitive Surgical, Inc.'s Second (Rebuttal) Notice of Reliance** was served on Applicant DaVinci Radiology Associates, P.L., by First Class U.S. Mail, postage prepaid, to:

Matthew T. Vanden Bosch, Esq.
301 Clemetis Avenue, Suite 3000
West Palm Beach, FL 33401

Attorneys for Applicant

This 13 day of May, 2009.



Kathryn Campion