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

Proceeding	91177234
Party	Plaintiff Cardinal Health 303, Inc.
Correspondence Address	Joseph R. Dreitler Bricker & Eckler LLP 100 S. Third Street Columbus, OH 43215-4291 UNITED STATES trademarks@bricker.com, mtrue@bricker.com, amoss@bricker.com
Submission	Other Motions/Papers
Filer's Name	Mary R. True
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Signature	/Mary R. True/
Date	04/29/2009
Attachments	Cardinal 303 v The Alaris Group - Stipulation re Testimony.pdf (3 pages)(7134 bytes)

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|------------------------------|---|---------------------------|
| 1. CARDINAL HEALTH 303, INC. | : | |
| | : | |
| Opposer | : | |
| | : | |
| v. | : | Opposition No. 91-177,234 |
| | : | |
| THE ALARIS GROUP, INC. | : | |
| | : | |
| Applicant | : | |
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| 2. CARDINAL HEALTH 303, INC. | : | |
| | : | |
| Opposer | : | |
| | : | |
| v. | : | Opposition No. 91-177,365 |
| | : | |
| THE ALARIS GROUP, INC. | : | |
| | : | |
| Applicant | : | |
| | : | |
| 3. CARDINAL HEALTH 303, INC. | : | |
| | : | |
| Opposer | : | |
| | : | |
| v. | : | Opposition No. 91-177,366 |
| | : | |
| THE ALARIS GROUP, INC. | : | |
| | : | |
| Applicant | : | |
| | : | |
| 4. CARDINAL HEALTH 303, INC. | : | |
| | : | |
| Opposer | : | |
| | : | |
| v. | : | Opposition No. 91-177,367 |
| | : | |
| THE ALARIS GROUP, INC. | : | |
| | : | |
| Applicant | : | |
| | : | |
| 5. CARDINAL HEALTH 303, INC. | : | |
| | : | |

Petitioner	:	
	:	
v.	:	Cancellation No. 92-048,172
	:	
THE ALARIS GROUP, INC.	:	
	:	
Registrant	:	

STIPULATION

Petitioner, Cardinal Health 303, Inc. (“Petitioner”) and Registrant, The Alaris Group, Inc. (“Registrant”) (collectively, the “Parties”), agree and stipulate as follows:

The parties agree that testimony of the witnesses may be submitted into evidence in the form of an Affidavit or Declaration by said witnesses sworn to under penalty of perjury of the laws of the United States of America. The Parties may submit and rely on documentary exhibits attached to said Affidavits and Declarations.

The Parties agree that the discovery deposition of Nancy Caven (30(b)(6)) may be offered into evidence.

The Parties, moreover, hereby make a stipulation regarding the authenticity of documents. That is, the parties hereby stipulate that all documents produced and exchanged by the parties during discovery under Federal Rule of Civil Procedure 34 are authentic and may be of record-evidence and relied upon in the above-identified proceeding without objection.

Notwithstanding the foregoing, each Party reserves the right to object to the stipulated evidence in accordance with the Federal Rules of Civil Procedure and the Trademark Trial and Appeal Board Manual of Procedure, including without limitation, on the grounds of competency, relevance or materiality.

AGREED:

By: /s/ Joseph R. Dreiter
Joseph R. Dreitler
BRICKER & ECKLER LLP
100 South Third Street
Columbus, OH 43215-4291

ATTORNEYS FOR PETITIONER
Cardinal Health 303, Inc.

By: /s/ Kristine M. Boylan
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ATTORNEY FOR REGISTRANT
The Alaris Group, Inc.