ESTTA Tracking number: **ESTTA385131**
Filing date: **12/22/2010**

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

Proceeding	91194218
Party	Defendant Meridian Bioscience, Inc.
Correspondence Address	PATRICIA B. HOGAN KEATING MUETHING & KLEKAMP PLL 1 E 4TH ST STE 1400 CINCINNATI, OH 45202-3752 UNITED STATES mhurst@kmklaw.com
Submission	Answer
Filer's Name	J. Michael Hurst
Filer's e-mail	mhurst@kmklaw.com
Signature	/j. michael hurst/
Date	12/22/2010
Attachments	Amended Answer - ILLUMIPRO-10.pdf (4 pages)(340296 bytes)

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

ILLUMINA, INC., Opposer, v. MERIDIAN BIOSCIENCE, INC., Applicant.	Opposition No. 91194218 (parent) Opposition No. 91194219 Serial No.: 77/775316 Mark: ILLUMIPRO-10

AMENDED ANSWER OF APPLICANT

Meridian Bioscience, Inc. ("Applicant"), an Ohio Corporation, hereby answers each of the allegations of the Amended Notice of Opposition filed by Illumina, Inc. ("Opposer").

1. Admitted.

2. Admitted.

3. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 3 and therefore denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 4 and therefore denies the same.

5. Admitted.

6. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 6 and therefore denies the same.

7. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 7 and therefore denies the same.

8. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 8 and therefore denies the same.

9. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 9 and therefore denies the same.

10. Denied.

11. Denied. Opposer's Amended Notice of Opposition contains two (2) Paragraph 11's. Applicant's response in this first Paragraph 11 is meant to respond to the allegations contained in Applicant's first Paragraph 11.

11. Denied. Opposer's Amended Notice of Opposition contains two (2) Paragraph 11's. Applicant's response in this second Paragraph 11 is meant to respond to the allegations contained in Applicant's second Paragraph 11.

12. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 12 and therefore denies the same.

13. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 13 and therefore denies the same.

14. Applicant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 14 and therefore denies the same.

15. Denied.

16. Denied.

WHEREFORE, having made full answer to the Amended Notice of Opposition, Applicant therefore prays that the Opposition be dismissed with prejudice.

Applicant authorizes the Board to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 500735.

Respectfully submitted,

Patricia B. Hogan
J. Michael Hurst
KEATING MUETHING & KLEKAMP PLL
One East Fourth Street, Suite 1400
Cincinnati, Ohio 45202
ph: (513) 579-6959
fx: (513) 579-6457
phogan@kmklaw.com

Attorneys for Applicant
Meridian Bioscience, Inc.

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing Amended Answer of Applicant was served by first class mail, postage prepaid, on December 22, 2010, upon counsel for Applicant:

James R. Menker
Gabrielle A. Holley
Holley & Menker, PA
PO Box 331937
Atlantic Beach, Florida 32202

Carolyn Hunter

Carolyn Hunter