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

Proceeding	91203092
Party	Defendant Teva Animal Health, Inc.
Correspondence Address	HERSCHEL PEREL TEVA PHARMACEUTICALS USA 425 PRIVET RD HORSHAM, PA 19044-1220 herschel.perel@tevausa.com
Submission	Answer
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Date	01/30/2012
Attachments	Answer to Notice of Opposition.pdf (4 pages)(11339 bytes)

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

In the Matter of Application Serial No. 85/343,088
Published in the Official Gazette on October 25, 2011

FARNAM COMPANIES, INC.,

Opposer,

v.

TEVA ANIMAL HEALTH, INC.,

Applicant.

Opposition No. 91/203,092

Mark: DUAL-CARE

Filed: June 10, 2011

Published: October 25, 2011

ANSWER TO NOTICE OF OPPOSITION

Applicant Teva Animal Health, Inc. (“Teva” or “Applicant”), by and through its undersigned attorneys, hereby answers the Notice of Opposition in the above-identified proceeding. Applicant’s responses to the allegations of Opposer, Farnam Companies, Inc. (“Farnam” or “Opposer”), are based upon actual knowledge of its own actions and information and belief with respect to all other matters. The paragraph numbers hereof correspond to those in the Notice of Opposition.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted only that Opposer is the owner of the five listed registrations, for the five corresponding goods and services descriptions. Otherwise denied.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

13. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

14. Denied.

15. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

16. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in this paragraph, and therefore denies the same.

17. Denied.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

AFFIRMATIVE DEFENSE

FIRST AFFIRMATIVE DEFENSE: FAILURE TO STATE A CLAIM

22. Opposer's Notice of Opposition should be dismissed because it fails to state a claim upon which relief can be granted.

WHEREFORE, Applicant respectfully requests that the Notice of Opposition be dismissed and that U.S. Trademark Application Serial No. 85/343,088 proceed to registration.

Respectfully submitted,

KENYON & KENYON LLP

Dated: January 30, 2012

By: /s/ Howard J. Shire
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*Attorneys for Applicant
Teva Animal Health, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served by first class mail, postage prepaid, on this 30th day of January, 2012 to:

Ray K. Harris
Fennemore Craig, P.C.
3003 N. Central Avenue, Suite 2600
Phoenix, AZ 85012

/s/ Aaron Johnson
Aaron Johnson