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

| | |
|------------------------|---|
| Proceeding | 91206212 |
| Party | Defendant entrotech, inc. |
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| Submission | Defendant's Notice of Reliance |
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| Signature | /Erin M. Hickey/ |
| Date | 05/21/2015 |
| Attachments | 2015-05-21 Applicant's Notice of Reliance + Exhibits (Deposition).pdf(255090 bytes) |

PUBLIC VERSION

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

In the matter of application Serial Nos.:

85/499,349 for the mark **CHLORADERM**
85/499,345 for the mark **CHLORABSORB**
85/499,337 for the mark **CHLORABOND**
85/499,332 for the mark **CHLORADRAPE**

Filed on December 19, 2011

Published in the *Official Gazette* on May 29, 2012

CAREFUSION 2200, INC.,

Opposer,

v.

ENTROTECH LIFE SCIENCES, INC.,

Applicant.

Combined Opposition Proceeding No. 91-206,212

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

APPLICANT'S NOTICE OF RELIANCE

Pursuant to Rule 704.09 of the Trademark Trial and Appeal Board's Manual of Procedure and 37 C.F.R. § 2.120(j), Applicant Entrotech Life Sciences, Inc. ("Applicant" or "Entrotech") hereby notifies Opposer CareFusion 2200, Inc. ("Opposer" or "CareFusion") of its reliance upon the following transcript (and its corresponding exhibits) of a discovery deposition of Opposer taken under Rule 30(b)(6) of the Federal Rules of Civil Procedure (identified as Exhibit C1):

| Exhibit | Discovery Deposition |
|---------|---|
| C1 | Jan Creidenberg, December 5, 2014 (30(b)(6) deposition of CareFusion – transcript and corresponding exhibits) |

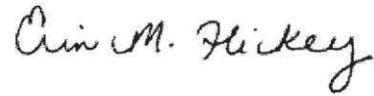
Applicant will rely upon this discovery deposition transcript and corresponding exhibits to establish: (1) that confusion between Applicant’s CHLORADERM, CHLORABSORB, CHLORABOND, and CHLORADRAPE marks at issue in this Opposition, on the one hand, and Opposer’s CHLORAPREP and CHLORASHIELD marks at issue in this Opposition, on the other hand, is not likely; (2) the dissimilarity of the marks at issue in this Opposition; (3) the dissimilarity of the goods at issue in this Opposition; (4) the dissimilarity of the channels of trade and marketing/advertising at issue in this Opposition; (5) the purchasing conditions and the sophistication of the purchasers of the goods at issue in this Opposition; (6) the weakness of Opposer’s CHLORAPREP and CHLORASHIELD marks; (7) the scope of Opposer’s use of its CHLORAPREP and CHLORASHIELD marks; and (8) the co-existence in the United States Patent and Trademark Office and in the marketplace of Opposer’s CHLORAPREP and CHLORASHIELD marks with other marks beginning with or otherwise containing the letters “C-H-L-O-R” and/or “C-H-L-O-R-A” for goods relevant to this Opposition and relevant to the goods at issue in this Opposition.

This Notice of Reliance and Exhibit are being filed under seal, pursuant to the parties’ Stipulated Protective Order (Dkt. No. 6) and the Board’s approval of the Stipulated Protective Order (Dkt. No. 7).

Dated: May 21, 2015

Respectfully submitted,

FISH & RICHARDSON P.C.



By: _____

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ENTROTECH LIFE SCIENCES, INC.

FILED UNDER SEAL

TRANSCRIPT AND CORRESPONDING EXHIBITS OF THE DISCOVERY
DEPOSITION OF JAN CREIDENBERG TAKEN ON DECEMBER 4, 2015

CERTIFICATE OF SERVICE

I hereby certify that, on this 21st day of May, 2015, a true and correct copy of **APPLICANT'S NOTICE OF RELIANCE** has been served by electronic mail upon Opposer's attorneys of record in this proceeding at the following electronic addresses:

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/s/ April R. Morris
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