

3. Respondent lacks sufficient information or belief to form an opinion regarding the allegations of Paragraph 3 of the Petition, and on that basis denies same.

4. The mark sought to be cancelled herein was registered by Reliable Power Meters. In 2002, Respondent Fluke Corporation acquired the entirety of Reliable Power Meters, including all rights and interest in the mark and registration sought to be cancelled herein, and all good will pertaining thereto. Respondent otherwise admits the allegations in paragraph 4 of the Petition.

5. Aside from the identity of Respondent discussed hereinabove, Respondent admits the allegations in paragraph 5 of the Petition.

6. Aside from the identity of Respondent discussed hereinabove, Respondent admits the allegations in paragraph 6 of the Petition.

7. Aside from the identity of Respondent discussed hereinabove, Respondent admits the allegations in paragraph 6 of the Petition.

8. Respondent lacks sufficient information or belief to form an opinion regarding the allegations of Paragraph 8 of the Petition, and on that basis denies same.

9. Respondent lacks sufficient information or belief to form an opinion regarding the allegations of Paragraph 9 of the Petition, and on that basis denies same.

///

AFFIRMATIVE DEFENSES

Petitioner's request for relief is barred by the equitable doctrines and affirmative defenses of waiver, estoppel and laches.

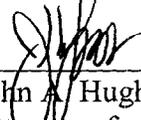
WHEREFORE, Respondent requests that the Petition for Cancellation be dismissed.

Respectfully submitted,

TOWNSEND AND TOWNSEND AND CREW LLP

Dated: November 6, 2002

By


John A. Hughes
Attorneys for Respondent
Fluke Corporation

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PROOFS OF MAILING AND SERVICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on November 6, 2002 in an envelope addressed to attorneys for Petitioner at:

Charles Hieken, Esq.
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

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By


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