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Filing date: **01/25/2011**

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

Proceeding	92053482
Party	Defendant Meridian Bioscience, Inc.
Correspondence Address	MERIDIAN BIOSCIENCE INC 3471 RIVER HILLS DRIVE CINCINNATI, OH 45244 UNITED STATES
Submission	Answer
Filer's Name	J. Michael Hurst
Filer's e-mail	mhurst@kmlaw.com
Signature	/j. michael hurst/
Date	01/25/2011
Attachments	Answer - ILLUMIGENE.pdf (3 pages)(105560 bytes)

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

<p>ILLUMINA, INC.,</p> <p style="text-align: center;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>MERIDIAN BIOSCIENCE, INC.,</p> <p style="text-align: center;">Registrant.</p>	<p style="text-align: center;">Cancellation No. 92053482</p> <p>Reg. No.: 3868081 Mark: ILLUMIGENE</p>
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ANSWER OF REGISTRANT

Meridian Bioscience, Inc. ("Registrant"), an Ohio Corporation, hereby answers each of the allegations of the Petition to Cancel filed by Illumina, Inc. ("Petitioner").

1. Denied.
2. Admitted.
3. Registrant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 3 and therefore denies the same.
4. Admitted.
5. Registrant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 5 and therefore denies the same.
6. Registrant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 6 and therefore denies the same.
7. Registrant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 7 and therefore denies the same.
8. Registrant is without knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 8 and therefore denies the same.
9. Denied.

10. Denied.

11. Denied.

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

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

14. Denied.

15. Denied.

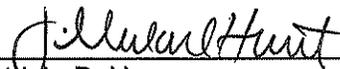
AFFIRMATIVE DEFENSES

1. Registrant has priority over Petitioner with respect to diagnostic products and services as demonstrated by Registrant's senior filing date of Registration No. 3868081 vis-à-vis Petitioner's ILLUMINADX, Serial No. 77/747038.

WHEREFORE, having made full answer to the Petition to Cancel, Registrant therefore prays that the Petition 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,



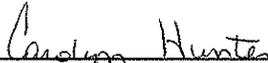
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Attorneys for Registrant
Meridian Bioscience, Inc.

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing Answer of Registrant was served by first class mail, postage prepaid, on January 25, 2011, upon counsel for Petitioner:

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Carolyn Hunter