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COMPETITION AND
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December 17, 2004

United States Trademark Trial and
Appeal Board
Attn: Frances S. Wolfson, Interlocutory Attorney

Re: Concurrent Use No. 94002033
Mark: RX DR. ROOF

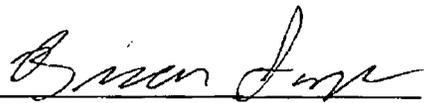
Dear Ms. Wolfson:

This letter is in response to the document issued by the United States Trademark Trial and Appeal Board, dated December 1, 2004, in which you advised that Plaintiff failed to file a brief in this matter. Please be advised that Plaintiff has not lost interest in this matter. A brief is not necessary at this time, because it is clear that concurrent use is mandated by the Agreement signed by the parties, and dated on or about November 11, 1997, which was submitted with our motion on November 17, 2004, which motion has not been opposed.

If this is not sufficient, please advise and formal brief will be filed.

Yours very truly,

BAKER & RANNELLS

By: 
Brian M. Gaynor

BG/
cc: Stephen L. Baker

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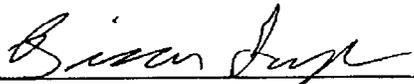
Please accept this letter as a Change of Correspondence Address.

Former address: Stephen L. Baker
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P.O. Box 672 359 East Main Street
Somerville, NJ 08876

New address: Stephen L. Baker
Baker and Rannells PA
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Raritan, NJ 08869

Yours very truly,

BAKER & RANNELLS

By: 
Brian M. Gaynor