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## FACSIMILE COVER LETTER

SENT TO: Ms. Annie Burroughs  
PHONE: 703-308-9300, Ext. 170

FACSIMILE NO.: 703-308-9092  
FILE NO: 11394.34  
DATE: June 29, 2004

SENT BY: Michael T. Olsen

PHONE NO.: (612) 604-6718

### MESSAGE:

ORIGINAL WILL: Be sent by U.S. Mail

This communication consists of 2 pages, including this cover letter. If all pages are not received, please contact Tamara K. Hardy at (612) 604-6596

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June 29, 2004

Michael T. Olsen  
(612) 604-6718  
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**VIA FACSIMILE AND US MAIL**

Annie Burroughs  
Secretary  
United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, VA 22202-3513

**In re Orphan Medical, Inc.**  
**Serial No. 78/781056**  
**Our Ref.: 11394.34**

Dear Ms. Burroughs:

This is to confirm that Orphan Medical, Inc. waives its appearance at the oral hearing scheduled on July 15, 2004 at 3:00 p.m.

Please feel free to contact me if you have any questions or require further information.

Very truly yours,

WINTHROP & WEINSTINE, P.A.

Michael T. Olsen

cc: Stephen R. Baird, Esq.  
Pamela Stahl

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