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

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**SOCIETE DES PRODUITS NESTLÉ, S.A.,** )  
)  
)  
Opposer, )  
)  
)  
v. )  
)  
**AMGEN INC.,** )  
)  
Applicant. )

Opposition No. 119,845



01-29-2001

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

**ANSWER**

Applicant, Amgen Inc., answers the Notice of Opposition as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 and, on that basis, denies the allegations contained in Paragraph 1.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 and, on that basis, denies the allegations contained in Paragraph 2.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 and, on that basis, denies the allegations of Paragraph 3.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 and, on that basis, denies the allegations of Paragraph 4.

5. Admitted.

6. Denied.

**AFFIRMATIVE DEFENSES**

Further answering the Notice of Opposition, Applicant states:

7. Applicant's marks for which it seeks registration, when considered in connection with the goods for which they are used, are not confusingly or deceptively similar to Opposer's marks.

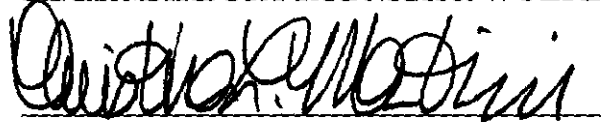
8. The goods of Applicant and Opposer and their respective channels of trade are so dissimilar as to preclude a likelihood of confusion.

9. The standard of care by purchasers of these products is such that confusion between the marks is unlikely.

10. Applicant avers that the purchasing public is not likely to purchase the products offered in connection with Applicant's marks believing them to be the same as, or related to, the goods of Opposer.

**WHEREFORE**, Applicant prays that the Opposition be dismissed with prejudice.

**PIPER MARBURY RUDNICK & WOLFE**



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**CERTIFICATE OF MAILING AND SERVICE**

I, Christina L. Martini, an attorney for Applicant, hereby certify that a copy of the foregoing Answer was served on Opposer's attorney, Gary D. Krugman, Esq., Sughrue, Mion, Zinn, MacPeak & Seas, PLLC, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037 and the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, by first-class mail, postage prepaid on January 25, 2001.



Christina L. Martini

Dated: January 25, 2001