

# EXH


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

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Wagner Spray Tech Corporation,

Opposition No. 125,525

Opposer,



02-03-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #01

v.

**AFFIDAVIT OF  
DEBORAH A. ELLINGBOE**

Graco Inc.,

Applicant.

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STATE OF MINNESOTA        )  
                                      ) SS.  
COUNTY OF HENNEPIN     )

RECEIVED FEB 10 2003

DEBORAH A. ELLINGBOE, being duly sworn upon oath, deposes and says:

1. I am an attorney with Faegre & Benson LLP, the law firm representing opposer Wagner Spray Tech Corporation (“Wagner”) in the above-captioned matter. I make this affidavit of my personal knowledge.
2. Attached hereto as Exhibit A is a true and correct copy of Wagner’s responses to Graco’s First Set of Requests for Admissions, served on Graco on or about July 10, 2002.
3. Attached hereto as Exhibit B is a true and correct copy of Wagner’s responses to Graco’s Second Set of Requests for Admissions, served on Graco on or about December 2, 2002.
4. Attached hereto as Exhibit C is a true and correct copy of Wagner’s responses to Graco’s Third Set of Requests for Admissions, served on Graco on or about January 10, 2003.

5. Attached hereto as Exhibit D is a true and correct copy of Graco's Fourth Set of Requests for Admissions, served on Wagner on or about January 7, 2003.

FURTHER AFFIANT SAYETH NAUGHT.

Deborah A. Ellingboe  
Deborah A. Ellingboe

Subscribed and sworn to before me  
this 30<sup>th</sup> day of January, 2003.

Debra L. Riebe

Notary Public  
M2:20519345.01

