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



11-30-2001

U.S. Patent & TMO/TM Mail Rcpt. Dt. #40

THE IMMUNE RESPONSE CORPORATION  
Opposer

v.

Opposition No. 91150037

ZLB BIOPLASMA AG  
Applicant

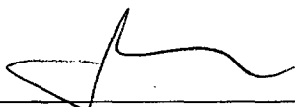
01 DEC 10 AM 9:53

RESPONSE TO OPPOSER'S REPLY BRIEF TO APPLICANT'S  
MOTION TO SUSPEND AND DISMISS

Applicant herein is the owner of Reg. No. 2,131,877 for the mark REDIMUN. Said registration was assigned to Applicant on August 31, 2000 and said assignment was filed for recordation with the Patent and Trademark Office on November 21, 2001. A copy of the relevant documents are attached hereto. Under the circumstances, consideration of Applicant's Motions to Dismiss and Suspend is respectfully requested.

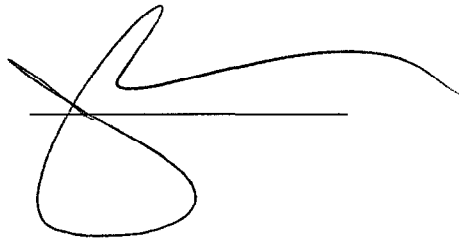
Dated: November 27, 2001

RESPECTFULLY SUBMITTED,

  
\_\_\_\_\_  
John R. Garber  
Cooper & Dunham LLC  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0401

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing RESPONSE TO OPPOSER'S REPLY BRIEF TO APPLICANT'S MOTIONS TO DISMISS AND SUSPEND has been served on Opposer's attorneys Mr. Richard L. Kirkpatrick and Mr. Robert B. Burlingame of Pillsbury Winthrop LLP, 50 Fremont Street, P.O. Box 7880, San Francisco, California 94120-7880 by first class mail, postage prepaid this 27<sup>th</sup> day of November, 2001.

A handwritten signature in black ink, consisting of a large, stylized loop on the left and a long, sweeping horizontal stroke extending to the right. The signature is written over a horizontal line.

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

To the Assistant Commissioner for Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Rotkreuzstiftung Zentrallaboratorium  
Blutspendedienst SRK

Individual(s)       Association       General Partnership  
 Limited liability company  
 Corporation  
 Other \_\_\_\_\_

Additional name(s) & address(es) attached?    Yes No

2. Name and address of receiving party(ies):

Name: ZLB Bioplasma AG  
c/o Fiscom Treuhand GmbH

Street Address: Haldenstrasse 5  
Switzerland  
 City Baar      Zip 6340

Individual(s) citizenship \_\_\_\_\_

Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation - State Switzerland  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached  Yes     No  
 (Designation must be a separate document from Assignment)

Additional name(s) & address(es) attached?     Yes     No

3. Nature of Conveyance:

Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

Execution Date: August 31, 2000

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)  
See attached

B. Registration No.(s)  
see attached

Additional numbers attached?    Yes    No

Name and address of party to whom correspondence concerning document should be mailed:

Name: John R. Garber  
 Internal Address: Cooper & Dunham LLP

Street Address: 1185 Avenue of the Americas  
23rd Floor

City: New York    State: New York    ZIP 10036

6. Total number of applications involved:

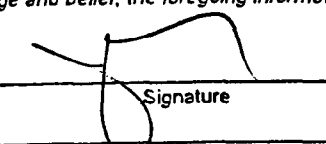
7. Total fee (37 CFR 3.41): ..... \$ 240.00

Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
 \_\_\_\_\_  
 (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.  
*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

John R. Garber            11/21/01  
 Name of Person Signing      Signature      Date

Total Number of pages including cover sheet:

OMB No. 0651-0011 (exp. 4/94)

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 Box Assignments  
 Washington, D.C. 20231

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## Declaration of Assignment

The undersigned,

**Rotkreuzstiftung Zentrallaboratorium Blutspendedienst SRK**  
Wankdorfstrasse 10, 3000 Bern

hereby assigns and transfers all patents, patent applications, trademarks and trademark applications as listed in the enclosed appendix

to

**ZLB Bioplasma AG**  
(formerly AcqCo AG)  
c/o Fiscom Treuhand GmbH, Haldenstrasse 5, 6340 Baar

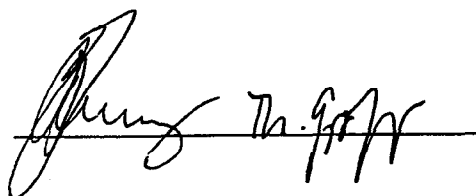
August 31, 2000

August 31, 2000

Rotkreuzstiftung Zentrallaboratorium  
Blutspendedienst SRK

ZLB Bioplasma AG

  
\_\_\_\_\_

  
\_\_\_\_\_

Trademark	Reg. No.
PANGLOBULIN	2,237,122
REDIMUN	2,131,877
RHOPHYLAC	2,131,797

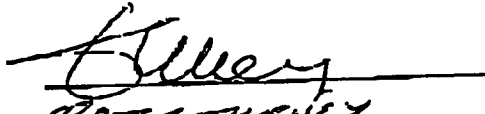
Trademark	App. No.
CONFIDEX	76/044778
SECUREX	76/065291
REDIMUNE	
CLOSE WITH CONFIDENCE	76/044777
PANIMUN	75/833761
CARIMUN	75/833762

**APPOINTMENT OF DOMESTIC REPRESENTATIVE**

ZLB Bioplasma AG hereby appoints John R. Garber of Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036 as its Domestic Representative upon whom all notices and process in respect of the subject matter may be served.

Dated:

ZLB BIOPLASMA AG

  
PETER THUNLEY  
COMPANY SECRETARY