

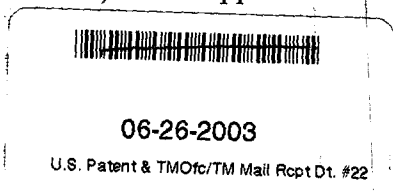
T TAB

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

NEOSE TECHNOLOGIES, INC.)
)
Opposer)
)
v.)
)
AAIPHARMA, INC.)

In the matter of Application
Serial No. 78/165,700
TM: NEOSAN
Opposition No. 91156602

Applicant



ANSWER

For its answer to the Notice of Opposition filed in the above-mentioned application, aaiPharma, Inc. ("AAI") responds as follows to the numbered paragraphs in the Notice of Opposition.

03 JUL - 3 31

TRADEMARK TRIAL AND APPEAL BOARD

1. Applicant is without sufficient basis to form a belief as to the accuracy of the allegation of paragraph 1 and therefore denies same.
2. Applicant is without sufficient basis to form a belief as to the accuracy of the allegation of paragraph 2 and therefore denies same.
3. Applicant is without sufficient basis to form a belief as to the accuracy of the allegation of paragraph 3 and therefore denies same.
4. Admitted that the name NEOSE appears on the website at www.neose.com.
5. Applicant is without sufficient basis to form a belief as to the accuracy of the allegation of paragraph 5 and therefore denies same.
6. Admitted.
7. Admitted.
8. Admitted.
9. Denied.
10. Denied.
11. Denied.

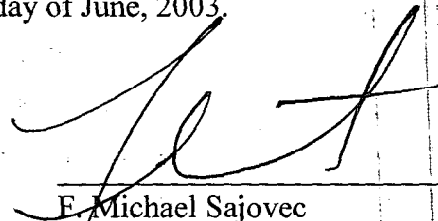
12. Denied. Applicant denies that the mark NEOSAN is confusingly similar in sound, appearance and meaning to Opposer's mark and trade name NEOSE.

13. Denied. Applicant denies that the use and registration of the mark NEOSAN will enable Applicant to trade upon or utilize any goodwill established by Opposer in its mark and trade under NEOSE.

14. Denied. Applicant denies that the NEOSAN trademark when applied to the goods or services identified is likely to cause confusion or mistake or to deceive and denies that the mark NEOSAN will mislead the public into believing that Applicant is licensed or controlled by Opposer or that Applicant is a subsidiary of or in some way related to Opposer.

WHEREFORE, Applicant respectfully requests that the opposition be denied.

Respectfully submitted this 26th day of June, 2003.



E. Michael Sajovec
Richard P. Vitek
Myers Bigel Sibley & Sajovec
P.O. Box 37428
Raleigh, NC 27627
(919) 854-1400


Attorneys for Applicant
aaiPharma, Inc.

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 353596305 US

Date of Deposit: June 26, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop TTAB, Director of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

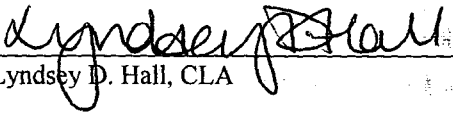

Lyndsey D. Hall, CIA

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that I caused a copy of the foregoing ANSWER to be served via U.S. First Class Mail, postage prepaid, as follows:

Roberta S. Bren
Oblon, Spivak, McClelland, Maier & Neustradt, P.C.
1940 Duke Street
Alexandria, VA 22314

This 25th day of June 2003.


Lyndsey D. Hall, CLA