



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

551-209

IVAX CORPORATION,

Opposer,

v.

AXCAN PHARMA INC.

Applicant.

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Opposition No. 91167306

TTAB

Box TTAB NO FEE

Assistant Commissioner for Trademark
2900 Crystal Drive
Arlington, Virginia 22202-3513

ANSWER TO NOTICE OF OPPOSITION

Applicant, Axcán Pharma Inc., hereby answers the Notice of Opposition as follows:

1. Applicant lacks sufficient knowledge to form a belief concerning any of the allegations in paragraph 1 and, therefore, denies all of the allegations in paragraph 1.
2. Applicant lacks sufficient knowledge to form a belief concerning any of the allegations in paragraph 2 and, therefore, denies all of the allegations in paragraph 2.
3. Applicant lacks sufficient knowledge to form a belief concerning any of the allegations in paragraph 3 and, therefore, denies all of the allegations in paragraph 3.
4. Applicant lacks sufficient knowledge to form a belief concerning any of the allegations in paragraph 4 and, therefore, denies all of the allegations in paragraph 4.
5. Applicant denies all of the allegations in paragraph 5.
6. Applicant denies all of the allegations in paragraph 6.



12-08-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #26

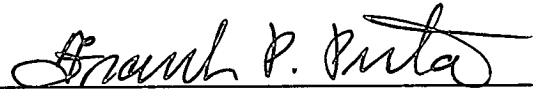
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WHEREFORE, Applicant prays that the Opposition be dismissed and that it be adjudged entitled to the registration of the trademark in its Application Serial No. 76/544,697.

Please send all further correspondence relating to this Opposition to the undersigned Attorney for Applicant.

Respectfully submitted,

AXCAN PHARMA INC.

By: 

Frank P. Presta

Attorney for Applicant

NIXON & VANDERHYE P.C.

901 North Glebe Road, 11th Floor

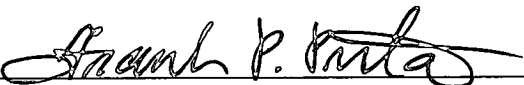
Arlington, VA 22203-1808

Telephone: (703) 816-4000

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "ANSWER TO NOTICE OF OPPOSITION" was served on counsel for IVAX CORPORATION, Lisa A. Pieroni, Kirschstein, Ottinger, Israel & Schiffmiller, 489 Fifth Avenue, 17th Floor, New York, New York 10017, by first-class mail this 8th day of December, 2005.



Frank P. Presta
Attorney for Applicant