

ESTTA Tracking number: **ESTTA77811**

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

Proceeding	91169344
Party	Plaintiff INVITROGEN CORPORATION
Correspondence Address	INVITROGEN CORPORATION Molecular Probes, Inc. 29851 Willow Creek Road Eugene, OR 97402 UNITED STATES mmurphey@gordonrees.com
Submission	Motion for Default Judgment
Filer's Name	Matthew Murphey
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Date	04/25/2006
Attachments	Motion.PDF (2 pages)(35751 bytes)

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

In the matter of trademark application Serial Number 78/431,053 published in the October 25, 2005 Issue of the Official Gazette (Trademarks).

_____)	
)	
INVITROGEN CORPORATION, INC.,)	OPPOSITION NO. 91169344
)	
Opposer,)	
)	
v.)	
)	
BIOMODA, INC.,)	
)	
Applicant.)	
_____)	

MOTION FOR ENTRY OF DEFAULT JUDGMENT

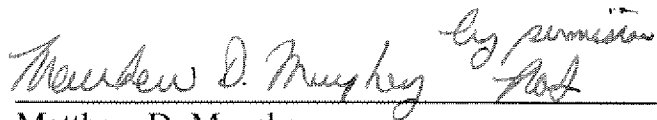
Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202
Box TTAB FEE

Dear Sir/Madam:

In the matter of the application of Biomoda, Inc., Serial No. 78/431,053, Opposer filed an opposition on 2/22/06. Applicant's answer date was 4/4/06. Applicant has failed to file an answer. Therefore, Opposer makes this motion for entry of default judgment.

WHEREFORE, Opposer prays that Applicant's application for registration be denied.

Dated: April 25, 2006

 *by permission*

Matthew D. Murphey

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Attorneys for Opposer

INVITROGEN CORPORATION, INC.

CERTIFICATE OF SERVICE

I Certify that a true and correct copy of the foregoing instrument was mailed to Janeen Vilven, Peacock, Myers & Adams, PC, P.O. Box 26927, Albuquerque, NM 87125-6927 on April 25, 2006.

 _____
Rudolf O. Siegesmund