

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

Wilson-Cook Medical, Inc.,
a North Carolina Corporation,

Opposer,

v.

Boston Scientific Scimed, Inc.
a Minnesota Corporation

Applicant.

) Opposition No.:
) 91170183

) Serial No.:
) 78/524,488

) Publication Date:
) October 4, 2005

) Mark: PASSPORT

) Docket No.: 55912/407/101

TTAB

PROOF OF SERVICE OF PROPOSED AMENDMENT ON OPPOSER

Director of the U.S. Patent and
Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE, Trademark Trial and Appeal Board, P.O. BOX 1451, ALEXANDRIA, VIRGINIA 22313-1451.

11th DAY OF July 2006.

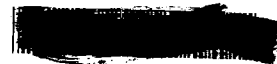
Janelle T. Pelika

Dear Sir:

REMARKS

By order mailed June 22, 2006, Applicant has been required to provide proof of service on opposer of an amendment filed April 7, 2006, that Amendment having been mailed on April 5, 2006. Attached is a copy of a letter dated April 5, 2006 to Vincent O. Wagner, Attorney for Opposer, by which a copy of the noted Amendment was mailed to Mr. Wagner.

Subsequent to its filing, Mr. Wagner stated to the undersigned that the Amendment should have been filed directly with the Trademark Trial and Appeal Board in that the Notice of Opposition had been filed on April 3, 2006. At the time the April 7, 2006 Amendment was filed, the undersigned was not aware that a Notice of Opposition had been filed.



07-17-2006

In response to Mr. Wagner's comments, a Motion to Amend identical to the April 7, 2006 Amendment was mailed to the Trademark Trial and Appeal Board on June 13, 2006. A copy of that Amendment is enclosed and contains a Certificate of Service on Mr. Wagner. Also enclosed is a copy of a letter dated June 13, 2006 by which a copy of the Motion to Amend was served on Mr. Wagner.

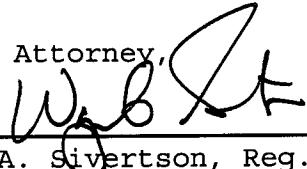
In light of the above, it is requested that either the Amendment or Motion to Amend be entered. Mr. Wagner has consented to the amendment to the identification of goods as stated in the Motion to Amend.

Respectfully Submitted,

BOSTON SCIENTIFIC SCIMED, INC.

By its Attorney,


Date: July 11, 2006


Wayne A. Sivertson, Reg. No. 25,645
NAWROCKI, ROONEY & SIVERTSON, P.A.
Suite 401, Broadway Place East
3433 Broadway Street Northeast
Minneapolis, Minnesota 55413-3009
Tel: (612) 331-1464

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing PROOF OF SERVICE OF PROPOSED AMENDMENT ON OPPOSER was mailed this 11th day of July, 2006, to the following attorney of record for Opposer, by United States First Class Mail, postage prepaid:

Mr. Vincent O. Wagner
WOODARD, EMHARDT, MORIARTY,
McNETT & HENRY LLP
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137


Wayne A. Sivertson

NAWROCKI, ROONEY & SIVERTSON, P.A.

WAYNE A. SIVERTSON
JOHN L. ROONEY
LAWRENCE M. NAWROCKI
DONALD A. JACOBSON
RICHARD C. STEMPKOVSKI, JR.

ATTORNEYS AT LAW
PATENT TRADEMARK AND COPYRIGHT LAW
SUITE 401, BROADWAY PLACE EAST
3433 BROADWAY STREET NORTHEAST
MINNEAPOLIS, MINNESOTA 55413

EDWARD L. SCHWARZ
Of Counsel

LEW SCHWARTZ
Retired

E-MAIL: jp@nrslaw.com
TELEPHONE: (612) 331-1464
FACSIMILE: (612) 331-2239
OR (612) 379-7569

April 5, 2006

Mr. Vincent O. Wagner
Woodard Emhardt Naughton Moriarty
Bank One Center Tower
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137

Re: Boston Scientific Scimed, Inc.
U.S. Trademark Application
Mark: PASSPORT
Our File No.: 55912/407/101

Dear Vince:

Enclosed is a copy of an Amendment to the PASSPORT Application of Boston Scientific Scimed, Inc. I believe this is consistent with the underlying agreement. Please call if you have any remaining concerns.

Regards,


Wayne A. Sivertson

WAS:jp
Enclosure

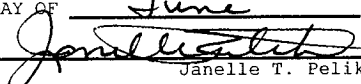
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

Wilson-Cook Medical, Inc.,)	Opposition No.:
a North Carolina Corporation,)	91170183
)	
Opposer,)	Serial No.:
)	78/524,488
v.)	
)	
Boston Scientific Scimed, Inc.)	Publication Date:
a Minnesota Corporation)	October 4, 2005
)	
Applicant.)	Mark: PASSPORT
)	
)	Docket No.: 55912/407/101

MOTION TO AMEND APPLICATION, WITH CONSENT

Director of the U.S. Patent
and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE,
P.O. BOX 1451, ALEXANDRIA, VIRGINIA 22313-1451.

13th DAY OF June, 2006.

Janelle T. Pelika

Dear Sir:

Rewrite the identification of goods to read, in its entirety, as
follows:

Medical Catheters for Urological Applications

REMARKS

Wilson-Cook Medical, Inc. opposed the mark of the present
Application. The above amendment is presented to address the

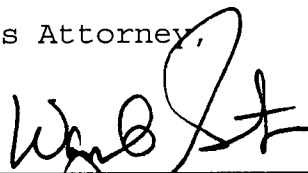
concerns of Wilson-Cook Medical, Inc. and is made with the consent of Vincent O. Wagner, attorney for Wilson-Cook Medical, Inc.

In that the Amendment does not broaden the identification of goods, it is requested that the same be entered.

Respectfully Submitted,

BOSTON SCIENTIFIC SCIMED, INC.

By its Attorney,



Date: June 13, 2006

Wayne A. Sivertson, Reg. No. 25,645
NAWROCKI, ROONEY & SIVERTSON, P.A.
Suite 401, Broadway Place East
3433 Broadway Street Northeast
Minneapolis, Minnesota 55413-3009
Tel: (612) 331-1464

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO AMEND APPLICATION, WITH CONSENT was mailed this 13th day of June, 2006, to the following attorney of record for Opposer, by United States First Class Mail, postage prepaid:

Mr. Vincent O. Wagner
WOODARD, EMHARDT, MORIARTY,
McNETT & HENRY LLP
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137



Wayne A. Sivertson

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EDWARD L. SCHWARZ
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FACSIMILE: (612) 331-2239
OR (612) 379-7569

June 13, 2006

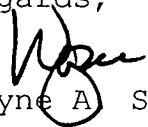
Mr. Vincent O. Wagner
WOODARD, EMHARDT, MORIARTY,
McNETT & HENRY LLP
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137

Re: Wilson-Cook Medical, Inc. v. Boston Scientific Scimed, Inc.
U.S. Trademark Opposition No. 91170183
Mark: PASSPORT
Our File No.: 55912/702/101

Dear Vince:

Enclosed is a copy of the Second Motion to Extend Answer Due Date
With Consent and Motion to Amend Application, With Consent in the
above opposition.

Regards,


Wayne A. Sivertson

WAS:jp
Enclosures