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U.S. PATENT AND TRADEMARK OFFICE
 Trademark Trial and Appeal Board
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Total of 6 pages

Oppo. No.	Our Ref.
91180212	108-007TUS
U.S. Application No.	Applicant
77/070,074: "DIRACTIN"	IDEA AG

November 21, 2007

Dear Sir/Madam,

Enclosed for filing is an Answer to the Notice of Opposition filed in connection with the above-referenced trademark application.

We also hereby enclose our "Proof of Service" statement indicating that a full copy of this Answer was provided to Opposer's counsel, and our receipt verification postcard.

Very truly yours,

Stacey J. Farmer

Dr. Stacey J. Farmer, Esq.

Encl.:

Answer to Notice of Opposition (dated November 21, 2007) (5 pages)
 Receipt Verification Postcard



11-26-2007

U.S. Patent & TM Office/TM Mail Rpt Dt #01

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

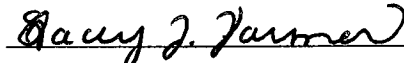
Dear Sir or Madam:

I hereby certify that the attached Answer to Notice of Opposition (*in triplicate*), proof of service and receipt verification postcard are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX TTAB—NO FEE, Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, on the date shown below.

Respectfully submitted,

November 21, 2007

Date of Signature



 Stacey J. Farmer

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

In the matter of Application Serial No. 77/070,074 for "DIRACTIN"

SCHERING
CORPORATION,

Opposer

v.

IDEA AG,

Applicant

OPPOSITION NO. 91180212

BOX TTAB—NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

ANSWER TO NOTICE OF OPPOSITION

IDEA AG, a German corporation (or "Aktiengesellschaft") (herein "Applicant"), for its Answer to the Notice of Opposition filed by Schering Corporation ("Opposer") against the application for registration of the mark DIRACTIN, Serial No. 77/070,074 (the "Mark") that was filed on December 22, 2006 and published in the Official Gazette on August 14, 2007 (the "Application"), pleads and avers as follows:

1. Answering the Preamble to the Notice of Opposition, Applicant denies that Opposer will be damaged by Applicant's registration of the Mark, and further Applicant states that it is without information or belief sufficient to admit or deny the allegations concerning Opposer's incorporation and office location and, on that basis, denies those allegations.
2. Applicant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 1 of the Notice of Opposition and, on that basis, denies each and every allegation therein.
3. Applicant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 2 of the Notice of Opposition and, on that basis, denies each and every allegation therein.
4. Applicant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 3 of the Notice of Opposition and, on that basis, denies each and every allegation therein.
5. Applicant states that it is without information or belief sufficient to admit or deny those allegations and states that the current ownership and status of the cited U.S. Trademarks and Trademark Registration Nos. in paragraphs 4.a., 4.b., and 4.c. would be a matter of record in the U.S. Patent and Trademark Office.
6. Applicant admits the allegations in paragraph 5, first sentence and second sentence, of the Notice of Opposition.
7. Applicant denies each and every allegation in paragraph 6 of the Notice of Opposition.
8. Applicant denies each and every allegation in paragraph 7 of the Notice of Opposition.
9. Applicant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 8 of the Notice of Opposition and, on that basis, denies each and every allegation therein.

10. Applicant denies each and every allegation in paragraph 9, first and second sentence, of the Notice of Opposition.
11. Applicant denies each and every allegation in paragraph 10 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

In further answer to the Notice of Opposition, Applicant asserts as separate and affirmative defenses that:

1. The Notice of Opposition, and each paragraph thereof, taken individually or in combination, fails to state a claim upon which any relief can be granted to Opposer.
2. Opposer lacks standing to oppose the Application in that, on information and belief, Opposer does not have rights, superior or otherwise, sufficient to support an opposition to Applicant's Mark.
3. Opposer lacks standing to oppose the Application in that Opposer since no damage or injury has resulted, will result, or can result to Opposer by Applicant's use and registration of the Mark.
4. Applicant's Mark is associated with goods significantly different from those bearing Opposer's marks, goods that will operate through separate and distinct channels of trade, and/or will be used by different classes of purchasers, and therefore, no likelihood of confusion, mistake, or deception exists between the parties' respective uses of the marks.
5. No likelihood of confusion, mistake, or deception exists between the parties' respective uses of the marks since the goods associated with Applicant's Mark are prescribed and dispensed by highly sophisticated and educated healthcare professionals. Moreover, Applicant's goods are accompanied by detailed informational, educational, and related prescribing materials that carefully explain the nature and indications for use of the goods bearing the Mark.
6. No likelihood of confusion, mistake or deception exists between Applicant's proposed mark DIRACTIN and Opposer's TINACTIN, TOUGH ACTIN' and TOUGH ACTIN'

TINACTIN and Opposer's marks because they are different in appearance, sound and connotation.

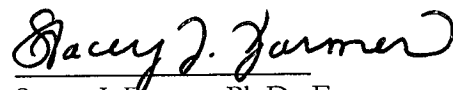
7. Applicant has established and continues to establish goodwill and recognition for the Mark in the relevant market through use of the Mark.
8. The Notice of Opposition is barred by the equitable doctrines of waiver, laches, and estoppel.

WHEREFORE, Applicant prays that:

1. The Notice of Opposition be dismissed in its entirety with prejudice;
2. Applicant's Application be permitted to proceed to allowance; and
3. Any such further relief in law or equity be granted Applicant as may be deemed reasonable and appropriate.

Respectfully submitted,

Dated: NOV 21, 2007


Stacey J. Farmer, Ph.D., Esq.

Attorney for Applicant,
IDEA AG

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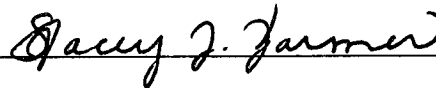
CERTIFICATE OF SERVICE

I hereby certify a full and complete copy of this Answer of the Applicant was served upon the Opposer Schering Corporation via deposit with the United States Postal Service as First Class Mail with postage prepaid in an envelope addressed to Opposer's Attorneys of Record:

David J. Kera
Brian B. Darville
Oblon, Spivak, McClelland, Maier and Neustadt, P.C
1940 Duke Street
Arlington, Virginia 22314

November 21, 2007

Date of Signature



Stacey J. Farmer