

ESTTA Tracking number: **ESTTA227817**

Filing date: **08/01/2008**

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

Proceeding	91184754
Party	Defendant sanofi-aventis
Correspondence Address	MIDGE M. HYMAN COWAN LIEBOWITZ & LATMAN, P.C. 1133 AVENUE OF THE AMERICAS, 35TH FLOOR NEW YORK, NY 10036-6799 UNITED STATES
Submission	Answer
Filer's Name	Richard S. Mandel
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Signature	/Richard S. Mandel/
Date	08/01/2008
Attachments	ELOX Answer.pdf (3 pages)(76955 bytes)

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

In re Application Serial No. 77/109,928
Filed: February 16, 2007
For Mark: ELOX
Published in the Official Gazette: December 25, 2007

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HELSINN HEALTHCARE SA, : Opposition No. 91184754
: :
Opposer, : :
: :
v. : ANSWER
: :
SANOFI-AVENTIS, : :
: :
Applicant. : :
-----X

Applicant sanofi-aventis (“Applicant”), as and for its Answer to the Notice of Opposition filed by Opposer Helsinn Healthcare SA (“Opposer”), alleges as follows:

1. Admits the allegations contained in paragraph 1 of the Notice of Opposition.
2. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Notice of Opposition.
3. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Notice of Opposition, except admits that Opposer is listed as the record owner of said registration for the referenced goods in the United States Patent & Trademark Office with a registration date of July 13, 2004.
4. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Notice of Opposition, except expressly denies that the ALOXI mark is famous within the meaning of 15 U.S.C. § 1125(c)(1).

5. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Notice of Opposition.

6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Notice of Opposition, except admits that Opposer is listed as the registered owner of said domain names.

7. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Notice of Opposition.

8. Denies the allegations contained in paragraph 8 of the Notice of Opposition.

9. Denies the allegations contained in paragraph 9 of the Notice of Opposition.

10. Denies the allegations contained in paragraph 10 of the Notice of Opposition.

11. Denies the allegations contained in paragraph 11 of the Notice of Opposition.

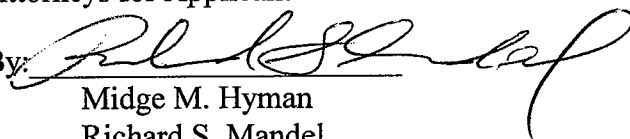
12. Denies the allegations contained in paragraph 12 of the Notice of Opposition.

Dated: New York, New York
August 1, 2008

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Applicant

By:



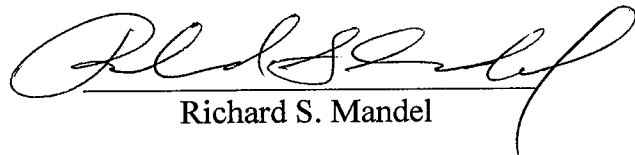
Midge M. Hyman
Richard S. Mandel

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New York, New York 10036
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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2008, I caused a true and correct copy of the foregoing Answer to be served on Opposer via first class mail addressed to its counsel of record as follows:

Amanda Laura Nye, Esq.
Lawyers at Large LLC
One Market Street
Spear Tower, Suite 3600
San Francisco, CA 94105



Richard S. Mandel