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

Proceeding	91191311
Party	Defendant Boston Scientific Scimed, Inc.
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Date	11/10/2009
Attachments	ANSWER TO NOTICE OF OPPOSITION.pdf (4 pages)(152624 bytes)

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

Cordis Corporation)	Opposition No.:
A Minnesota corporation,)	91191311
)	
Opposer,)	Serial No.:
)	77568869
v.)	
)	Publication Date:
Boston Scientific Scimed, Inc.)	February 3, 2009
)	
Applicant.)	Mark: TRUFEEL
)	
)	

ANSWER TO NOTICE OF OPPOSITION

For its Answer to the Notice of Opposition filed by Cordis Corporation (“Opposer”) in the present proceeding, Boston Scientific Scimed, Inc., (“Applicant”), by its attorneys, hereby responds as follows:

1. Regarding the allegations of the introductory paragraph of the Notice of Opposition, Applicant admits that it filed Application Serial No. 77/568/869, but denies that Opposer will be damaged by registration of Applicant’s mark, TRUFEEL.

2. Responding to the allegations of paragraph 1 of the Notice of Opposition, Applicant admits that Opposer manufactures medical devices but otherwise is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1 of the Notice of Opposition.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 2 of the Notice of Opposition.

4. Responding to the allegations in paragraph 3 of the Notice of Opposition, Applicant admits that the records of the United States Patent and Trademark Office show the registrations attached to the Notice of Opposition as Exhibits A, B and C but otherwise Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3 of the Notice of Opposition.

5. Responding to the allegations in paragraph 4 of the Notice of Opposition, Applicant admits that the records of the United States Patent and Trademark Office show the registrations attached to the Notice of Opposition as Exhibits D, E and F but otherwise Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 4 of the Notice of Opposition.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 5 of the Notice of Opposition and therefore denies the same.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 6 of the Notice of Opposition and therefore denies the same.

8. Applicant denies the allegations in paragraph 7 of the Notice of Opposition.

9. Applicant denies the allegations in paragraph 8 of the Notice of Opposition.

10. Applicant denies the allegations in paragraph 9 of the Notice of Opposition.

11. Applicant denies the allegations in paragraph 10 of the Notice of Opposition.

12. Applicant denies the allegations in paragraph 11 of the Notice of Opposition.

13. Applicant denies the allegations in paragraph 12 of the Notice of Opposition.

14. Responding to the concluding paragraph of the Notice of Opposition, Applicant denies that Opposer will be damaged by the registration by Applicant of the mark TRUFEEL, and denies that Opposer is entitled to the relief requested by Opposer.

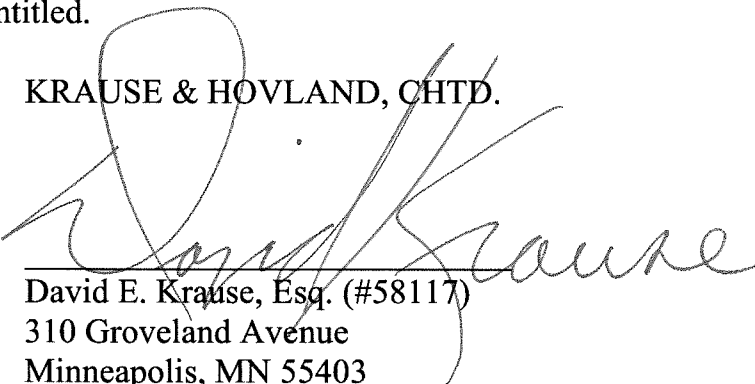
15. Except as otherwise alleged above in this Answer, Applicant denies each and every allegation, matter, fact and thing in the Notice of Opposition.

WHEREFORE, Applicant respectfully requests that the Trademark Trial and Appeal Board dismiss the Opposer's Notice of Opposition and this proceeding with prejudice, allow the Applicant's application to issue on the Principal Register and to provide all other relief to which Applicant is entitled.

Dated: November 10, 2009

By:

KRAUSE & HOVLAND, CHTD.


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ATTORNEYS FOR APPLICANT

BOSTON SCIENTIFIC

SCIMEND, INC.

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the Answer to Notice of Cancellation was served upon the Opposer's Counsel, via First Class Mail, postage prepaid on November 10, 2009, addressed as follows:

Norm D. St. Landau
Jaye S. Campbell
DRINKER, BIDDLE & REATH, LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that a copy of the within Answer to Notice of Cancellation is being electronically transmitted with the United State Patent and Trademark Office, Attn: Trademark Trial and Appeal Board, this 10th day of November, 2009.

s/David E. Krause
Signature

Date of Signature: November 10, 2009