

ESTTA Tracking number: **ESTTA360914**

Filing date: **07/30/2010**

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

Proceeding	91192704
Party	Defendant AETNA INC.
Correspondence Address	Roberta Jacobs-Meadway Eckert Seamans Cherin & Mellott, LLC Two Liberty Place, 50 S. 16th Street, 22nd Floor Philadelphia, PA 19102 UNITED STATES rjacobsmeadway@eckertseamans.com
Submission	Other Motions/Papers
Filer's Name	Roberta Jacobs-Meadway
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Signature	/Roberta Jacobs-Meadway/
Date	07/30/2010
Attachments	DECLARATION OF CHRISTOPHER CAMPBELL (M0840002).PDF (11 pages) (738456 bytes)

- d. Provides leadership to, and owns financial planning and forecasting for the segment.
- e. Partners with a cross functional P/L team to assure pricing, product, risk selection, underwriting and sales strategy alignment with segment financial performance targets.
- f. Evaluates performance, and sets targets for financial measures and objectives

4. I am by virtue of my position and responsibilities familiar with the market for insurance for individuals.

5. Attached as Exhibit A is a chart based on publicly available information which sets out the size of the market for insurance for individuals.

6. Attached as Exhibit B is a chart based on publicly available information which sets out the relative positions of Aetna and certain of its competitors in the market for insurance for individuals, including Humana and Coventry.

7. Attached as Exhibit C is a chart that details Aetna's business in the market for insurance for individuals. This chart excludes the Individual Medicare business.

8. Based on my review of the data, it is evident that Humana has grown their enrollment in the U.S. commercial, Individual medical insurance market by approximately 194% measured from 4Q 2004 to 1Q 2010. Humana's share of the Individual insurance market appears to be approximately 2% - 3% of the Total US Individual Insurance market – as defined by the U.S. Census Bureau Current Population Survey. This compares to Assurant, who when measured on the same basis, appears to

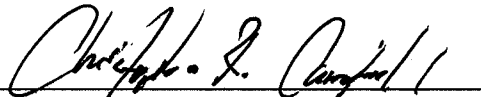
cover approximately 3%-4%, and to Anthem, who when measured on the same basis appears to cover approximately 11%-12% of the Individual market.

9. Based in industry data I have seen, I estimate that in the market for Individual commercial medical insurance, WellPoint, United Health Group, Kaiser, Assurant, Aetna, and several other large Blue Cross Blue Shield Companies each cover more lives than Humana.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

Date: 7/29/2010



Christopher R. Campbell

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the documents listed below were served upon counsel for the Opposer on July 30, 2010 via First Class Mail, postage prepaid, at Standley Law Group LLP, 6300 Riverside Drive, Dublin, OH 43017:

- Applicant's Trial Brief;
- Applicant's Notice of Reliance on Opposer's Responses to Discovery;
- Declaration of Deirdre King;
- Declaration of Peter Brodnitz;
- Declaration of John Dube;
- Declaration of Christopher Campbell;
- Declaration of Amy Zinsser;
- Declaration of Shirley R. Smith;
- Declaration of Michael L. Corne;
- Declaration of John F. Metzger

Date:

July 30, 2010

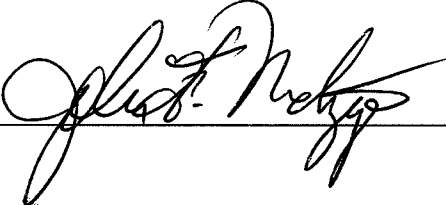


EXHIBIT A

EXHIBIT A

Total Individual Market Data 2002-2009

	Total Market Size	Average Annual Premium	Total Market Revenue
2002	16,636,000	\$3,111	\$51,754,596,000
2003	16,752,000	\$3,222	\$53,975,994,350
2004	17,541,000	\$3,337	\$58,535,901,626
2005	17,273,000	\$3,456	\$59,699,365,158
2006	17,148,000	\$3,580	\$61,383,181,034
2007	17,127,000	\$3,707	\$63,496,705,117
2008	16,673,000	\$3,840	\$64,020,287,299
2009*	17,000,000	\$3,978	\$67,626,000,000

Sources: Agency for Healthcare Research and Quality (AHRQ), Medical Expenditure Panel Survey (MEPS); America's Health Insurance Plans (AHIP), Individual Health Insurance 2009; U.S. Census Bureau Current Population Survey's Annual Social and Economic Supplement (CPS ASEC), the American Community Survey (ACS) and the Survey of Income and Program Participation (SIPP); Aetna Market Insights Analyses

* Estimate, updated data to be released September 2010

EXHIBIT B

Individual Pre65 Industry Estimates

	Q4 2004	Q1 2005	Q2 2005	Q3 2005	Q4 2005	Q1 2006	Q2 2006
Aetna Individual Individual	82,309	88,611	99,475	110,783	128,492	151,394	178,929
Aetna Individual Voluntary & AARP	38,877	45,439	58,394	71,488	89,897	112,921	142,498
Humana	121,000	128,600	147,400	152,800	158,100	160,100	170,000
Coventry					1,000	1,000	14,000
Assurant Traditional Individual	675,000	671,000	662,000	647,000	644,000	636,000	632,000
Assurant Individual Short Term	107,000	116,000	129,000	122,000	102,000	100,000	105,000
Assurant Total Individual	782,000	787,000	791,000	769,000	746,000	736,000	737,000
Wellpoint (Anthem/Wellpoint/Unicare/Tonik/Wellchoice)						2,508,000	2,508,000

Net Membership Growth

Aetna Total Individual	5,002	11,164	11,308	11,308	17,709	22,902	27,535
Aetna Individual Voluntary & AARP	6,582	12,935	13,044	13,044	18,459	23,024	29,577
Wellpoint							
Humana Individual	7,600	18,800	5,400	5,400	5,300	2,000	9,900
Coventry	-	-	-	-	1,000	-	13,000
Assurant Traditional Individual	(4,000)	(9,000)	(15,000)	(15,000)	(3,000)	(8,000)	(4,000)
Assurant Individual Short Term	9,000	13,000	(7,000)	(7,000)	(20,000)	(2,000)	5,000
Assurant Total Individual	5,000	4,000	(22,000)	(22,000)	(23,000)	(10,000)	1,000

Q3 2006	Q4 2006	Q1 2007	Q2 2007	Q3 2007	Q4 2007	Q1 2008	Q2 2008	Q3 2008	Q4'08	Q1'09
205,609	223,667	251,717	270,985	290,421	300,561	324,136	349,820	368,348	388,137	418,925
170,695	190,284	219,452	240,414	261,427	273,266	298,766	326,198	345,884	366,781	398,506
175,400	182,500	192,100	205,000	223,700	246,900	272,900	297,200	316,800	325,100	336,100
19,000	23,000	31,000	41,000	84,000	93,000	104,000	111,000	117,000	122,000	127,750
689,000	641,000	641,000	650,000	638,000	619,000	599,000	587,000	585,000	578,000	572,000
99,000	87,000	85,000	99,000	101,000	87,000	87,000	101,000	101,000	92,000	94,000
738,000	728,000	726,000	749,000	739,000	706,000	686,000	688,000	686,000	670,000	666,000
2,508,000	2,488,000	2,473,000	2,450,000	2,432,000	2,390,000	2,369,000	2,353,000	2,341,000	2,296,000	2,235,000
26,680	18,058	28,050	19,268	19,436	10,140	23,625	25,634	18,528	19,789	30,788
28,197	19,589	29,168	20,962	21,013	11,839	25,500	27,432	19,686	20,897	31,725
-	(20,000)	(15,000)	(23,000)	(18,000)	(42,000)	(21,000)	(16,000)	(12,000)	(45,000)	(61,000)
5,400	7,200	9,500	12,900	18,700	23,200	26,000	24,300	19,600	8,300	11,000
5,000	4,000	8,000	10,000	43,000	9,000	11,000	7,000	6,000	5,000	5,750
7,000	2,000	-	9,000	(12,000)	(19,000)	(20,000)	(12,000)	(2,000)	(7,000)	(6,000)
(6,000)	(12,000)	(2,000)	14,000	2,000	(14,000)	-	14,000	-	(9,000)	2,000
1,000	(10,000)	(2,000)	23,000	(10,000)	(33,000)	(20,000)	2,000	(2,000)	(16,000)	(4,000)

Q2'09	Q3'09	Q4'09	Q1'10	Item	Source
37,197	48,247	371,336	458,413	Ending Membership	Internal-Actual
22,289	20,058	432,263	440,172	Ending Membership	Internal-Actual
347,700	338,810	307,900	370,500	Ending Membership	10Q
155,500	132,300	145,000	145,000	Ending Membership	10Q
370,000	508,000	568,000	562,000	Ending Membership	10Q
25,300	21,000	78,000	71,000	Ending Membership	10Q
305,000	359,000	646,000	655,000	Ending Membership	10Q
91,000	213,000	2,131,000	1,987,000	Ending Membership	10Q
22,532	7,070	2,808	7,078	Membership Growth	Internal-Actual
22,983	7,569	3,207	7,907	Membership Growth	Internal-Actual
(44,000)	(18,000)	(42,000)	(144,000)	Membership Growth	10Q
11,100	11,600	8,600	3,100	Membership Growth	10Q
5,750	5,750	5,750	-	Membership Growth	10Q
(2,000)	(2,000)	-	(4,000)	Membership Growth	10Q
1,000	(4,000)	(13,000)	(7,000)	Membership Growth	10Q
(1,000)	(6,000)	(13,000)	(11,000)	Membership Growth	10Q

Exhibit C to
Christopher R. Campbell
Declaration

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