

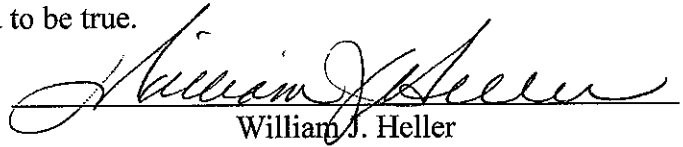
Declaration of William J. Heller

I, William J. Heller, hereby declare as follow:

1. I am an Attorney at Law of the State of New Jersey and I am the attorney and authorized representative for DRS Technologies, Inc. ("DRS"), the Applicant in this matter.
2. At my direction and under my supervision, our librarian searched for use of the mark DRS UNIVERSAL in the United States. Sources examined were Google, West Allnewsplus, Lexis/Nexis (Market, Prompt & Mega News – customer service), Proquest, Ebsco and Infotrak. The only reference found was a company apparently unrelated to the owner of the mark DRS Universal. The company is X-Ray Equipment Company in Florida. Attached as Exhibit A to this Declaration are documents verifying the results of our search.
3. Attached as Exhibit B to this Declaration is the website for the sole reference to DRS UNIVERSAL. It shows that the use of the mark in the United States is minimal at best, and is limited to the goods in International Class 10, for medical devices, and demonstrates no use in International Class 9.
4. On behalf of DRS, I sought information about a company called Naychno-Proizvodstvennoe Chastnoe Unitarnoe Predpriyatie "ADANI", regarding its application to register DRS SECURESCAN, serial no. 78/551,647. Attached as Exhibit C is the email thread between me and counsel for Adani. As is evident from this correspondence, DRS, through my office, attempted to ascertain more information about Adani, its products, and its use of the mark DRS SECURESCAN in the United States prior to filing Opposition No. 91185488, but we were unsuccessful and had to file the Opposition.

DECLARATION

The undersigned, being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any registration, declares that the facts set forth in this declaration are true; all statements made of her own knowledge are true and all statements made on information and belief are believed to be true.


William J. Heller

Executed on February 18, 2009

EXHIBIT A



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Entity Name:

Detail by Entity Name

Florida Profit Corporation

X-RAY EQUIPMENT COMPANY

Filing Information

Document Number 494617
FEI Number 591673901
Date Filed 04/01/1976
State FL
Status ACTIVE

Principal Address

7500 N.E. 4THCT
MIAMI FL 33138

Mailing Address

7500 N.E. 4THCT
MIAMI FL 33138

Registered Agent Name & Address

JONES, JESSE C
 9990 SW 77 AVE
 PENTHOUSE 15
 MIAMI FL 33156 US

Name Changed: 04/29/2005

Address Changed: 04/29/2005

Officer/Director Detail

Name & Address

Title PD

CARTER, COLEN L
 7500 N.E. 4TH CT.
 MIAMI FL

Title STD

KELVINGTON, CRAIG A
 7500 N.E. 4TH CT.

MIAMI FL

Annual Reports

Report Year Filed Date

2006	04/07/2006
2007	04/30/2007
2008	08/21/2008

Document Images

08/21/2008 -- ANNUAL REPORT	View image in PDF format
04/30/2007 -- ANNUAL REPORT	View image in PDF format
04/07/2006 -- ANNUAL REPORT	View image in PDF format
04/29/2005 -- ANNUAL REPORT	View image in PDF format
04/29/2004 -- ANNUAL REPORT	View image in PDF format
05/05/2003 -- ANNUAL REPORT	View image in PDF format
05/27/2002 -- ANNUAL REPORT	View image in PDF format
01/30/2001 -- ANNUAL REPORT	View image in PDF format
02/24/2000 -- ANNUAL REPORT	View image in PDF format
01/25/1999 -- ANNUAL REPORT	View image in PDF format
01/23/1998 -- ANNUAL REPORT	View image in PDF format
01/23/1997 -- ANNUAL REPORT	View image in PDF format
04/01/1996 -- ANNUAL REPORT	View image in PDF format
05/01/1995 -- ANNUAL REPORT	View image in PDF format

Note: This is not official record. See documents if question or conflict.

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No Events **No Name History**

Entity Name

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X-Ray Equipment Company

7500 Ne 4th Ct
Miami, FL 33138-5030 United
States ([Map](#))

Phone: 305-751-1826

LINE OF BUSINESS

WHOL MEDICAL/HOSPITAL EQUIPMENT REPAIR SERVICES

KEY INFORMATION

D-U-N-S Number	030767156 Buy a D&B credit report.
Company Type	Private Headquarters
Year Of Founding or Change In Control	1974
State of Incorporation	FL

KEY NUMBERS

Annual Sales (mil.)	\$7.9
Total Employees	50
Employees At This Location	42

KEY PEOPLE

5 People

Listed for X-Ray Equipment Company

President	Colen L Carter	Network E-mail
VP Sales	Keith Carter	Network E-mail
General Manager	Warren Graham	Network E-mail
Controller	Joe Jaison	Network E-mail
Treasurer; Secretary	Craig Kelvington	Network E-mail

PEOPLE PROFILES PROVIDED BY X-RAY EQUIPMENT COMPANY EMPLOYEES

There are currently no people listed with this company. Be the first:

[Add yourself to this company record](#)

INDUSTRY INFORMATION

First Research Industry Profiles

[Medical Equipment Distributors](#)

[Medical Supplies and Devices\(primary\)](#)

Hoover's Industries

[Health Care](#)

[Health Care Products](#)

Medical Products Distribution (primary)

Medical Equipment & Supplies

Primary SIC Code

5047: Medical and hospital equipment

Primary NAICS Code

423450: Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers

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X-Ray Equipment Company

7500 Ne 4th Ct
Miami, FL 33138-5030 United States ([Map](#))

Phone: 305-751-1826

INDUSTRY INFORMATION

First Research Industry Profiles

[Medical Equipment Distributors](#)

[Medical Supplies and Devices\(primary\)](#)

Hoover's Industries

[Health Care](#)

[Health Care Products](#)

[Medical Products Distribution \(primary\)](#)

[Medical Equipment & Supplies](#)

Primary SIC Code

5047: Medical and hospital equipment

Primary NAICS Code

423450: Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers

US SIC CODES

5047 **Medical and hospital equipment (primary)**

7699 **Repair services, nec**

NAICS CODES

423450 **Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers (primary)**

811219 **Other Electronic and Precision Equipment Repair and Maintenance**

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X-Ray Equipment Company

7500 Ne 4th Ct
 Miami, FL 33138-5030 United States ([Map](#))

Phone: 305-751-1826

OFFICERS & EMPLOYEES FOR X-RAY EQUIPMENT COMPANY

More Officers and Employees

5 People 

Listed for X-Ray Equipment Company

View By Job Function: 

All 

TITLE	INFO	COMPANY	CONTACT
VP Sales	Keith Carter	X-Ray Equipment Company	Network E-mail
President	Colen L Carter	X-Ray Equipment Company	Network E-mail
General Manager	Warren Graham	X-Ray Equipment Company	Network E-mail
Controller	Joe Jaison	X-Ray Equipment Company	Network E-mail
Treasurer; Secretary	Craig Kelvington	X-Ray Equipment Company	Network E-mail

PEOPLE PROFILES PROVIDED BY X-RAY EQUIPMENT COMPANY EMPLOYEES

There are currently no people listed with this company. Be the first:

Add yourself to this company record

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EXHIBIT B

February 10, 2009

Founded In 1965 X-Ray Equipment Company Is One Of The Largest Independent X-Ray Equipment Distributors In South Florida.



X-Ray Equipment Company

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X-Ray Equipment Company

is very pleased to announce that we have added a revolutionary digital device to our product line

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[Adani](#)

[Allied](#)

[Alphatek](#)

[ArcRad](#)

[E-Z-Em](#)

[Kodak](#)

[Lumisys](#)

[Summit](#)

[Vidar](#)

[Watchguard](#)

[Wolf](#)

[XECFilm](#)

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DRS Universal

Technology/Operating Principle

- Scanning the patient with very narrow (less than 2 mm) X-ray beam formed by the a proprietary slot collimator.
- Utilization of a highly sensitive, patented linear array of semiconductor scintillation detectors.
- X-ray image acquisition by precise step-by-step scanning by means of a linear detector, the motion of which is synchronized with the scanning X-ray beam.
- Formation of a two-dimensional digital image, one of the coordinates of which is completely determined by the number of elements in the detector of the number of scanning steps (number of readings). The X-ray image resolution is completely controllable and selectable form image to image.
- Using proprietary algorithms for X-ray detection, signal processing, image reconstruction and archiving of the high-quality digital images.

Technical Specifications:

Image format	1,536 pixels 1,536 pixels (2.36 million pixels)
Image pixel size:	
For the image dimensions of 220 x 220 mm	140 μ m
For the image dimensions of 420 x 420 mm	270 μ m
Dynamic range	14 bit
Contrast resolution	1.0%
Scanning time	2-5 s

[Photos>>> Click Here to see the many uses of the DRS Universal](#)

[Demo Images>>> Click Here to see Actual Images from a DRS Universal](#)

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February 10, 2009

Founded In 1965 X-Ray Equipment Company Is One Of The Largest Independent
X-Ray Equipment Distributors In South Florida.



X-Ray Equipment Company



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PLEASE FEEL FREE TO CONTACT US USING ANY OF THESE METHODS

phone

305.751.1826

fax

305.751.2856

toll free

800.531.xray

pOSTAL

7500 N.E. 4th Court

Miami, Florida

33138

Electronic Mail

[Sales](#)

[Corporate info](#)

[Webmaster](#)

[home](#)

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EXHIBIT C

Agosta, Debra A.

From: Heller, William J.
Sent: Wednesday, July 30, 2008 10:57 AM
To: 'Maria Eliseeva'; Agosta, Debra A.
Subject: RE: DRS SECURESCAN - Serial No. 78/551,647 - Potential Opposition by DRS Technologies, Inc.

Ms. Eliseeva,

Thank you for your reply. We have no choice but to file the Opposition. We will serve you in due course. We remain interested in an amicable result, and if we are able to make progress in our discussions, we will agree to extensions of time for your client to answer the Opposition.

we look forward to hearing from you, once you are able to discuss this matter with your client.

Very truly yours,

Bill Heller

-----Original Message-----

From: Maria Eliseeva [mailto:maria.eliseeva@ghme.com]
Sent: Wednesday, July 30, 2008 10:49 AM
To: Agosta, Debra A.
Cc: Heller, William J.
Subject: RE: DRS SECURESCAN - Serial No. 78/551,647 - Potential Opposition by DRS Technologies, Inc.

Debra,

I am on vacation, stopping by the office once in a while. It appears not possible for me now to reach the client in such a short time frame. I do not work with that client directly, but via an IP firm in Belarus. I guess the vacation season in Europe might have something to do with that. So I cannot provide you with a substantive answer to your question.

Very truly yours,

Maria Eliseeva

Maria Eliseeva
Houston Eliseeva LLP
4 Militia Drive, Suite 4
Lexington, MA 02421 USA

1-781-863-9991 (p)
1-781-863-9931 (f)
1-617-833-7015 (m)
maria@patentbar.com
maria.eliseeva@ghme.com
<http://www.patentbar.com>

-----Original Message-----

From: Agosta, Debra A. [mailto:DAgosta@McCarter.com]
Sent: Wednesday, July 30, 2008 9:28 AM

To: maria@patentbar.com

Cc: Heller, William J.

Subject: DRS SECURESCAN - Serial No. 78/551,647 - Potential Opposition by DRS Technologies, Inc.

Dear Ms. Eliseeva:

On July 21, 2008, William Heller faxed a letter to your attention regarding a potential opposition against the DRS SECURESCAN trademark application owned by your client, Naychno-Proizvodstvennoe Chastnoe Unitarnoe Predpriyatie "ADANI". In that letter he requested your consent to an additional 60 day extension of time to oppose the application.

Since today is the deadline to either file a request for an additional 60 day extension of time to oppose, or to file a Notice of Opposition, please let us know if we have your consent to the extension. I left you two messages yesterday to try to obtain your consent, but I have not heard back from you.

Please feel free to call with any questions.

Regards,
Debra Agosta

Debra A. Agosta
Paralegal Manager
McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102
☎ phone: 973-639-2086
☎ FAX: 973-297-3756
✉ email: dagosta@mccarter.com

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