

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK: SIMPLEXA
SERIAL NO.: 77/444,256

TO THE COMMISSIONER OF PATENTS
AND TRADEMARKS:

Name of Applicant: Quest Diagnostics Investments Incorporated
Notice of Allowance Issuance Date: December 15, 2009

STATEMENT OF USE UNDER 37 CFR 2.88

Applicant requests registration of the above-identified trademark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended). One (1) specimen showing the mark as used in commerce is submitted with this statement.

Applicant is using the mark in commerce on or in connection with goods and services stated in the Notice of Allowance.

The mark was first used anywhere on Class 5 goods at least as early as February 13, 2008

The mark was first used in interstate commerce on Class 5 goods at least as early as February 13, 2008

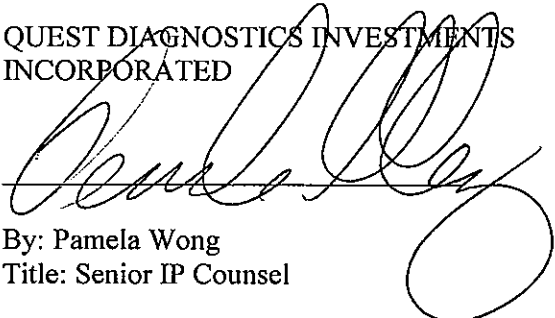
The mark is used on tags and labels and as applied directly to the goods, and through other means customary in the trade.

The undersigned being hereby 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 resulting registration, declares that he is properly authorized to execute this Statement of Use on behalf of the applicant; he believes the applicant to be the owner of the trademark sought to be registered; the trademark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

A fee in the amount of \$100 per class is enclosed herewith.

Date: 5/10/10

QUEST DIAGNOSTICS INVESTMENTS
INCORPORATED


By: Pamela Wong
Title: Senior IP Counsel