

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

VARSITY SPIRIT CORPORATION,

Opposer,

v.

Opposition No: 91152530



NSG CORPORATION,

Applicant

05-03-2004

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #78

PROOF OF CERTIFICATE OF SERVICE

On March 4, 2004, Opposer, Varsity Spirit Corporation (“Varsity”), by and through counsel, submitted to the Trademark Trial and Appeal Board its Request of Opposer to Dismiss the Opposition as Moot (the “Request”). In the Request, Opposer indicated that a courtesy copy was being provided to Purvi J. Patel, Esq., Haynes and Boone, LLP, 901 Main Street, Suite 3100, Dallas, Texas 75202-37896, attorney of record for NSG Corporation, Applicant.

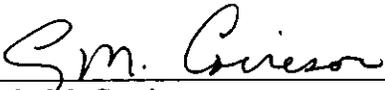
On April 14, 2004, the Trademark Trial and Appeal Board stated that the Request would be given no consideration without proof of service of same on respondent as required by Trademark Rule 2.119(a).

At the close of this Request is a certificate of service in compliance with Trademark Rule 2.119(a).

THEREFORE, Opposer, Varsity Spirit Corporation, requests that the opposition dismissed as moot for the reasons previously stated.

Respectfully submitted,

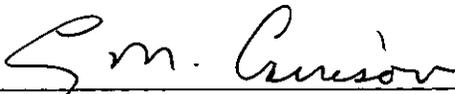
April 28, 2004
Date



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copy of the foregoing document and the Request of Opposer to Dismiss the Opposition as Moot were served upon Opposer's counsel of record, Jeffrey M. Becker, Gregory H. Guillot, Purvi J. Patel, Esq., Haynes and Boone, LLP, 901 Main Street, Suite 3100, Dallas, Texas 75202-37896, by regular U.S. Mail, postage prepaid, on this the 28th day of April, 2004.



MEMPHIS 119493v1

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
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VARSITY SPIRIT CORPORATION,

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NSG CORPORATION,

Applicant



05-03-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #78

REQUEST OF OPPOSER TO DISMISS THE OPPOSITION AS MOOT

COMES NOW Opposer, Varsity Spirit Corporation ("Varsity"), by and through counsel, and requests that the Opposition be dismissed as moot for the reason that Varsity Brands, Inc., which is the parent company of Varsity, has acquired National Sports & Spirit, Inc., which wholly owns NSG Corporation, Applicant.

A courtesy copy of this Request of Opposer to Dismiss the Opposition as Moot has been provided to Purvi J. Patel, Esq., Haynes and Boone, LLP, 901 Main Street, Suite 3100, Dallas, Texas 75202-37896, attorney of record for NSG Corporation.

Respectfully submitted,

March 4, 2004

Date

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ATTORNEYS AT LAW

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April 29, 2004

Assistant Commissioner for Trademarks
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Re: Opposition No.: 91152530
Applicant: NSG Corporation
Opposer: Varsity Spirit Corporation

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05-03-2004
U.S. Patent & TMOtc:TM Mail Rcpt Dt. #78

Dear Sir:

Enclosed please find the following:

1. Proof of Certificate of Service; and
2. A Return Postcard.

The Commissioner is hereby authorized to charge any additional payment, or credit any refund that may be due to our Deposit Account No. 50-0858.

CERTIFICATE OF FIRST CLASS MAIL UNDER 37 CFR 1.8
Date of Deposit: <u>4/29/2004</u>
I hereby certify that this paper or fee is being deposited with the United States Postal Service First Class Mail, postage prepaid, under 37 CFR 1.8 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.
<u>J. Montgomery</u> (Typed or printed name of person mailing paper or fee)
<u>J. Montgomery</u> (Signature of person mailing paper or fee)

MEMPHIS 119571v1

Respectfully submitted,

Grady M. Garrison
Attorney for Applicant