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

Proceeding	91159950
Party	Defendant PREMIUM PRODUCTS, INC. PREMIUM PRODUCTS, INC. P.O. Box 444 Mount Vernon, VA 22121
Correspondence Address	H. JAY SPIEGEL H. JAY SPIEGEL & ASSOCIATES PO BOX 11 MOUNT VERNON, VA 22121
Submission	Other Motions/Papers
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Date	10/15/2006
Attachments	groundzerostealth.stip.dismiss.101506.pdf (6 pages)(151292 bytes)

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

CENTRAL MFG. CO.
P.O. Box 35189
Chicago, IL 60707-0189

Opposer,

v.

PREMIUM PRODUCTS, INC.
(a Virginia Corporation)
P.O. Box 11
Mount Vernon, VA 22121

Applicant.

Trademark: GROUND ZERO STEALTH

Application SN: 76/505,385

Int. Class No.: 28

Filed: April 1, 2003

Published: November 25, 2003

Opposition No.: 91159950

Box TTAB/NO FEE

STIPULATED DISMISSAL WITHOUT PREJUDICE

Pursuant to FedRCivP 41(a)(1), Central Mfg. Co. (Central), Opposer, and PREMIUM PRODUCTS, INC. (Premium), Applicant, hereby stipulate that this Opposition proceeding be and hereby is dismissed, without prejudice.

Richard M. Fogel, not individually, but as Chapter 7 Trustee of the Bankruptcy Estate of Leo Stoller, has signed this Joint Stipulation on behalf of Central. Mr. Fogel's authority to so act is set forth in an Order (the Order) dated October 5, 2006, a copy of which is attached hereto as Exhibit 1, entered as Paper No. 161 in Case No. 05-64075 (the Bankruptcy Proceeding), United States Bankruptcy Court for the Northern District of Illinois, Eastern Division, in the matter styled *In re Leo Stoller, Debtor*.

In the Order, reference is made to "Debtor's Wholly-Owned Corporations (as defined in the Motion)." The Motion to which the Order refers is the MOTION OF TRUSTEE FOR

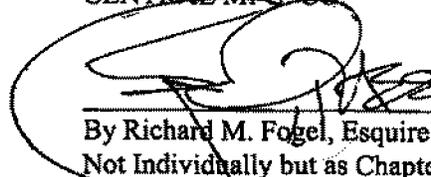
AUTHORITY TO ACT ON BEHALF OF DEBTOR'S WHOLLY-OWNED CORPORATIONS AND RELATED RELIEF (the Motion), a copy of which is attached hereto as Exhibit 2, and was filed and entered in the Bankruptcy Proceeding on September 26, 2006 as Paper No. 153.

With reference to page 2 of the Motion, Central is one of the wholly-owned corporations referenced.

Accordingly, it is respectfully requested that the Board enter dismissal of the above-captioned Opposition proceeding, without prejudice.

Respectfully submitted,

CENTRAL MFG CO



By Richard M. Fogel, Esquire
Not Individually but as Chapter 7 Trustee
Of the Bankruptcy Estate of Leo Stoller

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PREMIUM PRODUCTS, INC.



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UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re
LEO STOLLER,

Debtor.

EXHIBIT 1

Chapter 7
Case No. 05-64075
Hon. Jack B. Schmetterer
Hearing Date: October 5, 2006
Hearing Time: 10:30 a.m.

**ORDER AUTHORIZING THE TRUSTEE TO ACT ON BEHALF OF DEBTOR'S
WHOLLY-OWNED CORPORATIONS AND RELATED RELIEF**

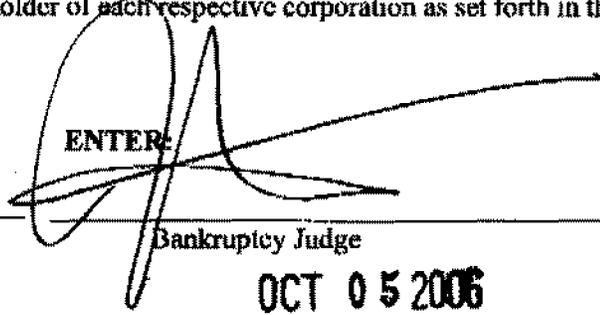
Upon consideration of the application (the "Motion") of Richard M. Fogel, not individually, but as chapter 7 trustee (the "Trustee") for the bankruptcy estate of LEO Stoller (the "Debtor"), for the entry of an order authorizing the Trustee to act on behalf of the Debtor's Wholly-Owned Corporations (as defined in the Motion) solely in the Trustee's capacity as the sole shareholder of such corporations; due and proper notice of the Motion having been given; and the Court being otherwise fully advised in the premises; it is hereby

ORDERED:

1. Notice of the Motion as provided for therein is sufficient and further notice is waived.
2. The Trustee is authorized to act on behalf of each of the Wholly-Owned Corporations in the capacity of sole shareholder of each respective corporation as set forth in the Motion.

Dated: _____

10/15/06

ENTER: 

Bankruptcy Judge

OCT 05 2006

EXHIBIT 2

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re

LEO STOLLER,

Debtor.

Chapter 7

Case No. 05-64075

Hon. Jack B. Schmetterer

Hearing Date: October 5, 2006

Hearing Time: 10:30 a.m.

**MOTION OF TRUSTEE FOR AUTHORITY TO ACT ON BEHALF OF
DEBTOR'S WHOLLY-OWNED CORPORATIONS AND RELATED RELIEF**

Pursuant to 11 U.S.C. § 105(a), Richard M. Fogel, not individually, but as chapter 7 trustee (the "Trustee") for the bankruptcy estate of Leo Stoller (the "Debtor"), applies to this Court for the entry of an order authorizing the Trustee to act on behalf of the Debtor's wholly-owned corporations solely in the Trustee's capacity as the sole shareholder of such corporations. In support of this motion, the Trustee respectfully states as follows:

Introduction

1. On December 20, 2005 (the "Petition Date"), the Debtor filed a voluntary petition in this Court for relief under chapter 13 of the Bankruptcy Code. The Debtor's case was converted to a case under chapter 7 on September 1, 2006. The Trustee was duly appointed on September 6, 2006 to administer the Debtor's estate (the "Estate").

Debtor's Alleged Wholly-Owned Corporations

Debtor's Wholly-Owned Corporations

2. The property of the Debtor's Estate includes, *inter alia*, the Debtor's "stock and interests incorporated and unincorporated businesses," including, but not

limited to, the Debtor's wholly-owned interest in: (a) Central Manufacturing, Co. (Inc.) a/k/a Central Mfg. Co. of Illinois; (b) Central Mfg. Inc. a/k/a Central Mfg. Co. (Inc); (c) Stealth Industries, Inc. a/k/a Rentamark and a/k/a Rentamark.com; (d) USA Sports Co. Inc.; (e) Sentra Industries, Inc.; and (f) S Industries, Inc., as well as potential other businesses or assumed names (collectively, the "Wholly-Owned Corporations").

3. To date, the Debtor, as sole shareholder of each of the Wholly-Owned Corporations, has failed to produce records that would support compliance with corporate formalities. The Debtor has advised the Trustee that, with the exception of Central Mfg Co. (Inc), the Wholly-Owned Corporations are Delaware Corporations for which he has paid annual franchise fees in order maintain good standing and for which the Debtor has no records. The Debtor has suggested that he may have bank records related to Central Mfg Co. (Inc), but has produced no such documents to the Trustee.

4. The Debtor, individually, together with, or through one or more of the Wholly-Owned Corporations, has been party to multiple cases in various forums, including the U.S. District Court for the Northern District of Illinois and the U.S. Patent and Trademarks Office (the "Litigation"). In certain instances, parties to the Litigation have raised a question about the legitimacy of the corporate structure and veil in light of the Debtor's failure to maintain corporate formalities.

Requested Relief

5. The Trustee seeks the entry of an order authorizing him to act on behalf of each of the Wholly-Owned Corporations in the capacity of sole shareholder of each respective corporation. *See* 11 U.S.C. § 323(a). Such actions would include (i) investigating and responding to the Litigation; (ii) negotiating settlements in the

Litigation on behalf of the Debtor and the respective Wholly-Owned Corporations, if appropriate; (iii) investigating the assets and corporate structure of the Wholly-Owned Corporations; and (iv) taking such other action on behalf of the Wholly-Owned Corporations that would be in the best interests of the Debtor's estate and its creditors.

6. The requested relief would enable the Trustee to properly administer the Debtor's estate in the best interests insofar as the Trustee would be permitted to enter global settlements and potentially resolve all matters and claims against the Debtor in an amicable and efficient manner.

WHEREFORE, by virtue of the foregoing, the Trustee requests the entry of an order authorizing the Trustee to act on behalf of the Wholly-Owned Corporations in the capacity as sole shareholder and granting such other and further relief as the Court may deem reasonable and just under the circumstances.

Respectfully submitted,

Richard M. Fogel, not individually, but as
chapter 7 trustee for the bankruptcy estate
of Leo Stoller

Dated: September 26, 2006

By: /s/ Janice A. Alwin
One of his attorneys

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