

ESTTA Tracking number: **ESTTA38780**

Filing date: **07/14/2005**

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

Proceeding	91165689
Party	Plaintiff Pietrantonio Mendez Pietrantonio Mendez & Alvarez LLP 209 Muñoz Rivera Avenue Popular Center 19th Floor San Juan, PR 00918 UNITED STATES
Correspondence Address	Janine Guzman, Esq. Pietrantonio Mendez & Alvarez LLP 209 Muñoz Rivera Avenue Popular Center 19th Floor San Juan, PR 00918 UNITED STATES jguzman@pmalaw.com, abeltran@pmalaw.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Jorge Pérez Díaz, Esq.
Filer's e-mail	jperez@pmalaw.com, nmunoz@pmalaw.com, abeltran@pmalaw.com, jguzman@pmalaw.com
Signature	/jperez/
Date	07/14/2005
Attachments	Motion to Amend Notice of Opposition.pdf (2 pages)

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

Opposition No. 91165689

In the matter of trademark
application Serial Nos. 76578388 and 76578382

For the mark ZEN SPA & WELLNESS CENTER
Published in the Official Gazette on 04/26/05

ZEN SPA ENTERPRISES INC. d/b/a ZEN SPA & HEALTH STUDIO
Opposer

v.

BODIES IN MOTION, INC.
Applicant

MOTION TO AMEND NOTICE OF OPPOSITION

TO THE HONORABLE TRADEMARK TRIAL AND APPEAL BOARD:

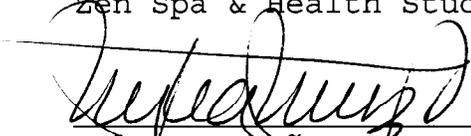
COMES NOW, Opposer Zen Spa Enterprises Inc. d/b/a/ Zen Spa & Health Studio ("Zen Spa & Health Studio"), through the undersigned counsel, and respectfully alleges and prays as follows:

1. On June 27, 2005, Zen Spa & Health Studio filed a Notice of Opposition through the Electronic System for Trademark Trial and Appeals (ESTTA) on the PTOnet.

2. By an involuntary mistake, instead of identifying the Opposer as Zen Spa & Health Studio, it was identified with the name of Zen Spa & Health Studio's representing law firm, Pietrantoni, Méndez & Álvarez, LLP.

3. In view of the above, Zen Spa & Health Studio, respectfully requests this Honorable Board to accept this Motion and allow the amend to the Notice of Opposition in order to have Zen Spa & Health Studio as the Opposer, and not the law firm which represents them.

Attorneys for Opposer,
Zen Spa & Health Studio:



Nylca J. Muñoz Sosa
nmunoz@pmalaw.com

Pietrantonio Méndez & Alvarez
Popular Center, 19th Floor
209 Muñoz Rivera Avenue
San Juan, Puerto Rico 00918

Date: July 14, 2005.