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

Proceeding	91176901
Party	Plaintiff Bodyonics, Ltd.
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Submission	Other Motions/Papers
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Bodyonics, Ltd.)	Opposition No. 91176901
)	
Opposer,)	
)	
v.)	MOTION TO STRIKE APPLICANT'S
)	SUPPLEMENTAL MOTION FOR
Jeffrey Lee Kaplan and Ilie)	<u>SUMMARY JUDGMENT</u>
and Ilie Ioncescu)	
)	
Applicants)	

On or about July 11, 2007, Applicant filed a Motion for Summary Judgment on the issue of likelihood of confusion. On or about August 22, 2007, Applicant filed a Supplemental Motion for Summary Judgment on the same grounds. As with the other documents filed by Applicant, this Motion is ill conceived and should be stricken.

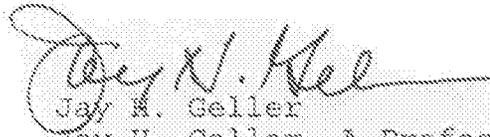
The only difference between the original Motion filed by Applicant and the Supplemental Motion filed by applicant is the addition of a claim that because applicant's not-yet-marketed product is not a pill or liquid it is not a dietary supplement. This is totally irrelevant to the issues in this case. The second is a reference to the defective Notice of Reliance which must be stricken since it fails to comply with the requirements of the TBMP. The rest of the Motion, as well as the Memorandum in Support are merely duplicative of the original Motion for Summary Judgment.

The filing of the Supplemental Motion for Summary Judgment is improper and should be stricken by the Board. Whatever issues that the Applicant believes are relevant could be raised either in their reply to Opposer's Opposition to Applicant's original Motion for

Summary Judgment or in their Opposition to Opposer's Motion for Summary Judgment.

This Supplemental Motion for Summary Judgment is simply a waste of both the TTAB's and Opposer's time and resources.

Dated: August 22, 2007.



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I certify that the foregoing is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Ilie Ionescu and Jeffrey Kaplan P.O.B. 11106, Ft. Lauderdale, FL 33339 on August 22, 2007.


Jay H. Geller