

ESTTA Tracking number: **ESTTA167784**

Filing date: **10/10/2007**

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

Proceeding	91176901
Party	Defendant Jeffrey Lee Kaplan and Ilie Iconcescu
Correspondence Address	Jeffrey Lee Kaplan P.O. Box 11106 Ft Lauderdale, FL 33339-1106 UNITED STATES
Submission	Other Motions/Papers
Filer's Name	Jeffrey kaplan
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Date	10/10/2007
Attachments	poppersmotiontosuspend.pdf (2 pages)(50173 bytes)

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

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BODYONICS, LTD

Opposition No. 91176901

Opposer

v.

Application Serial No. 78/862294

JEFFREY LEE KAPLAN,
ILIE IONCESCU

Published in the Official Gazette of
April 3rd 2007

Registrant

MARK: ENERGY POPPERS

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REVISED MOTION TO SUSPEND OPPOSITION HEARING

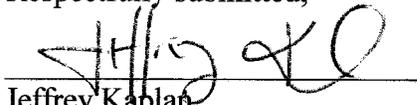
Jeffery Lee Kaplan & Ilie Ioncescu hereby request a suspension of the opposition hearing until the Boards decision on Registrant's Petition to Cancel Opposer's mark "POPPERS" Registration No. 2,447,371 is heard and decided.

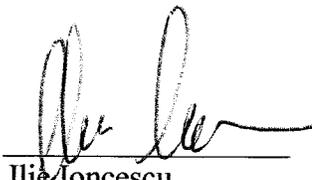
PETITION TO CANCEL MARK "POPPERS"

Registrant has filed a Petition to Cancel # 92048221 the Opposer's mark "POPPERS" based on the grounds that the mark was fraudulently applied for.

The outcome of the Petition to Cancel will greatly affect the final decision to the pending Opposition and therefore said Opposition should be suspended accordingly.

Respectfully submitted,


Jeffrey Kaplan


Ilie Ioncescu

POB 11106
Ft Laud Fl. 33339
(954) 793-0637

Dated: 10/10/07

CERTIFICATE OF MAILING

It is hereby certified that the attached Petition for Cancellation and check are being deposited with the US Postal Service addressed to the Hon. Commission for Trademarks, P.O.B. 1451, Alexandria, VA 22313 this 21 day of September marked first class mail, postage prepaid. A copy of this mailing is also being forwarded, via First Class postage through the US Postal Service to Jay A. Geller, Esq, West Tower Suite 400, 2425 W. Olympic Bl. Santa Monica, CA 90404

10 /10/07

Jeffrey Kaplan

