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

Proceeding	91180742
Party	Plaintiff Dr Pepper/Seven Up, Inc.
Correspondence Address	Laura Popp-Rosenberg Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Drive New York, NY 10017 UNITED STATES lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com
Submission	Testimony For Plaintiff
Filer's Name	Laura Popp-Rosenberg
Filer's e-mail	lpopp-rosenberg@fzlz.com
Signature	/Laura Popp-Rosenberg/
Date	09/03/2009
Attachments	Supplemental Springgate Rebuttal Declaration (F0509244).PDF (3 pages) (370847 bytes)

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

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DR PEPPER/SEVEN UP, INC.,	:	
	:	
Opposer/Petitioner,	:	<u>Consolidated Proceedings</u>
	:	Opposition No. 91180742
- against -	:	Cancellation No. 92048446
	:	
KRUSH GLOBAL LIMITED,	:	
	:	
Applicant/Registrant.	:	
-----X		

**SUPPLEMENTAL REBUTTAL TRIAL DECLARATION
OF ANDREW D. SPRINGATE**

ANDREW D. SPRINGATE declares under penalty of perjury as follows:

1. I submit this declaration in lieu of cross examination regarding my rebuttal trial declaration.
2. I have had the opportunity to review the Trial Declaration and the Supplemental Trial Declaration of William C. Wright, including the exhibits attached thereto (the "Wright Declarations").
3. I hereby confirm that Exhibits 3 and 6 of the Wright Declarations are true and correct copies of documents that were created by or for Opposer/Petitioner and were and still are available for download at Opposer/Petitioner's website:
<http://www.drpeppersnapplegroup.com>. Opposer/Petitioner hereby confirms the authenticity of said Exhibits 3 and 6.
4. I hereby confirm that Exhibits 4 and 5 of the Wright Declarations are true and correct copies of pages that were previously available on Opposer/Petitioner's website:

<http://www.drpeppersnapplegroup.com>. Opposer/Petitioner hereby confirms the authenticity of said Exhibits 4 and 5.

5. I hereby confirm that Exhibits 7 and 8 of the Wright Declarations are true and correct copies of pages that were and are currently available on Opposer/Petitioner's website: <http://www.drpeppersnapplegroup.com>. Opposer/Petitioner hereby confirms the authenticity of said Exhibits 7 and 8.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, declares that all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

Declared under penalty of perjury this 3 day of September, 2009 at Plano, Texas.


Andrew D. Springate

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **Supplemental Rebuttal Trial Declaration of Andrew D. Springate** to be sent by email to counsel for applicant, Jason Drangel, Esq., jdrangel@ipcounselors.com, this 3rd of September, 2009.



Laura Popp-Rosenberg