

ESTTA Tracking number: **ESTTA249236**

Filing date: **11/17/2008**

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

Proceeding	91187260
Party	Plaintiff Gary Post
Correspondence Address	Julie Dalke Latham & Watkins LLP 650 Town Center Dr. , Suite 2000 Costa Mesa, CA 92626 UNITED STATES ipdocket@lw.com
Submission	Other Motions/Papers
Filer's Name	Julie Dalke
Filer's e-mail	ipdocket@lw.com
Signature	/Julie Dalke/
Date	11/17/2008
Attachments	983670_1.pdf ( 1 page )(13912 bytes ) Ambienta.PDF ( 6 pages )(93545 bytes )

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

Gary M. Post,	)	
an individual,	)	
	)	
Opposer,	)	
v.	)	Opposition No. 91187260
	)	
AMBIENTA SOCIETA' DI GESTIONE DEL	)	
RISPARMIO SOCIETA' PER AZIONI IN	)	
FORMA ABBREVIATA AMBIENTA SGR	)	
SPA ("Applicant"),	)	
a company of unknown status in Italy,	)	
	)	
Applicant.	)	
_____	)	

**RE-SUBMISSION OF PROOF OF SERVICE**

In its October 31, 2008 notice, the Trademark Trial and Appeal Board stated that Opposer provided proof of service only upon Applicant's counsel and not upon Applicant itself. To clarify, Opposer properly forwarded a service copy of the Notice of Opposition on October 29, 2008 to Applicant. Merely a courtesy copy of the Notice of Opposition was forwarded to the party Opposer believed to be Applicant's counsel.

Attached hereto is a copy of the original Certificate of Service, a copy of the cover letter to Applicant, and Proof of Delivery.

**CERTIFICATE OF SERVICE**

I, Adam Kummins, hereby certify that I served a true and correct copy of the foregoing NOTICE OF CONSOLIDATED OPPOSITION by Federal Express upon:

Ambienta SGR SPA  
Via Larga, 2  
I-20122 Milano  
Italy

with a copy to their Correspondent:

Dr. Modiano & Associati S.P.A.  
Via Meravigli, 16  
I-20123 Milano  
Italy

on October 29, 2008

  
\_\_\_\_\_  
Adam Kummins

Adam Kummins  
adam.kummins@lw.com

650 Town Center Drive, 20th Floor  
Costa Mesa, California 92626-1925  
Tel: +1.714.540.1235 Fax: +1.714.755.8290  
www.lw.com



## LATHAM & WATKINS LLP

October 29, 2008

### VIA FEDERAL EXPRESS

Ambienta SGR SPA  
Via Larga, 2  
I-20122 Milano  
Italy

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Milan	Tokyo
Moscow	Washington, D.C.

File No. 021046-0-US003

Re: Opposition to Serial Nos. 79/045549 & 79/049033

Dear Sirs:

Enclosed please find a copy of an opposition filed today with the Trademark Trial and Appeal Board against your trademark application Serial Nos. 79/045549 and 79/049033 for AMBIENTA and AMBIENTA SGR ENVIRONMENTAL ASSETS & Design, respectively. Please feel free to have your U.S. associates contact us if you would like to discuss the subject of the opposition, and please let us know if you will consent to service by fax or e-mail for any future filings relating to this consolidated opposition.

Sincerely,

Adam Kummins  
Paralegal

cc: Julie Dalke, Esq.

Dr. Modiano & Associati S.P.A.  
Via Meravigli, 16  
I-20123 Milano  
Italy



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Track Shipments/FedEx Kinko's Orders  
**Summary Results**

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Single piece shipments

Tracking number	Status	Date/Time	Destination	Service	Signature Image
<a href="#">798051442989</a>	Delivered	Oct 31, 2008 10:30 AM	MILAN IT	FedEx Express	Yes
<a href="#">798051439993</a>	Delivered	Oct 31, 2008 10:24 AM	MILAN IT	FedEx Express	Yes

**Account number**

(Required for [detailed](#) Signature Proof of Delivery)

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November 17,2008

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**798051442989**

MILAN,

**798051439993**

MILAN,

You may save or print this Batch Signature Proof of Delivery file for your records.

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Memphis, TN 38116

U.S. Mail: PO Box 727  
Memphis, TN 38194-4643  
Telephone: 901-369-3600

November 17, 2008

Dear Customer:

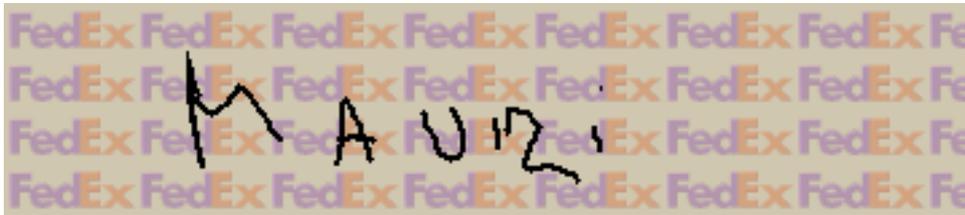
The following is the proof-of-delivery for tracking number **798051442989**.

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**Delivery Information:**

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<b>Status:</b>	Delivered	<b>Delivery location:</b>	MILAN
<b>Signed for by:</b>	.MAURI	<b>Delivery date:</b>	Oct 31, 2008 10:30
<b>Service type:</b>	Priority Envelope		



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**Shipping Information:**

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<b>Tracking number:</b>	798051442989	<b>Ship date:</b>	Oct 29, 2008
		<b>Weight:</b>	1.0 lbs.

<b>Recipient:</b> MILAN IT	<b>Shipper:</b> COSTA MESA, CA US
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<b>Reference</b>	021046-0003-13091
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November 17, 2008

Dear Customer:

The following is the proof-of-delivery for tracking number **798051439993**.

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**Delivery Information:**

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<b>Status:</b>	Delivered	<b>Delivery location:</b>	MILAN
<b>Signed for by:</b>	.RAFFOGNATO	<b>Delivery date:</b>	Oct 31, 2008 10:24
<b>Service type:</b>	Priority Envelope		

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**Shipping Information:**

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<b>Tracking number:</b>	798051439993	<b>Ship date:</b>	Oct 29, 2008
		<b>Weight:</b>	1.0 lbs.

**Recipient:**  
MILAN IT

**Shipper:**  
COSTA MESA, CA US

**Reference**

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