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Filing date: **12/17/2009**

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

Proceeding	91187847
Party	Defendant Christine Machleit, and Matilda Beeler
Correspondence Address	MACHLEIT, CHRISTINE 19931 Heartwood Drive Perris, CA 92570 UNITED STATES timeforacure@aol.com
Submission	Other Motions/Papers
Filer's Name	Christine Machleit
Filer's e-mail	christine@timeforacure.org
Signature	/Christine Machleit/
Date	12/17/2009
Attachments	TTAB1.pdf ( 1 page )(113521 bytes ) TTAB2.pdf ( 1 page )(139674 bytes ) TTAB3.pdf ( 1 page )(98861 bytes ) TTAB4.pdf ( 1 page )(88147 bytes ) TTAB5.pdf ( 1 page )(268119 bytes )

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

CHRISTINE MACHLEIT and  
MATILDA BEELER

Applicants

v.

Opposition No. 91187847

THE SUSAN G. KOMEN  
BREAST CANCER FOUNDATION, INC.

Opposer

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RESPONSE TO OPPOSER MOTION

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Opposer claims that applicants failed to comply with the Trademark Trial and Appeal Boards order to comply dated October 22, 2009.

Applicants have been unable to comply to this order as applicants did not receive the Opposer's first requests for production until December 7, 2009.

The opposer stated that a copy of the of the first requests for production were returned to the then counsel, Richard Law Group, 8411 Preston Road, Suite 890, Dallas, Texas 75225, on September 15, 2009. However in a conversation with the then counsel on February 11, 2009, counsel was advised of the change of address placed at the Baldwin Park Post Office dated February 3, 2009 which currently remains active.

Opposer further states that another copy of first requests for production were again sent to the 14738 Pacific Avenue, Baldwin Park, California 91706 but were never

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returned to former counsel, Richard Law Group. Applicants did not receive either copy at the current address of applicant, 19931 Heartwood Drive, Perris, California 92570.

Applicant had no knowledge that former counsel was attempting to send any filings and former counsel had full knowledge of applicants telephone number as that cellular number had not been changed. Former counsel could have easily contacted applicants to question why a mailing had been returned.

Applicants confirmed with the United States Post Office located in Baldwin Park, California on December 16, 2009 that the forwarding placed on February 3, 2009 remains active and that any mail sent to the former address will automatically have a yellow change of address placed on the mailing which will then be forwarded to the applicants new address.

We attached a copy herewith of the letter sent from the United States Patent and Trademark Office dated October 23, 2009 has that yellow change of address showing that the change was active and that there would be little or no reason that mailings sent to the former applicants address would not be forwarded by the United States Postal Services.

Applicants acknowledge receipt of the letter dated October 22, 2009 from the United States Patent and Trademark Office from George C. Pologeorgis, Interlocutory Attorney and placed a telephone call to Mr. Pologeorgis to act upon opposer's motion, October 29, 2009. Applicants were advised that a formal change of address needed to be filed.

Applicant then contacted former counsel to ask for documents to be sent to the current

address but not until then were applicants advised that counsel had changed.

Applicants then placed a call by telephone to new counsel, Gibson, Dunn & Crutcher LLP with a request to send documentation to the current 19931 Heartwood Drive, Perris California 92570 address.

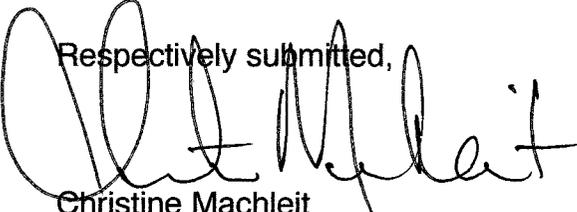
Applicants state that on December 7, 2009 a mailing from Gibson, Dunn & Crutcher LLP was received properly addressed to the applicants current address.

Applicants never received any prior mailings from former or new counsel until December 7, 2009 so stated in the Motion for Sanctions.

Applicants have complied to the opposers First Request for Productions as of this date.

Applicants hereby request that the Motion for Sanctions be denied.

Dated: December 17, 2009

Respectively submitted,  
  
Christine Machleit

19931 Heartwood Drive  
Perris, California 92570  
Telephone: 626/825-9303  
or 951.789-2756

United States Patent and Trademark Office  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
If Undeliverable Return in Ten Days

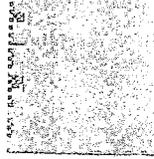
OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER

91187847

MACHLEIT, CHRISTINE  
14738 PACIFIC AVE  
BALDWIN PARK, CA 91706-533

UNITED STATES POSTAGE



02 1M \$ 00.44  
0004244562 OCT 23 2009  
MAILED FROM ZIP CODE 22314

301 NFE 1 2091 00 10/23/09  
NOTIFY SENDER OF NEW ADDRESS  
MACHLEIT, CHRISTINE  
14738 HEARTWOOD DR  
BALDWIN PARK, CA 91706-533  
BC: 92570995231 \*0217-05599-29-40

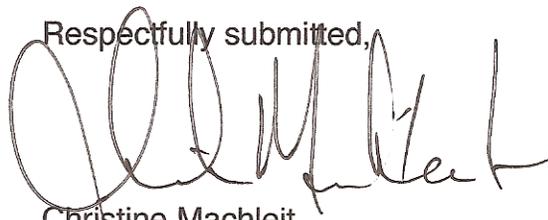
## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **RESPONSE TO OPPOSER MOTION** was placed in the United States mail, first class, postage pre-paid to opposer counsel as follows:

Dace A. Caldwell, Esq.  
Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5306  
Telephone: (202) 887-3780

Dated: December 17, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christine Machleit', written over the text 'Respectfully submitted,'.

Christine Machleit