

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

nmt

Mailed: February 10, 2010

Opposition No. 91188973

Gapardis Health and Beauty,
Inc. and Xavier P. Tancogne

v.

Gulam Nasser

Nicole M. Thier, Paralegal Specialist

Applicant's amended answer and counterclaim filed with the consent of opposer on February 5, 2010 is noted. The counterclaim to cancel opposer's pleaded Registration No. 2934710 will not be considered because the proper fee has not been paid. See Trademark Rules 2.106(b)(2) and 2.111.

Conferencing, disclosure, discovery and testimony periods remain as previously set.