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

| | |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Proceeding | 91202219 |
| Party | Plaintiff Eat Right Foods Ltd. |
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| Submission | Plaintiff's Notice of Reliance |
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| Signature | /s/ Joseph V. Mauch |
| Date | 09/25/2012 |
| Attachments | Notice of Reliance No. 15.pdf (2 pages)(1171127 bytes) |

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

EAT RIGHT FOODS LTD.,

Opposer,

v.

KEVIN LEVILLE,

Applicant.

Opp. No.: 91202219

Ser. No.: 77/868,068

Date of Publication:
April 26, 2012

OPPOSER EAT RIGHT FOODS LTD.'S
NOTICE OF RELIANCE NO. 15

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to 37 C.F.R. § 2.122(e) and 704.08(b) of the Trademark Trial and Appeal Board Manual of Practice and Procedure, Opposer Eat Right Foods Ltd. provides Notice of Reliance on material published on the Internet at <http://www.eatrightamerica.com/about-us/>, accessed and publicly available on September 24, 2012, submitted herewith. The material being offered is relevant to applicant Kevin Leville's use of the applied-for mark in commerce, the goods and services on which Applicant uses his mark, the channels of trade in which Applicant markets and sells such goods and services, and the likelihood of confusion between Applicant's applied-for mark and Opposer's registered marks.

Dated: September 25, 2012.

Respectfully Submitted,
SHARTSIS FRIESE LLP

By: _____



JOSEPH V. MAUCH

Attorneys for Opposer
EAT RIGHT FOODS LTD.



About Us

At Eat Right America, our mission is to enable every American to live a life of true health. We created ERA out of a passionate desire to help people achieve their optimal health and weight by getting properly nourished.

Our solutions have been developed by medical and nutrition experts and are based on research from today's leading scientists studying the relationship between diet and health. Our approach is a highly effective, simple and engaging way to get healthier and to feel and look great. It can also help prevent and reverse chronic lifestyle-related conditions including Type II Diabetes, heart disease, cancers and more.

ERA has already helped more than 50,000 people change how they understand food and improve their lives for good. We are in homes and businesses and even in supermarkets across the USA. In fact, when Whole Foods Market was looking for an effective way to help their employees and customers lose weight and get healthier, they chose Eat Right America as the solution.

If you want to lose weight, reverse a chronic diet-related condition, feel more energetic and productive, or simply look and feel healthier or raise a healthy family ~ then Eat Right America was created for you.