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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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Attachments	Notice of Reliance No. 16.pdf (2 pages)(1038233 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. 16

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/era-cafe>, 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.

ERA Café

The ERA Café is the nation's only Multi-conditional Social Network. Here, you will find a vibrant and supportive community of like-minded people with similar health interests or weight-loss ambitions, as well as expert information and support from the Eat Right America team to help you achieve your best health and personal goals.

"Support" is the key to success when someone is attempting to alter his or her current behavior. "Peer" support is by far the most effective. In the ERA Café, you will be invited to become a member of one or more "tables," each dedicated to providing the motivation, education, direction and support you will need to achieve your goals. America's New M.E.D.S.

Latest Research, News and Expert Advice

The ERA Café will provide you with insights on the latest nutrition and health research. It's stocked full of delicious and nutritious recipes as well as resources and tips that will help make eating right easy and sustainable for you and your loved ones too. The Eat Right America support team is always there to answer any questions you may have.

The Eat Right America Café offers the following for FREE:

Easy-to-Use Social Network Community. Login with Facebook or easily create a new account.
Share your own comments and experiences, links, photos, and videos.
Public and Private Tables (Groups) on many health and lifestyle topics
Content including Articles, Recipes, Videos, Audio, and News
The ERA Quiz, a Free Personal Eating Analysis and 4-Week Meal Plan
Eat Right America will help you change the way you understand food and improve your life for good!

We look forward to seeing you in the Café TODAY!

Join the ERA Cafe NOW!

Café users are also offered the option of becoming a member of the ERA Café Wellness Club. The Café Wellness Club offers:

Monthly MD recorded teleconferences covering everything from weight loss to ADHD.
Hundreds of MD videos on health, nutrition, food and disease topics such as heart disease, hypertension, cancer, diabetes and many more.
Ask the Expert Forums
Multi-Conditional Shopping List Tool
And much more.
The Wellness Club monthly membership is only \$9.97.