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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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Date	09/25/2012
Attachments	Notice of Reliance No. 32.pdf (2 pages)(715595 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, 2011

OPPOSER EAT RIGHT FOODS LTD.'S
NOTICE OF RELIANCE NO. 32

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to 37 C.F. R. § 2.122(d) and 704.03(b)(1)(A) of the Trademark Trial and Appeal Board Manual of Practice and Procedure, Opposer Eat Right Foods Ltd. provides Notice of Reliance on Applicant Kevin Leville's Registration No. 3,662,109, prepared and issued by the United States Patent and Trademark Office, submitted herewith.

Dated: September 25, 2012.

Respectfully Submitted,
SHARTSIS FRIESE LLP

By: _____


JOSEPH V. MAUCH

Attorneys for Opposer
EAT RIGHT FOODS LTD.

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 3,662,109

Registered July 28, 2009

**TRADEMARK
PRINCIPAL REGISTER**

EAT RIGHT AMERICA

NUTRITIONAL EXCELLENCE, LLC (CONNEC-
TICUT LIMITED LIABILITY COMPANY)
76 NUBEL LANE
NEW CANAAN, CT 06840

FOR: COMPUTER PROGRAMS IN THE FIELD
OF DIET AND NUTRITION FOR PROVIDING A
DATABASE OF DIETARY AND NUTRITIONAL
INFORMATION AND FOR PROVIDING TO PUR-
CHASERS DIETARY AND NUTRITIONAL INFOR-
MATION RELEVANT TO PRODUCTS PURCHASED
AND/OR TO PURCHASER HEALTH, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 8-31-2008; IN COMMERCE 8-31-2008.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 78-981,090, FILED 6-16-2006.

SCOTT BIBB, EXAMINING ATTORNEY