ESTTA Tracking number: **ESTTA494349**
Filing date: **09/13/2012**

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

Proceeding	91204094
Party	Plaintiff 4Life Trademarks LLC
Correspondence Address	GLENN S BACAL BACAL LAW GROUP PC 6991 EAST CAMELBACK ROAD , SUITE D-102 SCOTTSDALE, AZ 85251 UNITED STATES glenn.bacal@bacalgroup.com,jamie.tuccio@bacalgroup.com
Submission	Motion for Summary Judgment
Filer's Name	Glenn S. Bacal
Filer's e-mail	glenn.bacal@bacalgroup.com,jamie.tuccio@bacalgroup.com,david.andersen@bacalgroup.com
Signature	/Glenn S. Bacal/
Date	09/13/2012
Attachments	Final MSJ with exhibits.pdf (62 pages)(8410255 bytes)

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

4Life Trademarks, LLC, Opposer, v. Bobbie Renteria, Applicant.	Opposition No. 91204094 Serial No.: 85/327,930 For the mark: Spa Water 4 Life Published for Opposition: November 1, 2011

4LIFE'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56(a), Opposer 4Life Trademarks, LLC ("Opposer") moves for entry of summary judgment on its claims that the mark SPA WATER 4 LIFE, which is the subject of Application Ser. No. 85/327,930 (the "Application") filed by Applicant Bobbie Renteria ("Applicant"), is likely to cause confusion with and to dilute Opposer's famous 4LIFE® marks.

Applicant has failed to respond to Opposer's written discovery requests, including Applicant's requests for admission, and thereby has admitted the elements necessary to establish Opposer's claims. With no obligation to do so, Opposer gave Applicant additional time to respond beyond the deadline provided by the rules, and further written notice after the initial deadline of the need to respond by an extended deadline. However, Applicant still failed to respond at all to Opposer's written discovery requests.

Accordingly, Opposer respectfully requests that the Board enter judgment against Applicant and order that registration of Applicant's mark be refused. This motion is supported by the accompanying declarations of David M. Andersen and Steven D. Tew and the exhibits attached thereto, and the following memorandum of points and authorities.

Memorandum of Points and Authorities

Summary judgment is appropriate when "there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(a). Applicant has failed to respond to Opposer's written requests for admission within the deadline prescribed by the rules, and even after substantial additional time provided by Opposer. Therefore, Applicant has admitted the material facts necessary to support summary judgment.

I. Material Facts Supporting Summary Judgment.

Opposer filed its Notice of Opposition on February 29, 2012, asserting that Applicant's SPA WATER 4 LIFE mark should be refused registration on the basis of likelihood of confusion with and dilution of Opposer's multiple prior registrations of 4LIFE® and marks incorporating 4LIFE (collectively, the "4Life Marks"). *See* Dkt. 1. On April 9, 2012, Applicant filed an answer but failed to deny the truth of various allegations in the Notice of Opposition. *See* Dkt. 2.

On June 25, 2012, Opposer sent to Applicant written discovery that included various requests for admission under Fed. R. Civ. P. 36(a). Exhibit 1, Declaration of David M. Andersen at ¶ 4 and Exhibit A thereto. Opposer confirmed that Applicant received hard copies of these requests for admission on June 28, 2012. *Id.* ¶ 5 and Exhibit B thereto.

Among the requests for admission sent to Applicant were the following statements, which establish that Applicant's SPA WATER 4 LIFE is likely to cause confusion with Opposer's 4Life Marks and that Opposer had priority and standing to assert claims against Applicant:

> **Request No. 1.** Admit that your registration and use of the SPA WATER 4 LIFE Mark in connection with fruit-based beverages is likely to cause confusion with 4Life's registration and use of its 4Life Marks.
>
> **Request No. 2.** Admit that 4Life began using its 4Life Marks before you began using the SPA WATER 4 LIFE Mark.
>
> **Request No. 3.** Admit that your use and registration of SPA WATER 4 LIFE will cause harm to Opposer.

Id. at Exhibit A. Opposer's requests for admission also included more specific statements about the factors relevant to the likelihood of confusion and dilution analysis, including the following:

Request No. 9. Admit that the term SPA WATER is descriptive or generic as used in the SPA WATER 4 LIFE Mark.

Request No. 13. Admit that you use or intend to use the SPA WATER 4 LIFE Mark on one or more of the same kinds of products as those products bearing the 4Life Marks.

Request No. 26. Admit that you market or advertise, or intend to market or advertise, the SPA WATER 4 LIFE Product using one or more of the same outlets or means that 4Life uses to market or advertise its products.

Request No. 27. Admit that you offer, distribute, or sell, or intend to offer, distribute, or sell, the SPA WATER 4 LIFE Product using one or more of the same outlets or means that 4Life uses to offer, distribute, or sell its products.

Request No. 37. Admit that you were aware of 4Life, its products, or one or more of its 4Life Marks at the time you filed the Application.

Request No. 38. Admit that the 4Life Marks are famous.

Applicant failed to respond to Opposer's written discovery by July 30, 2012, which was the deadline under the rules for responding to such discovery. *Id.* ¶ 6. Rather than seeking immediate summary judgment, Opposer waited for an additional period to see if Applicant would respond. *Id.* ¶ 7. When Applicant had not responded by August 15, 2012, counsel for Opposer then e-mailed Applicant, again providing copies of the written discovery, and asking for Applicant's response to Opposer's written discovery by no later than August 30, 2012 (a full month after such responses were due). *Id.* ¶¶ 8 & 9 and Exhibit C thereto. In the same email, counsel for Opposer also requested Applicant's initial disclosures (due June 8, 2012), which Applicant had not yet served and which to this day still have not been served on Opposer. *Id.* ¶¶ 3 & 10. Counsel for Opposer also notified Applicant that, if Applicant did not provide responses to written discovery by July 30, 2012, Opposer would have no choice but to seek summary judgment. *Id.* ¶ 11.

To date, Applicant still has not served any response to these requests for admission on Opposer. *Id.* ¶ 12. Although there were previous email and telephone communications between the parties and/or their representatives, Applicant has not responded to any form of communication from Opposer since May 31, 2012. *Id.* ¶ 12. While Opposer has been more than willing to work with Applicant, Applicant has completely failed to fulfill her disclosure and discovery obligations.

II. By Failing To Respond, Applicant Has Admitted The Above Statements

Pursuant to Fed. R. Civ. P. 36(a)(3), "[a] matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection addressed to the matter and signed by the party or its attorney." *See also* TBMP § 407.03(a) ("If a party on which requests for admission have been served fails to timely respond thereto, the requests will stand admitted by operation of law . . . ."); *Fram Trak Indus. v. Wiretracks LLC,* 77 USPQ2d 2000, 2005 (TTAB 2006) (granting summary judgment; requests for admissions deemed admitted by respondent's failure to respond to petitioner's requests for admissions); *Pinnochio's Pizza Inc. v. Sandia Inc*., 11 USPQ2d 1227, 1228 n.5 (TTAB 1989) (same).

Applicant was required to serve responses to Opposer's written discovery, including its requests for admission, by no later than July 30, 2012 (thirty days after the date of mailing, June 25, 2012, plus five additional days). *See* TBMP § 407.03(a). To date, Applicant still has not responded to Opposer's written discovery requests. Declaration of David M. Andersen ¶¶ 6 & 12. Therefore, Applicant as admitted the statements made in each of Opposer's requests for admission.

III. Applicant's SPA WATER 4 LIFE Mark Is Likely To Cause Confusion.

Section 2(d) of the Lanham Act precludes registration of a mark "which so resembles a mark registered in the Patent and Trademark Office . . . as to be likely, when used on or in connection with the goods of the applicant, to cause confusion." 15 U.S.C. § 1052(d). The opinion in *In Re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563, 567 (CCPA 1977) sets forth the principal factors to consider in determining the likelihood of confusion with regard to competing marks. *Id.* at 1361. Such determination does not require examination and findings as to each and every *DuPont* factor. *Kenner Parker Toys, Inc. v. Rose Art Indus., Inc.*, 963 F.2d 350, 352, 22 USPQ2d 1453, 1456 (Fed. Cir. 1992). Different *DuPont* factors may play dominant roles in determining the likelihood of confusion, depending upon the evidence in each case. *Bose Corp. v. QSC Audio Products, Inc.*, 293 F.3d 1367, 63 USPQ2d 1303, 1305 (Fed. Cir. 2002).

Based on Applicant's admissions, it is undisputed that Applicant's SPA WATER 4 LIFE Mark is likely to cause confusion with Opposer's 4Life Marks and that Opposer has priority over Applicant. Applicant

has taken Opposer's entire 4LIFE mark and incorporated it into Applicant's mark. *See In re Denisi*, 225 USPQ 624, 624 (TTAB 1985) (holding PERRY'S PIZZA and PERRY'S, both for restaurant services, likely to cause confusion, noting that "where a newcomer has appropriated the entire mark of a registrant, and has added to it a non-distinctive term, the marks are generally considered to be confusingly similar"); *In re Dixie Restaurants, Inc.*, 105 F.3d 1405, 1407, 41 U.S.P.Q.2d 1531 (Fed. Cir. 1997) (THE DELTA CAFÉ was found likely to cause confusion with DELTA, both for restaurant services, because CAFÉ was a generic name of the services).

Applicant also has admitted that the only element in its mark that distinguishes it from the 4Life Marks, namely the phrase SPA WATER, is descriptive or generic. Applicant's mere addition of a generic or descriptive term to Opposer's distinctive 4LIFE mark is insufficient to avoid a likelihood of confusion. *See In re Equitable Bancorporation*, 229 USPQ 709, 711 (TTAB 1986) (holding RESPONSE and RESPONSE CARD (with "CARD" disclaimed), both for banking services, likely to cause confusion, noting that "the addition of descriptive matter to one of two otherwise similar, nondescriptive marks will not serve to avoid a likelihood of confusion").

Further, the products covered by Applicant's Application and Opposer's registrations are identical. Specifically, Applicant's Application covers "fruit-based beverages" in Class 32 and claims a date of first use of May 1, 2011. The 4Life Marks cover a variety of overlapping goods and services, including fruit juices and fruit-based beverages. *See* Declaration of Steven D. Tew, attached hereto as Exhibit 2, at ¶ 7. Opposer has been using one or more of the 4Life Marks on or in connection with fruit juices and fruit-based beverages since at least as early as May 1, 2005. *Id.* ¶ 9. Evidence of Opposer's actual use of its 4Life Marks in connection with Opposer's fruit juice beverage is attached hereto. *See* Exhibit A to the Declaration of Steven D. Tew.

Opposer is also the owner of a valid and subsisting registration for 4Life & design (Reg. No. 4,175,558), which covers "fruit juices; fruit based drink; and fruit based beverages," and claims a date of first use in commerce of May 2005. *Id.* ¶11; *see also* Exhibit 3 hereto, which is a copy of the certificate

of registration for the 4Life & design mark in Class 32.[1] Applicant has not challenged this registration or Opposer's priority of use.

Applicant also admitted that it uses or intends to use its SPA WATER 4 LIFE mark on the same kinds of products as those bearing the 4Life Marks. Further, Applicant admitted that it markets, advertises, offers, distributes, and/or sells (or intends to market, advertise, distribute, offer, and/or sell) products bearing the SPA WATER 4 LIFE mark in the same trade channels as Opposer.

Therefore, in light of the facts applicable to the relevant *du Pont* factors, Applicant's SPA WATER 4 LIFE mark is likely to cause confusion with Opposer's 4Life Marks.

IV. Conclusion.

Based on the forgoing, Opposer respectfully requests that Application Serial Number 85/327,930 be denied and that the registration of Applicant's SPA WATER 4 LIFE mark be refused.

Respectfully submitted this 13th day of September, 2012.

BACAL LAW GROUP, P.C.

By: /s/Glenn Spencer Bacal

Glenn Spencer Bacal
glenn.bacal@bacalgroup.com
David Mark Andersen
david.andersen@bacalgroup.com
6991 E. Camelback Rd., Ste D-102
Scottsdale, AZ 85251
Telephone: 480.245.6233
Fax: 480.246.6231

Attorneys for Opposer,
4Life Trademarks, LLC

[1] At the time Opposer filed its Notice of Opposition, this registration had not yet issued. Nonetheless, Applicant pleaded ownership of the application (Ser. No. 85481494) in its Notice of Opposition. That pleaded application since has matured into Registration Number 4175558 and is therefore appropriately made of record. *See* TBMP § 314 ("A plaintiff which pleads ownership of an application in its complaint does not have to amend its pleading to assert the resultant registration, so long as it issues before the plaintiff's testimony period closes. The pleading of an application is viewed as providing sufficient notice to the defendant of the plaintiff's intention to rely on any registration that issues from the pleaded application.") (footnotes omitted).

Certificate of Mailing or Transmission Pursuant to 37 C.F.R. § 2.119

Application No.: 85-327930

Mark: Spa Water 4 Life

Opposer: 4Life Trademarks, LLC

Type of Filing: Motion for Summary Judgment

Pursuant to 37 C.F.R. §2.197, I hereby certify that this Motion for Summary Judgment is being filed electronically with the United States Trademark Trial and Appeal Board and is being sent via Express Mail addressed to the following:

Bobbie Renteria
7121 Sienna Place #317
The Colony, TX 75056
Applicant.

/s/Glenn Spencer Bacal

September 13, 2012
Date

bh136402nv

Exhibit 1

Declaration under 37 C.F.R. § 2.20

I, David M. Andersen, hereby declare as follows:

1. I am a competent adult, and I have personal knowledge of the following facts.

2. I am one of the attorneys at Bacal Law Group, counsel for 4Life Trademarks, LLC ("4Life"). 4Life is the Opposer in an opposition proceeding (Opp. No. 91204094), involving the application of Bobbie Renteria to register the mark SPA WATER 4 LIFE (Ser. No. 85327930).

3. On June 8, 2012, 4Life sent its initial disclosures in the Opposition to Renteria, but Renteria has never provided any initial disclosures to 4Life.

4. On June 25, 2012, counsel for 4Life sent to Bobbie Renteria written discovery that included various requests for admission under Fed. R. Civ. P. 36(a). Attached hereto as Exhibit A is a true and accurate copy of the First Set of Request for Admissions to Bobbie Renteria.

5. 4Life's counsel confirmed that Renteria received hard copies of these requests for admission on June 28, 2012. Attached hereto as Exhibit B is a true and correct copy of the confirmation from Federal Express that the written discovery was received at Renteria's residence.

6. Renteria failed to respond to 4Life's written discovery by July 30, 2012, which was the deadline for responding to such discovery.

7. After the July 30, 2012 deadline had passed, 4Life waited for an additional period to see if Renteria would respond to 4Life's written discovery requests.

8. When Renteria had not responded to 4Life's written discovery requests by August 15, 2012, I sent an e-mail to Renteria and Brad Ellis, a person who had previously identified himself as a non-lawyer representative of Renteria. Attached hereto as Exhibit C is a true and correct copy of the e-mail sent by counsel for 4Life to Renteria and Ellis on August 15, 2012.

9. In the same email, I again provided copies of 4Life's written discovery requests and asked for Renteria's response to 4Life's written discovery by no later than August 30, 2012.

10. In the same email, I also again requested Renteria's initial disclosures (due June 8, 2012), which Renteria had not yet served and which to this day still have not been served on 4Life.

11. I also notified Renteria that, if she did not provide responses to written discovery by July 30, 2012, counsel for 4Life would have no choice but to seek summary judgment.

12. To date, Renteria still has not served any response to these requests for admission on counsel for 4Life.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information, and belief.

Signature: David Andersen

Name: David M. Andersen

Date: 9/7/2012

bi054m02jt

EXHIBIT A

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

4Life Trademarks, LLC, Opposer, v. Bobbie Renteria Applicant.	Opposition No. 91204094 Serial No.: 85/327,930 For the mark: SPA WATER 4 LIFE Published for Opposition: November 1, 2011

First Set of Request for Admissions to Bobbie Renteria

DEFINITIONS AND INSTRUCTIONS

In these Requests, the definitions and instructions set forth below shall apply, except where otherwise indicated:

A. "You," "your," "Applicant," or "Bobbie Renteria" shall mean and refer to Applicant Bobbie Renteria, and all or any of her agents and employees, as well as any others acting in concert with her or on her behalf.

B. "Opposer," or "4Life" shall mean and refer to 4Life Trademarks, LLC.

C. The "4Life Marks" shall mean the marks that are the subject of Federal registration numbers 2,475,300, 2,659,033, 2,755,694, 2,730,429, 2,730,306, 2,927,894, 2,486,970, 2,691,540, 2,824,352, 2,680,526, 2,966,651, 2,954,126, 2,975,094, 3,375,087, 3,080,875 and 2,807,751.

D. The "SPA WATER 4 LIFE Mark" shall mean the mark that is the subject of Federal application serial number 85/327,930.

E. "Application" shall mean the Federal application for SPA WATER 4 LIFE, application serial number 85/327,930.

F. "SPA WATER 4 LIFE Product" shall mean the fruit-based beverage product marked with the SPA WATER 4 LIFE Mark.

G. If objection is made, the reasons therefore shall be stated.

H. All information should be current to the date of your response and should be supplemented from time to time as required by Fed. R. Civ. P. 26(e).

I. In submitting your responses to these Requests, for the convenience of the Court, witnesses, and counsel, please set forth the Admission request immediately preceding each response.

REQUEST FOR ADMISSIONS

Request No. 1. Admit that your registration and use of the SPA WATER 4 LIFE Mark in connection with fruit-based beverages is likely to cause confusion with 4Life's registration and use of its 4Life Marks.

Request No. 2. Admit that 4Life began using its 4Life Marks before you began using the SPA WATER 4 LIFE Mark.

Request No. 3. Admit that your use and registration of SPA WATER 4 LIFE will cause harm to Opposer.

Request No. 4. Admit that Exhibit A accurately shows the product packaging of the SPA WATER 4 LIFE Product.

Request No. 5. Admit that the term 4 LIFE is a distinctive feature of the SPA WATER 4 LIFE Mark.

Request No. 6. Admit that the term 4 LIFE creates a commercial impression that is separate from the term SPA WATER in the SPA WATER 4 LIFE Mark.

Request No. 7. Admit that, in communications with the USPTO, you voluntarily disclaimed the term SPA WATER in the SPA WATER 4 LIFE Mark.

Request No. 8. Admit that you claim no exclusive right to use the term SPA WATER apart from the SPA WATER 4 LIFE Mark.

Request No. 9. Admit that the term SPA WATER is descriptive or generic as used in the SPA WATER 4 LIFE Mark.

Request No. 10. Admit that you distribute or sell, or have authorized the distribution or sale, of products bearing the SPA WATER 4 LIFE Mark.

Request No. 11. Admit that 4Life offers one or more beverage products bearing one or more of the 4Life Marks.

Request No. 12. Admit that 4Life offers one or more fruit-based beverage products bearing one or more of the 4Life Marks.

Request No. 13. Admit that you use or intend to use the SPA WATER 4 LIFE Mark on one or more of the same kinds of products as those products bearing the 4Life Marks.

Request No. 14. Admit that you are aware of no one, other than you and 4Life, and those authorized by you or 4Life, who sells a fruit-based beverage using a mark that includes the term 4LIFE or 4 LIFE.

Request No. 15. Admit that you do not own and have never owned a trademark registration for the SPA WATER 4 LIFE Mark.

Request No. 16. Admit that you have offered or sold products under the SPA WATER 4 LIFE Mark in more than one state in the U.S.

Request No. 17. Admit that you have offered or sold products under the SPA WATER 4 LIFE Mark nationwide.

Request No. 18. Admit that you sell or have sold products under the SPA WATER 4 LIFE Mark internationally.

Request No. 19. Admit that you have marketed or sold, or intend to market or sell, products under the SPA WATER 4 LIFE Mark on the Internet.

Request No. 20. Admit that you use or intend to use the SPA WATER 4 LIFE Mark to market goods or services in one or more consumer magazines.

Request No. 21. Admit that you use or intend to use the SPA WATER 4 LIFE Mark to market goods or services in one or more trade journals.

Request No. 22. Admit that you use or intend to use the SPA WATER 4 LIFE Mark to market goods or services at one or more trade shows.

Request No. 23. Admit that the purchase of the SPA WATER 4 LIFE Product involves a decision that does not require a significant amount of thought.

Request No. 24. Admit that you did not offer or sell any of the SPA WATER 4 LIFE Product prior to filing the Application.

Request No. 25. Admit that you intend to expand your product line of products bearing the SPA WATER 4 LIFE Mark to include products other than the existing SPA WATER 4 LIFE Product.

Request No. 26. Admit that you market or advertise, or intend to market or advertise, the SPA WATER 4 LIFE Product using one or more of the same outlets or means that 4Life uses to market or advertise its products.

Request No. 27. Admit that you offer, distribute, or sell, or intend to offer, distribute, or sell, the SPA WATER 4 LIFE Product using one or more of the same outlets or means that 4Life uses to offer, distribute, or sell its products.

Request No. 28. Admit that you have not conducted any marketing or research studies, surveys, evaluations, or analysis regarding the demographics or characteristics of consumers of your products.

Request No. 29. Admit that you have not conducted any marketing or research studies, surveys, evaluations, or analysis to assess consumer reaction, perception, comprehension, understanding, or recall of the SPA WATER 4 LIFE Mark or any variation thereof.

Request No. 30. Admit that you are aware of no marketing or research studies, surveys, evaluations, or analysis that support the contention that the class of consumers of products bearing the SPA WATER 4 LIFE Mark is or will be distinguishable from the class of consumers of 4Life's products sold under its 4Life Marks.

Request No. 31. Admit that you are aware of no material difference between the kinds of consumers of the SPA WATER 4 LIFE Product and the kinds of consumers of 4Life's products sold under its 4Life Marks.

Request No. 32. Admit that one or more searches regarding the SPA WATER 4 LIFE Mark that you conducted, authorized, or knew about prior to filing the Application revealed the existence of 4Life, or one or more of its products or the 4Life Marks.

Request No. 33. Admit that you are aware of one or more instances in which a person has expressed confusion or mistake regarding the difference or distinction between you, your products, or the SPA WATER 4 LIFE Mark on the one hand, and 4Life, its products, or its 4Life Marks on the other hand.

Request No. 34. Admit that you are aware of one or more instances in which a person has inquired about whether there is an association or relationship between you, your products, or the SPA WATER 4 LIFE Mark on the one hand, and 4Life, its products, or its 4Life Marks on the other hand.

Request No. 35. Admit that you were aware of 4Life, its products, or one or more of its 4Life Marks at the time you began developing the SPA WATER 4 LIFE Mark.

Request No. 36. Admit that you were aware of 4Life, its products, or one or more of its 4Life Marks at the time you began using the SPA WATER 4 LIFE Mark.

Request No. 37. Admit that you were aware of 4Life, its products, or one or more of its 4Life Marks at the time you filed the Application.

Request No. 38. Admit that the 4Life Marks are famous.

Request No. 39. Admit that you use the phrase "PERFECT WATER" on the label of a product that is primarily purified water.

Request No. 40. Admit that you do not have any pending state or federal applications or registrations for "PERFECT WATER."

Dated: June 25, 2012.

BACAL LAW GROUP, P.C.

By:_____

Glenn Spencer Bacal
David Mark Andersen
6991 E. Camelback Rd., Ste D-102
Scottsdale, AZ 85251
Telephone: 480.245.6233
Attorneys for Opposer 4Life Trademarks, LLC

EXHIBIT A

Spa Water 4 Life

Purified Water
Real Apples
Agave sweetened

Perfect water with the perfect snack all in one

...but the water's quality from will become a fountain of water springing up to eternal life. John

Real produce may cause water cloudiness which is normal

Certificate of Mailing or Transmission Pursuant to 37 C.F.R. § 2.119

Application No.: 85/327,930

Mark: SPA WATER 4 LIFE

Opposer: 4Life Trademarks, LLC

Type of Filing: First Set of Request for Admissions to Bobbie Renteria

I hereby certify that this First Set of Request for Admissions to Bobbie Renteria is being sent via Federal Express addressed to:

Bobbie Renteria
7121 Sienna Place #317
The Colony, TX 75056

Correspondent of Record for Applicant

Jamie Tuccio

June 25, 2012
Date

bf05fb006n

EXHIBIT B

From: trackingupdates@fedex.com
To: Karyn Osterman
Subject: FedEx Shipment 798550041544 Delivered
Date: Thursday, June 28, 2012 9:40:28 AM

This tracking update has been requested by:

Name:	Glenn Bacal
E-mail:	karyn.osterman@bacalgroup.com

Our records indicate that the following shipment has been delivered:

Reference:	53287-5104
Ship (P/U) date:	Jun 25, 2012
Delivery date:	Jun 28, 2012 11:36 AM
Sign for by:	Signature not required
Delivery location:	THE COLONY, TX
Delivered to:	Residence
Service type:	FedEx Express Saver
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday Residential Delivery
Tracking number:	798550041544

Shipper Information	Recipient Information
Glenn Bacal	Bobbie Renteria
6991 East Camelback Raod	Spa Water 4 Life
Scottsdale	7121 Sienna Place #317
AZ	THE COLONY
US	TX
85251	US
	75056

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 11:40 AM CDT on 06/28/2012.

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To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

EXHIBIT C

David Andersen

From: David Andersen
Sent: Wednesday, August 15, 2012 5:37 PM
To: brad@vets4heroes.com; bobbierenteria@yahoo.com
Cc: Glenn Spencer Bacal (glenn.bacal@bacalgroup.com)
Subject: 4Life v. Renteria dba SPA WATER 4 LIFE -- Initial Disclosures and Discovery Responses
Attachments: 2012.06.25 interrogatories as sent to renteria.pdf; 2012.06.25 Request for Admissions as sent to Renteria.pdf; 2012.06.25 requests for production as sent to renteria.pdf

Categories: Snapsaved
Tracking:

Recipient	Delivery	Read
brad@vets4heroes.com		
bobbierenteria@yahoo.com		
Glenn Spencer Bacal (glenn.bacal@bacalgroup.com)	Delivered: 8/15/2012 5:37 PM	
Jamie Tuccio (Jamie.Tuccio@bacalgroup.com)	Delivered: 8/15/2012 5:37 PM	Read: 8/15/2012 5:37 PM

Brad and Ms. Renteria,

I am writing to inquire about Ms. Renteria's long overdue initial disclosure statement and her tardy responses to our written discovery requests in the opposition proceeding before the Trademark Trial and Appeal Board concerning Ms. Renteria's application to register the mark SPA WATER 4 LIFE. To date, we have received neither Ms. Renteria's disclosures nor her response to the written discovery requests. We wanted to follow up as a courtesy to make sure that Ms. Renteria understands her discovery obligations, to provide her with additional time to do so (strictly as a courtesy), and once again to encourage Ms. Renteria to retain legal counsel in this matter.

Initial Disclosures. As indicated in my email to you on June 11, 2012, both sides were required to serve initial disclosures on each other by no later than June 8, 2012. A party that fails to serve initial disclosures in a timely manner may be subject to discovery sanctions. While we sent 4Life's initial disclosures to you in hard copy and electronically back in June, we have not yet received Ms. Renteria's initial disclosures, and it is now over two months later. Nonetheless, as a courtesy, we are willing to allow Ms. Renteria until August 30, 2012 to complete service upon us of her initial disclosures. Otherwise, we will have no choice but to file a motion to compel and seek appropriate sanctions. We hope that can be avoided.

Written Discovery. We sent written discovery requests to Ms. Renteria on June 25, 2012. We also confirmed that FedEx delivered these documents to Ms. Renteria's residence on June 28, 2012. As a courtesy and for your convenience, I am attaching an electronic copy of these documents. The deadline for responding to these written discovery requests was July 30, 2012, but we have not received Ms. Renteria's responses to these requests. The failure to respond to written discovery requests also could result in sanctions, including but not limited to deemed admissions by the party who fails to respond. Once again, as a matter of courtesy, we are willing to allow Ms. Renteria until August 30, 2012 to complete service upon us of her responses to our written discovery requests. If she fails to do so, we will be forced to take appropriate remedial actions such as seeking summary judgment in this case.

Representation by Counsel. Months back, Brad indicated to me on the phone that Ms. Renteria likely would retain an attorney to represent her in this matter. We are unaware of any attorney that represents Ms. Renteria in this matter. Brad has been kind enough to discuss possible settlement with us on the phone on behalf of his friend, but our understanding is that he is not a lawyer, and is not authorized to practice law on Ms. Renteria's behalf before the

Trademark Trial and Appeal Board. We hope that Ms. Renteria will retain legal counsel on this matter. In any event, if she chooses not to hire a lawyer, she still needs to adhere to the rules of the proceeding, as do we.

We appreciate your consideration of these issues, and we look forward to hearing back from Ms. Renteria or hopefully her legal counsel by no later than **August 30, 2012**.

Sincerely,

David M. Andersen
Bacal Law Group
6991 East Camelback, Suite D-102
Scottsdale, Arizona 85251-2432

Email: david.andersen@bacalgroup.com
Office: 480-245-6230
Cell: 480-225-6012
Fax: 480-245-6231
Website: www.bacalgroup.com

David Andersen

From: MAILER-DAEMON@server519.appriver.com
To: bobbierenteria@yahoo.com; brad@vets4heroes.com
Sent: Wednesday, August 15, 2012 5:37 PM
Subject: Delivered: 4Life v. Renteria dba SPA WATER 4 LIFE -- Initial Disclosures and Discovery Responses

Your message has been delivered to the following recipients:

bobbierenteria@yahoo.com

brad@vets4heroes.com

Subject: 4Life v. Renteria dba SPA WATER 4 LIFE -- Initial Disclosures and Discovery Responses

Exhibit 2

Part 1 of 2

Declaration under 37 C.F.R. § 2.20

I, Steven D. Tew, hereby declare as follows:

1. I am a competent adult, and I have personal knowledge of the following facts.

2. I am the President of 4Life Trademarks, LLC ("4Life").

3. 4Life and its affiliated entities represent one of the largest manufacturers and sellers of dietary and nutritional supplements in the world.

4. 4Life is the owner of the famous mark 4LIFE® as well as numerous standard character and design marks incorporating the 4LIFE® mark (collectively, the 4Life Marks").

5. By virtue of my position as President and through my review of the 4Life records, I have become familiar with the history and use of the 4Life Marks.

6. 4Life has made substantially exclusive and continuous use of one or more of the 4Life marks since at least as early as 1997.

7. 4Life has used the 4Life Marks on hundreds of different products, including fruit juices and fruit-based beverages, as well as various nutritional supplements, dietary supplements, vitamins, minerals and herbal supplements, and skin care preparations.

8. The following is the stylization and design most commonly used with the 4Life Marks:

9. 4Life began using the above stylized mark on or in connection with fruit juices and fruit-based beverages since at least as early as 2005.

10. Attached as Exhibit A are examples of 4Life's use of the above stylized mark in connection with the marketing, promotion, advertising, and labeling of fruit juices and fruit-based beverages and other juice products and drink-related products.

11. 4Life is the owner of a federal registration for the above stylized mark in Class 32 for "fruit juices; fruit based drink; and fruit based beverages" (Reg. No. 4175558).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information, and belief.

Signature: _____

Name: Steven D. Tew, President

Date: September 12, 2012

bl054m02jt

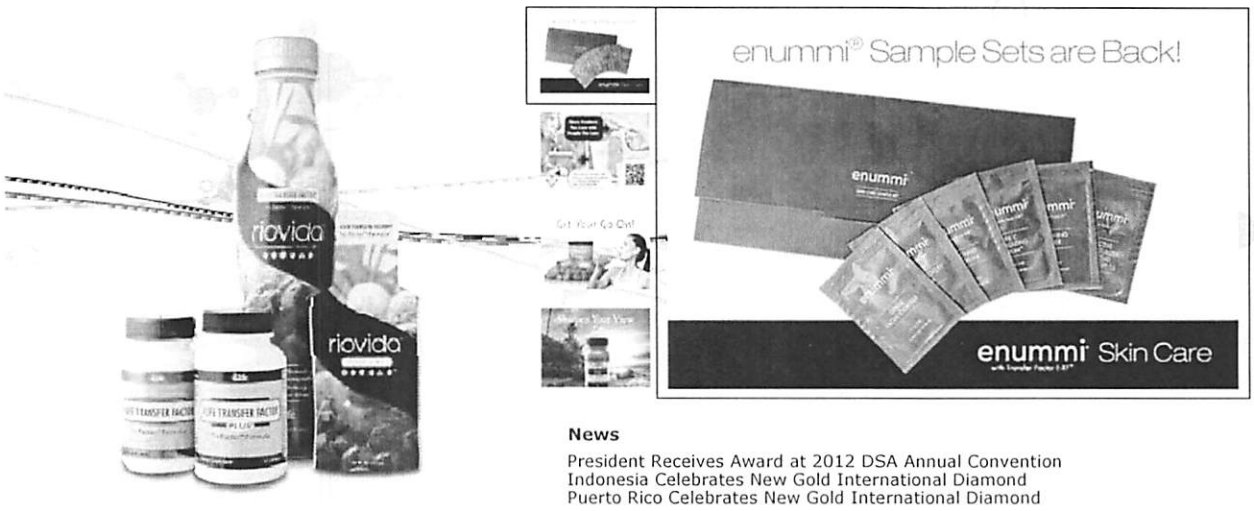
EXHIBIT A

4Life
TOGETHER, BUILDING PEOPLE

(0) | Login

A A | Español Polski 中文 | Select Country

Home Company Products Enroll



News

President Receives Award at 2012 DSA Annual Convention
Indonesia Celebrates New Gold International Diamond
Puerto Rico Celebrates New Gold International Diamond

Useful Links

- Science
- Success
- Service
- Company
- Compensation Plan
- 4Life Office
- Click for Cash

Resources

- Video
- Meetings
- Contact Us
- 4Life Tools for Purchase
- Web 101
- Site map
- Policies and Procedures
- DSA Code of Ethics

Other Sites

- David and Bianca's Blog
- My4LifeSuccess.com
- TransferFactor.com
- 4lifeStyles.com
- Foundation4Life.org
- 4LifeFortify.com
- 4lifeRiteStart.com
- enummi4Life.com

DSA & Code of Ethics

As a long time member of the Direct Selling Association (DSA), 4Life pledges to abide by and promote the DSA Code of ethics.

The information on this website is only applicable in the United States.
View Mobile Site

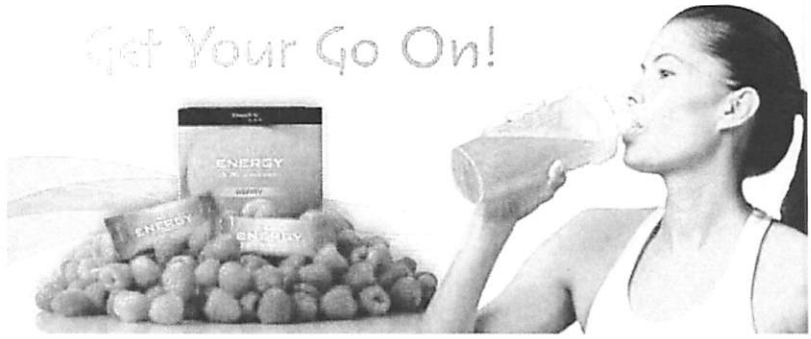
4LIFE 000001

(0)

A A | Es

Home Company Products Enroll

Read more about the science behind 4Life Transfer Factor® products. Read More



Shopping Cart

Functions

4Life Immune Support
Anti-Aging
Antioxidants
Body Glucose Balance
Show All

Product Lines

4Life Targeted Transfer Factor
4Life Tri-Factor Formulas
Additional Transfer Factor Products
Animal Health 4Life
Show All

Ingredients

Acai
Aloe Vera
Calcium/Magnesium
CoQ10
Show All

Vegetarian & Certifications

Halal
Kosher
Vegetarian Capsules

7 Results for: "riovida"

Products > Results for: "riovida"

4Life Transfer Factor® RioVida® Tri-Factor® Fo

#24105

Detailed information for each of these products can be four

$64.95 (50LP) Qty: 1

4Life Transfer Factor® RioVida® Tri-Factor® Fo

#24107

The one-and-only beverage supplement in the world that c transfer factors with antioxidant-rich superfruits. Primary S Wellness Secondary Support: Brain, Cardiovascular, Energ

$714.45 (550LP) Qty: 1

4Life Transfer Factor® RioVida Burst™ Tri-Factor® Formula

#24110

4LIFE 000002

LP Range

1 LP - 14 LP
15 LP - 24 LP
25 LP - 49 LP
50 LP - 100 LP

to

Quick Shopping

Quick Shopping
One Click Shopping

Provides the immune system goodness of RioVida® juice, edible gel blend Primary Support: Immune, Anti-Aging, An Cardiovascular, Energy More

$36.95 (25LP) Qty: 1

4Life Transfer Factor® RioVida Burst™ Tri-Facto

#24111

Provides the immune system goodness of RioVida® juice, edible gel blend Primary Support: Immune, Anti-Aging, An Cardiovascular, Energy More

$221.70 (140LP) Qty: 1

4Life Transfer Factor® RioVida Burst™ Tri-Facto

#24112

Provides the immune system goodness of RioVida® juice, edible gel blend Primary Support: Immune, Anti-Aging, An Cardiovascular, Energy More

$406.45 (275LP) Qty: 1

4Life Transfer Factor® RioVida® Tri-Factor® Fo

#224105

The one-and-only beverage supplement in the world that c transfer factors with antioxidant-rich superfruits. Primary S Wellness Secondary Support: Brain, Cardiovascular, Energ

$64.95 (50LP) Qty: 1

4Life Transfer Factor® RioVida® Tri-Factor® Formula (Español)

#224107

The one-and-only beverage supplement in the world that combines the immune transfer factors with antioxidant-rich superfruits. Primary Support: Immune, An Wellness Secondary Support: Brain, Cardiovascular, Energy More

$714.45 (550LP) Qty: 1

4LIFE 000003

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4lifeStyles.com
Foundation4Life.org
4LifeFortify.com
4lifeRiteStart.com
enummi4Life.com

4Life Transfer Factor® RioVida® Tri-Factor® Formula

A liquid powerhouse

- Provides broad spectrum immune system support
- Features Transfer Factor E-XF™, which stimulates Natural Killer (NK) cell activity by 283%*
- Provides potent antioxidant protection

What is 4Life Transfer Factor RioVida Tri-Factor Formula?

RioVida is a delicious, nutritional juice-revolution. It is the one-and-only beverage supplement in the world that provides the immune-boosting benefits of Tri-Factor Formula with antioxidant-rich *superfruits*, including: açaí, pomegranate, blueberry, elderberry, and purple grape. This intense concentration of active ingredients provides education that supports the body's ability to maintain everyday health and energy.

Did you know?

4Life Transfer Factor RioVida Tri-Factor Formula is the first nutritional product to stabilize transfer factors in a liquid form.

PRIMARY SUPPORT:

Immune
Anti-aging
Antioxidant
Wellness

SECONDARY SUPPORT:

Brain
Cardiovascular
Energy

Key features

- Promotes healthy immune system function that, in turn, promotes increased energy and the healthy function of all other systems throughout the body.
- Contains transfer factors (immune messenger molecules) that help educate immune cells and promote the immune system's ability to more effectively recognize, respond to, and react to potential health threats.
- Features NanoFactor extract that supports immune system balance by promoting the ability of immune cells to know when to act, how to act, and when to rest.
- Provides a rich source of antioxidants that help protect the body from naturally occurring free-radicals.
- Contains a composition of essential fatty acids, amino acids, trace minerals and flavonoids.
- Includes lactoferrin, a beneficial milk protein, for added antioxidant and immune system support.
- Ensures exclusivity with protective United States patents: 6,468,534 (extraction process for transfer factors from egg sources) and 6,866,868 (combination process of transfer factors from cow colostrum and chicken egg yolks).

DIRECTIONS: Drink one or more ounces daily.

Supplement Facts

Serving Size: 1 fl. oz (30 mL)
Servings Per Container: Sixteen (16)

Amount Per Serving		%DV*
Vitamin C (ascorbic acid, dehydroascorbic acid)	125 mg	200%
4Life Tri-Factor® Formula	**600 mg**	†
Transfer Factor E-XF™ A patented concentrate of transfer factors and other natural components from cow colostrum and egg yolk.		
NanoFactor™ A proprietary concentrate of nano-filtered cow colostrum.		
Lactoferrin (from whey)	60 mg	†
RioVida Juice Blend	**28 mL**	†
Apple, Purple Grape, Blueberry, Açaí, Pomegranate, and Elderberry juices from concentrate.		

* Daily Value
† Daily Value not established

Other Ingedients: Purified water, glycerin, natural flavors, and natural preservatives (lysozyme, lactoperoxidase, monoglycerides). Ko

CONTAINS INGREDIENTS FROM MILK AND EGG

Ordering Information

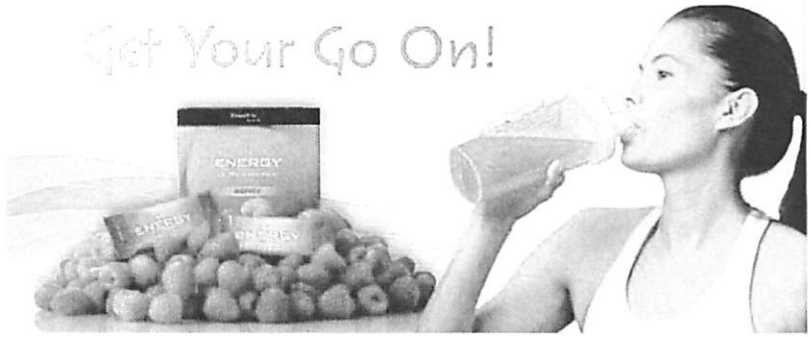
Item # 24105 - 2/pk bottles 16.9 fl oz each
Item # 24107 - 12 for the price of 11

*Test results obtained from two independent NK cell studies conducted by Dr. Anatoli Vorobiev, head of Immunology, at the Russian Academy of Medical Science. The blinded studies tested 4Life Transfer Factor E-XF (the primary ingredient in Tri-Factor Formula) and other immune system products.

4Life
TOGETHER, BUILDING PEOPLE®

*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent disease. This product information is approved for distribution only in the United States.

Read more about the science behind 4Life Transfer Factor® products. Read More



Shopping Cart

Functions

4Life Immune Support
Anti-Aging
Antioxidants
Body Glucose Balance
Show All

Functions

4Life Immune Support
Anti-Aging
Antioxidants
Body Glucose Balance
Show All

Product Lines

4Life Targeted Transfer Factor
4Life Tri-Factor Formulas
Additional Transfer Factor Products
Animal Health 4Life
Show All

Ingredients

Acai
Aloe Vera
Calcium/Magnesium
CoQ10

5 Results for: "go stix"

Products > Results for: "go stix"

Energy Go Stix® Citrus Flavor (30 packets)

#27560

Energy Go Stix will help you power through your busy day, Factor E-XF™ and a clever blend of energy-boosting ingred packet with eight ounces of water and you're good to go...

$45.95 (34LP) Qty: 1

Energy Go Stix® Citrus Flavor (12 for 11)

#27561

Energy Go Stix will help you power through your busy day, Factor E-XF™ and a clever blend of energy-boosting ingred packet with eight ounces of water and you're good to go...

$505.45 (374LP) Qty: 1

Energy Go Stix® Berry Flavor (30 packets)

#27563

4LIFE 000006

Show All

Vegetarian & Certifications

Halal
Kosher
Vegetarian Capsules

LP Range

1 LP - 14 LP
15 LP - 24 LP
25 LP - 49 LP
50 LP - 100 LP

to

Quick Shopping

Quick Shopping
One Click Shopping

Energy Go Stix will help you power through your busy day, Factor E-XF™ and a clever blend of energy-boosting ingred packet with eight ounces of water and you're good to go...

$45.95 (34LP) Qty: 1

Energy Go Stix® Berry Flavor (12 for 11)

#27564

Energy Go Stix will help you power through your busy day, Factor E-XF™ and a clever blend of energy-boosting ingred packet with eight ounces of water and you're good to go...

$505.45 (374LP) Qty: 1

Energy Go Stix® (6 boxes of each)

#27565

Energy Go Stix will help you power through your busy day, Factor E-XF™ and a clever blend of energy-boosting ingred packet with eight ounces of water and you're good to go...

$505.45 (374LP) Qty: 1

Useful Links

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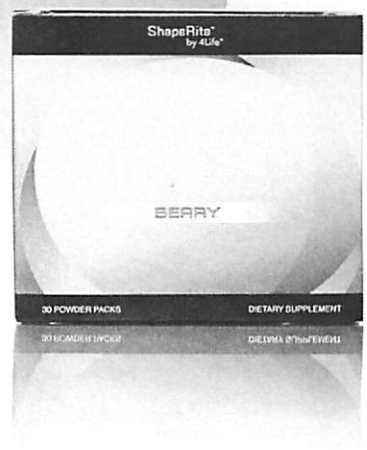
4lifeRiteStart.com
enummi4Life.com

View Mobile Site

4LIFE 000007

Energy Go Stix

On-the-go energy support



- Improves energy and stamina*
- Supports memory, alertness, and mood*
- Promotes healthy metabolism and weight management when accompanied by diet and exercise*
- Support healthy immune system function*
- Available in fresh citrus and tasty berry flavors

What is Energy Go Stix?

Energy Go Stix® is formulated to help you power through your busy day, giving you a boost of natural energy without the buzz and crash found in most store brands. Rich in natural energy boosters and fortifying nutrients, including the revolutionary Transfer Factor E-XF™, Energy Go Stix promotes energy and stamina, helps improve memory and alertness, and supports healthy immune system function. Packed in convenient citrus and berry flavored single-serve packets, this energy formula is perfect to take with you wherever you go.

Did you know?

Yerba Mate leaves are used in beverage form throughout South America as an energy drink, nervous tonic, and for depression. The indigenous people have deemed it "The Drink of the Gods" and have used it for centuries to wake up the mind.

PRIMARY SUPPORT

Energy

SECONDARY SUPPORT

Weight management
Immune System

*Energy Go Stix contains ingredients that have been shown to support these structure/function claims.

Key Features

- Contains transfer factors (immune messenger molecules) that help educate immune cells and promote the immune system's ability to more effectively recognize, respond to, and remember potential health threats.
- Blends natural energy boosters, including yerba mate, guarana, green tea extract, and three forms of ginseng.
- Supports weight management efforts with chromium, L-carnitine, and green tea.
- Includes an energy-rich formula that supports mental alertness and physical stamina.
- Ensures exclusivity with protective United States patents: 6,468,534 (extraction process for transfer factors from egg sources) and 6,866,868 (combination process of transfer factors from cow colostrum and chicken egg yolks).

DIRECTIONS: Mix one (1) packet with 8 oz water.

Supplement Facts

Serving Size: One (1) packet (5.5 g)
Servings Per Container: 30

Amount Per Serving		%DV*
Calories	15	
Total Carbohydrate	3 g	<1%*
Riboflavin	2 mg	120%
Chromium (as chromium polynicotinate)	30 mcg	25%
Transfer Factor E-XF™	**50 mg**	†
A patented concentrate of transfer factors and other natural components from cow colostrum and egg yolk		
Amino Acid Blend	**875 mg**	†
L-Glutamine, L-Arginine, Taurine, Creatine,		
L-Carnitine, L-Ornithine α-ketoglutarate		
Proprietary Blend	**125 mg**	†
Eleuthero (*Eleutherococcus senticosus*) root extract**		
Korean Ginseng (*Panax ginseng*) whole plant extract**		
American Ginseng (*Panax quinquefolius*) root extract***		
Herbal Energy Blend	**487 mg**	†
Green Tea (*Camellia sinensis*) leaf extract		
Yerba Mate (*Ilex paraguariensis*) leaf extract		
Guarana (*Paullinia cupana*) root extract		
Maca (*Lepidium meyenii*) root extract		
Rhodiola rosea root extract		

* Percentage Daily Values are based on a 2,000 calorie diet
† Daily Value not established
** From China
*** From Canada

OTHER INGREDIENTS: Maltodextrin, natural and artificial berry flavor, citric acid, beet (color), silicon dioxide, beta carotene (color), sucralose, acesulfame K, sodium acetate, and xanthan gum

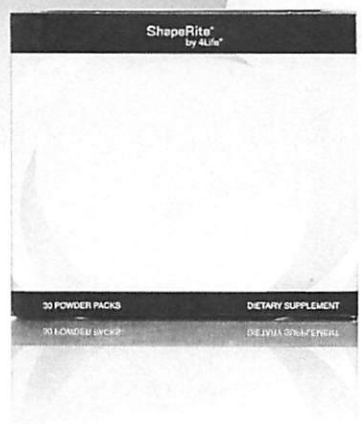
CONTAINS INGREDIENTS FROM MILK AND EGG.

Ordering Information

Item # 27543 - 30 Berry flavor packets
Item # 27544 - 12 for 1.1 (berry)

Energy Go Stix

On-the-go energy support



- Improves energy and stamina*
- Supports memory, alertness, and mood*
- Promotes healthy metabolism and weight management when accompanied by diet and exercise*
- Support healthy immune system function*
- Available in fresh citrus and tasty berry flavors

What is Energy Go Stix?

Energy Go Stix® is formulated to help you power through your busy day, giving you a boost of natural energy without the buzz and crash found in most store brands. Rich in natural energy boosters and fortifying nutrients, including the revolutionary Transfer Factor E-XF™, Energy Go Stix promotes energy and stamina, helps improve memory and alertness, and supports healthy immune system function. Packed in convenient citrus and berry flavored single-serve packets, this energy formula is perfect to take with you wherever you go.

Did you know?

Yerba Mate leaves are used in beverage form throughout South America as an energy drink, nervous tonic, and for depression. The indigenous people have deemed it "The Drink of the Gods" and have used it for centuries to wake up the mind.

PRIMARY SUPPORT:

Energy

SECONDARY SUPPORT:

Weight management
Immune System

Key Features

- Contains transfer factors (immune messenger molecules) that help educate immune cells and promote the immune system's ability to more effectively recognize, respond to, and remember potential health threats.
- Blends natural energy boosters, including yerba mate, guarana, green tea extract, and three forms of ginseng.
- Supports weight management efforts with chromium, L-carnitine, and green tea.
- Includes an energy-rich formula that supports mental alertness and physical stamina.
- Ensures exclusivity with protective United States patents: 6,468,534 (extraction process for transfer factors from egg sources) and 6,866,868 (combination process of transfer factors from cow colostrum and chicken egg yolks).

DIRECTIONS: Mix one (1) packet with 8 oz water.

Supplement Facts

Serving Size: One (1) packet (5.5 g)
Servings Per Container: 30

Amount Per Serving		%DV*
Calories	15	
Total Carbohydrate	3 g	<1%*
Riboflavin	2 mg	120%
Chromium (as chromium polynicotinate)	30 mcg	25%
Transfer Factor E-XF™	**50 mg**	†
A patented concentrate of transfer factors and other natural components from cow colostrum and egg yolk		
Amino Acid Blend	**875 mg**	†
L-Glutamine, L-Arginine, Taurine, Creatine, L-Carnitine, L-Ornithine α-ketoglutarate		
Proprietary Blend	**125 mg**	†
Eleuthero (*Eleutherococcus senticosus*) root extract**		
Korean Ginseng (*Panax ginseng*) whole plant extract**		
American Ginseng (*Panax quinquefolius*) root extract***		
Herbal Energy Blend	**487 mg**	†
Green Tea (*Camellia sinensis*) leaf extract		
Yerba Mate (*Ilex paraguariensis*) leaf extract		
Guarana (*Paullinia cupana*) root extract		
Maca (*Lepidium meyenii*) root extract		
Rhodiola rosea root extract		

* Percentage Daily Values are based on a 2,000 calorie diet
† Daily Value not established
** From China
*** From Canada

OTHER INGREDIENTS: Maltodextrin, natural orange flavor, citric acid, silicon dioxide, beta carotene (color), acesulfame K, xanthan gum, and sucralose.

CONTAINS INGREDIENTS FROM MILK AND EGG

Ordering Information

Item # 27560 - 30 Citrus flavor packets
Item # 27561 - 12 fl. oz. (Citrus)

*Energy Go Stix contains ingredients that have been shown to support these structure/function claims.

4Life
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(0)

A A | Es

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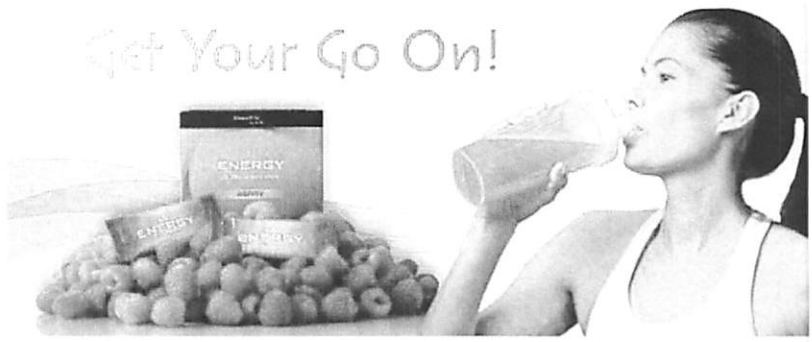
Read more about the science behind 4Life Transfer Factor® products. Read More



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Functions

4Life Immune Support
Anti-Aging
Antioxidants
Body Glucose Balance
Show All

Product Lines

4Life Targeted Transfer Factor
4Life Tri-Factor Formulas
Additional Transfer Factor Products
Animal Health 4Life
Show All

Ingredients

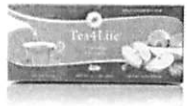
Acai
Aloe Vera
Calcium/Magnesium
CoQ10
Show All

Vegetarian & Certifications

Halal
Kosher
Vegetarian Capsules

2 Results for: "tea"

Products > Results for: "tea"



Tea4Life® (30 bags)

#13004

Natural cleansing tea for intestinal maintenance and nutrie
Detox Secondary Support: Digestion More

$19.95 (12LP) Qty: 1

Tea4Life® (12 for 11)

#13005

Natural cleansing tea for intestinal maintenance and nutrie
Detox Secondary Support: Digestion More

$219.45 (132LP) Qty: 1

4LIFE 000010

LP Range

1 LP - 14 LP
15 LP - 24 LP
25 LP - 49 LP
50 LP - 100 LP

to

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Quick Shopping
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Useful Links

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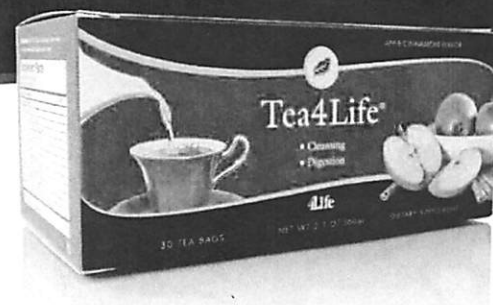
4lifeStyles.com
Foundation4Life.org
4LifeFortify.com
4lifeRiteStart.com
enummi4Life.com

The information on this website is only applicable in the United States.
View Mobile Site

4LIFE 000011

Tea4Life®

Herbal Cleansing And Balancing Tea



DIRECTIONS: HOT TEA – Place one tea bag in your mug. Add boiling water and let it steep for 4-6 minutes.

Supplement Facts

Serving Size: One (1) Tea bag
Servings Per Container: 30

Amount Per Serving		%DV*
Proprietary Blend	**2 g**	†
Senna (*Cassia senna*) leaf		
Stevia (*Stevia rebaudiana*) leaf		
Cinnamon (*Cinnamomum cassia*) bark		
Buckthorn (*Rhamnus frangula*) bark		
Ginger (*Zingiber officinale*) root		
Natural apple flavor		
Orange (*Citrus sinensis*) peel		
Green Tea (*Camellia sinensis*) leaf		
Bitter Orange (*Citrus aurantium*) fruit		
Echinacea (*Echinacea purpurea*) leaf		
Rooibos (*Aspalathus linearis*) leaf		
Astragalus (*Astragalus membranaceous*) root		

* Daily Value
† Daily Value not established

Ko

NOTICE: This product contains senna leaf and buckthorn bark. Read and follow directions carefully. Some individuals may experience some slight cramping during the first few uses. Do not use if you have or develop diarrhea, loose stools, abdominal pain or intestinal inflammation. Consult your physician if you have frequent diarrhea. If you are pregnant, nursing, taking medication or have a medical condition, consult your physician before using this product. In general, the cleansing action takes place within 4-6 hours after consumption.

IMPORTANT: The serving size recommended (one tea bag) is the suggested amount to be consumed by the average adult per day. Some individuals may require less, or additional tea to achieve the desired benefits. 4Life recommends that you start slowly, and increase the amount consumed as needed.

Ordering Information

Item # 13004 - 30 bags
Item # 13005 - 12 for the price of 11

4Life®
TOGETHER, BUILDING PEOPLE

*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent disease. Product information is approved for use in the United States only.

Read more about the science behind 4Life Transfer Factor® products. Read More

Shopping Cart

Functions

4Life Immune Support
Anti-Aging
Antioxidants
Body Glucose Balance
Show All

Product Lines

4Life Targeted Transfer Factor
4Life Tri-Factor Formulas
Additional Transfer Factor Products
Animal Health 4Life
Show All

Ingredients

Acai
Aloe Vera
Calcium/Magnesium
CoQ10
Show All

Vegetarian & Certifications

Halal
Kosher
Vegetarian Capsules

2 Results for: "aloe vera"

Products > Results for: "aloe vera"

Aloe Vera (16 oz bottle)

#8000

Pure aloe vera juice for overall wellnessPrimary Support: D
More

$32.95 (21LP) Qty: 1

Aloe Vera (12 for 11)

#8001

Pure aloe vera juice for overall wellnessPrimary Support: D
More

$362.45 (231LP) Qty: 1

4LIFE 000013

LP Range

1 LP - 14 LP
15 LP - 24 LP
25 LP - 49 LP
50 LP - 100 LP

to

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Other Sites

David and Bianca's Blog
My4LifeSuccess.com
TransferFactor.com
4lifeStyles.com
Foundation4Life.org
4LifeFortify.com
4lifeRiteStart.com
enummi4Life.com

View Mobile Site

4LIFE 000014

Aloe Vera

DIRECTIONS: Drink 1/2 to 1 ounce daily or mix with water or fruit juice at a dilution ratio of 1:10 (aloe vera: liquid). Makes 1 1/2 gallons.

Nutrition Facts

Serving Size: 1 fl. oz. (30 ml)
Servings Per Container: 16

Amount Per Serving

Calories 5 — Calories from Fat 0

		% Daily Value*
Total Fat	**0 g**	**0%**
Saturated Fat	0 g	0%
Trans Fat	0 g	0%
Cholesterol	0 g	0%
Sodium	80 mg	3%
Total Carbohydrate	**1 g**	**0%**
Dietary Fiber	0 g	0%
Sugars	0 g	
Protein	0 g	

Vitamin A 0% • Vitamin C 50%
Calcium 10% • Iron 0%

*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less Than	65 g	80 g
Saturated Fat	Less Than	20 g	25 g
Cholesterol	Less Than	300 mg	300 mg
Sodium	Less Than	2,400 mg	2,400 mg
Total Carbohydrate		300 g	375 g
Dietary Fiber		25 g	30 g

Calories per gram
Fat 9 • Carbohydrate 4 • Protein

Other Ingredients: Aloe Vera 10:1 concentrate, ascorbic acid, sodium benzoate, erythorbic acid, potassium sorbate, monoglycerides. Ko

Refrigerate after opening.

Ordering Information

Item # 8000 - 16 oz bottle
Item # 8001 - 12 for the price of 11

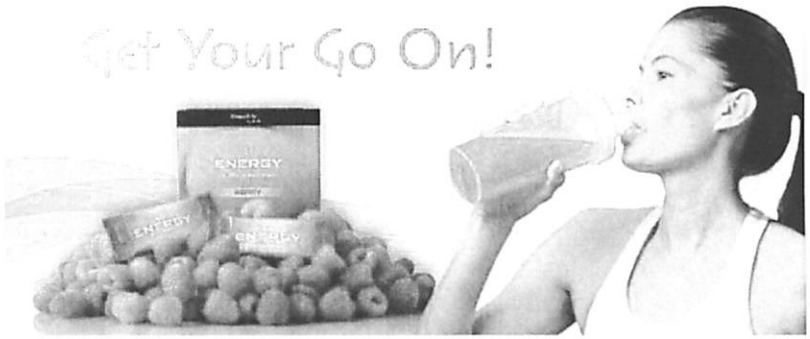
4Life
TOGETHER, BUILDING PEOPLE

*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure or prevent disease. Product information is approved for use in the United States only.

Exhibit 2

Part 2 of 2

Read more about the science behind 4Life Transfer Factor® products. Read More



Shopping Cart

Functions

4Life Immune Support
Anti-Aging
Antioxidants
Body Glucose Balance
Show All

Product Lines

4Life Targeted Transfer Factor
4Life Tri-Factor Formulas
Additional Transfer Factor Products
Animal Health 4Life
Show All

Ingredients

Acai
Aloe Vera
Calcium/Magnesium
CoQ10
Show All

Vegetarian & Certifications

Halal
Kosher
Vegetarian Capsules

2 Results for: "nutrastart"

Products > Results for: "nutrastart"

NutraStart® (15 servings)

#28085

Detailed information for each of these products can be four

$36.95 (23LP) Qty: 1

NutraStart® (12 for 11)

#28086

Healthy choices don't always come with the option for grea health drink is packed with hearty health essentials like 10 protein, vitamins, minerals, and immune-boosting Transfer

$406.45 (253LP) Qty: 1

4LIFE 000016

LP Range

1 LP - 14 LP
15 LP - 24 LP
25 LP - 49 LP
50 LP - 100 LP

to

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Foundation4Life.org
4LifeFortify.com
4lifeRiteStart.com
enummi4Life.com

View Mobile Site

4LIFE 000017

NutraStart

DIRECTIONS: Add two (2) scoops of NutraStart to 8 oz of water. Blend or smooth, drink immediately.

Nutritional Facts

Serving Size: Two (2) scoops (52g)
Servings Per Container: 15

Amount Per Serving in 8 oz of water

Calories 160	Calories from Fat 40	
		% Daily Value*
Total Fat 4.5g		**7%**
Saturated Fat 1g		**5%**
Trans Fat 0g		
Cholesterol 20mg		**6%**
Sodium 240mg		**10%**
Total Carbohydrate 19g		**6%**
Dietary Fiber 10g		**42%**
Sugars 4g		
Protein 18g		

Vitamin A 35%	•	Vitamin C 35%
Calcium 50%	•	Iron 45%
Vitamin D 35%	•	Vitamin E 35%
Thiamin 35%	•	Riboflavin 35%
Niacin 35%	•	Vitamin B6 35%
Folate 40%	•	Vitamin B12 35%
Biotin 35%	•	Pantothenic Acid 35%
Phosphorus 45%	•	Iodine 35%
Magnesium 35%	•	Zinc 35%
Copper 40%	•	Chloride 2%

Transfer Factor E-XF® 100mg
A patented concentrate of transfer factors and other natural components from cow colostrum and egg yolk.

*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs.

	Calories	2,000	2,500
Total Fat	less than	65g	80g
Saturated Fat	less than	20g	25g
Cholesterol	less than	300mg	300mg
Sodium	less than	2400mg	2400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Calories per gram:
Fat 9 • Carbohydrate 4 • Protein 4

INGREDIENTS: Soy Protein Isolate, Whey Protein Concentrate, Sunflower Oil Creamer (high oleic sunflower oil, corn syrup solids, sodium caseinate (a milk derivative), mono- and diglycerides, dipotassium phosphate, tricalcium phosphate), soy lecithin, tocopherols), Polydextrose-Litesse II, Xylitol, Maltodextrin Fiber, Natural Flavor, Fructose, Soy Fiber, Vitamin and Mineral Blend (calcium, magnesium, ascorbic acid, vitamin E, niacin, iron, zinc, dicalcium pantothenate, pyridoxine hydrochloride, copper, riboflavin, vitamin A, thiamin, folic acid, potassium, cyanocobalamin), Cellulose Gum, Stevia, Salt.

CONTAINS MILK, SOY AND EGG.
4Life Transfer Factor is protected by US patent 6,468,534 and 6,866,868 with other patents pending.

Store in a cool, dry place.

Ordering Information

Item # 28085 - 1 bag/15 servings
Item # 28086 - 12 for the price of 11

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(0)

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Read more about the science behind 4Life Transfer Factor® products. Read More

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Functions

4Life Immune Support
Anti-Aging
Antioxidants
Body Glucose Balance
Show All

Product Lines

4Life Targeted Transfer Factor
4Life Tri-Factor Formulas
Additional Transfer Factor Products
Animal Health 4Life
Show All

Ingredients

Acai
Aloe Vera
Calcium/Magnesium
CoQ10
Show All

Vegetarian & Certifications

Halal
Kosher
Vegetarian Capsules

6 Results for: "rezoom"

Products > Results for: "rezoom"

ReZoom® (8 oz bottle)

#26020

ReZoom® is a liquid energy tonic with herbal extracts and stamina, energy, and muscle tone. More

$15.95 (9LP) Qty: 1

ReZoom® (8oz) (12 for 11)

#26021

ReZoom® is a liquid energy tonic with herbal extracts and stamina, energy, and muscle tone. More

$175.45 (99LP) Qty: 1

ReZoom® (32oz)

#26022

ReZoom® is a liquid energy tonic with herbal extracts and vitamins to promote stamina, energy, and muscle tone. More

4LIFE 000019

LP Range

1 LP - 14 LP
15 LP - 24 LP
25 LP - 49 LP
50 LP - 100 LP

to

Quick Shopping

Quick Shopping
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$34.95 (25LP) Qty: 1

ReZoom® (32oz) (12 for 11)

#26023

ReZoom® is a liquid energy tonic with herbal extracts and stamina, energy, and muscle tone. More

$384.45 (275LP) Qty: 1

ReZoom® (1 gallon)

#26024

ReZoom® is a liquid energy tonic with herbal extracts and stamina, energy, and muscle tone. More

$94.95 (75LP) Qty: 1

ReZoom® (12 gallons for the price of 11)

#26025

ReZoom® is a liquid energy tonic with herbal extracts and stamina, energy, and muscle tone. More

$1,044.45 (825LP) Qty: 1

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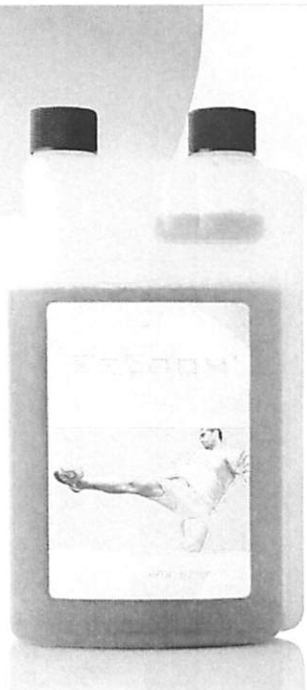
ReZoom



DIRECTIONS: Shake well. Drink ½ ounce twice daily.

Supplement Facts

Serving Size: 15 ml (1/2 fl oz)
Servings Per Container: 252, 63, 16

Amount Per Serving		%DV*
Vita Essential Proprietary Blend	**23 mg**	§
Potassium (as potassium citrate), Vitamin C (as calcium ascorbate and magnesium ascorbate), Niacin (as niacinamide), Chloride (as sodium chloride), Pantothenic acid (as calcium pantothenate), Vitamin B6 (as pyridoxine hydrochloride), Zinc (as zinc aspartate), Vitamin B1 (as thiamin mononitrate), Selenium (as l-selenomethionine), Vitamin B2 (as riboflavin), Folate (as folic acid), Chromium (as chromium nicotinate), Boron (as boron amino acid chelate), Vitamin B12 (as cyanocobalamin).		
Herbal Proprietary Blend	**560 mg**	†
Yerba maté (*Ilex paraguariensis*) leaf extract, *Aloe barbadensis* leaf gel extract, *Echinacea purpurea* leaf extract, Astragalus membranaceus root extract, Licorice (*Glycyrrhiza glabra*) root extract, Hawthorn (*Crataegus oxycantha*) berry extract, Sarsaparilla (*Smilax regelii*) root extract, *Eleutherococcus senticosus* root extract, Peppermint (*Mentha x piperita*) leaf extract, Korean Ginseng (*Panax ginseng*) root extract**, Yarrow (*Achillea millefolium*) flower extract, *Stillingia sylvatica* root extract.		

* Daily Value
† Daily Value not established
§ Contains less than 2% of this nutrient
** From China

Other Ingredients: water, glycerin, high fructose corn syrup, alcohol, potassium sorbate, sodium benzoate, phosphoric acid, lime extract, lactic acid, lemon extract, malic acid, silicon dioxide with other natural flavors. Ko

Refrigerate after opening. Do not expose to heat.

Ordering Information

Item # 60113 - 8 oz bottle
Item # 60129 - 12/8 oz bottles (for the price of 11)
Item # 60131 - 32 oz bottle
Item # 60132 - 12/32 oz bottles (for the price of 11)
Item # 60135 - Display Item
Item # 60136 - 12 Display Items (for the price of 11)

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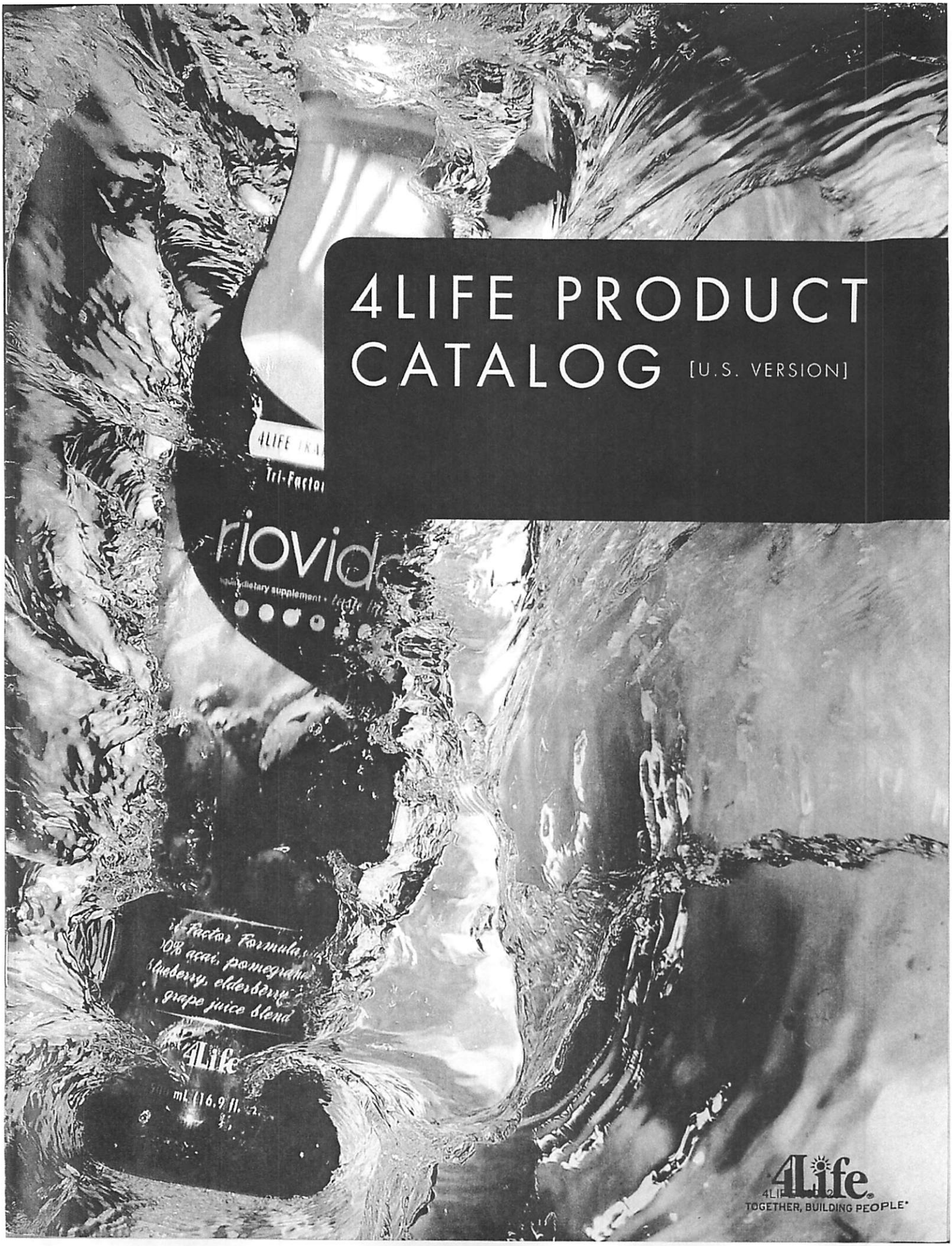
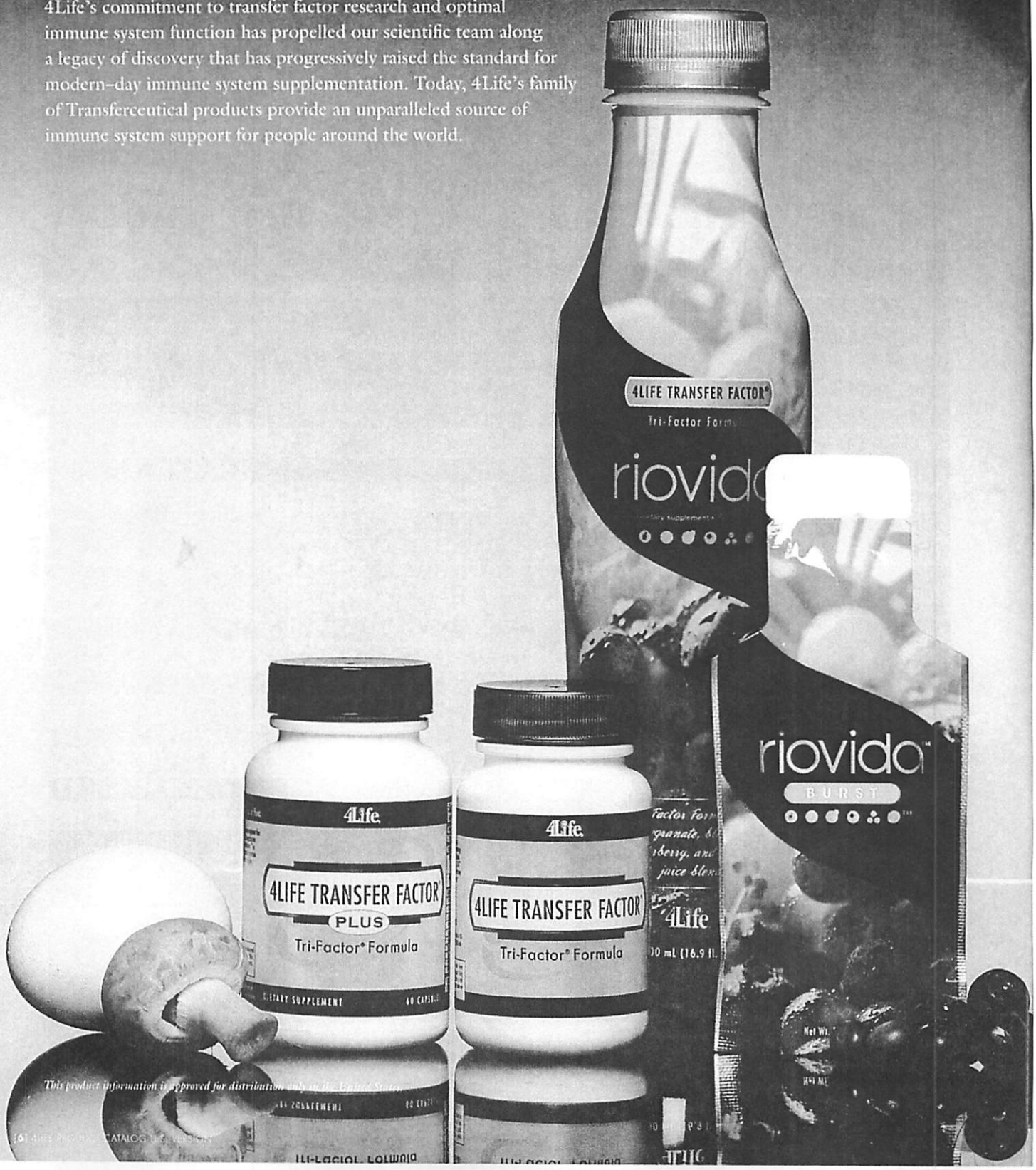
4LIFE PRODUCT CATALOG [U.S. VERSION]



4LIFE TRANSFER FACTOR®

LEADING THE WAY IN TRANSFERCEUTICAL SCIENCE

4Life's commitment to transfer factor research and optimal immune system function has propelled our scientific team along a legacy of discovery that has progressively raised the standard for modern-day immune system supplementation. Today, 4Life's family of Transferceutical products provide an unparalleled source of immune system support for people around the world.



This product information is approved for distribution only in the United States.

4LIFE TRANSFER FACTOR®
RIOVIDA® TRI-FACTOR® FORMULA

The first and only Transfer Factor drink in the world, featuring 4Life's exclusive Tri-Factor® Formula.

- Educates, enhances, and balances the immune system
- Features the exclusive combination of Transfer Factor E-XF™ and NanoFactor®
- Includes a potent fusion of antioxidant juices, including acai, pomegranate, blueberry, and elderberry
- Revs up energy reserves with a composition of essential fatty acids, amino acids, trace mineral, and flavonoids

PRIMARY SUPPORT: Immune, Anti-Aging, Antioxidant, Wellness

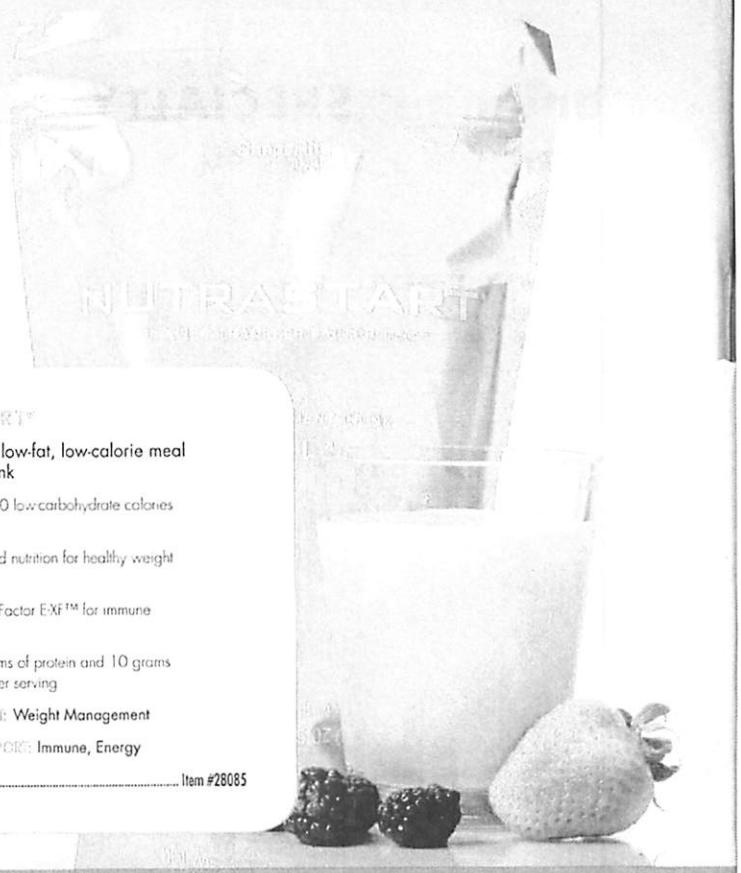
SECONDARY SUPPORT: Brain, Cardiovascular, Energy

(2– 16.9 oz bottles) ..... Item #24105

SHAPERITE® BY 4LIFE®

SHAPE-UP SUPPORT WITH AN ENERGY BOOST FOR YOUR ACTIVE, HEALTHY LIFE

ShapeRite by 4Life offers an exceptional collection of products to support active living and healthy weight management. Formulated with scientifically researched ingredients known to improve energy and address a variety of challenges associated with weight management, ShapeRite by 4Life supports your efforts to enjoy an energetic life, as well as to achieve and maintain your ideal shape.



NUTRASTART™

Vanilla-flavored low-fat, low-calorie meal replacement drink

- Contains only 160 low-carbohydrate calories per serving
- Provides balanced nutrition for healthy weight management
- Includes Transfer Factor E-XF™ for immune system support
- Contains 18 grams of protein and 10 grams of dietary fiber per serving

PRIMARY SUPPORT: Weight Management

SECONDARY SUPPORT: Immune, Energy

(15-serving bag)..... Item #28085

Achieve your healthy shape...

CARB BLX™

Formula that helps block the amount of fat and carbohydrates your body absorbs

- Features cassia nomame, a plant extract that helps inhibit the digestion and absorption of fat
- Includes polyphenols and flavonols for potent antioxidant activity
- Provides green tea to help promote natural fat burning, healthy mood, and energy levels, and overall weight management

PRIMARY SUPPORT: Weight Management

(60 capsules)..... Item #27532

CATALYST® PLUS

Formula for maintaining balanced glucose levels

- Features gymnema sylvestre to help neutralize sugar cravings
- Includes lagerstroemia speciosa and momordica to help support healthy glucose levels
- Contains chromium to support healthy energy levels and aid weight management

PRIMARY SUPPORT: Weight Management

SECONDARY SUPPORT: Body Glucose Balance, Energy

(60 capsules)..... Item #27535

CHITOLITE®

Fat-binding formula that discourages absorption of fat in the body

- Supports weight management by binding fat through the power of chitosan
- Features l-ascorbic acid, erythorbic acid, and aloe vera
- Incorporates patented technology to maximize the fat-binding ability of standard chitosan

PRIMARY SUPPORT: Weight Management

(60 capsules)..... Item #27519

4LIFE 000026

ENERGY ON STICK®

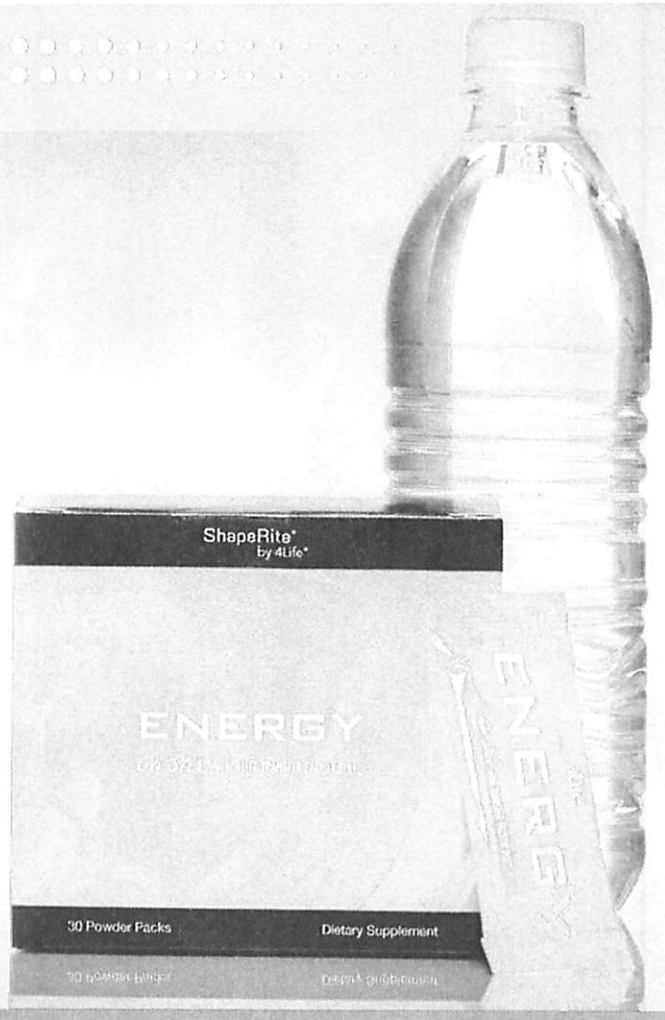
Citrus-flavored energy drink in ready-to-mix powder-packs

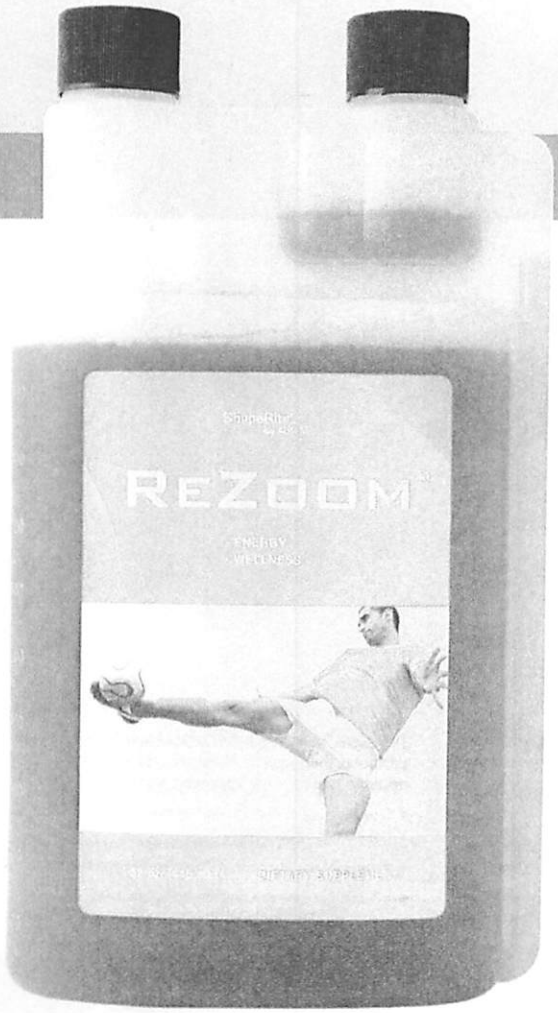
- Features an energy boost from a synergistic amino acid blend of yerba mate, guarana, green tea extract, and three forms of ginseng
- Includes Transfer Factor E-XF™ for immune system support
- Simply mix one citrus-orange pack with 8 oz of water and you're good to go... and go... and go!

PRIMARY SUPPORT: Energy

SECONDARY SUPPORT: Immune, Weight Management

(30 powder packs)..... Item #27560





REZOOM®

Liquid energy tonic with herbal extracts and vitamins to promote peak performance, top stamina, energy, and muscle tone

- Supports stamina and endurance through yerba mate, ginseng, and other natural energy boosters
- Aids cardiovascular health through herbs such as hawthorn and yarrow
- Restores essential nutrients for people who work out regularly or exercise at high levels

PRIMARY SUPPORT: Energy

SECONDARY SUPPORT: Wellness

(8 oz bottle)..... Item #6010
(32 oz bottle)..... Item #6011
(Gallon bottle with pump)..... Item #6015

4LIFE 000027

GENERAL HEALTH AND WELLNESS

Providing a strong foundation of support from healthy digestion, to powerful antioxidants and essential fatty acids, the 4Life General Health and Wellness products complement 4Life's Transferceutical™ line and give you extensive health support that meets your body's varied needs.

BIOEFA™ WITH CLA

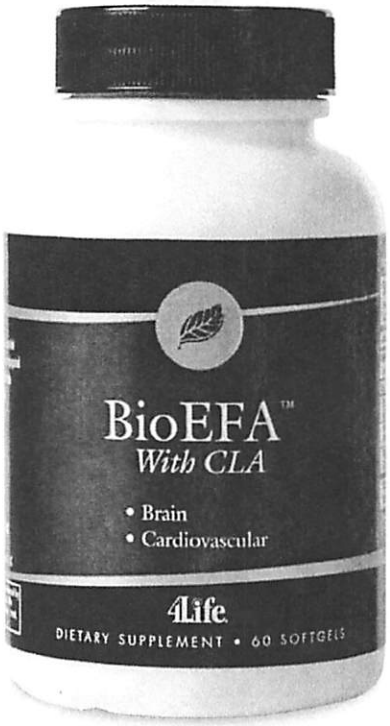
Essential fatty acids for healthy heart, brain, and respiratory function

- Features potent omega-3 and omega-6 fatty acids from fish oil, borage seed oil, flaxseed oil, and sunflower seed oil
- Promotes healthy blood pressure and strong cell membranes
- Contains CLA (conjugated linoleic acid) for cardiovascular and circulatory health

PRIMARY SUPPORT: Brain, Cardiovascular

SECONDARY SUPPORT: Weight Management, Wellness

(60 softgels) ..... Item #28095



ALOE VERA

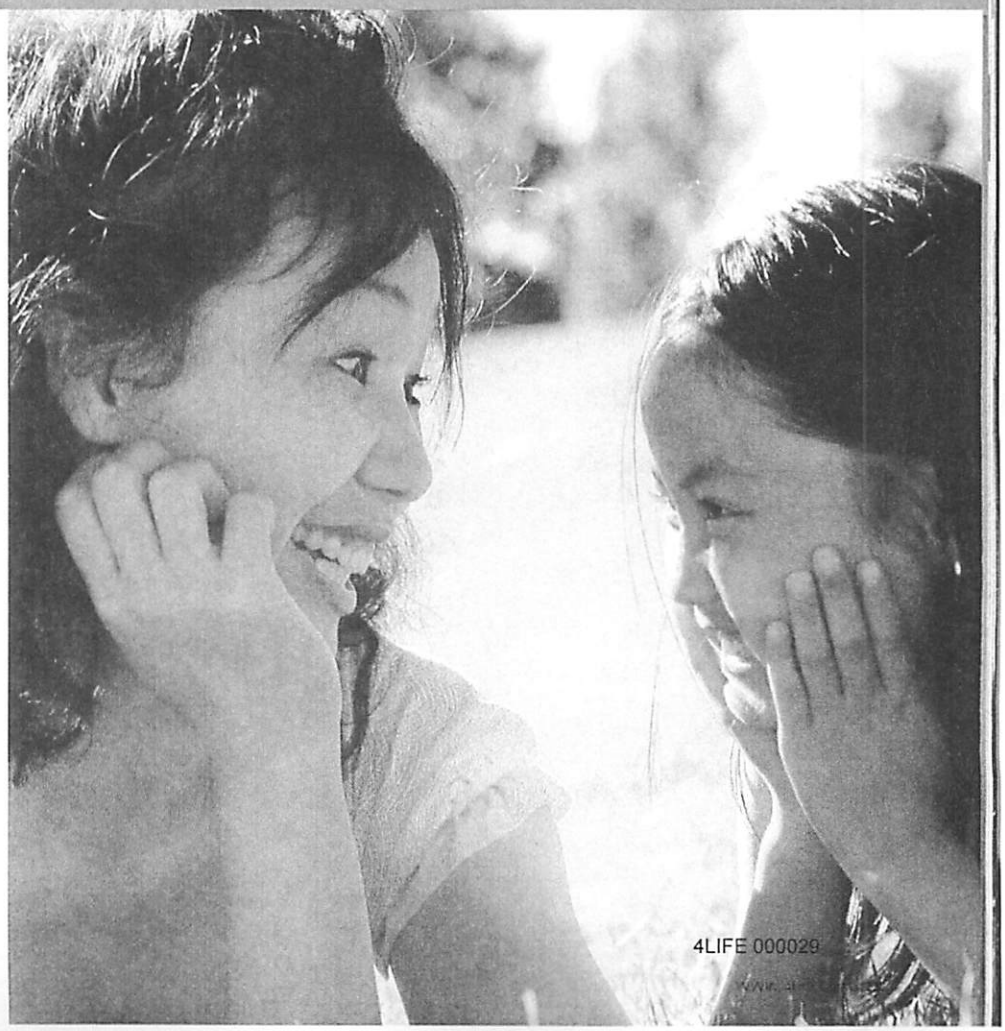
Pure aloe vera juice to support healthy digestion and overall wellness

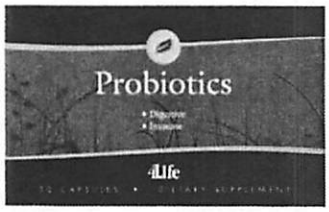
- Overall general wellness tonic, good for healthy digestion and support for internal organs
- Includes mannans that help support immune response
- Features a proprietary harvesting process to retain optimal freshness

PRIMARY SUPPORT: Digestion

SECONDARY SUPPORT: Immune, Wellness

(16 fl. oz bottle) ..... Item #8000





PROBIOTICS BY 4LIFE

Proprietary blend of five active probiotic strains for gastrointestinal health and digestive functions

- Supports healthy digestive function
- Promotes immune system wellness
- Helps maintain healthy levels of "good" bacteria

PRIMARY SUPPORT: Digestive

SECONDARY SUPPORT: Immune

(30 capsules).....Item #23012

RITE LIFE®

Proprietary blend of ionic rare earth minerals and herbal extracts in a potent liquid form

- Offers support for immune, nervous, and circulatory systems
- Includes phytonutrients from hawthorn, ginkgo, and bilberry extracts for heart, brain, and vision support
- Contains herbs that support endurance and immune system function

PRIMARY SUPPORT: Wellness

SECONDARY SUPPORT: Energy, Multivitamin & Mineral

(16 oz bottle).....Item #6004
(64 oz bottle).....Item #6006

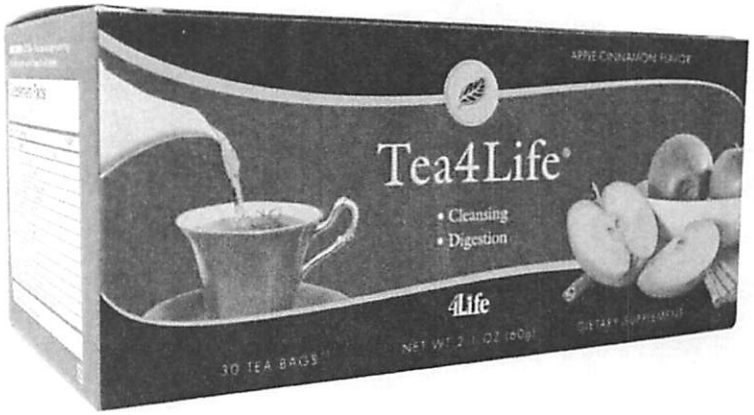
SLEEPRITE®

Proprietary blend of natural ingredients for a restful night sleep

- Blends melatonin with 5-Hydroxytryptophan (5-HTP) to support healthy sleep patterns and mood
- Features a synergistic proprietary blend of relaxing herbs, including valerian and chamomile

PRIMARY SUPPORT: Sleep Mood & Stress

(30 capsules).....Item #28090



STRESS FORMULA

A calming herbal formula to help balance daily stress

- Combines chamomile and valerian root to support a calm nervous system and manage anxiety and tension
- Supports balanced autonomic, sensory, and motor functions
- Includes peppermint to soothe stomach discomfort that may be associated with stress

PRIMARY SUPPORT: Sleep Mood & Stress

(60 capsules).....Item #7040

TEA4LIFE®

Natural cleansing tea for intestinal maintenance and nutrient absorption

- Features herbal extracts to support colon health by safely activating under-developed colon muscles
- Provides a gentle alternative for healthy digestive cleansing
- Boasts a tasty apple-cinnamon flavor with no artificial colors, flavors, or sweeteners

PRIMARY SUPPORT: Cleansing & Detox

SECONDARY SUPPORT: Digestion

(30 bags).....Item #13004

4LIFE 000030

For more information about 4Life products and the 4Life opportunity, contact:

4Life
TOGETHER, BUILDING PEOPLE

Exhibit 3

United States of America

United States Patent and Trademark Office

Reg. No. 4,175,558

Registered July 17, 2012

Int. Cl.: 32

TRADEMARK

PRINCIPAL REGISTER

4LIFE TRADEMARKS, LLC (UTAH LIMITED LIABILITY COMPANY)
9850 SOUTH 300 WEST
SANDY, UT 84070

FOR: FRUIT JUICES; FRUIT BASED DRINK; AND FRUIT BASED BEVERAGES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 5-1-2005; IN COMMERCE 5-1-2005.

OWNER OF U.S. REG. NOS. 2,475,300, 3,922,645 AND OTHERS.

THE MARK CONSISTS OF "4LIFE" IN STYLIZED LETTERING WITH A SUN-LIKE DESIGN USED FOR THE DOT OF THE "I".

SER. NO. 85-481,494, FILED 11-28-2011.

DANNEAN HETZEL, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office