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

Proceeding	91212477
Party	Plaintiff Balance Bar Company
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Date	04/01/2015
Attachments	101-6_Opposers_Objection_to_Applicants_Statement_of_Supplemental_Legal_Authority.pdf(69115 bytes)

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

In re Application Serial No. 85/751,520
Published for Opposition on March 19, 2013
Trademark: EARTH BALANCE

BALANCE BAR COMPANY,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91212477
	:	
GFA BRANDS, INC.,	:	
	:	
Applicant.	:	

**OPPOSER’S OBJECTION TO APPLICANT’S STATEMENT OF SUPPLEMENTAL
LEGAL AUTHORITY**

Opposer hereby objects to Applicant’s Statement of Supplemental Legal Authority filed on March 31, 2015, and request that such Statement be stricken. The Trademark Rules specifically prohibit a defendant in an opposition proceeding from the filing of “a reply brief, rebuttal brief, rejoinder brief, **etc.**” TBMP §801.02(d). Here, there can be no doubt but that Applicant is attempting to circumvent the express rules of the TTAB by submitting almost 2 pages of substantive argument in a document conveniently entitled Statement Of Supplemental Legal Authority.

Accordingly, it is respectfully submitted that Applicant’s Statement of Supplemental Legal Authority is improper, in violation of the Trademark Rules, and should be stricken.

Respectfully submitted,

Dated: 1 April 2015

By: /s/ R. Glenn Schroeder
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Attorney for Opposer,
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **OPPOSER'S OBJECTION TO APPLICANT'S STATEMENT OF SUPPLEMENTAL LEGAL AUTHORITY** has been served via US mail and email this 1st day of April 2015 upon the following:

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/s/ R. Glenn Schroeder
R. Glenn Schroeder