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

Proceeding	92061981
Party	Defendant Yoel Steinberg
Correspondence Address	YOEL STEINBERG DBA CUPK KOSHER SUPERVISION 1823 53RD STREET BROOKLYN, NY 11204 UNITED STATES yoelhalevi@juno.com
Submission	Reply in Support of Motion
Filer's Name	Yoel Steinberg
Filer's e-mail	yoelhalevi@juno.com
Signature	/ys/
Date	05/16/2016
Attachments	Reply brief May 13 MAILED.pdf(25038 bytes )

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

Kosher Supervision Services, Inc.

Petitioner

v.

Yoel Steinberg  
D/B/A CupK Kosher Supervision

*(pro se`)* Registrant/Respondent

Cancellation No. 92061981

**Respondent's Reply**

**RESPONDENT'S REPLY IN SUPPORT OF MOTION for RECONSIDERATION**

In response to Petitioner's brief in Opposition of Motion dated May 5 2016, I, Yoel Steinberg, respectfully reply in support of Motion as follows.

1) Petitioner is incorrect: I politely noted within my brief in support of Motion that the Board erred in its application of discretion. And that the discretion as applied by the Board is counterproductive toward the objective which the underlying law seeks to obtain. Petitioner is also incorrect in assuming that an Order issued on the Board's own initiative would need to have been issued in error for the Board to reverse the Order.

2) Petitioner also misunderstands the distinction between simply re-arguing vs showing why the Board's incorrect reading of the record and its misinterpretation of TBMP 503.0(b) is relevant. My brief in support of Motion presents arguments which are directly relevant.

3) Petitioner also fails to discern that a Motion for reconsideration need not bluntly point out legal errors committed by the Board when doing so subtly out of respect for the Board is sufficient.

The error committed by the Board was clearly stated within my Brief in Support of Motion as misinterpreting or not considering the full record before it, and as giving consideration to that which was not before it, and in misinterpreting a new assignment to have been a corrective one. And that had the Board been cognizant of the full and correct record, and of the correct interpretation of TBMP 503.0(b), the Board would not have precluded a Motion to dismiss the Petition for failure to state a claim upon which relief may be granted. And the Board would not have Ordered as it did in regard to Petitioner's Motion to Amend, and additional issues.

4) Furthermore, it was not necessary for me to show how the Board erred in not dismissing the petition as failing to state a claim upon which relief may be granted, because the Board went further than that in its preemptively precluding such a Motion without giving me the opportunity to present the merits of such a Motion before the Board. My brief in support of Motion for Reconsideration did note how the Board was in error in that regard.

In summary: Petitioner's opposition to my Motion for reconsideration is without merit.

Respectfully submitted;

Dated May 13, 2106

By: Yoel Steinberg  
Yoel Steinberg D/B/A CupK Kosher Supervision  
1823 53rd Street, Brooklyn, NY, 11204  
Phone (718) 232-4275  
(*pro se*) Registrant / Respondent

CERTIFICATE OF SERVICE UNDER 37 CFR §§ 2.111

I hereby certify that a true and complete copy of the foregoing Respondent's Reply in Support of Motion, in regard to the Proceedings of Cancellation No. 92061981, has been served via First Class Mail, postage prepaid, upon Petitioner on May 13, 2015, at Petitioner's address as reflected in the records of The United States Trademark Office as follows:

MICHAEL R FRISCIA  
MCCARTER & ENGLISH, LLP  
FOUR GATEWAY CENTER, 100 MULBERRY STREET  
NEWARK, NJ 07102-4056 UNITED STATES

Date: May 13, 2016

Yoel Steinberg