

TTAB

LAW OFFICES OF  
**SMITH, LANDMEIER & ELDERS, P.C.**

15 NORTH SECOND STREET  
P.O. BOX 127  
GENEVA, ILLINOIS  
60134-0127

ALLEN L. LANDMEIER  
VINCENT J. ELDERS

TEL: (630) 232-2880

FAX: (630) 232-2889

E-Mail: a\_landmeier@smithlandmeier.com

HOWARD E. SMITH, JR.  
OF COUNSEL

October 12, 2005

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**Re: Mark: ALTIFOODS  
Serial No.: 76/577,847**

Dear Commissioner:

Enclosed please find the following items relative to the above mark:

1. Request for Reconsideration Regarding Petitions for Extensions of Time to Oppose.
2. Notice of Opposition.
3. Postcard receipt to be returned.

Please be advised that our attorney office deposit account number is 500963. Please charge our account for the filing fees of the Notice of Opposition and Request for Consideration.

Please file the same of record and grant the extensions and Notice of Opposition.

Very truly yours,

SMITH, LANDMEIER & ELDERS, P.C.

  
Allen L. Landmeier

ALL:skg  
Encs.

cc: Mr. Terry Pfortmiller  
Vice President of Finance & Administration, Aldi Inc.

Dr. Ulf Rademacher



10-14-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #64

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

-----X  
In re Trademark Application of :  
 :  
CHANDLER CHICCO AGENCY, L.L.C. :  
 :  
Serial No. 76-577,847 :  
 :  
Filed: February 26, 2004 :  
 :  
Mark: ALTIFOODS :  
 :  
Published in the Official Gazette :  
on July 5, 2005 :  
-----X

**REQUEST FOR RECONSIDERATION REGARDING  
PETITIONS FOR EXTENSIONS OF TIME TO OPPOSE**

**To the Commissioner of Trademarks:**

Aldi Inc., an Illinois Corporation located and doing business at 1200 North Kirk Road, Batavia, Illinois 60510-1477, requests that the Trademark Trial and Appeal Board reconsider its Petitions for Extensions of Time to Oppose. In support of its request, Aldi Inc. states the following:

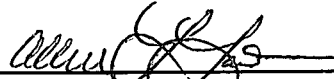
1. Aldi Inc. filed a Petition for Extension of Time to Oppose on August 2, 2005 followed by a Second Petition for Extension of Time to Oppose on August 30, 2005, for the mark and applicant set forth in the caption above. Copies of both Petitions are attached hereto and made a part hereof as Exhibits "A" and "B", respectively.
2. An error (i.e., an "8" instead of a "6" in the Serial No.) occurred in both petitions, where the Serial Number should have been 76-577,847, as now set forth in the above caption, instead of the incorrect Serial Number 78-577,847. All other information set forth in both petitions as filed is correct.
3. Aldi Inc. first discovered the Serial Number error when it received two letters from the Trademark Trial and Appeal Board mailed September 15, 2005 concerning the Applicant: INSZOOM.COM INC. and the Mark: INSZOOM.COM, which were both listed under the incorrect Serial No. namely 78-577,847 instead of 76-577,847. Copies of the letters are attached hereto and made a part hereof as Exhibits "C"

and "D".

4. A Notice of Opposition is being filed concurrently with this Request for Reconsideration Regarding Extensions of Time to Oppose.
5. Applicant will not be harmed by correcting the Serial Number in both petitions and accepting them as properly filed, since all other details were properly described including the correct applicant (Chandler Chicco Agency, L.L.C.), filing date (February 26, 2004), mark (ALTIFOODS), and publication date (July 5, 2005). If the Serial Number in both petitions had been correct, no issue would have arisen and Opposer, Aldi Inc., would have until November 2, 2005 to file a Notice of Opposition.

Wherefore, Aldi Inc. requests that the Commissioner of Trademarks accept the Petition for Extension of Time to Oppose and Second Petition for Extension of Time to Oppose as amended and that the Notice of Opposition be accepted as properly filed, with the fee of \$600.00 charged to the account of Smith, Landmeier & Elders, P.C., Account No. 500963.

Respectfully submitted,



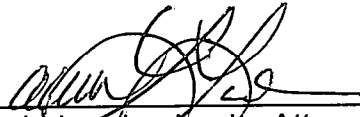
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Allen L. Landmeier, Attorney for Aldi Inc.  
P.O. Box 127  
15 North Second Street  
Geneva, IL 60134  
Telephone: (630) 232-2880  
Registration No. 26,476

Dated: October 12, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on October 12, 2005.

  
\_\_\_\_\_  
Allen L. Landmeier, Its Attorney

October 12, 2005  
Date of Signature

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Request for Reconsideration Regarding Petitions for Extensions of Time to Oppose was served first class mail, postage prepaid, upon Rose Auslander of Carter, Ledyard & Milburn LLP, 2 Wall Street, New York, NY 10005 this 12<sup>TH</sup> day of October, 2005

  
\_\_\_\_\_  
Allen L. Landmeier, Its Attorney

October 12, 2005  
Date of Signature

Allen L. Landmeier  
SMITH, LANDMEIER & ELDERS, P.C.  
P. O. Box 127  
15 North Second Street  
Geneva, Illinois 60134  
Telephone: (630) 232-2880  
#26476

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

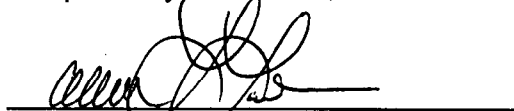
-----X  
In re Trademark Application of :  
CHANDLER CHICCO AGENCY, L.L.C. :  
Serial No. 78-577,847 :  
Filed: February 26, 2004 :  
Mark: ALTIFOODS :  
Published in the Official Gazette :  
on July 5, 2005 :  
-----X

**PETITION FOR EXTENSION OF TIME TO OPPOSE**

**To the Commissioner of Trademarks:**

On behalf of Aldi Inc., a corporation organized and existing under the laws of the State of Illinois, located at 1200 North Kirk Road, Batavia, Illinois 60510-1477, we hereby request a thirty (30) day extension of time up to and including September 3, 2005 in which to file a Notice of Opposition against the above-identified trademark application.

Respectfully submitted,



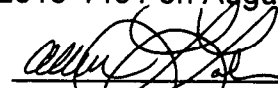
Allen L. Landmeier  
Attorney for Aldi Inc.

Dated: August 2, 2005



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on August 2, 2005.

  
\_\_\_\_\_  
Allen L. Landmeier, Its Attorney

August 2, 2005  
Date of Signature

Allen L. Landmeier  
Smith, Landmeier & Elders, P.C.  
P. O. Box 127  
15 North Second Street  
Geneva, Illinois 60134  
Telephone: (630) 232-2880  
#26476

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

-----X  
In re Trademark Application of :  
CHANDLER CHICCO AGENCY, L.L.C. :  
Serial No. 78-577,847 :  
Filed: February 26, 2004 :  
Mark: ALTIFOODS :  
Published in the Official Gazette :  
on July 5, 2005 :  
-----X

**SECOND PETITION FOR EXTENSION OF TIME TO OPPOSE**

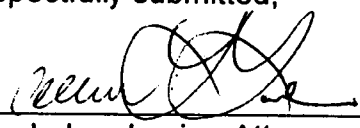
To the Commissioner of Trademarks:

On behalf of Aldi Inc., a corporation organized and existing under the laws of the State of Illinois, located at 1200 North Kirk Road, Batavia, Illinois 60510-1477, we hereby request a sixty (60) day extension of time up to and including November 2, 2005 in which to file a Notice of Opposition against the above-identified trademark application.

This extension is required to provide time for the potential Opposer and its Counsel to review information already acquired, to consider the matter, to gather additional information, and to confer so that a decision can be made as to whether or not an Opposition should be filed.

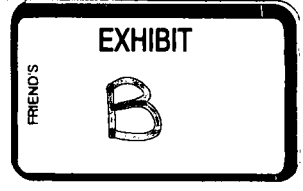
This request is for good cause and is not filed for the purpose of mere delay, and favorable consideration of this Petition is respectfully requested.

Respectfully submitted,



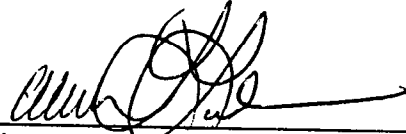
Allen L. Landmeier, Attorney for Aldi Inc.

Dated: August 30, 2005



## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on August 30, 2005.



Allen L. Landmeier, Its Attorney

August 30, 2005  
Date of Signature

Allen L. Landmeier  
SMITH, LANDMEIER & ELDERS, P.C.  
P. O. Box 127  
15 North Second Street  
Geneva, Illinois 60134  
Telephone: (630) 232-2880  
#26476



**United States Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: September 15, 2005

Applicant: INSZOOM.COM INC.  
Serial No.: 78577847  
Filed: 03/01/2005  
Mark: INSZOOM.COM

ALLEN L. LANDMEIER  
SMITH, LANDMEIER & ELDERS, P.C.  
P.O. BOX 127 15 NORTH SECOND STREET  
GENEVA, IL 60134

Michelle Greenfield, Legal Assistant:

The request for extension of time to oppose filed August 4, 2005, on behalf of Aldi, Inc., is noted.

Inasmuch as the subject application has not been published in the Official Gazette, it is not subject to opposition. That is a request for an extension of time or an opposition may be filed only when the application is published for such purpose under Section 12(a) of the Statute.

Accordingly, the request is improper and is returned herewith.



United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: September 15, 2005

Applicant: INSZOOM.COM INC.  
Serial No.: 78577847  
Filed: 03/01/2005  
Mark: INSZOOM.COM

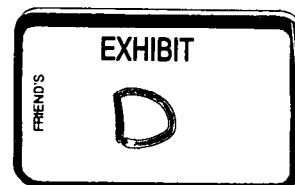
ALLEN L. LANDMEIER  
SMITH, LANDMEIER & ELDERS, P.C.  
P.O. BOX 127 15 NORTH SECOND STREET  
GENEVA, IL 60134

**Michelle Greenfield, Legal Assistant:**

The request for extension of time to oppose filed September 1, 2005, on behalf of Aldi Inc., is noted.

Inasmuch as the subject application has not been published in the Official Gazette, it is not subject to opposition. That is a request for an extension of time or an opposition may be filed only when the application is published for such purpose under Section 12(a) of the Statute.

Accordingly, the request is improper and is returned herewith.



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

-----X  
In re Trademark Application of :  
Chandler Chicco Agency, L.L.C. :  
Serial No. 76-577,847 :  
Filed: February 26, 2004 :  
Mark: ALTIFOODS :  
Published in the Official Gazette :  
on July 5, 2005 :  
-----X

**NOTICE OF OPPOSITION**

TO: Commissioner of Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Aldi Inc., an Illinois Corporation located and doing business at 1200 N. Kirk Road, Batavia, Illinois 60510-1477, believes that it will be damaged by the registration of the mark shown above as Serial No. 76-577,847 and hereby opposes the same.

As grounds of the opposition, it is alleged that:

10/19/2005 SHILSON1 00000098 500963 76577847  
01 FC:6402 300.00 DA

**Count I – Likelihood of Confusion**

1. Aldi Inc. (hereinafter referred to as "Opposer") has been engaged in the business of marketing grocery store and supermarket services in interstate commerce under the service mark ALDI since prior to February 26, 2004, the filing date of the above-referenced application by Chandler Chicco Agency, L.L.C. (hereinafter referred to as "Applicant").

2. On information and belief, Applicant has not used the mark, ALTIFOODS, in interstate commerce.

3. The service mark ALDI was adopted by the Opposer for grocery supermarket services on or before April 28, 1976 and has been used since that date in interstate commerce by applying it to advertisements for the services and in other ways customary to the trade.

4. Opposer is the owner of a Certificate of Registration No. 1,093,441 for the service mark ALDI for grocery supermarket services granted by the United States Patent and Trademark Office on June 13, 1978, on the Principal Register under the Act of 1946, and renewed on June 13, 1998. A copy of the Certificate of Registration is attached hereto and made a part hereof as Exhibit "A."

5. The service mark A ALDI & Design was adopted by the Opposer for grocery store services on or before May 7, 1981 and has been used since that date in interstate commerce by applying it to advertisements for the services and in other ways customary to the trade.

6. Opposer is the owner of a Certificate of Registration No. 1,331,354 for the service mark A ALDI & Design for grocery store services granted by the United States Patent and Trademark Office on April 16, 1985, on the Principal Register under the Act of 1946. A copy of the Certificate of Registration is attached hereto and made a part hereof Exhibit "B."

7. The service mark A Aldi & Design was adopted by the Opposer for retail grocery stores and supermarkets on or before January 4, 1984 and has been used since that date in interstate commerce by applying it to advertisements for the services and in other ways customary to the trade.

8. Opposer is the owner of a Certificate of Registration No. 2,617,555 for the service mark A Aldi & Design for retail grocery stores & supermarkets granted by the United States Patent and Trademark Office on September 10, 2002, on the Principal Register under the Act of 1946. A copy of the Certificate of Registration is attached hereto and made a part hereof as Exhibit "C."

9. Opposer has sold, advertised and promoted the aforescribed services bearing the service mark ALDI and by reason of such efforts and the high quality of Opposer's products and services, said service mark has become known to the purchasing public and is a valuable asset of the Opposer.

10. Opposer has sold, advertised and promoted the aforescribed services bearing the service marks A ALDI & Design and by reason of such efforts and the high quality of Opposer's products and services, the service marks have become known to the purchasing public and are valuable assets of the Opposer.

11. Opposer's service mark ALDI has become so well recognized as to be "famous," and has been famous since prior to the filing date of the opposed application.

12. Opposer's service marks, A ALDI & Design, have become so well recognized as to be "famous," and have been famous since prior to the filing date of the opposed application.

13. Opposer has used the designation, "ALDI FOODS," and has become known to members of the purchasing public as, "ALDI FOODS," since prior to the filing date of the opposed application.

14. The Applicant's mark, ALTIFOODS, is similar in sound, appearance, connotation and commercial impression to Opposer's mark, ALDI.

15. The Applicant's mark, ALTIFOODS, is similar in sound, appearance, connotation and commercial impression to Opposer's mark, A ALDI & Design.

16. The Applicant's mark, ALTIFOODS, is similar in sound, appearance, connotation and commercial impression to Opposer's designation "ALDI FOODS."

17. The Applicant seeks registration of ALTIFOODS for goods in classes 5 and 32 as listed in the published notice in the Official Gazette, page TM 100, on July 5, 2005, a copy of which is attached hereto and made a part hereof as Exhibit "D."

18. Applicant's goods include meal replacement beverages; meal replacement bars; meal replacement powders and gels; nutrition and energy bars; nutritional supplements; food supplements; and energy drinks, which are the same or substantially similar goods to those sold by Opposer in its ALDI stores.

19. On information and belief, Applicant's and Opposer's goods will be sold in the same channels of trade and to the same potential consumers.

20. In view of the above allegations, the purchasing public is likely to be confused, mistaken, or deceived into thinking that Applicant's products emanate from or are sponsored by Opposer, or are related or connected in some way with Opposer's established ALDI services and products, all to the damage of the Opposer.

21. Applicant had constructive knowledge, and on information and belief, had actual knowledge of Opposer's service marks ALDI and A ALDI & Design, and Opposer's "ALDI FOODS" designation prior to its decision to file the opposed application.

22. This notice is filed in duplicate and the fee of Six Hundred Dollars (\$600.00) provided by the Trademark Act of 1946, as amended, is paid herewith.

**Count II – Dilution**

23. Opposer restates and realleges paragraphs 1 – 22 of this Notice of Opposition, and hereby incorporates same as if fully set forth herein.

24. The registration and/or commercial use of the opposed ALTIFOODS mark by Applicant, as aforesaid, will dilute the distinctive quality of Opposer's famous service mark ALDI.

25. The registration and/or commercial use of the opposed ALTIFOODS mark by Applicant, as aforesaid, will dilute the distinctive quality of Opposer's famous A ALDI & Design marks.

WHEREFORE, Opposer respectfully prays that this Opposition be sustained and that registration of Applicant's mark be denied.

**Attorney's Authorization to Charge Account**

Please be advised that our attorney office deposit account number is 500963. Please charge that account for the amount of the filing fee for this Notice of Opposition.

ALDI INC.

By: 

Allen L. Landmeier  
Attorney for Aldi Inc.  
P.O. Box 127  
15 North Second Street  
Geneva, Illinois 60134  
Telephone: (630) 232-2880  
Registration No. 26,476

Dated: October 12, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on OCTOBER 12, 2005.



Allen L. Landmeier, Its Attorney

OCTOBER 12, 2005

Date of Signature

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing NOTICE OF OPPOSITION was served first class mail, postage prepaid, upon Rose Auslander of Carter, Ledyard & Milburn LLP, 2 Wall Street, New York, NY 10005 this 12<sup>TH</sup> day of OCTOBER, 2005.



Allen L. Landmeier, Its Attorney

OCTOBER 18, 2005

Date of Signature



Int. Cl.: 42

Prior U.S. Cl.: 101

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 1,093,441

Registered June 13, 1978

Renewal Term Begins June 13, 1998

SERVICE MARK  
PRINCIPAL REGISTER

# ALDI

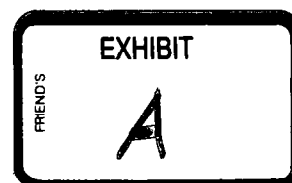
ALDI INC. (ILLINOIS CORPORATION)  
1200 NORTH KIRK ROAD  
BATAVIA, IL 605101479, BY CHANGE  
OF NAME FROM ALDI-BENNER  
COMPANY (ILLINOIS CORPORA-  
TION) BURLINGTON, IA

FOR: GROCERY SUPERMARKET  
SERVICES, IN CLASS 42 (U.S. CL. 101).

FIRST USE 4-28-1976; IN COMMERCE  
4-28-1976.

SER. NO. 73-097,719, FILED 8-25-1976.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on July 21, 1998.*

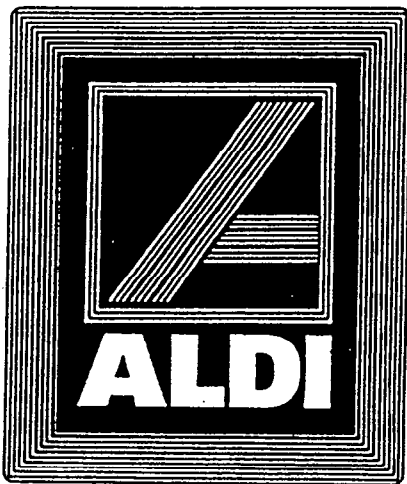


Int. Cl.: 42

Prior U.S. Cl.: 101

**United States Patent and Trademark Office**      **Reg. No. 1,331,354**  
Registered Apr. 16, 1985

**SERVICE MARK  
PRINCIPAL REGISTER**



ALDI INC. (ILLINOIS CORPORATION)  
1200 N. KIRK RD.  
BATAVIA, IL 60510

FOR: GROCERY STORE SERVICES, IN  
CLASS 42 (U.S. CL. 101).

FIRST USE 5-7-1981; IN COMMERCE  
9-1-1982.

OWNER OF U.S. REG. NOS. 1,071,201,  
1,093,441, AND 1,194,425.

THE LINING THAT APPEARS ON THE  
DRAWING IS A FEATURE OF THE MARK  
AND DOES NOT INDICATE COLOR.

THE MARK CONSISTS IN PART OF A FAN-  
CIFUL REPRESENTATION OF THE LETTER  
"A".

SER. NO. 420,478, FILED 4-7-1983.

SALLY BETH BERGER, EXAMINING ATTOR-  
NEY



Int. Cl.: 35

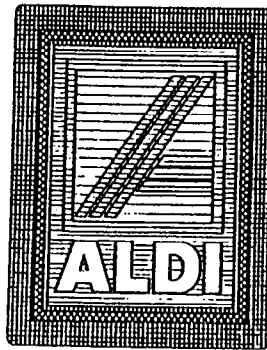
Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

Reg. No. 2,617,555

Registered Sep. 10, 2002

**SERVICE MARK  
PRINCIPAL REGISTER**



ALDI INC. (ILLINOIS CORPORATION)  
1200 NORTH KIRK ROAD  
BATAVIA, IL 605101479

FOR: RETAIL GROCERY STORES AND SUPER-  
MARKETS, IN CLASS 35 (U.S. CLS. 100, 101 AND  
102).

FIRST USE 1-4-1984; IN COMMERCE 1-4-1984.

OWNER OF U.S. REG. NOS. 1,093,441 AND  
1,331,354.

THE MARK IS LINED FOR THE COLORS YEL-  
LOW, ORANGE, RED, DARK BLUE AND LIGHT  
BLUE.

THE MARK CONSISTS, IN PART, OF A FANCI-  
FUL REPRESENTATION OF THE LETTER "A" AND  
THE WORD "ALDI" ON A BACKGROUND SUR-  
ROUNDED BY RECTANGULAR FRAMING.

SER. NO. 76-258,184, FILED 5-17-2001.

HEATHER THOMPSON, EXAMINING ATTORNEY



SN 76-577,806. D DISA LATIN MUSIC, S DE RL DE CV, CENTRO SAN NICOLAS, N.L., MEXICO, FILED 2-23-2004.

SN 76-578,476. PEABERRY COFFEE, INC., DENVER, CO. FILED 3-1-2004.

### PASITO DURANGUENSE

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.  
PASITO IN SPANISH MEANS SOFTLY OR GENTLY.

#### CLASS 9—ELECTRICAL AND SCIENTIFIC APPARATUS

FOR PRE-RECORDED PHONOGRAPH RECORDS, AUDIO CASSETTES, COMPACT DISCS, AND VIDEO-TAPES ALL FEATURING MUSIC (U.S. CLS. 21, 23, 26, 36 AND 38).  
FIRST USE 1-1-2002; IN COMMERCE 1-1-2002.

#### CLASS 41—EDUCATION AND ENTERTAINMENT

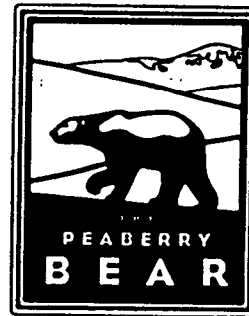
FOR ENTERTAINMENT IN THE NATURE OF A LIVE MUSICAL GROUP AND VISUAL AND AUDIO PERFORMANCES BY A MUSICAL GROUP (U.S. CLS. 100, 101 AND 107).  
FIRST USE 1-1-2002; IN COMMERCE 1-1-2002.  
RONALD MCMORROW, EXAMINING ATTORNEY

#### CLASS 29—MEATS AND PROCESSED FOODS

FOR FROZEN MILK-BASED DRINKS, EXCLUDING MILK SHAKES (U.S. CL. 46).  
FIRST USE 4-15-2003; IN COMMERCE 4-15-2003.

#### CLASS 32—LIGHT BEVERAGES

FOR FROZEN COFFEE-BASED DRINKS (U.S. CLS. 45, 46 AND 48).  
FIRST USE 4-15-2003; IN COMMERCE 4-15-2003.  
JOHN DWYER, EXAMINING ATTORNEY



SN 76-577,847. CHANDLER CHICCO AGENCY, L.L.C., NEW YORK, NY. FILED 2-26-2004.

SN 76-578,660. F & S, LLC, FORT LEE, NJ. FILED 3-1-2004.

### ALTIFOODS

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

#### CLASS 5—PHARMACEUTICALS

FOR MEAL REPLACEMENT BEVERAGES; MEAL REPLACEMENT BARS; MEAL REPLACEMENT POWDERS AND GELS; NUTRITION AND ENERGY BARS; NUTRITIONAL SUPPLEMENTS; AND FOOD SUPPLEMENTS (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

#### CLASS 32—LIGHT BEVERAGES

FOR ENERGY DRINKS (U.S. CLS. 45, 46 AND 48).  
DAVID TAYLOR, EXAMINING ATTORNEY

### PAIN CHECKER

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.  
OWNER OF U.S. REG. NO. 2,873,645.

#### CLASS 25—CLOTHING

FOR GARMENTS, NAMELY FOUNDATION GARMENTS PROVIDING SUPPORT (U.S. CLS. 22 AND 39).  
FIRST USE 1-17-2003; IN COMMERCE 1-17-2003.

#### CLASS 28—TOYS AND SPORTING GOODS

FOR KNEE PADS FOR ATHLETIC USE (U.S. CLS. 23, 38 AND 50).  
FIRST USE 1-17-2003; IN COMMERCE 1-17-2003.  
WILLIAM P. SHANAHAN, EXAMINING ATTORNEY



JUL  
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