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Filing date: **02/23/2007**

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

Proceeding	91165506
Party	Plaintiff Sara Lee Global Finance, L.L.C. Sara Lee Global Finance, L.L.C. 1000 E. Hanes Mill Rd. Winston-Salem, NC 27105
Correspondence Address	Nicholas J. Valenziano, Jr. SARA LEE CORPORATION 1000 E. Hanes Mill Rd. WINSTON-SALEM, NC 27105 bbradford@saralee.com
Submission	Motion to Join/Substitute Party
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Signature	/Randy Springer/
Date	02/23/2007
Attachments	BODYFIT - MOT SUBSTITUTE.pdf (5 pages)(133481 bytes)

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

**In the Matter of Application Serial No. 78/386,608
Published on February 1, 2005
Mark: BODYFIT & Design**

HBI BRANDED APPAREL ENTERPRISES, LLC)	
Successor in interest of)	
SARA LEE GLOBAL FINANCE, L.L.C.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91165506
)	
TSA CORPORATE SERVICES, INC.,)	
)	
Applicant.)	

MOTION TO SUBSTITUTE OPPOSER

Opposer HBI Branded Apparel Enterprises, LLC (“HBI”), by and through counsel and pursuant to TBMP 512.01, hereby requests that HBI be formally substituted for Sara Lee Global Finance, L.L.C. (“Sara Lee”) as the named Opposer in the above-referenced opposition proceeding.

As grounds for the instant Motion, HBI hereby shows the Board as follows:

1. On or about August 29, 2006, and after commencement of these opposition proceedings, Sara Lee assigned to HBI all of its rights, title and interest to the trademark registration for EVOLUTION BODYFIT (U.S. Reg. No. 2,489,635) relied upon by Opposer in these opposition proceedings (the “HBI Registration”).
2. By virtue of this assignment, HBI is the current owner of the HBI Registration.

3. The aforementioned assignment was recorded with the United States Patent and Trademark Office on or about August 31, 2006, at Reel 3382, Frame 0001, with respect to the HBI Registration. Exhibit A, attached.

WHEREFORE, HBI respectfully requests that the instant Motion be granted in its entirety and that the Board issue an order substituting HBI for Sara Lee as the named Opposer in this proceeding.

Respectfully submitted,

Dated: February 23, 2007

By:  _____
Randel S. Springer
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CERTIFICATE OF SERVICE

I do hereby certify that on February 23, 2007, I filed via electronic means (ESTTA) this
MOTION TO SUBSTITUTE OPPOSER with the:

U. S. Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

with a copy via First Class Mail, postage prepaid, to:

Michael A. Lisi
Honigman Miller Schwartz and Cohn LLP
38500 Woodward Avenue, Suite 100
Bloomfield Hills, Michigan 48304



Laurie A. Ricci, Senior Paralegal



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 3**Serial #:** [78195737](#) **Filing Dt:** 12/18/2002 **Reg #:** [2849635](#) **Reg. Dt:** 06/01/2004**Registrant:** Sara Lee Global Finance, L.L.C.**Mark:** EVOLUTION BODYFIT**Assignment: 1****Reel/Frame:** [3381/0837](#) **Received:** 08/31/2006 **Recorded:** 08/31/2006 **Pages:** 43**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [SARA LEE GLOBAL FINANCE, LLC](#)**Exec Dt:** 08/29/2006**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** DELAWARE**Assignee:** [HBI BRANDED APPAREL ENTERPRISES, LLC](#)
1000 EAST HANES MILL ROAD
WINSTON-SALEM, NORTH CAROLINA 27105**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** DELAWARE**Correspondent:** WARREN L. ZESERMAN, ESQ.
1000 EAST HANES MILL ROAD
WINSTON-SALEM, NC 27105**Assignment: 2****Reel/Frame:** [3392/0138](#) **Received:** 09/18/2006 **Recorded:** 09/18/2006 **Pages:** 30**Conveyance:** SECURITY INTEREST**Assignor:** [HBI BRANDED APPAREL ENTERPRISES, LLC](#)**Exec Dt:** 09/05/2006**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** [CITIBANK, N.A., AS THE COLLATERAL AGENT](#)
388 GREENWICH STREET
14TH FLOOR
NEW YORK, NEW YORK 10013**Entity Type:** NATIONAL BANKING ASSOCIATION**Citizenship:** NONE**Correspondent:** CHRISTOPHER DORE
71 S. WACKER DRIVE
MAYER BROWN ROWE & MAW LLP
CHICAGO, IL 60606-4637**Assignment: 3****Reel/Frame:** [3398/0387](#) **Received:** 09/27/2006 **Recorded:** 09/27/2006 **Pages:** 30**Conveyance:** TRADEMARK SECURITY AGREEMENT (SECOND LIEN)**Assignor:** [HBI BRANDED APPAREL ENTERPRISES, LLC](#)**Exec Dt:** 09/05/2006**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** [CITIBANK, N.A., AS THE COLLATERAL AGENT](#)
388 GREENWICH STREET**Entity Type:** NATIONAL BANKING

14TH FLOOR
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ASSOCIATION

Citizenship: NONE

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