

# TTAB

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

The Synergy Plan, LLC

Opposer

v.

Synergy Staffing, Inc.

Applicant.

Opposition No. 91166356  
Serial No. 75453528

### MOTION ON CONSENT FOR LEAVE TO AMEND NOTICE OF OPPOSITION

Opposer respectfully requests amendment of the Notice of Opposition filed on August 24, 2005. In the attachment referenced in the Notice of Opposition as "Reasons-RAZ.pdf", Opposer incorrectly stated, "Applicant is the owner of registrations for the mark SYNERGY and variants of that mark, including the following:

Reg. No.	Mark	Goods/Services	First Use	First Use in Commerce
2,058,748	SYNERGY	Class 35: Payroll preparation, business management, business consultation, business information, business planning, business research, business supervision, personnel management, and tax consultation and preparation; all provided to businesses through a professional employer organization	9/10/1991	9/10/1991

However, Opposer then stated, "The mark SYNERGY STAFFING is confusingly similar to Opposer's registered mark SYNERGY and its registration and continued use by Applicant is likely to cause confusion, deception, and mistake, all to Opposer's damage."

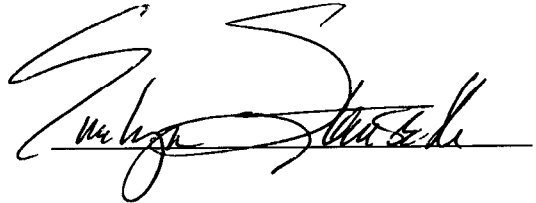


CERTIFICATE OF MAILING

I hereby certify that the foregoing paper was mailed in triplicate, first class, postage prepaid, in an envelope addressed to:

Commissioner of Trademarks  
TRADEMARK TRIAL & APPEAL BOARD  
2900 Crystal Drive  
Arlington VA 22202 3513

this day, October 10, 2005.

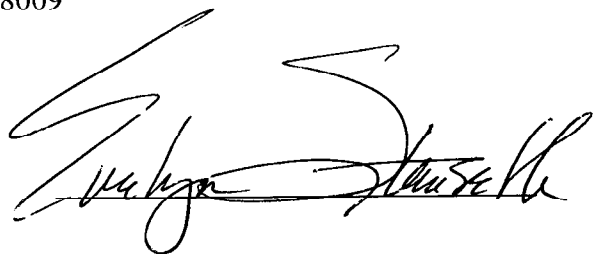
A handwritten signature in black ink, appearing to read "Michael Steinfeld", written over a horizontal line.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing paper was served on Applicant's counsel via first class mail,, postage prepaid, in an envelope addressed to:

Thomas E. Anderson  
Gifford Krass Groh Sprinkle Patmore  
280 N. Old Woodward, Ste. 400  
Birmingham MI 48009

this day, October 10, 2005.

A handwritten signature in black ink, appearing to read "Michael Steinfeld", written over a horizontal line.