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

Proceeding	91170341
Party	Plaintiff ConAgra Brands, Inc. ConAgra Brands, Inc. ,
Correspondence Address	Patrick C. Stephenson McGrath North Mullin & Kratz, PC LLO 1601 Dodge Street Suite 3700 Omaha, NE 68102 UNITED STATES morriss@utahpatents.com
Submission	Motion to Join/Substitute Party
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Date	07/19/2007
Attachments	ConAgra-Candwich-Motion-Substitute-Party.pdf (2 pages)(59602 bytes)

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

IN THE MATTER OF OPPOSITION NO. 91170341
Serial No. 78/337,608
CANDWICH

CONAGRA FOODS RDM, INC., f/k/a)
CONAGRA BRANDS, INC.)
)
Opposer,)
v.)
)
CANDWICH FOOD CORPORATION)
)
Applicant.)

OPPOSER'S MOTION TO SUBSTITUTE PARTY

Opposer, ConAgra Brands, Inc. hereby moves to substitute ConAgra Foods RDM, Inc. in place of ConAgra Brands, Inc. in the above-referenced proceeding. In support of its motion, Opposer attaches the Certificate of Merger, the original of which was filed with the State of Delaware Secretary of State on May 22, 2007. The effective date of the merger was May 28, 2007.

In further support of its motion, Opposer attaches a Notice of Recordation, notifying Opposer that the attached Certificate of Merger was recorded with the USPTO on Reel/Frame 3579/0821 on July 13, 2007 as to Opposer's pleaded registrations.

The Trademark Trial and Appeal Board has held that if the name of a party to an inter partes proceeding before the Board is changed, the title of the proceeding may be changed, upon motion or upon the Board's own initiative, to reflect the change of name, provided that appropriate evidence thereof is made of record in the proceeding. See *WMA Group Inc. v. Western International Media Corp.*, 29 U.S.P.Q.2d (BNA) 1478 (T.T.A.B. 1993).

Respectfully submitted,

CONAGRA FOODS RDM, INC.

By:



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Dated:

7/19/2007

Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document entitled OPPOSER'S MOTION TO SUBSTITUTE PARTY has been duly served on Applicant by mailing the same to Applicant's attorney:

Julie K. Morriss
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ATTORNEYS FOR APPLICANT

via U.S. Postal Service, first class, postage prepaid on this 19th day of July, 2007.


