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Filing date: **11/20/2007**

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

Proceeding	91170704
Party	Defendant AJ Acquisition I LLC
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Signature	/Michael F. Snyder/
Date	11/20/2007
Attachments	JOINT MOTION TO SUBSTITUTE & AMEND CAPTION.PDF (3 pages)(90303 bytes)

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

In the Trademark Opposition of Marks: CRUSH; KRUSH Appln. Nos.: 78/470,702; 78/470,703 Dr. Pepper / Seven Up, Inc., as real party in interest and as Assignee of Cadbury Beverages B.V., Opposer, v. KEE Action Sports I LLC, formally known as AJ Acquisition I LLC, Applicant.	Opposition No. 91170704 Date: November 20, 2007

JOINT MOTION TO SUBSTITUTE AND AMEND CAPTION

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

This Joint Motion to Substitute and Amend Caption is submitted in order to identify a real party in interest in this matter, to update the name of the Applicant, and to amend the caption to reflect such changes.

* * *

Certificate of Filing and Service

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I hereby certify that this correspondence is being filed online via ESTTA to: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on November 20, 2007.

11/20/07
Date of Signature

Michael F. Snyder

Dr Pepper/Seven Up, Inc. moves to substitute itself in place of Cadbury Beverages B.V. as Opposer and named party in the above proceeding.

AJ Acquisition I LLC wishes to have its name change, to KEE Action Sports I LLC, reflected in the caption of this matter.

BRIEF IN SUPPORT OF MOTION

Cadbury Beverages B.V. assigned all right, title and interest in the plead "CRUSH" trademarks to Dr Pepper/Seven Up, Inc., including U.S. Reg. No. 1,424,931. Such assignment was recorded in the United States Patent and Trademark Office (USPTO) at Reel/Frame: 3307/0771 on May 12, 2006, as shown by Exhibit A hereto.

On May 24, 2007, the Board granted Applicant's Motion To Substitute AJ Acquisition I LLC for the originally named Applicant. AJ Acquisition I LLC has changed its name to KEE Action Sports I LLC, and such name change was recorded in the USPTO at Reel/Frame: 3565/0547 on June 21, 2007, as shown by Exhibit B hereto.

A motion to substitute a party is routinely granted under the provisions of Fed. R. Civ. P. 15. See *Raker Paint Factory v. United Lacquer Mfg. Corp.*, 141 U.S.P.Q. (BNA) 407, 1964 WL 7844 (Trademark Trial & App. Bd. 1964).

WHEREFORE, it is respectfully requested that this joint motion be granted.

Respectfully submitted,

KEE ACTION SPORTS I LLC,
formerly known as
AJ ACQUISITION I LLC

By: _____

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DR PEPPER/SEVEN UP, INC., as real party in interest and as Assignee of Cadbury Beverages B.V.,

By: _____

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