

ESTTA Tracking number: **ESTTA223478**

Filing date: **07/10/2008**

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

Proceeding	91182999
Party	Plaintiff Guthy-Renker Corporation
Correspondence Address	Daniel M. Cislo Cislo & Thomas LLP 1333 2nd Street, Suite 500 Santa Monica, CA 90401-4110 UNITED STATES dan@cislo.com
Submission	Other Motions/Papers
Filer's Name	Daniel M. Cislo
Filer's e-mail	dan@cislo.com, ttab@cislo.com, sarah@cislo.com
Signature	/Daniel M. Cislo/
Date	07/10/2008
Attachments	Supplemental Declaration of Sarah A. Brown in Support of Opposer's Reply.PDF ( 6 pages )(328497 bytes )

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

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**IN THE MATTER OF APPLICATION SERIAL NOS.  
77/200,216 AND 77/199,725  
BOTH PUBLISHED IN THE OFFICIAL GAZETTE ON  
NOVEMBER 20, 2007**

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GUTHY-RENKER CORPORATION,	)	OPPOSITION NO. 91182999
	)	
PETITIONER,	)	SUPPLEMENTAL DECLARATION OF
vs.	)	SARAH A. BROWN IN SUPPORT
	)	OPPOSER'S REPLY IN SUPPORT OF
MICHAEL BOYD., an Individual,	)	MOTION FOR SANCTIONS RE
	)	APPLICANT'S FAILURE TO
APPLICANT.	)	COMMUNICATE AND PARTICIPATE
	)	IN DISCOVERY CONFERENCE
	)	PURSUANT TO §§2.120(2) , 2.120(g)
	)	

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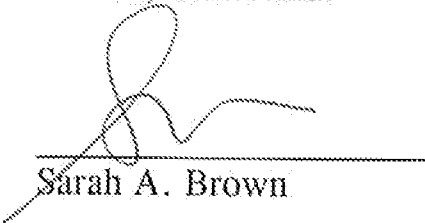
1. I am an attorney admitted to practice in the State of California and before the United States Patent and Trademark Office. I am an associate in the law firm of Ciso & Thomas LLP representing Opposer Guthy-Renker Corporation ("Guthy-Renker") in the instant Opposition proceeding. I make this Declaration of my own personal knowledge, or on information and belief where so stated. If called as a witness, I could and would testify competently to the truth of the matters asserted herein.

2. On July 10, 2008 our office filed the Declaration of Sarah A. Brown in support of Opposer's Reply brief in the above referenced proceeding. Exhibit A,

as referenced in the declaration was inadvertently not included with the electronically filed copy of the Brown Declaration. A true and correct copy of the first and signature pages of Applicant's answer to the notice of opposition in this proceeding as retrieved from the USPTO's TABVUE database, Exhibit A, is attached herein.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both under 12 U.S.C. 11001 and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his knowledge are true; and all statements made on information and belief are believed to be true.

Executed on Date: July 10, 2008 in Santa Monica, California.



\_\_\_\_\_  
Sarah A. Brown

# EXHIBIT A

ESTTA Tracking number: **ESTTA206616**

Filing date: **04/23/2008**

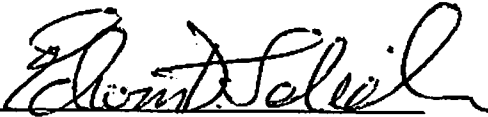
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<b>Proceeding</b>	91182999
<b>Party</b>	Defendant Boyd, Michael
<b>Correspondence Address</b>	MICHAEL I. KROLL 171 STILLWELL LN SYOSSET, NY 11791-1913  patent@invention.net
<b>Submission</b>	Answer
<b>Filer's Name</b>	Edwin D. Schindler
<b>Filer's e-mail</b>	EDSchindler@att.net, EdwinSchindler@yahoo.com, EdwinSchindler@gmail.com, patent@invention.net
<b>Signature</b>	/Edwin D. Schindler/
<b>Date</b>	04/23/2008
<b>Attachments</b>	Guthy-Renker Corp. v. Boyd-Applicant's Answer (4-23-2008).PDF ( 4 pages ) (200111 bytes )

WHEREFORE, Applicant, Michael Boyd, respectfully requests that the *Consolidated Notice of Opposition* filed against the trademarks of Trademark Application Serial Nos. 77/199,725 and 77/200,216 be dismissed.

Respectfully submitted,

MICHAEL BOYD

By   
Edwin D. Schindler  
*Attorney for Applicant*  
Reg. No. 31,459

Michael I. Kroll  
171 Stillwell Lane  
Syosset, New York 11791

(516)367-7777


April 23, 2008

CERTIFICATE OF SERVICE

I, Edwin D. Schindler, hereby certify that I serve a true and complete copy of *Applicant's Answer to Notice of Consolidated Opposition* upon the following attorney representing Opposer, via e-mail at "dan@cislo.com" and via First-Class Mail, postage-prepaid:

Daniel M. Cislo  
Cislo & Thomas, LLP  
1333 – 2<sup>nd</sup> Street, Suite 500  
Santa Monica, California 90401-4110

on April 23, 2008.

  
Edwin D. Schindler

**ELECTRONIC MAILING CERTIFICATE**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being submitted electronically through the Electronic System for Trademark Trials and Appeal ("ESTTA") on the date shown below.

on 7/10/08  
\_\_\_\_\_  
Sarah A. Brown Date

**CERTIFICATE OF SERVICE**

I hereby certify that one (1) copy of this document is being deposited with the United States Postal Service as First Class Mail, postage affixed, in an envelope addressed to:

Edwin D. Schindler  
Five Hirsch Avenue  
P. O. Box 966  
Coram, New York 11727-0966

Dated: 7/10/08 By: [Signature]  
Sarah A. Brown

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