

ESTTA Tracking number: **ESTTA267969**

Filing date: **02/20/2009**

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

Proceeding	91188700
Party	Plaintiff Pookie Products, Inc.
Correspondence Address	Laura J. Magedoff, Esq. Nissenbaum Law Group, LLC 2400 Morris AvenueThird Floor Union, NJ 07083 UNITED STATES ljm@gdnlaw.com
Submission	Other Motions/Papers
Filer's Name	Laura J. Magedoff, Esq.
Filer's e-mail	ljm@gdnlaw.com
Signature	/Laura J. Magedoff/
Date	02/20/2009
Attachments	PDF Notice re_Returned Service.PDF (3 pages)(106665 bytes)

NISSENBAUM LAW GROUP, LLC

(FORMERLY NISSENBAUM & ASSOCIATES, LLC)

ATTORNEYS AT LAW

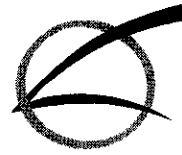
WWW.GDNLAW.COM

2400 MORRIS AVENUE
UNION, NEW JERSEY 07083

P. 908.686.8000

F. 908.686.8550

NISSENBAUM
LAW GROUP, LLC



Please reply to: NJ NY PA

NEW YORK:

140 BROADWAY, 46TH FLOOR
NEW YORK, NEW YORK 10005

P. 212.871.5711

F. 212.871.5712

PENNSYLVANIA:

1500 MARKET STREET
12TH FLOOR, EAST TOWER
PHILADELPHIA, PENNSYLVANIA 19102

P. 215.523.9350

F. 215.523.9395

- o Admitted in New Jersey, New York & the District of Columbia
- o Admitted in New Jersey, New York & Pennsylvania
- * Admitted in New Jersey & New York

GARY D. NISSENBAUM, ESQ. o
GDN@GDNLAW.COM

GAVIN I. HANDWERKER, ESQ. o
GIH@GDNLAW.COM

LAURA J. MAGEDOFF, ESQ.*
LJM@GDNLAW.COM

NEELAM K. SINGH, ESQ.*
NS@GDNLAW.COM

CAROLE J. ZEMPEL, PARALEGAL
CZ@GDNLAW.COM

MARILYN SANCHEZ, PARALEGAL
MS@GDNLAW.COM

February 20, 2009

VIA ELECTRONIC FILING

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

Re: Notice of Opposition: Pooka
Application No. 77511784
Opposition No. 91188700

Dear Sir or Madam,

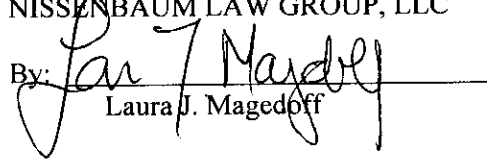
Pursuant to the United States Department of Commerce Patent and Trademark Office Regulations, 72 Fed. Reg. 42242 Rule 2.101(b), please be advised that service upon Pooka, Inc.'s attorney of record, Annie Tunheim, Esq., was returned to our office.

My office submitted a copy of the notice of opposition in this matter for delivery by Overnight Federal Express ("FedEx"). On February 18, 2009, my office received that FedEx package returned to us. Through communications with FedEx we understand that delivery was attempted on at least three different dates; written notice of the attempt to deliver was left at Ms. Tunheim's office; but that the package was never picked up or otherwise accepted. Please see the attached tracking information from FedEx.

Perhaps most importantly, my office had contemporaneously submitted the filed documents to Ms. Tunheim by electronic mail. In speaking with Ms. Tunheim on February 18, 2009, she confirmed receipt of the documents in that manner and indicated that she did not need them to be resent to her.

Please advise if I may provide any additional information regarding this matter. Thank you.

Best regards,
NISSENBAUM LAW GROUP, LLC

By: 
Laura J. Magedoff

Enclosure

cc: Annie Tunheim, Esq. (via email and regular mail)



Español | Customer Support | FedEx Locations

Package/Envelope Freight Expedited Office/Print Services *
 Ship > Track > Manage > Business Solutions >

Detailed Results

[Printable Version](#) [Help](#)

Detailed Results Notifications

Tracking no.: 867373035342 E-mail notifications

In transit

Initiated Picked up In transit Delivered

Delivery exception
DENVER, CO

Shipment Dates Destination
 Ship date Feb 4, 2009

Shipment Facts [Help](#)

Service type Standard Envelope - Direct Signature Reference 416-002
 Required
 Weight 0.5 lbs/0.2 kg

Shipment Travel History [Help](#)

Select time zone: Select time format: 12H | 24H

All shipment travel activity is displayed in local time for the location

Date/Time	Activity	Location	Details
Feb 16, 2009 4:18 PM	Package returned to shipper	DENVER, CO	Package returned to shipper:936109060858
Feb 16, 2009 6:00 AM	At local FedEx facility	DENVER, CO	
Feb 13, 2009 8:55 AM	At local FedEx facility	DENVER, CO	
Feb 12, 2009 8:33 PM	At local FedEx facility	DENVER, CO	
Feb 11, 2009 8:34 PM	At local FedEx facility	DENVER, CO	
Feb 10, 2009 8:26 PM	At local FedEx facility	DENVER, CO	
Feb 9, 2009 3:44 PM	At local FedEx facility	DENVER, CO	
Feb 9, 2009 1:07 PM	Delivery exception	DENVER, CO	Customer not available or business closed - Signature required
Feb 9, 2009 7:43 AM	On FedEx vehicle for delivery	DENVER, CO	
Feb 6, 2009 2:54 PM	At local FedEx facility	DENVER, CO	
Feb 6, 2009 12:34 PM	Delivery exception	DENVER, CO	Customer not available or business closed - Signature required
Feb 6, 2009 7:26 AM	On FedEx vehicle for delivery	DENVER, CO	
Feb 5, 2009 3:20 PM	At local FedEx facility	DENVER, CO	
Feb 5, 2009 12:37 PM	Delivery exception	DENVER, CO	Customer not available or business closed - Signature required
Feb 5, 2009 7:18 AM	On FedEx vehicle for delivery	DENVER, CO	
Feb 5, 2009 6:32 AM	At local FedEx facility	DENVER, CO	
Feb 5, 2009 4:54 AM	At dest sort facility	DENVER, CO	
Feb 5, 2009 3:54 AM	Departed FedEx location	MEMPHIS, TN	
Feb 4, 2009 11:25 PM	Arrived at FedEx location	MEMPHIS, TN	
Feb 4, 2009 11:43 PM	Departed FedEx location	NEWARK, NJ	
Feb 4, 2009 9:39 PM	Left FedEx origin facility	UNION, NJ	
Feb 4, 2009 7:40 PM	Picked up	UNION, NJ	

The new FedEx Tracking is here

Register for a chance to win big!

FedEx Tracking: Learn about the new features.

[View more >](#)



Español | Customer Support | FedEx Locations Search

- Package/Envelope
- Freight
- Expedited
- Office/Print Services

- Ship >
- Track >
- Manage >
- Business Solutions >

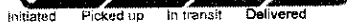
[Printable Version](#) [Help](#)

Detailed Results

- Detailed Results
- Notifications

Tracking no.: 936109060858 E-mail notifications

Delivered



Delivered

Signed for by: M.SANCHEZ

Shipment Dates

Ship date Feb 18, 2009
 Delivery date Feb 18, 2009 2:39 PM

Destination

UNION, NJ
[Signature Proof of Delivery](#)

Shipment Facts [Help](#)

Service type	Express Saver Envelope	Delivered to Reference	Receptionist/Front Desk
Weight	0.5 lbs/0.2 kg		RTS AB 867373035342

Shipment Travel History [Help](#)

Select time zone:

Select time format: 12H | 24H

All shipment travel activity is displayed in local time for the location.

Date/Time	Activity	Location	Details
Feb 18, 2009 2:39 PM	Delivered	UNION, NJ	
Feb 18, 2009 8:24 AM	On FedEx vehicle for delivery	UNION, NJ	
Feb 18, 2009 8:12 AM	At local FedEx facility	UNION, NJ	
Feb 18, 2009 6:30 AM	Arrived at FedEx location	NEWARK, NJ	
Feb 18, 2009 4:19 AM	Departed FedEx location	MEMPHIS, TN	
Feb 16, 2009 10:00 PM	Left FedEx origin facility	DENVER, CO	
Feb 16, 2009 5:35 PM	Shipment information sent to FedEx		
Feb 16, 2009 4:51 PM	Picked up	DENVER, CO	

The new FedEx Tracking is here.

Register for a chance to win big.

FedEx Tracking: Learn about the new features.

[View demo >](#)