

ESTTA Tracking number: **ESTTA293684**

Filing date: **07/06/2009**

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

Proceeding	91190370
Party	Defendant Schiff Nutrition International, Inc.
Correspondence Address	PRESTON C. REGEHR TECHLAW VENTURES, PLLC 333 S 520 W STE 220 LINDON, UT 84042-1911 UNITED STATES pto@techlawventures.com
Submission	Answer
Filer's Name	Preston C. Reghe
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Date	07/06/2009
Attachments	SLEEP TONIGHT.pdf (3 pages)(58006 bytes)

paragraph 2 and, therefore, denies the same.

3. Applicant lacks sufficient information to admit or deny the averments in paragraph 3 and, therefore, denies the same.

4. Applicant lacks sufficient information to admit or deny the averments in paragraph 4 and, therefore, denies the same.

5. Applicant lacks sufficient information to admit or deny the averments in paragraph 5 and, therefore, denies the same.


6. Applicant denies any other statements and averments in the Opposition not specifically addressed above.

In view of the foregoing, Applicant submits that this opposition is groundless and baseless in fact and that Opposers have not shown that it has rights, nor that those rights are likely to be damaged by Applicant's registration or use of Applicant's mark with the goods for which registration is sought.

Respectfully submitted,

SCHIFF NUTRITION INTERNATIONAL, INC.

Dated July 6, 2009

By  _____

Preston C. Regehr
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Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **ANSWER TO NOTICE OF OPPOSITION** has served via U.S. Mail on this 6th day of July, 2009, upon:

H. W. Reick, Esq.
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Dated July 6, 2009

By



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