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

Proceeding	91196625
Party	Plaintiff BeautyBank Inc.
Correspondence Address	IRA S SACKS THE LAW OFFICES OF IRA S SACKS 575 MADISON AVENUE , 10TH FLOOR NEW YORK, NY 10022 UNITED STATES isacks@irasacks.com, jdaddio@irasacks.com
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Filer's Name	Ira S. Sacks
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Date	01/13/2011
Attachments	Ltr re Opposition 91196625.pdf (1 page)(319300 bytes)

LAW OFFICES OF IRA S. SACKS LLP

WRITER'S DIRECT DIAL NO.
212 605-0355

January 13, 2011

By Filing in TTAB

Linda M. Skoro
UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: **TTAB Opposition 91196625**

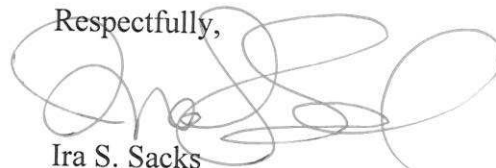
Dear Ms. Skoro:

This firm represents Opposer BeautyBank Inc. in the Trademark Trial and Appeal Board Opposition No. 91196625 which opposes registration of the mark HARVEY PRINCE EAU FLIRT (the "Opposition") by Applicant Kumar Ramani in Application Serial No. 77/733,393. We write to request that the Opposition be granted and the registration denied after a two month suspension in proceedings brought about by Applicant's attorney's motion to withdraw as counsel.

On October 28, 2010, Mr. Ramani's attorney James Palik made a motion to withdraw as the attorney of record for Mr. Ramani. On November 9, 2010, you denied Mr. Palik's motion for a variety of reasons, and gave Mr. Palik 30 days to correct the deficiencies in his motion to withdraw. That time has long since expired. Mr. Ramani and Mr. Palik have failed to respond to your November 9 letter.

We respectfully submit that the Opposition should be granted and the registration sought by Applicant in Application Serial No. 77/733,393 be denied if Mr. Ramani and/or Mr. Palik fails to respond to your November 10, 2010 order within 10 days of this letter. Mr. Ramani and Mr. Palik should not be permitted an unlimited amount of time to respond. Clearly neither Mr. Ramani nor Mr. Palik have any interest in defending the Application, and this delay only serves to postpone the inevitable denial of registration of the mark. BeautyBank has several substantive bases for its Opposition, however, the failure to defend that Application is a sufficient reason to grant the Opposition and deny registration of the mark. As a result of the foregoing, we respectfully request that the registration be denied.

Respectfully,



Ira S. Sacks

cc: Kumar Ramani (by email and regular mail)
James Palik (by email and regular mail)