

ESTTA Tracking number: **ESTTA371363**

Filing date: **10/01/2010**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Preferred Nutrition Inc.
Granted to Date of previous extension	10/13/2010
Address	153 Perth Street Acton, ON L7J 1C9 CANADA

Attorney information	DAIVA K. TAUTVYDAS CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC 1420 FIFTH AVENUE, SUITE 2800 SEATTLE, WA 98101-2347 UNITED STATES daiva@cojk.com, stacey.kalata@cojk.com, litdoc@cojk.com Phone:206-682-8100
----------------------	---

Applicant Information

Application No	77958969	Publication date	06/15/2010
Opposition Filing Date	10/01/2010	Opposition Period Ends	10/13/2010
Applicant	Headlines Promotions Ltd. 7315 1st Street Burnaby, BC, V3N3S7 CANADA		

Goods/Services Affected by Opposition

Class 005. All goods and services in the class are opposed, namely: Dietary and nutritional supplements
--

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)

Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	3297361	Application Date	11/14/2005
Registration Date	09/25/2007	Foreign Priority Date	08/10/2005
Word Mark	SLEEPSENSE		

Design Mark	<h1>SLEEPSENSE</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary supplements; Nutritional supplements		

U.S. Registration No.	2886242	Application Date	08/29/2002
Registration Date	09/21/2004	Foreign Priority Date	08/28/2002
Word Mark	ADRENASENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary supplements, nutritional supplements and herbal supplements		


U.S. Registration No.	3167467	Application Date	11/16/2004
Registration Date	11/07/2006	Foreign Priority Date	05/26/2004
Word Mark	ALLERSENSE		
Design Mark	<h1>ALLERSENSE</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary and nutritional supplements		

U.S. Registration No.	3026681	Application Date	01/29/2004
Registration Date	12/13/2005	Foreign Priority	12/02/2003

		Date	
Word Mark	ARTHRISENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary supplement and medicated herbal gel, liquid, lotion and cream		

U.S. Registration No.	3105807	Application Date	08/29/2002
Registration Date	06/20/2006	Foreign Priority Date	08/28/2002
Word Mark	CARDIOSENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary supplements, nutritional supplements and herbal supplements		

U.S. Registration No.	2793014	Application Date	05/06/2002
Registration Date	12/09/2003	Foreign Priority Date	NONE
Word Mark	ESTROSENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2002/06/12 First Use In Commerce: 2003/04/10 Dietary supplements and nutritional supplements		

U.S. Registration No.	3518395	Application Date	05/10/2006
Registration Date	10/14/2008	Foreign Priority Date	05/10/2006
Word Mark	FIBROSENSE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 005. First use: First Use: 2006/01/03 First Use In Commerce: 2006/11/08 Dietary supplements and nutritional supplements, namely, malic acid, minerals and fatty acids formulated for fibromyalgia excluding dietary fiber		
----------------	--	--	--

U.S. Registration No.	3084401	Application Date	09/17/2003
Registration Date	04/25/2006	Foreign Priority Date	09/12/2003
Word Mark	GLUCOSENSE		
Design Mark	GLUCOSENSE		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary supplements, nutritional supplements namely, minerals and antioxidants, vitamin supplements and herbal supplements		

U.S. Registration No.	3084460	Application Date	03/11/2004
Registration Date	04/25/2006	Foreign Priority Date	03/11/2004
Word Mark	HAPPYSENSE		
Design Mark	HAPPYSENSE		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary and nutritional supplements, namely, vitamins, mineral supplements, herbal supplements, and nutritional supplements featuring amino acids		

U.S. Application No.	77415357	Application Date	03/06/2008
Registration Date	NONE	Foreign Priority Date	03/06/2008
Word Mark	IRONSENSE		

Design Mark	<h1>IRONSENSE</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary and nutritional supplements; Dietary food supplements		

U.S. Application No.	77415381	Application Date	03/06/2008
Registration Date	NONE	Foreign Priority Date	03/06/2008

Word Mark	MAGSENSE		
Design Mark	<h1>MAGSENSE</h1>		
Description of Mark	NONE		
Goods/Services	Class 005. First use: (Based on Intent to Use) Dietary and nutritional supplements; Dietary food supplements (Based on 44(d) Priority Application) Dietary and nutritional supplements; Dietary food supplements		

U.S. Registration No.	2786323	Application Date	07/08/2002
Registration Date	11/25/2003	Foreign Priority Date	NONE

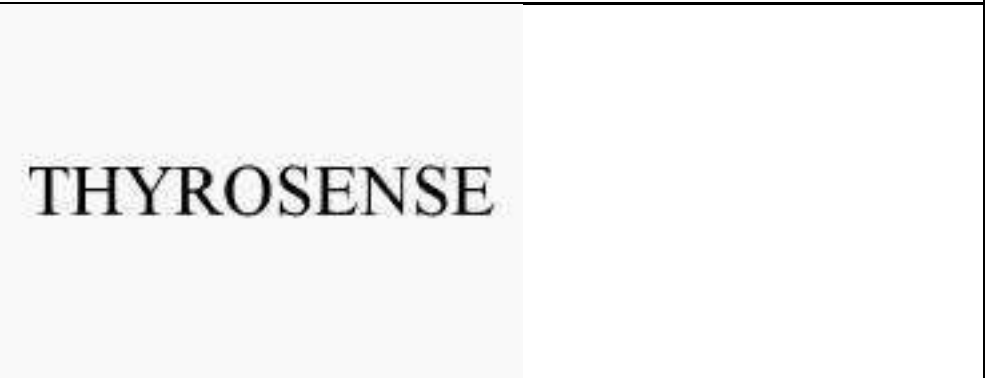

Word Mark	MENOSENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2002/11/25 First Use In Commerce: 2003/04/10 Dietary supplements, nutritional supplements and herbal supplements		


U.S. Application	77905589	Application Date	01/05/2010
------------------	----------	------------------	------------

No.			
Registration Date	NONE	Foreign Priority Date	01/05/2010
Word Mark	MIGRASENSE		
Design Mark	MIGRASENSE		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary and nutritional supplements; Dietary food supplements		

U.S. Application No.	77481533	Application Date	05/22/2008
Registration Date	NONE	Foreign Priority Date	05/22/2008
Word Mark	MINDSENSE		
Design Mark	MINDSENSE		
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary and nutritional supplements		

U.S. Application No.	78173187	Application Date	10/10/2002
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MULTISENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary supplements, nutritional supplements, multivitamins and mineral		

	supplements		
U.S. Registration No.	2914432	Application Date	10/22/2002
Registration Date	12/28/2004	Foreign Priority Date	NONE
Word Mark	OSTEOSENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: Dietary supplements, nutritional supplements and herbal supplements		
U.S. Registration No.	2986524	Application Date	04/08/2004
Registration Date	08/16/2005	Foreign Priority Date	NONE
Word Mark	THYROSENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2003/09/03 First Use In Commerce: 2005/04/06 Dietary and nutritional supplements		
U.S. Registration No.	3013993	Application Date	12/18/2003
Registration Date	11/08/2005	Foreign Priority Date	12/18/2003
Word Mark	URISENSE		
Design Mark			
Description of	NONE		

Mark			
Goods/Services	Class 005. First use: First Use: 2004/04/26 First Use In Commerce: 2004/09/09 Dietary supplements		
U.S. Registration No.	3622920	Application Date	10/16/2008
Registration Date	05/19/2009	Foreign Priority Date	NONE
Word Mark	VEINSENSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2006/04/27 First Use In Commerce: 2006/10/30 Dietary and nutritional supplements		

Attachments	78753532#TMSN.jpeg (1 page)(bytes) 78517802#TMSN.jpeg (1 page)(bytes) 78359672#TMSN.jpeg (1 page)(bytes) 78880598#TMSN.gif (1 page)(bytes) 78301419#TMSN.gif (1 page)(bytes) 78382303#TMSN.jpeg (1 page)(bytes) 77415357#TMSN.jpeg (1 page)(bytes) 77415381#TMSN.jpeg (1 page)(bytes) 77905589#TMSN.jpeg (1 page)(bytes) 77481533#TMSN.jpeg (1 page)(bytes) 78399051#TMSN.jpeg (1 page)(bytes) 78343069#TMSN.jpeg (1 page)(bytes) 77594409#TMSN.jpeg (1 page)(bytes) Notice_of_Opposition_10-1-10.pdf (12 pages)(736713 bytes)
-------------	--

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Daiva K. Tautvydas/
Name	DAIVA K. TAUTVYDAS
Date	10/01/2010

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

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

Applicant: Headlines Promotions Ltd.,
composed of Lorna Vanderhaeghe

International Class: 5

Serial No.: 77/958969

Published for Opposition: June 15, 2010

Filed: March 15, 2010

Mark: SLEEPSMART

Attorney Docket No.: NFNP-6-3325

Goods: Dietary and nutritional supplements.

PREFERRED NUTRITION INC., a Canadian
corporation,

Opposition No. _____

Opposer,

NOTICE OF OPPOSITION

v.

HEADLINES PROMOTIONS LTD., composed
of Lorna Vanderhaeghe, a Canadian sole
proprietorship,

Applicant.

NOTICE OF OPPOSITION

Seattle, Washington 98101
October 1, 2010

TO THE COMMISSIONER FOR TRADEMARKS
TRADEMARK TRIAL AND APPEAL BOARD:

Preferred Nutrition Inc., a Canadian corporation, having a place of business at 153 Perth
Street, Acton, Ontario, Canada L7J 1C9 ("Opposer"), believes that it will be damaged by
registration of the trademark shown in Application Serial No. 77/958969, and hereby opposes the
same. As grounds for the opposition, Opposer alleges as follows.

1 1. On information and belief, Headlines Promotions Ltd., composed of Lorna
2 Vanderhaeghe, now Lorna Vanderhaeghe Health Solutions Inc., by change of name on
3 June 24, 2010, is a Canadian sole proprietorship, having an address of 7315 First Street,
4 Burnaby, British Columbia, Canada V3N 3S7 ("Applicant").

5 2. On information and belief, Applicant is the record owner of U.S. Trademark
6 Application Serial No. 77/958969, filed March 15, 2010, for the mark SLEEPSMART, for
7 "dietary and nutritional supplements," in International Class 5.

8 3. Opposer is in the business of developing, manufacturing, marketing, distributing
9 and selling premium quality natural health products, including dietary and nutritional
10 supplements ("Opposer's Goods").

11 4. Opposer markets, distributes, and sells Opposer's Goods throughout the United
12 States through Natural Factors Nutritional Products Inc., a Washington corporation.

13 5. Opposer is the owner of and, since at least as early as April 2003, has adopted,
14 used and continues to use in commerce in the United States, including through Natural Factors
15 Nutritional Products Inc., a continuously-expanding family of trademarks that employ various
16 terms in conjunction with the common term SENSE in association with Opposer's Goods.

17 6. Opposer is the owner of U.S. Trademark Registration No. 3297361, for the mark
18 SLEEPSENSE, for dietary supplements; nutritional supplements, in International Class 5. Said
19 registration issued September 25, 2007, claiming priority of Canadian Trademark Registration
20 No. TMA666819, issued June 30, 2006.

21 7. Opposer is also the owner of U.S. Trademark Registration No. 2886242, for the
22 mark ADRENASENSE, for dietary supplements, nutritional supplements and herbal
23 supplements, in International Class 5. Said registration issued September 21, 2004, claiming
24 priority of Canadian Trademark Registration No. TMA601566, issued February 6, 2004.
25 Registration No. 2886242 is currently valid, subsisting, and incontestable.

26 8. Opposer is the owner of U.S. Trademark Registration No. 3167467, for the mark
27

1 ALLERSENSE, for dietary and nutritional supplements, in International Class 5. Said
2 registration issued November 7, 2006, claiming priority of Canadian Trademark Registration
3 No. TMA648462, issued September 19, 2005.

4 9. Opposer is the owner of U.S. Trademark Registration No. 3026681, for the mark
5 ARTHRISENSE, for dietary supplement and medicated herbal gel, liquid, lotion and cream, in
6 International Class 5. Said registration issued December 13, 2005, claiming priority of Canadian
7 Trademark Registration No. TMA638426, issued April 27, 2005.

8 10. Opposer is the owner of U.S. Trademark Registration No. 3105807, for the mark
9 CARDIOSENSE, for dietary supplements, nutritional supplements and herbal supplements, in
10 International Class 5. Said registration issued June 20, 2006, claiming priority of Canadian
11 Trademark Registration No. TMA648584, issued September 20, 2005.

12 11. Opposer is the owner of U.S. Trademark Registration No. 2793014, for the mark
13 ESTROSENSE, for dietary supplements and nutritional supplements, in International Class 5.
14 Said registration issued December 9, 2003, setting forth a date of first use of June 12, 2002.
15 Registration No. 2793014 is currently valid, subsisting, and incontestable.

16 12. Opposer is the owner of U.S. Trademark Registration No. 3518395, for the mark
17 FIBROSENSE, for dietary supplements and nutritional supplements, namely, malic acid,
18 minerals and fatty acids formulated for fibromyalgia excluding dietary fiber, in International
19 Class 5. Said registration issued October 14, 2008, setting forth a date of first use of January 3,
20 2006.

21 13. Opposer is the owner of U.S. Trademark Registration No. 3084401, for the mark
22 GLUCOSENSE, for dietary supplements, nutritional supplements, namely, minerals and
23 antioxidants, vitamin supplements and herbal supplements, in International Class 5. Said
24 registration issued April 25, 2006, claiming priority of Canadian Trademark Registration
25 No. TMA639318, issued May 6, 2005.

26 14. Opposer is the owner of U.S. Trademark Registration No. 3084460, for the mark
27

1 HAPPYSENSE, for dietary and nutritional supplements, namely, vitamins, mineral supplements,
2 herbal supplements, and nutritional supplements featuring amino acids, in International Class 5.
3 Said registration issued April 25, 2006, claiming priority of Canadian Trademark Registration
4 No. TMA638794, issued May 2, 2005.

5 15. Opposer is the owner of U.S. Trademark Application No. 77/415357, for the mark
6 IRONSENSE, for dietary and nutritional supplements; dietary food supplements, in International
7 Class 5. Said application was filed March 6, 2008, claiming priority of Canadian Trademark
8 Application No. 1386385, also filed March 6, 2008.

9 16. Opposer is the owner of U.S. Trademark Application No. 77/415381, for the mark
10 MAGSENSE, for dietary and nutritional supplements; dietary food supplements, in International
11 Class 5. Said application was filed March 6, 2008, claiming priority of Canadian Trademark
12 Application No. 1386386, also filed March 6, 2008.

13 17. Opposer is the owner of U.S. Trademark Registration No. 2786323, for the mark
14 MENOSENSE, for dietary supplements, nutritional supplements and herbal supplements, in
15 International Class 5. Said registration issued November 25, 2003, setting forth a date of first use
16 of November 25, 2002. Registration No. 2786323 is currently valid, subsisting, and
17 incontestable.

18 18. Opposer is the owner of U.S. Trademark Application No. 77/905589, for the mark
19 MIGRASENSE, for dietary and nutritional supplements; dietary food supplements, in
20 International Class 5. Said application was filed January 5, 2010, claiming priority of Canadian
21 Trademark Application No. 1464759, also filed January 5, 2010.

22 19. Opposer is the owner of U.S. Trademark Application No. 77/481533, for the mark
23 MINDSENSE, for dietary and nutritional supplements, in International Class 5. Said application
24 was filed May 22, 2008, claiming priority of Canadian Trademark Application No. 1396636, also
25 filed May 22, 2008.

26 20. Opposer is the owner of U.S. Trademark Application No. 78/173187, for the mark
27

1 MULTISENSE, for dietary supplements, nutritional supplements, multivitamins and mineral
2 supplements, in International Class 5. Said application was filed October 10, 2002, based on
3 Opposer's intent to use the mark, and published August 4, 2009.

4 21. Opposer is the owner of U.S. Trademark Registration No. 2914432, for the mark
5 OSTEONSENSE, for dietary supplements, nutritional supplements and herbal supplements, in
6 International Class 5. Said registration issued December 28, 2004, claiming priority of Canadian
7 Trademark Registration No. TMA602061, issued February 12, 2004. Registration No. 2914432
8 is currently valid, subsisting, and incontestable.

9 22. Opposer is the owner of U.S. Trademark Registration No. 2986524, for the mark
10 THYROSENSE, for dietary and nutritional supplements, in International Class 5. Said
11 registration issued August 16, 2005, setting forth a date of first use of September 3, 2003.

12 23. Opposer is the owner of U.S. Trademark Registration No. 3013993, for the mark
13 URISENSE, for dietary supplements, in International Class 5. Said registration issued
14 November 8, 2005, setting forth a date of first use of April 26, 2004.

15 24. Opposer is the owner of U.S. Trademark Registration No. 3622920, for the mark
16 VEINSENSE, for dietary and nutritional supplements, in International Class 5. Said registration
17 issued May 19, 2009, setting forth a date of first use of April 27, 2006.

18 25. Opposer has, without interruption, used and publicized throughout the United
19 States one or more of its SENSE marks and has made extensive sales of Opposer's Goods
20 utilizing its SENSE marks since at least April 2003, and has created a family of SENSE marks,
21 comprising the word SENSE and an abbreviation of the word describing the target action of the
22 goods.

23 26. The channels of distribution for Opposer's Goods include, among others, health
24 food, organic food, vitamin, and specialty nutrition stores throughout the United States.

25 27. Opposer advertises and promotes its SENSE marks, including SLEEPSENSE, and
26 Opposer's Goods on websites available in the United States and throughout the world, including
27

1 **www.pno.ca** and **us.naturalfactors.com**, as well as through trade and consumer magazine
2 advertising, sales through retail stores and through promotional events and lectures, held
3 throughout the United States.

4 28. Applicant began filing U.S. trademark applications in late 2009 for numerous
5 trademarks incorporating various terms in conjunction with the common term SMART for
6 dietary and nutritional supplements. Nearly all of the trademarks applied for by Applicant are
7 identical to Opposer's SENSE marks, except for the substitution of the term SMART for the term
8 SENSE.

9 29. On information and belief, Applicant is the record owner of the following
10 U.S. trademark applications for marks including the word "smart": U.S. Serial No. 77/959020,
11 SHAPESMART; U.S. Serial No. 77/958969, SLEEPSMART; U.S. Serial No. 77/921327,
12 URISMART; U.S. Serial No. 77/921274, SEXSMART; U.S. Serial No. 77/889493,
13 OSTEOSMART; U.S. Serial No. 77/889481, MAGSMART; U.S. Serial No. 77/889454,
14 IRONSMART; U.S. Serial No. 77/881574, MULTISMART; U.S. Serial No. 77/881570,
15 VEINSMART; U.S. Serial No. 77/881569, MOODSMART; U.S. Serial No. 77/877994,
16 SKINSMART; U.S. Serial No. 77/877980, ADRENASMART; U.S. Serial No. 77/877961
17 THYROSMART; U.S. Serial No. 77/877940, MENOSMART; and U.S. Serial No. 77/848987,
18 ESTROSMART, all for dietary and nutritional supplements.

19 30. On information and belief, Applicant uses or will use channels of trade highly
20 similar, if not identical, to Opposer's channels of trade, to sell its SLEEPSMART product.

21 31. Upon information and belief, Applicant's goods will be advertised and sold in one
22 or more of the following channels of trade: health food, organic food, vitamin, and specialty
23 nutrition stores.

24 32. Applicant operates a website accessible in the United States and throughout the
25 world at **www.healthyimmunity.com**.

26 33. The **www.healthyimmunity.com** website is specifically oriented to consumers in
27

1 the United States as well as Canada. For example, the **www.healthyimmunity.com** website
2 contains numerous articles regarding the approvals, recommendations, and other actions of the
3 United States Food & Drug Administration ("FDA"). Moreover, the
4 **www.healthyimmunity.com** website displays the following notice: "The statements made on
5 this website and any of its publications have not been evaluated by the Food and Drug
6 Administration. This website is not intended to diagnose, treat, cure or prevent disease." This
7 notice language mirrors a notice required by the United States Dietary Supplements Health and
8 Education Act of 1994.

9 34. Applicant advertises its SLEEPSMART product via the
10 **www.healthyimmunity.com** website, a copy of which is attached as Exhibit A.

11 35. On information and belief, Applicant's marketing and sale of the SLEEPSMART
12 product uses or will use the same channels of trade and does or will target the same classes of
13 customers, and in some cases the same customers, as Opposer when marketing and selling
14 Opposer's Goods under the Opposer's family of SENSE marks and SLEEPSENSE specifically.

15 36. The mark SLEEPSMART, shown in Application Serial No. 77/958969, so
16 resembles Opposer's mark SLEEPSENSE, when used in association with the goods claimed by
17 Application Serial No. 77/958969, as to be likely to cause confusion, or to cause mistake, or to
18 deceive within the meaning of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

19 37. Additionally, Applicant's mark SLEEPSMART so resembles Opposer's
20 SLEEPSENSE mark as to falsely suggest a connection with Opposer when applied to the goods
21 of Applicant, within the meaning and violation of the Lanham Act § 2(a), 15 U.S.C. § 1052(a).

22 38. Opposer will be damaged by the registration sought by Applicant insofar as the
23 registration will be *prima facie* evidence of the validity of the registration, Applicant's ownership
24 of the mark SLEEPSMART for the goods claimed by Application Serial No. 77/958969, and
25 Applicant's exclusive right to use the mark SLEEPSMART, in association with the goods
26 claimed by Application Serial No. 77/958969 when, in fact, Applicant is not entitled to the full
27

1 scope of such rights by virtue of Opposer's prior and continuous use of the mark SLEEPSENSE,
2 for dietary supplements, which are sold in the same channels of trade in which the goods claimed
3 by Application Serial No. 77/958969 may be sold.

4 39. Based upon the foregoing, registration of the mark shown by Application Serial
5 No. 77/958969, filed March 15, 2010, is likely to cause injury and damage to Opposer.

6 WHEREFORE, Opposer respectfully requests that registration of the mark
7 SLEEPSMART as shown by Application Serial No. 77/958969, be denied under Sections 2(a)
8 and 2(d) of the Lanham Act, 15 U.S.C. §§ 1052(a) and 1052(d), and that this Opposition be
9 sustained.

10 Please charge the filing fee of US \$300.00 to Deposit Account No. 03-1740 of Opposer's
11 counsel noted below.

12 Please direct all correspondence to Daiva K. Tautvydas of Christensen O'Connor Johnson
13 Kindness PLLC at the following address:

14 Daiva K. Tautvydas, Esq.
15 Christensen O'Connor Johnson Kindness^{PLLC}
16 1420 5th Avenue, Suite 2800
17 Seattle, Washington 98101

18 Please direct all telephone calls to Daiva K. Tautvydas at 206-682-8100.

19 Respectfully submitted,

20 CHRISTENSEN O'CONNOR
21 JOHNSON KINDNESS PLLC

22 

23 Daiva K. Tautvydas
24 Attorneys for Opposer

1 **CERTIFICATE OF FILING**

2 I hereby certify that this NOTICE OF OPPOSITION to U.S. Trademark Application
3 Serial No. 77/958969 for the mark SLEEPSMART is being filed with the Trademark Trial and
4 Appeal Board using the ESTTA filing system of the U.S. Patent and Trademark Office on the
5 below date.

6 Date: October 1, 2010 Stacey K. Kalata

7 **CERTIFICATE OF SERVICE**

8 I hereby certify that this NOTICE OF OPPOSITION to U.S. Trademark Application
9 Serial No. 77/958969 for the mark SLEEPSMART is being duly served upon the Applicant by
10 mailing a copy thereof via the U.S. Postal Service in a sealed envelope as first class mail with
11 postage thereupon fully prepaid and addressed to:

12 Ms. Lorna Vanderhaeghe
13 Headlines Promotions Ltd.
14 7315 First Street
15 Burnaby, B.C. V3N 3S7
16 CANADA

17 Date: October 1, 2010 Stacey K. Kalata

EXHIBIT A

Healthy Immunity / Hormone Help / Lorna Vanderhaeghe

[Home](#)

[Advanced Search](#)

[Lorna's Lectures](#)

[Contact Us](#)

[Ask Lorna](#)

[F.A.Q.s](#)

[Lorna's Books](#)

[The Woman's Word](#)

[Newsletters & Articles](#)

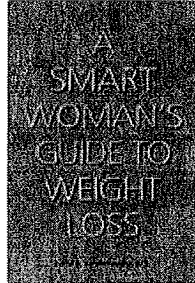
[Featured Products](#)

[Lorna's Media Kit](#)

[Lorna's Nutrition Course](#)

[Careers](#)

Welcome to the Hormone Help and Healthy Immunity Web Site



Get Your Copy of

A Smart Woman's Guide to Weight Loss

by sending \$24.99 (includes shipping and handling) to Lorna Vanderhaeghe Health Solutions, Inc.

400 - 353 Water Street

Vancouver, B.C.

V6B 1B8

Please allow 3-4 weeks shipping.

This is a mailing address only. No walk-ins, please.

Sign-up for Lorna's FREE monthly e-letter and receive FREE online access to *Get a Grip on Arthritis*

[Click to Subscribe](#)
[Unsubscribe](#)

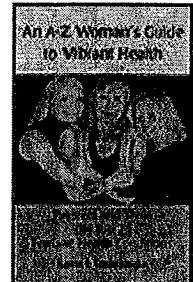
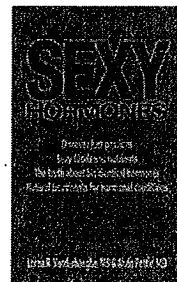
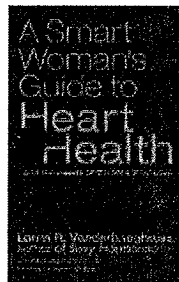
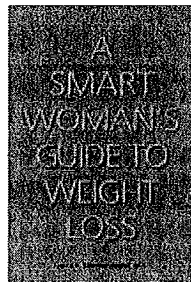
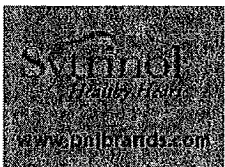
If you want to ask Lorna a question, email AskLorna@hormonehelp.com



Lorna Receives the CHFA's 2009 Hall of Fame Award

Read Two of My Books FREE.

You can read both *An A-Z Woman's Guide to Vibrant Health* and *Get a Grip on Arthritis* in their entirety online.



Available on iPhone!

Hot Flash about Black Cohosh!! [Click here](#)

Learn more about Saliva Hormone testing and doctors that will agree to it [click here](#)

[Click here to search to see if your cosmetics contain dangerous phthalates](#)

ALL ABOUT MAMMOGRAMS

Mammograms don't raise cancer survival: study

The Canadian National Breast Screening Study-1: Breast Cancer Mortality after 11 to 16 Years of Follow-up

A Randomized Screening Trial of Mammography in Women Age 40 to 49 Years

Breast Cancer Screening: A Summary of the Evidence for the U.S. Preventive Services Task Force

Many readers may already know me from my many years of writing and editing for *Alive* magazine or as Editor-in-chief for *Healthy Living Guide*. I have a Masters in Health Studies and a degree in Biochemistry. For over 5 years, I worked at the *Journal of Orthomolecular Medicine* and the Canadian Schizophrenia Foundation. Currently an Associate Editor for *Total Health Magazine* in the U.S., I have been researching and writing on the subject of nutritional medicine for over 25 years, working alongside some of the most brilliant researchers and doctors. I have now written 10 books.

Like many who have developed a passion for the nutritional medicine field I became a convert after my daughter recovered from an illness that doctors could not treat with conventional methods. The greatest joy I receive from writing, lecturing and publishing comes from you. Your letters and health recovery stories are powerful motivators to get the message out. Every other letter I receive from readers starts with the words, "If I had only known about this information earlier I would not have had to endure years of sickness."

Please keep writing, emailing and calling.

Yours in health,
Lorna Vanderhaeghe

This web site is for informational purposes only. Consult your health care practitioner for any medical advice. The statements made on this web site and any of its publications have not been evaluated by the Food and Drug Administration. This web site is not intended to diagnose, treat, cure or prevent disease.

© Headlines Promotions Ltd.