

ESTTA Tracking number: **ESTTA444394**

Filing date: **12/02/2011**

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

Proceeding	91200168
Party	Defendant Richards Distributing, Inc.
Correspondence Address	JAMES C WRAY JAMES C WRAY 1493 CHAIN BRIDGE RD , STE 300 MC LEAN, VA 22101-5726 UNITED STATES jameswray@jcwray.com
Submission	Other Motions/Papers
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Date	12/02/2011
Attachments	Applicant_Motion_to_Substitute_Name2_12-2-11.pdf (4 pages)(1500433 bytes)

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

=====		
BACH FLOWER REMEDIES LIMITED,)	
)	Opposition No. 91200168
Opposer)	Application No. 85/111,156
)	Trademark SUNBURN RESCUE
v.)	
)	
ABSOLUTELY NATURAL, INC.)	
by name change from)	
RICHARDS DISTRIBUTING, INC.,)	
)	
Applicant.)	
)	
=====		

MOTION TO SUBSTITUTE NAME

Absolutely Natural, Inc. formerly named Richards Distributing, Inc., owns the entire right, title and interest in and to the application for the mark SUNBURN RESCUE, which is the subject of Opposition No. 91200168. By consent of its Board of Directors and shareholders, the corporation changed its name from Richards Distributing, Inc. to Absolutely Natural, Inc. effective December 20, 2010.

A copy of the Notice of Recordation of Name Change receipt certificate from the United States Patent and Trademark Office is attached as App. Ex. 201.

Pursuant to 37 C.F.R. §§ 3.71 and 3.73(b), TBMP § 512.01, and with the knowledge of Absolutely Natural, Inc., counsel for Richards Distributing, Inc. hereby requests that the name

Richards Distributing, Inc. be removed from the proceeding, and that the name Absolutely Natural, Inc. be substituted as the defendant to Opposition No. 91200168.

Respectfully submitted,

Dated: December 2, 2011

By:  _____

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Attorney for Applicant,
ABSOLUTELY NATURAL, INC.
by name change from
RICHARDS DISTRIBUTING, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Motion to Substitute is being filed electronically with the United States Patent and Trademark Office Trademark Trial and Appeals Board and being served by first class mail, postage prepaid, on December 2, 2011, on the following:

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 2, 2011

PTAS

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT RECORDATION BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE ASSIGNMENT RECORDATION BRANCH AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT RECORDATION BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/01/2011

REEL/FRAME: 4669/0295
NUMBER OF PAGES: 4

BRIEF: CHANGE OF NAME

DOCKET NUMBER: SUNBURN RESCUE

ASSIGNOR:
RICHARDS DISTRIBUTING, INC.

DOC DATE: 12/09/2010
CITIZENSHIP: FLORIDA
ENTITY: CORPORATION

ASSIGNEE:
ABSOLUTELY NATURAL, INC.
640 ATLANTIS ROAD
MELBOURNE, FLORIDA 32904

CITIZENSHIP: FLORIDA
ENTITY: CORPORATION

SERIAL NUMBER: 85111156
REGISTRATION NUMBER:
MARK: SUNBURN RESCUE
DRAWING TYPE: STANDARD CHARACTER MARK

FILING DATE: 08/19/2010
REGISTRATION DATE:

ASSIGNMENT RECORDATION BRANCH
PUBLIC RECORDS DIVISION