

ESTTA Tracking number: **ESTTA852406**

Filing date: **10/16/2017**

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

Proceeding	91236279
Party	Defendant Chef's Touch Sales and Marketing, LLC
Correspondence Address	MANDY T GARRELS CERES PATENT & TECHNOLOGY LLC 529 ONTARIO AVE, SN2 SHEBOYGAN, WI 53081 UNITED STATES Email: mgarrels@intellectualcounsel.com
Submission	Motion to Dismiss - Rule 12(b)
Filer's Name	MANDY T. GARRELS
Filer's email	mgarrels@intellectualcounsel.com
Signature	/MANDY T. GARRELS/
Date	10/16/2017
Attachments	Service.Answer.MDismiss.Cert.10.16.17.pdf(38387 bytes)

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

FRITO-LAY NORTH AMERICA, INC.

OPPOSER,

V.

OPPOSITION NO. 91236279

MARK: LET'S TAILGATE!

CHEF'S TOUCH SALES AND

SERIAL NO. 87/249.836

MARKETING, LLC


APPLICANT.

APPLICANT'S CORRECTION OF SERVICE OF APPLICANT'S ANSWER TO THE
NOTICE OF OPPOSITION AND APPLICANT'S MOTION TO DISMISS

The Opposing party was timely served Applicant's Answer to the Notice of Opposition and Applicant's Motion to Dismiss on September 29, 2017 by U.S. Postal Mail, Express Mail Service. Applicant misunderstood the current requirement for email service and herein attempts to correct the error by follow up email service on October 16, 2017 to the Attorney of Record for the Opposing Party, namely Jeanette S. Zimmer, at the following email address: Jeanette.zimmer@pepsico.com. A certificate of email service to Attorney Zimmer is copied herein respectfully with the Board by ESTTA.

October 16, 2017

Respectfully Submitted



Mandy T. Garrels, Esq.
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Marketing, LLC

CERTIFICATE OF FILING

I hereby certify that this correspondence, Applicant's Correction of Service of Applicant's Answer to the Notice of Opposition and Applicant's Motion to Dismiss, was filed electronically through the TTAB's ESTTA (Electronic System for Trademark Trials and Appeals) system, on October 16, 2017.

By:

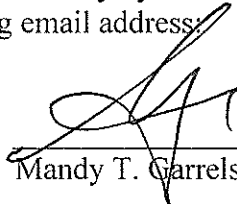


Mandy T. Garrels

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2017, Applicant's Correction of Service of Applicant's Answer to the Notice of Opposition and Applicant's Motion to Dismiss for Opposition Case No. 91236279 are being deposited today by email to the Attorney of Record for the Opposer, Jeanette S. Zimmer, at the following email address:
Jeanette.zimmer@pepsico.com.

By:



Mandy T. Garrels

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2017, Applicant's Answer to the Notice of Opposition and Applicant's Motion to Dismiss for Opposition Case No. 91236279 are being deposited today by email to the Attorney of Record for the Opposer, Jeanette S. Zimmer, at the following email address: Jeanette.zimmer@pepsico.com.

By: 

Mandy T. Garrels