



TTAB

April 24, 2007

Trademark Trial and Appeal Board
PO BOX 1451
Alexander, VA 22313-1451

Re: The Matter of Application Serial Number 78730037
Published in Official Gazette on December 26, 2006

Ladies and Gentlemen:

Enclosed kindly find the original and duplicate copy of our Notice of Opposition filed electronically today. A copy of our confirmation is also enclosed.

Should you have any questions or concerns, please do not hesitate to contact us immediately at 650-372-9468.

Sincerely,

A handwritten signature in black ink, appearing to be "John Reed", written over a horizontal line.

John Reed

A thick, horizontal black bar used to redact a signature or stamp in the bottom right corner of the document.

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Notice of Opposition.

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ELECTRONIC SYSTEM FOR TRADEMARK TRIALS AND APPEALS Filing Rec

We have received your Notice of Opposition. submitted through Trademark Trial and Appeal Board's ESTTA electronic filing sy This is the only receipt which will be sent for this paper. I Board later determines that your submission is inappropriate should not have been accepted through ESTTA, you will receive notification and appropriate action will be taken.

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Filing date: 04/24/2007

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

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

Opposer Name: Nabob Rx
Granted to Date of previous extension: 04/25/2007
1098 Foster City Blvd., Ste 106PMB #707
Foster City, CA 94404
Address: UNITED STATES

Correspondence information:
Nabob Rx
1098 Foster City Blvd., Ste 106PMB #707
Foster City, CA 94404
UNITED STATES
nabobrx@sbcglobal.net Phone: 650-372-9468

Applicant Information:
Application Serial No: 78730037
Publication date: 12/26/2006
Opposition Filing Date:
Opposition Period Ends: 04/25/2007
Applicant: Natural Alternatives International, Inc.
1185 Linda Vista Drive
San Marcos, CA 92078
Address: UNITED STATES

Goods/Services Affected by Opposition:
Class 005. First Use: 20051010 First Use In Commerce: 2005
All goods and services in the class are opposed, namely: Diet
supplements not related to the processing of blood or blood c
nutritional supplements not related to the processing of bloo
components
Grounds for Opposition: Deceptiveness, Trademark Act section
False suggestion of a connection, Trademark Act section 2(a)
Priority and likelihood of confusion, Trademark Act section 2
Dilution, Trademark Act section 43(c)

Mark Cited by Opposer as Basis for Opposition
U.S. Registration No.: 2670903
Application Date: 05/15/2000
Registration Date: 01/07/2003
Word Mark: THERAFLEX
Goods/Services:
Class 005 First Use: 19940600 First Use In Commerce: 199610
Analgesic cream

Attachments:

76047937#TMSN.gif (1 page)
Attachment1.DrLinchitz2.tif (1 page)
Opposition.page5.tif (1 page)

Nabob Rx
/////John Reed/////

04/24/2007

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

In the matter of Application Ser. No. 78730037
Published in the Official Gazette on December 26, 2006

NABOB RX, PARTNERSHIP
OPPOSER

v.

NATURAL ALTERNATIVES
INTERNATIONAL, INC.
APPLICANT

Opposition No. _____

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CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being filed electronically with the TTAB at www.uspto.gov. and a confirmation copy is being deposited with the United State Postal Service on the date shown below with sufficient postage as first class in an envelope addressed to: TTAB PO BOX 1451, Arlington, Virginia 22313-1451 on:

By: 
Yvette Reed

April 24 2007
Date

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NOTICE OF OPPOSITION

Nabob Rx ("Opposer"), is a partnership existing under the laws of California presently located at 1098 Foster City Blvd., Ste. 106-707, Foster City, California 94404-2302. Opposer became the owner of the Mark TheraFlex on January 7, 2003. Opposer, moreover, believes that it will be damaged by registration of the mark shown in US Trademark Application Ser. No. 76047937 and hereby opposes the same, including all

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