



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,

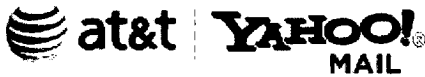
A handwritten signature in black ink, appearing to read "John Reed", written over a horizontal line.

John Reed

AT&T Yahoo! Mail

Search:

Web Search



Welcome, nabobrx@sbcglobal...
[Sign Out, My Account]

Mail Home Tutorials Help

Mail | Addresses | Calendar | Notepad

Mail For Mobile - Mail Upgrades - Options

Check Mail

Compose

Search Mail

Search the Web

Folders [Add - Edit]

Inbox (268)

Draft

Sent

Bulk (37) [Empty]

Trash [Empty]

My Folders [Hide]

midphase.hosting

Search Shortcuts

My Photos

My Attachments

Previous | Next | Back to Messages

Delete

Reply

Forward

Spam

Move...

This message is not flagged. [Flag Message - Mark as Unread]

Date: Tue, 24 Apr 2007 19:28:32 -0400 (EDT)

From: estta-server@uspto.gov Add to Address Book Add Mobile Alert

To: nabobrx@sbcglobal.net

Subject: ESTTA. Notice of Opposition. confirmation receipt ID: ESTTA137214

Notice of Opposition.

Tracking No: ESTTA137214

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.

Please note:

Unless your submission fails to meet the minimum legal requirements for filing, the Board will not cancel the filing refund any fee paid.

If you have a technical question, comment or concern about yo ESTTA submission, call 571-272-8500 during business hours or e-mail at estta@uspto.gov.

The status of any Board proceeding may be checked using TTABV which is available at <http://ttabvue.uspto.gov> Complete information on Board proceedings is not available through the or TARR databases. Please allow a minimum of 2 business days TTABVUE to be updated with information on your submission.

The Board will consider and take appropriate action on your f in due course.

Printable version of your request is attached to this e-mail

ESTTA server at <http://estta.uspto.gov>

ESTTA Tracking number: ESTTA137214
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

Delete | **Reply** ▼ | **Forward** ▼ | **Spam** | **Move...** ▼

[Previous](#) | [Next](#) | [Back to Messages](#)

[Save Message Text](#)

Check Mail

Compose

Search Mail

Search the Web

Copyright 2007 © Yahoo! Inc. [Privacy Policy](#) | [Terms of Service](#) | [Send Feedback](#) | [Help](#)

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. _____

.....
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*
Yvette Reed

April 24 2007
Date

.....
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

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.