

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

LEO STOLLER  
CENTRAL MFG. CO.  
7115 W. North Avenue #272  
Oak Park, IL. 60302

Opposer,

vs.

HEPA CORPORATION  
3071 E. Coronado Street  
Anaheim, CA 92806

Applicant.

Opposition No.: 91170957

Mark: STEALTH

Application No.: 75/718,440

International Class: 011

Filed: June 1, 1999

Published: November 9, 2004

Box TTAB/NO FEE

## APPLICANT'S REPLY AND OPPOSITION TO

**"OPPOSER'S PRELIMINARY RESPONSE TO APPLICANT'S MOTION FOR  
SUMMARY JUDGMENT  
AND FOR INSTRUCTIONS"**

It may be that Opposer's misnamed Preliminary Response, etc. is a request for an extension of time to respond to Applicant's Motion for Summary Judgment in that on page 2 in the WHEREFORE paragraph Opposer seeks 30 days from whenever the Board decides Applicant's Motions to Strike and to Dismiss and Motion for a More Definite Statement to respond to Applicant's Motion for Summary Judgment. Applicant opposes this possible request for an extension of time to respond as yet another delaying tactic by this notorious abuser of TTAB proceedings. The Board has itself noted Opposer's abusive and dilatory tactics. See Board's Sanctions Order of July 14, 2006, e.g. Footnote 2, against Leo Stoller.



Or it may be that Opposer is asking the Board to confirm that it has no obligation to respond because proceedings were ispo facto suspended when the first two motions were filed and thus before the Summary Judgment motion was filed. Opposer seems to assume this but why file any response in that case?

Or it may *more likely* be that Opposer has no response and has simply failed to respond on the merits to Applicant's Motion for Summary Judgment.

Wherefore, granting of the Applicant's Motion for Summary Judgment is requested.

Date: 8/8/06

By: 

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**CERTIFICATE OF MAILING**

I, Louis J. Bachand, hereby certify that on August 8, 2006, the foregoing correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage fully prepaid thereon, in an envelope addressed to:

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Commissioner for Trademarks  
P.O. Box 1451  
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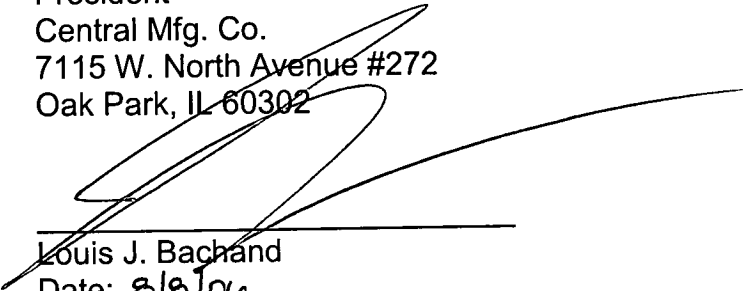
  
\_\_\_\_\_  
Louis J. Bachand

Date: 8/8/06

**CERTIFICATE OF SERVICE**

I, Louis J. Bachand, hereby certify that on August 8, 2006, the foregoing correspondence was deposited with the United States Postal Service as first class mail, with sufficient postage fully prepaid thereon, in an envelope addressed to and served upon:

Leo Stoller  
President  
Central Mfg. Co.  
7115 W. North Avenue #272  
Oak Park, IL 60302

  
\_\_\_\_\_  
Louis J. Bachand

Date: 8/8/06