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

In re Application of:
Goy Widmer y Cia S.A.

Serial No. : 75/529,191
Filed : July 31, 1998
Mark : ORIETA

Commissioner for Trademarks
Box TTAB – No Fee
2900 Crystal Drive
Arlington, Virginia 22202-3514

RE: REQUEST FOR AMENDMENT TO SETTLE POTENTIAL OPPOSITION

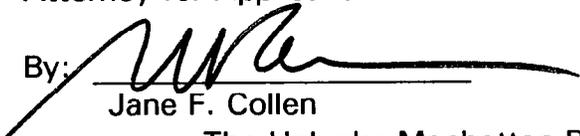
In response to the Examining Attorney's refusal to enter Applicant's proposed amendment to the recitation of goods, Applicant has conducted several telephone interviews with the Examiner in order to agree upon wording conforming to the Trademark Office standards and the settlement agreement between the Applicant and the potential opposer.

Therefore, Applicant submits a new Amendment and requests it be submitted to the Examining Attorney assigned in this case, amending the identification of goods to conform to the Trademark Office requirements, and in compliance with Applicant's agreement with the potential opposer.

Applicant's request for reconsideration of the amendment, and the Amendment is herewith filed in triplicate.

Respectfully submitted,
Collen *IP*
Attorney for Applicant

Dated: Ossining, New York
January 9, 2004

By: 
Jane F. Collen

60185.7
Enclosure: Amendment to Trademark
Application

The Holyoke-Manhattan Building
80 South Highland Avenue
Ossining, New York 10562
(914) 941-5668



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION

(THIS IS ATTORNEY DOCKET NO: T-60185)

Applicant : GOY WIDMER Y CIA S.A.
Serial No. : 75/529,191
Filed : July 31, 1998
Mark : ORIETA

ATTENTION:

Examining Attorney: Elizabeth A. Hughitt
Law Office: 101

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TO:

Assistant Commissioner for Trademarks
Box: Responses - No Fee
2900 Crystal Drive
Arlington, Virginia 22202

AMENDMENT TO TRADEMARK APPLICATION

The Applicant acknowledges the notice of the Trademark Trial and Appeal Board that the Examiner has rejected the amendment to the identification of goods. The Examining Attorney's comments have been duly noted. In response, the Applicant amends the application as follows:

Under the heading "Goods and Services:" please delete the current identification of the goods in International Class 30 and substitute the following

therefore:

--Candy and pastry, namely, almond paste, confectionaries for decorating Christmas trees, rusks, cookies, hard candy, chocolates, cakes, marzipan, sugar candy, edible decorations for cakes, petite fours, almond candies, peanut candies in International Class 30.--

REMARKS

Applicant confirms that two classes of goods still remain in this application, namely the Class 29 goods, jams and jellies which were already accepted by the Examiner, and the newly submitted identification of the goods in Class 30. Applicant submits this new identification of goods in International Class 30 as a result of a consent agreement settling an opposition to its mark ORIETA by Promark International, Inc.

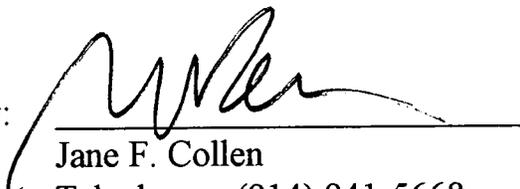
Applicant thanks the Examiner for the numerous telephone interviews and the extensive review of the identification of goods in order that the final identification might conform completely with the Trademark Office requirements while complying with Applicant's agreement with the potential opposer.

Applicant thanks the Examiner for arriving at this language in conjunction with all of these requirements and through the discussions with the Applicant.

Applicant submits this final language for the Examiner's re-approval and trusts that this application will now be allowed.

The Applicant submits that this application is now in proper condition for allowance. Accordingly, the Applicant respectfully requests that the above-captioned trademark be issued registration.

Respectfully submitted,
COLLEN *IP*

By: 

Jane F. Collen

Telephone: (914) 941-5668

The Applicant's attorney

JFC:nf

Dated: January 9, 2004

COLLEN *IP*

INTELLECTUAL PROPERTY LAW, P.C.

THE HOLYOKE-MANHATTAN BUILDING

80 SOUTH HIGHLAND AVENUE

TOWN OF OSSINING

WESTCHESTER COUNTY, NEW YORK 10562

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON, VIRGINIA 22202

COLLEN *IP* INTELLECTUAL PROPERTY LAW, P.C.

BY: Nicolette Jurjanic Date: January 9, 2004
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