

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513**

EJS/kk

**Mailed: May 4, 2002**

In re VITAFLEX Dr. Walter  
Mauch GmbH

Serial No. 75615858

Filed: 01/05/1999

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The Board hereby exercises its discretion and accepts applicant's late-filed reply brief. Accordingly, it is not necessary for applicant to proceed with its Petition to the Commissioner and the \$100.00 petition fee submitted by applicant will be refunded.

***By the Trademark Trial  
and Appeal Board***