



If this motion is denied, Applicant respectfully requests additional time to file its brief.

Applicant requests that all future correspondence be sent to the undersigned at the following address:

Andrew N. Fredbeck, Esq.  
Fross Zelnick Lehrman & Zissu, P.C.  
866 United Nations Plaza  
New York, New York 10017

Dated: New York, New York  
April 10, 2002

Respectfully submitted,

FROSS ZELNICK LEHRMAN  
& ZISSU, P.C.

By: 

Andrew N. Fredbeck  
Attorneys for Applicant  
866 United Nations Plaza  
New York, New York 10017  
(212) 813-5900

"Express Mail" mailing label No: EL815597710US  
Date of Deposit: April 10, 2002  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Andrew N. Fredbeck  
(Printed name of person mailing paper or fee)

  
(Signature)

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Please amend the application so that future correspondence is sent to the following attorney:

Andrew N. Fredbeck  
Fross Zelnick Lehrman and Zissu & P.C.  
866 United Nations Plaza  
New York, NY 10017

#### REMARKS

The Examining Attorney has objected to the identification of goods on the ground that it is indefinite. Applicant has now amended the identification responsive to this request. The description in Class 9 was amended from "computer software for networking and for e-commerce applications on a global computer network" to "computer software for providing network access and for processing e-commerce retail transactions."

Counsel for Applicant has spoken with the Examining Attorney and confirmed that this amendment to Class 9 will be sufficient to satisfy Patent and Trademark Office requirements for specificity, and will also be sufficient to remove the refusal based on the prior registration.

Applicant confirms that it has already deleted Class 42 in its entirety.

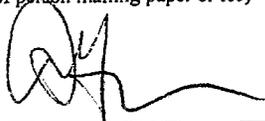
Based on telephone conversations between counsel for Applicant and the Examining Attorney, Applicant understands that the amendments that have been made to the application are sufficient for overcoming all remaining issues and that the application is now in condition for publication. Therefore, Applicant respectfully submits that the appeal is moot and requests that this application be passed to publication.

Dated: New York, New York  
February 15, 2002

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Andrew N. Fredbeck

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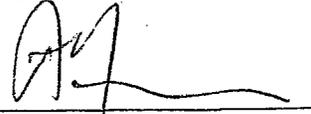
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Respectfully submitted,

FROSS ZELNICK LEHRMAN  
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