

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513**

Mailed: February 14, 2003

Applicant: PACESETTER, INC.
Serial No.: 76290657
Filed: 07/25/2001
Mark: AFX

JONATHAN T. LOSK
PACESETTER INC
15900 VALLEY VIEW CT
SYLMAR, CA 91342-3585

Monique Tyson, Legal Assistant

The Board has received the notice of opposition filed October 1, 2002 on behalf of AFx, Inc.

However, the request had not been associated with the file of this case at the time the subject application matured into Registration No. 2,671,433. The Board regrets this situation, but it is without authority to vacate the issuance of said registration.

The application file is hereby forwarded to the Assistant Commissioner for Trademarks for consideration of the cancellation of the inadvertently issued registration, following which further appropriate action will be taken with respect to notice of opposition.