

\*\* Please place on Upper Right Corner \*\*  
\*\* of Response to Office Action, ONLY. \*\*  
Examining Attorney: BATTLE, KENNETH D.  
Serial Number: 76/387927



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Boyd Gaming Corporation )  
Serial No. : 76/387927 )  
Filed : January 16, 2003 )  
Mark : PULLMAN GRILLE )  
Examining Attorney : Kenneth D. Battle )  
Law Office : 111 )

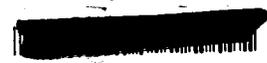
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on

1/21/04  
(Date)  
*Claudia Ferrer*  
Claudia Ferrer

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment for this request to Deposit Account No. 502466. A duplicate copy of this document is enclosed.

**REQUEST FOR RECONSIDERATION**

Commissioner of Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513



01-26-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #57

Dear Mr. Battle:

This request for reconsideration of the final rejection set forth in the Examiner's letter of July 21, 2003, is made in good faith with the hope of obviating an appeal.

Examiner finally refused registration of Applicant's mark PULLMAN GRILLE for restaurant, bar and lounge services on the grounds that it is confusingly similar to Registrant's mark for PULLMAN'S for beer (Registration Number 1968311). According to the USPTO's online Trademark Electronic Search System ("TESS"), the cited mark was

Mark : PULLMAN GRILLE  
Serial No. : 76/387,927

cancelled on January 23, 2003. Consequently, Applicant respectfully requests that this application is in condition for prompt publication and favorable action.

Respectfully submitted,  
QUIRK & TRATOS

Dated: Jan. 21, 2004

By: 

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