

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: November 20, 2013

Applicant: Raymond W. Cooper
Serial No.: 85900641
Filed: 4/10/2013
Mark: RHYTHM AND BLUES

KEITH B WILLHELM
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HOUSTON, TX 77024-5953

Rochelle Adams, Paralegal Specialist:

It is noted that on August 30, 2013 (with a certificate of mailing dated August 27, 2013), **Rhythm Holding Limited** filed a notice of opposition to registration of the mark shown in the above-identified application.

The record in the application file reveals that the mark was published for opposition purposes on September 3, 2013. This opposition was prematurely filed prior to the date of publication so the opposition will not be processed.

Since the notice of opposition was not timely filed, it cannot receive any consideration herein. See: Section 13 of the Trademark Act of 1946 and Trademark Rule 2.101(c).

The matter will be referred to the Finance Branch of the Office for consideration of the refund of the \$300.00 opposition fee. The opposition papers will be returned under separate cover.