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10-04-2002

U.S. Patent & TMOrc/TM Mail Rcpt Dt. #80

DT-2463

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
IN THE TRADEMARK TRIAL AND APPEAL BOARD**

BEROL CORPORATION

Opposer,

v.

Opposition No.: 123,556

GFK AG

Applicant.

Assistant Commissioner for Trademarks
Box TTAB- NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Application Serial No. 75/449,419
Mark: ENCODEX

TRADEMARK TRIAL AND
APPEAL BOARD
03 OCT 10 PM 9:44

LETTER

Enclosed kindly find a copy of the Post Publication Amendment that the applicant would like entered into the file pursuant to a Settlement Agreement entered into by the parties. The Amendment was previously filed with the Patent and Trademark Office and is now directed to the Trademark Trial and Appeal Board so that this matter may proceed and the opposition lifted as expeditiously as possible.

JB

Please direct any questions or comments to the undersigned at (212) 839-7356 or
smalina@sidley.com.

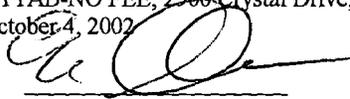
Respectfully submitted,



Shira Malina, Esq.
Sidley Austin Brown & Wood LLP
787 Seventh Avenue
New York, New York 10019

Date: October 4, 2002

I hereby certify that this Response to Office Action 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 below and is addressed to the ASSISTANT COMMISSIONER FOR TRADEMARKS Box TTAB-NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513.
Express Mail No.: ET977794071US Date: October 4, 2002



COPY

DT-2463

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : GfK AG
SERIAL NO.: 75/449,419
FILED: March 3, 1998
PUBLISHED: April 4, 2000
TRADEMARK: Encodex

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

POST PUBLICATION AMENDMENT

AMENDMENT

Please delete the current wording of the Description of Services in International Class 38 and rewrite as follows:

ELECTRONIC TRANSMISSION OF MESSAGES AND DATA IN THE ECONOMIC FIELD; ELECTRONIC STORAGE OF PRODUCT-RELATED DATA IN THE ECONOMIC FIELD

The Description of Services in International Class 35 remains unchanged.

REMARKS

This Amendment is submitted pursuant to a Settlement Agreement entered into by the applicant and the opposer of this application. Applicant respectfully requests that this applicant be entered promptly so that the pending matter before the TTAB may be resolved forthwith.

CONCLUSION

If the Examiner or anyone at the TTAB has any questions or comments, he or she is kindly requested to contact the undersigned at (212) 906-2799 ext. 23043 or smalina@sidley.com.

Respectfully submitted,


Shifra N. Malina

Dated: June 27, 2002
SIDLEY AUSTIN BROWN & WOOD LLP
875 Third Avenue
New York, NY 10022

Express Mail No. ET537671609US Date: June 27, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.


Jascha Thomas