

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

IN THE MATTER OF Trademark Application No. 75/863261  
for the mark MISCELLANEOUS DESIGN;  
Published in the Official Gazette on December 4, 2001



05-02-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #74

AVX Corporation

Opposer,

v.

EPCOS AG (substituted for Siemens Aktiengesellschaft)  
Applicant.

Opposition No.  
150971

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202

CONSENTED REQUEST TO AMEND APPLICATION

The Applicant EPCOS AG<sup>1</sup> requests that the identification of goods in the application which is the subject of the instant Opposition be amended as follows:

1. The wording "AND CAPACITORS" which follows the wording "EMC COMPONENTS," should be deleted from the identification.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal service as First Class Mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on the date shown below:

MARIE-ANNE MASTROVITO

Signature

Date April 28, 2003

<sup>1</sup>

Although the Board acknowledged that EPCOS AG had been substituted as party defendant in this action in its Order dated August 1, 2002, the Board Order of October 15, 2002 reverts to referring to the Applicant/party defendant as Siemens AG. Applicant requests that the record in the Opposition and application be corrected to identify Applicant as EPCOS AG.

2. The wording "power capacitors, tantalum chip capacitors, aluminum electrolytic capacitors, ultracapacitors," should be deleted from the identification.

The Opposer has consented to this amendment.

The requested amendment merely narrows the scope of the goods covered by the application and should therefore be acceptable.

Respectfully submitted,



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**Date: April 28, 2003**  
LEA/MAM

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing **CONSENTED REQUEST TO AMEND APPLICATION** was served by first class mail, postage prepaid, this 28th day of April, 2003 upon Opposer:

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