

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

Mailed: May 28, 2002

Applicant: PAPA JOHN'S INTERNATIONAL, INC.
Serial No.: 76031210
Filed: 04/21/2000
Mark: PAPA POINTS

DANIEL L. WADDELL
PAPA JOHN'S INTERNATIONAL, INC.
2002 PAPA JOHN'S BLVD.
LOUISVILLE, KY 40299

Kimberly Linton, Legal Assistant:

It is noted that on January 14, 2002, Napco, Inc. 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 October 9, 2001. Thus, the time for filing an opposition or request for extension of time expired January 7, 2002.

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.