

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

Mailed: September 24, 2003

Opposition No. 91157722

Serial No. 78135419

RE/MAX INTERNATIONAL, INC.

v.

Yamaha Hatsudoki Kabushiki
Kaisha

Catherine J. Holland
KNOBBE, MARTENS, OLSON & BEAR LLP
2040 Main Street, 14th Floor
Irvine, CA 92614

Michelle Greenfield, Legal Assistant:

It has come to the Board's attention that this opposition proceeding was erroneously instituted against Serial No. 78/135,419. In a letter dated August 20, 2003, our office denied RE/MAX International, Inc.'s August 8, 2003 request for a further extension of time to oppose, as untimely filed. The notice of opposition filed September 3, 2003 should have never been instituted. The error is regretted.

In view thereof, the September 11, 2003 order instituting this proceeding is vacated and dismissed as a nullity.

The papers will be referred to the Finance Branch of the Office for consideration of a refund of the \$300.00 opposition fee.

