

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**Gilbert**

**Mailed: December 18, 2006**

**Opposition No. 91173800**

**Sterling Bank**

**v.**

**Sterling Bank and Trust, FSB**

**Cheryl Butler, Attorney, Trademark Trial and Appeal Board:**

Opposer filed its notice of opposition against Serial No. 75936977 on November 6, 2006, marking the commencement of this proceeding. Once an opposition has commenced, the application that is the subject of the opposition may not be amended in substance, except with the consent of the other party or parties and the approval of the Board, or except upon motion granted by the Board. See Trademark Rule 2.13(a).

Applicant's proposed amendment to the drawing of its mark, filed on October 13, 2006, was submitted prior to commencement of this proceeding and prior to attachment of the Board's jurisdiction. A review of the record for the application reveals that the amendment to the drawing has not been reviewed or entered into the record. Accordingly, the application is remanded to the trademark examining attorney of record for review of the proposed amendment.

**Opposition No. 91173800**

Proceedings herein are hereby suspended pending such review. The time for filing of applicant's answer and the discovery and trial dates, and other appropriate dates, will be reset upon resumption of these proceedings.

**Instructions for the Examining Attorney:**

After acting on the proposed amendment, notify the assigned Board attorney by e-mail so that appropriate action may be taken in the opposition proceeding. See TBMP §214.04 (2d. ed. rev. 2004).

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