

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

Mailed: March 11, 2003

Applicant: Schmidt, Scott C.
Serial No.: 75909922
Mark: STARSBYMOVIE

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Jamila Wong, Legal Assistant

Sirs:

Applicant filed a copy of a settlement agreement which we will construe as a request to amend. The proposed amendment filed on **September 30, 2002** is noted.

The amendment requires consideration by the Trademark Examining Attorney in charge of this case. Accordingly, the application file is forwarded to the Examining Attorney for appropriate action.

In connection with the foregoing, it should be noted that pursuant to a request for extension of time granted **September 28, 2002** the potential opposer herein, **Starz Encore Group LLC**, was allowed until **Novemebr 12, 2002** in which to file an opposition to this application. However the records of the Patent and Trademark Office fail to show that potential opposer has timely filed either an opposition or a further request for extension of time to oppose. Thus the Examining Attorney may treat the amendment in the same manner as any amendment after publication (TMEP Section 1503.02), and need not return the file to the Trademark Trial and Appeal Board after consideration of the amendment.