

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

**Mailed: December 11, 2003**

Applicant: Ross, Sherwin "Ace"  
Serial No. 76218246  
Mark: ACE'S UNDIÉS

David P. Branfman  
Branfman & Associates  
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**Tamika Whitsey, Legal Assistant:**

Sirs:

The proposed amendment filed by applicant on May 20, 2003 is noted. (A copy is enclosed for potential opposer).

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

Pursuant to a request for extension of time to oppose granted November 3, 2003, the potential opposer herein, American Council on Exercise, has been allowed until **1/9/04** in which to file an opposition to this application. Potential opposer is advised that the Board will not suspend the running of an extension of time to oppose for any reason, including filing of an amendment. A potential opposer must either continue to file timely requests for extensions of time or go forward with the notice of opposition, if it wishes to preserve its right to oppose. TBMP section 209.01(a)(2d ed. June 2003).