

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

Mailed: October 1, 2003

Applicant: BIOMUNE COMPANY
Serial No.: 76403662
Mark: PNEUMOMUNE

MARY CHELI
5 GIRALDA FARMS
MADISON, NJ 07940

Shelley Jamison, Legal Assistant

Sirs:

The proposed amendment filed by applicant on AUGUST 13, 2003 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 JUNE 26, 2003 the potential opposer herein, WYETH , was allowed until AUGUST 17, 2003 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.