


FILED
8/8/2003


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE TRADEMARK TRIAL AND APPEAL BOARD

BAUSCH & LOMB INCORPORATED,)	
)	
Opposer,)	
)	Opposition No. 91122405
v.)	
)	
P-Cor, L.L.C.,)	In re Application Serial No.
)	75/340,596;
)	Mark: OPTIMEYES
)	
Applicant.)	

MOTION ON CONSENT AND POST-PUBLICATION AMENDMENT

Applicant P-Cor, L.L.C. respectfully moves, with consent of Opposer, Bausch & Lomb Incorporated, pursuant to the Trademark Rules of Practice, §2.133 and the Trademark Manual of Examining Procedure §§ 514.01-02 and 1505.02(d), for leave to amend, post-publication, the identification of goods and recitation of services of Application Serial No. 75/340,596.

AMENDMENT

Applicant amends the identification of goods to expressly delete all goods in Class 9 and amends the recitation of services in Class 42 to delete the existing services and to read as follows:

"OPTOMETRIC SERVICES, NAMELY, PERFORMING EYE EXAMINATIONS, AND FITTING AND DISPENSING EYEWEAR AND PRESCRIPTIONS" in International Class 42.

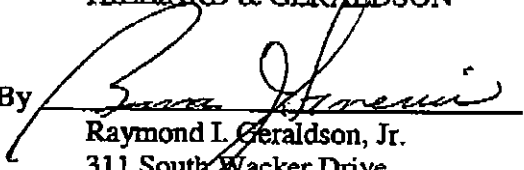
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TRADEMARK TRIAL AND
APPEAL BOARD

It is respectfully requested that the Board grant leave to amend and that the application be accordingly amended.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON

By



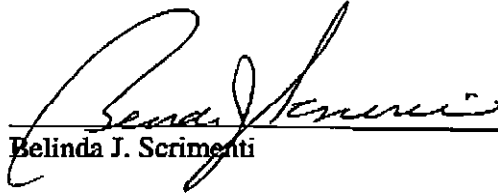
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Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION ON CONSENT AND POST-PUBLICATION AMENDMENT was served by U.S. First Class mail, postage prepaid on John P. Margiotta, Fross Zelnick Lehrman & Zissu, P.C., 866 United Nations Plaze, New York, NY 10017, counsel for Opposer, Bausch & Lomb Incorporated, this 21st day of July, 2003.


Belinda J. Scrimenti

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PLEASE RESPOND TO THE ALEXANDRIA OFFICE

FAX COVER SHEET

TO: David Mermelstein

FAX NO: (703) 746-7083

PHONE NO:

DATE: August 9, 2003

FROM: Belinda J. Scrimenti

RE: Serial No. 75/340,596 for OPTIMEYES

FILE NO.:

MESSAGE: Per our conversation, here is the amendment for SN 75/340,596

Pages (Including Cover Sheet): 5

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Pia Renata Lee at (703) 684-7550 ext. 14**

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PATTISHALL, McAULIFFE, NEWBURY, HILLIARD & GERALDSON

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July 21, 2003

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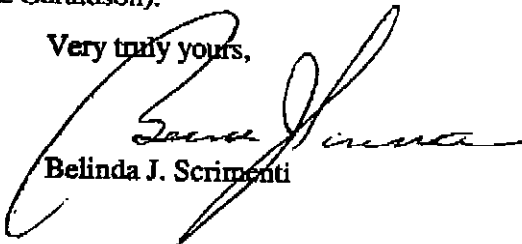
Re: Mark: OPTIMEYES
Opposition No. 91122405
Serial No.: 75/340,596
Applicant: P-Cor, L.L.C.
Classes: 9 and 42

Dear Commissioner:

On behalf of our client, P-Cor, L.L.C., enclosed in connection with the captioned opposition is a Motion on Consent and Post-Publication Amendment.

Please charge any deficiencies in fees submitted to our deposit account, No. 16-0650 (Pattishall, McAuliffe, Newbury, Hilliard & Geraldson).

Very truly yours,



Belinda J. Scrimenti

BJS/dng
Enclosure

cc: Raymond I. Geraldson, Jr., Esq. (w/enclosure)
John P. Margiotta, Esq. (w/enclosure)

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