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May 16, 2003

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RETURN RECEIPT REQUESTED

AMENDMENT TO DESCRIPTION OF GOODS

03 JUN 12 AM 9:30

Commissioner for Trademarks
BOX NO FEE - Amendments
2900 Crystal Drive
Arlington, VA 22202-3514

Re: Trademark / (1) ACE ROSS STUDIOS, Serial No. 76/151,890,
Serial Nos. (4) : (2) ACE'S UNDIES, Serial No. 76/218,246,
(3) AMERICAN CLOTHING ENTERPRISES, INC.'
A.C.E. APPAREL FOR THE FREE, Serial No.
76/339,612, and
(4) ACE'S KIDS, Serial No. 76/218,244.
Our File No. : 2240-11, 2240-27, 2240-33 and 2240-28

Sir/Madam:

Pursuant to TMEP 1505.01(a), the Applicant, SHERWIN ACE ROSS, respectfully amends his description of goods for the following trademarks: (1) ACE ROSS STUDIOS, U.S. Trademark Serial No. 76/151,890, (2) ACE'S UNDIES, U.S. Trademark Serial No.

Assistant Commissioner for Trademarks
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76/218,246, (3) AMERICAN CLOTHING ENTERPRISES, INC. A.C.E. APPAREL FOR THE FREE, U.S. Trademark Serial No. 76/339,612, and (4) ACE'S KIDS, U.S. Trademark Serial No. 76/218,244.

Please amend the aforementioned trademark applications to read as follows. (These amended descriptions are the same as the originals except with health and fitness related goods and apparel deleted).

- (1) ACE ROSS STUDIOS, U.S. Trademark Serial No. 76/151,890: With respect to International Class 025, please amend to read: Men's, Women's, and Children's Wearing Apparel, namely, Bandanas, Bathing Suits, Beach Coverups, Belts, Blouses, Body Suits, Boleros, Boxer Shorts, Briefs, Bustiers, Camisoles, Chemises, Coats, Leather Coats, Dresses, Jackets, Jeans, Jumpers, Jumpsuits, Kerchiefs, Leggings, Leotards, Lounge-wear, Mini-Skirts, Overcoats, Pajamas, Panties, Pants, Pantsuits, Pantyhose, Ponchos, Raincoats, Shirts, Dress Shirts, Undershirts, Shorts, Skirts, Slacks, Sleepwear, Suits, Sweaters, T-Shirts, Trousers, Underpants, Vests, and Shoes, except for health and fitness related apparel and goods.

An Opposition has been filed with respect to this application. The Opposer, THE AMERICAN COUNCIL ON EXERCISE, has consented to this amendment (See Below). Further, the Applicant has or will shortly file a motion to Amend his Application, a copy of which is attached.

- (2) ACE'S UNDIES, U.S. Trademark Serial No. 76/218,246: With respect to International Class 025, please amend to read: Men's, Women's, and Children's Wearing Apparel, namely, Bathing Suits, Bathrobes, Beach Coverups, Beachwear, Body Suits, Boxer Shorts, Brassieres, Briefs, Bustiers, Camisoles, Chemises, Chemisettes, Corselets, Culottes, Garter Belts, Girdles, Hosiery, Kimonos, Leggings, Leotards, Lounge-wear, Negligees, Nightgowns, Nightshirts, Pajamas, Panties, Pantyhose, Peignoirs, Undershirts, Shorts, Skirts, Slacks, Sleepwear, Slips, Stockings, Sweaters, T-Shirts, Underpants, and Slippers, except for health and fitness related apparel and goods.

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- (3) AMERICAN CLOTHING ENTERPRISES, INC. A.C.E. APPAREL FOR THE FREE, U.S. Trademark Serial No. 76/339,612: With respect to International **Class 018**, please amend to read: INTENT TO USE Wallets, Purses, Key Cases, Cosmetic Cases Sold Empty, Business Card Cases, Credit Card Cases, Clutches, tote Bags, and shoulder bags, diaper bags, women's handbags, briefcase type portfolios, clutches, briefcases, attache cases, satchels, satchels travel kits, carry-on luggage, garment bags, back packs, key cases, purses, identification cases, tie cases, coin pouches, coin cases men's clutches, waist pouches, passport covers, toiletry cases sold empty, and identification tags for luggage, luggage, knapsacks, fanny packs, and book bags, except for health and fitness related apparel and goods.

With respect to International **Class 025**, please amend to read: Men's, Women's, and Children's Wearing Apparel, namely, Bandanas, Bathing Suits, Beach Coverups, Belts, Blouses, Body Suits, Boleros, Boxer Shorts, Briefs, Bustiers, Camisoles, Chemises, Coats, Leather Coats, Dresses, Jackets, Jeans, Jumpers, Jumpsuits, Kerchiefs, Leggings, Leotards, Lounge-wear, Mini-Skirts, Overcoats, Pajamas, Panties, Pants, Pantsuits, Pantyhose, Ponchos, Raincoats, Shirts, Dress Shirts, Undershirts, Shorts, Skirts, Slacks, Sleepwear, Suits, Sweaters, T-Shirts, Trousers, Underpants, Vests, Shoes, and veils, except for health and fitness related apparel and goods.

- (4) ACE'S KIDS, U.S. Trademark Serial No. 76/218,244: With respect to International Class 025, please amend to read: Children's Wearing Apparel, namely, Bandanas, Bathing Suits, Bathrobes, Beach Coverups, Belts, Boxer Shorts, Brassieres, Briefs, Camisoles, Chemises, Culottes, Dresses, Jeans, Leggings, Leotards, Mini-Skirts, Nightgowns, Overalls, Pajamas, Panties,

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Assistant Commissioner for Trademarks

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Pants, Playsuits, Shirts, Undershirts, Shorts, Skirts, Slacks, Sleepwear, Sweaters, T-Shirts, Underpants, Pedal Pushers, and Shoes, except for health and fitness related apparel and goods.

Very truly yours,

SHERWIN "ACE" ROSS

By: _____

Alan I. Cyrlin, Esq.

Attorney for Applicant

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(818) 705-6800

The American Council on Exercise, Opposer in the matter of Opposition No. 91150752, consents to the above-referenced amendments.

AMERICAN COUNCIL ON EXERCISE

By: _____


David P. Branfman, Esq.

Its Attorney

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Assistant Commissioner for Trademarks
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Page 4

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Very truly yours,

SHERWIN "ACE" ROSS

By: 

Alan I. Cyrilin, Esq.
Attorney for Applicant

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