



(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.

The amendments limit the description of the class of goods. The opposer has consented to the amendments. The amendment description is the same as the original except that the description *deletes* health and fitness related goods and apparel.

Applicant seeks to amend the applications as follows:

(1) Amendment to ACE ROSS STUDIOS (Serial No. 76/151/890)

Please amend the description of goods to the following: "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."<sup>1</sup>

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<sup>1</sup>The description originally 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, Halter Tops, Jackets, Jeans, Jogging Suits, Jumpers, Jumpsuits, Kerchiefs, Leggings, Leotards, Lounge-wear, Mini-Skirts, Overcoats, Pajamas, Panties, Pants, Pantsuits, Pantyhose, Ponchos, Pullovers, Raincoats, Shirts, Casual Shirts, Dress Shirts, Undershirts, Shorts, Gym Shorts, Sweat Shorts, Skirts, Slacks, Sleepwear, Socks, Suits, Sweaters, Sweat Pants, Sweat Shirts, T-Shirts, Trousers, Underpants, Vests, Warm-up Suits, Shoes and Hats.'"

(2) Amendment to ACE'S UNDIES, U.S. Trademark Serial No. 76/218,246:

Please amend the description of goods to the following: 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.<sup>2</sup>

(3) Amendment to 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

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<sup>2</sup>The original description 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, Gym Shorts, Skirts, Slacks, Sleepwear, Slips, Stockings, Sweaters, Sweat Pants, Sweat Shirts, T-Shirts, Underpants, and Slippers

identification tags for luggage, knapsacks, fanny packs, and book bags, except for health and fitness related apparel and goods.<sup>3</sup>

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.<sup>4</sup>

(4) Amendment to ACE'S KIDS, U.S. Trademark Serial No. 76/218,244:

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<sup>3</sup>The original description read: "Wallets, Purses, Key Cases, Cosmetic Cases Sold Empty, Business Card Cases, Credit Card Cases, Clutches, tote Bags, duffel bags and shoulder bags, gym 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, water bottle carriers, passport covers, toiletry cases sold empty, and identification tags for luggage, luggage, knapsacks, fanny packs, book bags, all purpose sports bags, and athletic bags"

<sup>4</sup>The original description read: "Bandanas, Bathing Suits, Beach Coverups, Belts, Blouses, Body Suits, Boleros, Boxer Shorts, Briefs, Bustiers, Camisoles, Chemises, Coats, Leather Coats, Dresses, Halter Tops, Jackets, Jeans, Jogging Suits, Jumpers, Jumpsuits, Kerchiefs, Leggings, Leotards, Lounge-wear, Mini-Skirts, Overcoats, Pajamas, Panties, Pants, Pantsuits, Pantyhose, Ponchos, Pullovers, Raincoats, Shirts, Casual Shirts, Dress Shirts, Undershirts, Shorts, Gym Shorts, Sweat Shorts, Skirts, Slacks, Sleepwear, Socks, Suits, Sweaters, Sweat Pants, Sweat Shirts, T-Shirts, Trousers, Underpants, Vests, Warm-up Suits, Shoes, Sneakers, and Hats, veils."

Please amend the description of goods to read as follows: 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, 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.<sup>5</sup>

Dated: June 25, 2003

Respectfully submitted,

WASSERMAN, COMDEN, CASSELMAN & PEARSON L.L.P.

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<sup>5</sup>The original description read: "Children's Wearing Apparel, namely, Bandanas, Bathing Suits, Bathrobes, Beach Coverups, Belts, Boxer Shorts, Brassieres, Briefs, Camisoles, Chemises, Culottes, Dresses, Halter Tops, Jeans, Leggings, Leotards, Mini-Skirts, Nightgowns, Overalls, Pajamas, Panties, Pants, Playsuits, Shirts, Undershirts, Shorts, Gym Shorts, Skirts, Slacks, Sleepwear, Socks, Sweaters, Sweat Pants, Sweat Shirts, T-Shirts, Underpants, Pedal Pushers, Shoes, Caps, and Hats."

**CERTIFICATE OF MAILING**

I hereby certify that this APPLICANT'S SECOND CONSENTED MOTION TO AMEND HIS APPLICATION(S) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box TTAB, NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on this 25<sup>th</sup> day of June 2003.

  
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Stacey Hanlin

**PROOF OF SERVICE**

The undersigned certifies that a copy of the APPLICANT'S SECOND CONSENTED MOTION TO AMEND HIS APPLICATION(S) was served on the attorney of record for opposer, THE AMERICAN COUNCIL ON EXERCISE, by depositing same with the United States Postal Service as first class mail, postage prepaid, addressed to David P. Branfman, Branfman & Associates, 12750 High Bluff Drive, Suite 100, San Diego, California 92130, on this 25<sup>th</sup> day of June 2003.

  
\_\_\_\_\_  
Stacey Hanlin

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June 25, 2003

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**APPLICANT'S SECOND CONSENTED MOTION  
TO AMEND HIS APPLICATION(S)**



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07-03-2003  
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

Re: Trademark / Serial (1) ACE ROSS STUDIOS, Serial No. 76/151,890,  
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:

Attached please find Applicant's Second Consented Motion to Amend His Application(s).

Very truly yours,

WASSERMAN, COMDEN, CASSELMAN  
& PEARSON L.L.P.

*Stacey Hanlin*  
Stacey Hanlin, Assistant to  
Alan I. Cyrlin, Esq.