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U.S. Patent & TMO/TM Mail Rpt. Dt. #40

TTAB

ORIGINAL

Attorney Docket: 7170.0286

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

MasterCard International Incorporated

Opposer,

v.

Comercio Mas, S.A. de C.V.,

Applicant.

Opposition No. 91151548

Commissioner For Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

US PATENT &
TRADEMARK OFFICE

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TRADEMARK FEE PROCESS
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MOTION ON CONSENT TO VACATE ORDER OF JULY 22, 2003


Comercio Mas, S.A. de C.V. ("Applicant")¹ hereby moves on consent to vacate the order of the Trademark Trial and Appeal Board ("TTAB") of July 22, 2003 entering judgment against Applicant as to the opposition in International Class 036. Opposer's counsel consented to this motion on August 5, 2003.

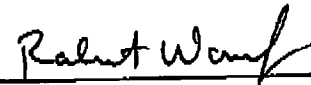
Applicant deleted the Class 36 services from its application through its Post-Publication Amendment, filed on May 2, 2003, in exchange for Opposer's withdrawal of its opposition, filed on July 25, 2003. It was and remains the intent of the parties that the opposition be withdrawn with respect to all of the services identified in Trademark

¹ As noted in Applicant's Stipulated Request for Extension of Time to Answer and Motion to Substitute Party, Applicant's mark was assigned from Televisa, S.A. de C.V. to Comercio Mas, S.A. de C.V., which assignment was recorded at the U.S. Patent and Trademark Office under Reel/Frame Number 2159/0455.

Application Ser. No. 76/006,285, and that no judgment be entered against Applicant in any respect.

Respectfully submitted,

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Dated: August 8, 2003

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing MOTION ON CONSENT TO VACATE ORDER OF JULY 22, 2003 was served on August 11, 2003 by first class mail, postage prepaid, on the following attorney for Opposer:

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J. Sandy Hix