

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR AMENDMENT ON CONSENT PURSUANT TO 37 CFR §2.133(a)**

MARK: MORGAN STANLEY CHOICE  
SERIAL NO.: 75/248,004  
OPPOSITION NO.: 91152161

APPLICANT: Morgan Stanley Dean Witter & Co.

ADDRESS: Thomas D. Rosenwein  
Peterson & Ross LLC  
200 E. Randolph Drive  
Suite 7300  
Chicago, Illinois 60601  
(312) 946-4208

**REQUEST FOR AMENDMENT ON CONSENT PURSUANT TO 37 CFR §2.133(a)**

To:  
The Trademark Trial and Appeal Board  
BOX TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

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TRADEMARK TRIAL AND  
APPEAL BOARD

Pursuant to 37 CFR §2.133(a), Applicant hereby requests that its pending application to register MORGAN STANLEY CHOICE, Serial No. 75/248,004, which is currently subject to an Opposition filed by Citicorp, No. 91152161 in the Trademark Trial and Appeal Board, be amended with respect to the description of services contained therein to add the phrase, "but not including credit card or debit card services," so as to read:

Financial services, namely, financial investment in the field of securities and, financial consulting and analysis, but not including credit card or debit card services.

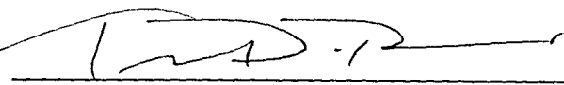
Applicant submits that the requested amendment is in conformity with 37 CFR §2.71(b) in that said amendment clarifies and limits the identification without broadening or adding to the description.

This Request to Amend is made as part of the settlement of Opposition No. 91152161 and upon consent of Citicorp, the opposer to the Application, as reflected below.

Wherefore, and In view of the foregoing, Applicant respectfully requests that its amendment to the description of services be granted.

Respectfully submitted,

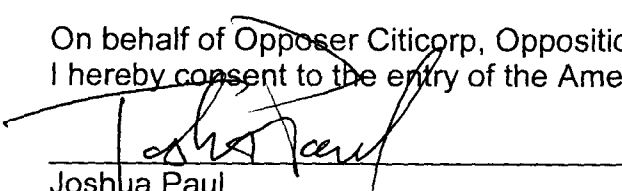
MORGAN STANLEY DEAN WITTER & CO.

By: 

Thomas D. Rosenwein  
Peterson & Ross LLC  
200 East Randolph Drive  
Suite 7300  
Chicago, Illinois 60601  
Phone: (312) 946-4208  
E-mail: trosenwein@petersonross.com

CONSENT:

On behalf of Opposer Citicorp, Opposition No. 91152161,  
I hereby consent to the entry of the Amendment requested herein.

  
\_\_\_\_\_  
Joshua Paul  
Morgan Lewis & Bockius LLP  
101 Park Avenue  
New York, New York 10178  
(212) 309-6000  
One of the Attorneys for Citicorp

DATED: Sept. 19, 2002

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December 17, 2002

**BY HAND**

Ms. Cindy D. Greenbaum  
Interlocutory Attorney  
U.S. Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: Citicorp v. Morgan Stanley Dean Witter & Co. -- Opposition Proceeding No. [91]152,161 (Serial No. 76/248,004)

Dear Ms. Greenbaum:

We are the attorneys for Opposer in the above-captioned opposition proceeding. On behalf of both parties, and with the consent of Applicant's attorney, we write to notify you that Opposer and Applicant have concluded a settlement resolving the issues presented in this proceeding.

In accordance with the parties' settlement agreement we enclose here for filing a document executed by Applicant ("Amendment Document") by which, pursuant to 37 C.F.R. §2.133(a), Applicant has amended the description of goods/services covered by the application that is the subject of this proceeding by inserting the limitation "... but not for credit card or debit card services."

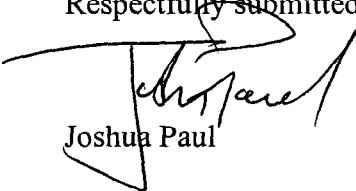
Opposer and Applicant respectfully request that the Board enter an order suspending this opposition proceeding as of today pending the Board's consideration of the Amendment Document. Under the parties' settlement agreement, in the event the Board accepts the amendment specified in the Amendment Document, then the parties will promptly thereafter file a Stipulation pursuant to 37 C.F.R. §2.106(c) by which Opposer will withdraw (and Applicant will consent to the withdrawal of) this proceeding with prejudice. The parties' agreement further

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TRADEMARK TRIAL AND  
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Ms. Cindy D. Greenbaum  
Interlocutory Attorney  
U.S. Patent and Trademark Office  
December 16, 2002  
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provides that, in the event the Board declines to accept the Amendment Document, and in the event Opposer and Applicant are unable through the exercise of reasonable efforts to agree upon substitute language acceptable to the Board, then, the parties will continue this opposition proceeding.

Respectfully submitted,



Joshua Paul

Enclosure

c: Thomas D. Rosenwein, Esq. (w/ enclosure)  
Peterson & Ross  
Attorney for Applicant