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09/16/100311AS

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155,352

August 28, 2003

VIA FIRST CLASS MAIL

Commissioner for Trademarks

2900 Crystal Drive

Arlington, VA 22202-3514

RE: FETISH in cls. 9, 14, 18 and 25 – Amendments

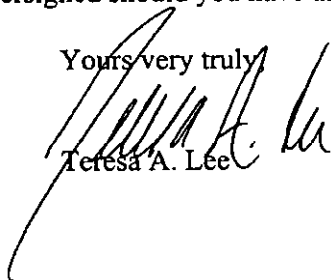
Dear Sir or Madam:

On behalf of our client, Blondie Rockwell, Inc., enclosed herewith are four (4) Amendments filed in connection with the following Trademark Applications:

1. FETISH in cl. 9, Appl. Serial No. 78/112,016;
2. FETISH in cl. 14, Appl. Serial No. 78/112,010;
3. FETISH in cl. 18, Appl. Serial No. 78/112,017; and
4. FETISH in cl. 25, Appl. Serial No. 78/112,012.

The particulars for each of the foregoing are described in the respective cover letters. Please do not hesitate to contact the undersigned should you have any questions.

Yours very truly



Teresa A. Lee

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09-02-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #11

09/16/2003TTAB

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August 28, 2003

VIA FIRST CLASS MAIL

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514
Attn: Doritt Carroll, Esq.
Examining Attorney, Law Office 116

RE: FETISH in cl. 9, Application Serial No. 78/112,016

Dear Ms. Carroll:

With respect to the above-referenced Application (hereinafter "Application"), Applicant respectfully requests entrance of the following Amendment.

AMENDMENT

Pursuant to TMEP §§ 803.06 and 1201.02(c), please amend the instant Application to reflect Applicant as a **Pennsylvania** corporation.¹

¹ As originally filed, Applicant was inadvertently identified as a New York corporation.

03/16/2003 11:43 AM

Doritt Carroll, Esq.
August 28, 2003
Page 2 of 3

REMARKS

Applicant hereby requests that the U.S. Patent and Trademark Office (hereinafter "USPTO") amend the instant Application to *correct* Applicant's entity information as originally filed (hereinafter "Amendment"). Due to an inadvertent error, Applicant mistakenly identified itself as "New York corporation" in its original Application when in fact Applicant is and has always been a Pennsylvania corporation.²

It is well established that where a "party applying to register the mark is in fact the owner of the mark, but there is a mistake in the manner in which the name of the applicant is set out in the application, the mistake may be corrected by amendment". TMEP §1201.02(c), *citing, U.S. Pioneer Electronics Corp. v. Evans Marketing, Inc.*, 183 U.S.P.Q. (BNA) 613 (Comm'r Pats. 1974).

In the instant case, because the effect of the requested Amendment does "not set forth another entity as the [A]pplicant" but rather corrects an "inadvertent error" in the manner in which Applicant's entity information was originally set out, the error constitutes a "correctable" one. TMEP §§ 803.06 and 1201.02(c).

Accordingly, in view of the foregoing circumstances, Applicant respectfully requests that the USPTO amend the instant Application to reflect Applicant as a Pennsylvania corporation.

² Please note that the foregoing inadvertent error was also made in Applicant's four (4) companion applications whose serial numbers are as follows: (i) FETISH BY EVE in cl. 3, Appl. Serial No. 78/112,014; (ii) FETISH in cl. 14, Appl. Serial No. 78/112,010; (iii) FETISH in cl. 18, Appl. Serial No. 78/112,017; and (iv) FETISH in cl. 25, Appl. Serial No. 78/112,012.

09/15/2003TTAB

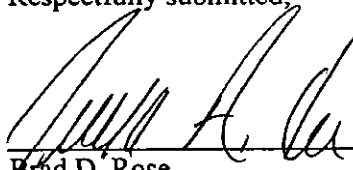
PRYOR CASHMAN SHERMAN & FLYNN LLP

Doritt Carroll, Esq.
August 28, 2003
Page 3 of 3

Should the Examining Attorney have any questions or comments or if anything else is needed to expedite processing of Applicant's request as set forth above, the Examining Attorney is invited to telephone the undersigned at 212 326 0831.

Respectfully submitted,

By:



Brad D. Rose
Teresa A. Lee

Pryor Cashman Sherman & Flynn LLP
410 Park Avenue
New York, NY 10022
(212) 421-4100

Attorneys for Applicant
Blondie Rockwell, Inc.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I, Eugene Koenig, hereby certify that this correspondence is being deposited with the United States Postal Service as "First Class Mail" in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on the date indicated below.

Date of Deposit: 8/28/03

Signed: Eugene Koenig

SERIAL NUMBER: 78112016 FILING DATE: 03/01/2002
 REG. NUMBER: 0000000 REG. DATE:
 REGISTER: PRINCIPAL MARK TYPE: TRADEMARK
 FILED USE: NO CURRENTLY USE: NO AMENDED USE: NO
 FILED ITU: YES CURRENTLY ITU: YES AMENDED ITU: NO
 FILED 44D: NO CURRENTLY 44D: NO AMENDED 44D: NO
 FILED 44E: NO CURRENTLY 44E: NO AMENDED 44E: NO

EXAMINER: 73703-CARROLL, DORITT L. EXMR LO: 116
 LO ASSIGNED: 116
 LOCATION: 710-DIVISIONAL UNIT
 DATE IN LOC: 09/12/2003
 CHRG TO LOC: 845-TTAB
 CHRG TO: NONE
 STATUS: 774 - OPPOSITION PENDING
 STATUS DATE: 03/05/2003
 A/R EXAMINER: NO A/R EXAMINER ASSIGNED

PUB DATE: 09/24/2002 DATE ABANDONED:
 SECTION 8: NO SECTION 15: NO DATE CANCELLED:
 RENEWAL FILED: NO RENEWAL DATE: ASSIGNMENT: NO
 CLASSES ACTIVE: 01 DATE AMENDED REG:

MARK: FETISH

CURRENT OWNER INFORMATION

PARTY TYPE: 20-OWNER AT PUBLICATION - FIRST NAME
 NAME: Blondie Rockwell, Inc.
 ADDRESS: c/o Pryor, Cashman, Sherman & Flynn LLP
 410 Park Ave.
 NEW YORK NEW YORK 10022
 ENTITY: 03-CORPORATION
 CITIZENSHIP: NEW YORK
 PHONE: (212) 326-0875

GOODS AND SERVICES

The following symbols indicate that the goods and services have been amended after registration of the Mark.

- Double parenthesis ((.)) identify any "less goods";
- Single brackets [..] indicate deleted goods; and,
- Single asterisks *..* identify additional (new) wording in the goods.

FOR: Eyewear; sunglasses; eyeglasses; eyeglass frames; eyeglass, sunglasses and spectacle cases; eyeglass, sunglasses and spectacle straps; eyeglass, sunglasses and spectacle chains; eyeglass, sunglasses and spectacle cleaning cloths
 INT. CLASS 009 (U.S. CLASSES 021 023 026 036 AND 038)
 70FIRST USE USE IN COMMERCE CLASS STATUS: 6

MISCELLANEOUS INFORMATION / STATEMENTS

SECTION 2F: NO SECTION 2F IN PART: NO

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM	PRCD NUM
09/02/03	MAIL	I	PAPER RECEIVED	008	000000
06/06/03	OP.T	T	OPPOSITION TERMINATED NO. 999999	007	155352
06/06/03	OP.D	T	OPPOSITION DISMISSED NO. 999999	006	155352
03/05/03	OP.I	T	OPPOSITION INSTITUTED NO. 999999	005	155352
09/24/02	PUBO	A	PUBLISHED FOR OPPOSITION	004	000000
09/04/02	NPUB	O	NOTICE OF PUBLICATION	003	000000
06/28/02	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	002	000000

06/10/02 DOCK D ASSIGNED TO EXAMINER

001 073703

CORRESPONDENCE

ATTORNEY: Brad D. Rose, Esq.
ATTORNEY DOCKET NUMBER: 09054.00002
CORRESPONDENCE ADDRESS: BRAD D. ROSE, ESQ.
PRYOR, CASHMAN, SHERMAN & FLYNN LLP
410 PARK AVENUE
NEW YORK, NY 10022

OTHER INFORMATION

MARK DRAWING CD: 1-TYPESET WORD(S)/LETTER(S)/NUMBER(S)
SECTION 8 IN PART: NO
REPUB SEC 12C: NO PUB DATE 12C:
CHANGE IN REGISTRATION: NO
TTAB DECISION: NO
LOST CASE: NO

PRIOR OWNER INFORMATION

PARTY TYPE: 10-ORIGINAL APPLICANT - FIRST NAME
NAME: Blondie Rockwell, Inc.
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410 Park Ave.
NEW YORK NEW YORK 10022
ENTITY: 03-CORPORATION
CITIZENSHIP: NEW YORK
PHONE: (212) 326-0875

09/18/2003TTAB

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RE: FETISH in cl. 9, Appl. Serial No. 78/112,016

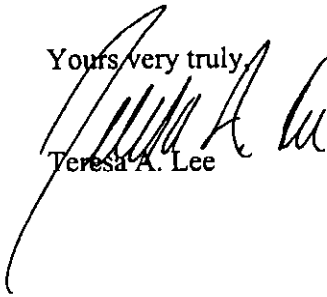
Dear Sir or Madam:

On behalf of our client, Blondie Rockwell, Inc., enclosed herewith for filing are the following particulars with respect to the above-referenced Application.

1. An Amendment pertaining to Applicant's entity-type.
2. A self-addressed, pre-stamped return postcard that the U.S. Patent and Trademark Office is requested to stamp as "RECEIVED".

Please do not hesitate to contact the undersigned should you have any questions pertaining to the foregoing.

Yours very truly,



Teresa A. Lee

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Encls.