

# TTAB

Trademark

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

In the matter of trademark application Serial No. 78/383,572  
published in the Official Gazette (Trademarks) on December 14, 2004.

New England Patriots L.P. and )  
NFL Properties LLC )

Opposers, )

v. )

Opposition No. 91165542

D.M. Merchandising, Inc.. )

Applicant. )

BOX TTAB-NO FEE  
United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

### AMENDMENT AFTER PUBLICATION (WITH CONSENT) PURSUANT TO 37 CFR 2.133

Applicants respectfully request that the description of goods in International Class 014 be amended to read:

“Costume jewelry, excluding jewelry with sports indicia”

A “Stipulation To Amend Application” signed by both parties is forthcoming.

Respectfully submitted,  
CLAUSEN MILLER



Harold J. Fassnacht  
10 S. LaSalle Street  
Suite 1600  
Chicago, Illinois 60603

ATTORNEYS FOR APPLICANT D.M. MERCHANDISING, INC.

Dated: Aug 5, 2005



08-09-2005

U.S. Patent & TMO/TM Mail Rpt Dt. #66

**CERTIFICATE OF TRANSMISSION VIA FIRST CLASS MAIL**

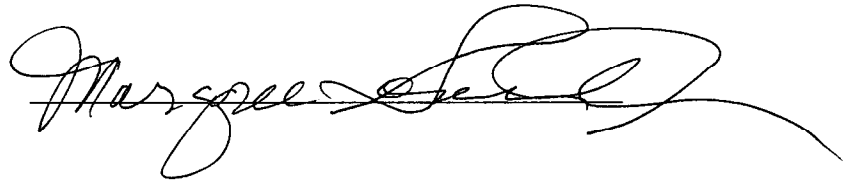
The undersigned, a non-attorney, on oath state that I served copies of the following documents:

**AMENDMENT AFTER PUBLICATION (WITH CONSENT) PURSUANT TO 37 CFR 2.133**

**NO. 78/383/572**

TO: Robert L. Raskopf  
Jennifer J. Millones  
Andrea J. Chiller  
WHITE & CASE, LLP.  
1155 Avenue of the Americas  
New York, NY 10036

from 10 South LaSalle Street, Chicago, Illinois on this August 8, 2005



SUBSCRIBED AND SWORN  
TO before me this August 8, 2005

  
Notary Public

