UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

al/apb

Mailed: July 24, 2006

Opposition No. **91170864**

Padres L.P.

v.

Eli H. Kaplan

Andrew P. Baxley, Interlocutory Attorney:

On May 22, 2006, applicant filed a motion to amend the mark in the drawing and the identification of goods of his involved application. Opposer filed a brief in response which does not include its consent to either amendment.

In keeping with Board practice, consideration of the motion to amend is deferred until final decision or until this case is decided upon motion for summary judgment. See TMBP Section 514.03 (2d ed. rev. 2004) and cases cited therein.