

# BINGHAM

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August 12, 2009

**VIA FIRST CLASS MAIL**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria Virginia 22313-1451

**Re: U.S. Service Mark Application**  
**Registrant: Cyrus Capital Partners, L.P.**  
**Service Mark: CYRUS**  
**App. No.: 77/056,906**  
**Our Ref.: CYRUS-003**

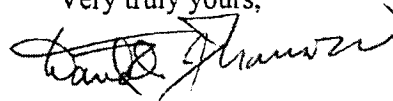
Dear Sir:

In connection with the above-identified service mark registration application, enclosed are the following:

1. Amendment after Publication.
2. A self-addressed, stamped acknowledgement card.

Please direct all communications regarding this registration to David O. Johanson, Esq., at the address and phone number above.

Very truly yours,



David O. Johanson

DOJ/jak  
Enclosures

cc: Ms. Elizabeth Crotty  
Robert M. Wasnofski, Esq..

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U.S. Patent & Trademark Office

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under C.F.R. § 110 in an envelope, with sufficient postage, addressed to: Post Registration Section, U.S. Patent and Trademark Office, P.O. Box 1451, Arlington, VA 22313-1451, on the date indicated below:

August 13, 2007  
Date  
David O. Johanson  
Typed or Printed Name of Person Signing Certificate  
David O. Johanson  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: : Opposition No.: 91182895  
: :  
Cyrus Capital Partners, L.P. : Interlocutory Attorney:  
: Angela Lykos  
Serial No.: 77/056,906 : :  
: :  
Filed: December 5, 2006 : :  
: :  
Mark: CYRUS : :

Commissioner for Trademarks  
P.O. Box 1453  
Alexandria, VA 22313-1453

**AMENDMENT AFTER PUBLICATION**

The above-referenced application was published for opposition in the September 11, 2007 issue of the U.S. Patent and Trademark Office Official Gazette. Applicant, through its undersigned attorneys, hereby requests that the Application to register the above-referenced mark be amended pursuant to Trademark Rule 2.71, 37 C.F.R. § 2.71 (a).

Specifically, Applicant requests that the Application be amended by deleting the recitation of services in international class 36 in its entirety and substitute the following:

“Funds investment; all of the foregoing excluding credit cards, debit cards, payment cards, ATM’s, and other payment products and services related thereto.”

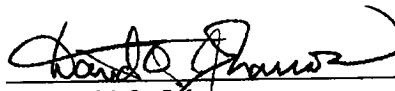
This amendment and restriction to the identification of services in international class 36 is requested pursuant to a Trademark Settlement Agreement between the Applicant Cyrus Capital Partners, L.P. and Cirrus System, LLC. Cirrus System, LLC has consented to the foregoing requested amendment.

Applicant submits that the foregoing Amendment comports with the requirements of the relevant Rules, does not materially alter the mark, or change the recitation of services other than to limit them. Accordingly, Applicant requests that the Amendment be accepted and entered.

Please direct all communications concerning this registration to my attention at (617) 951-8304 or email address david.johanson@bingham.com.

Respectfully submitted,

Date: August 12, 2009

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