



05-02-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #71

RALPH W. KALISH, JR.
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LAW FIRM

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TTAB

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April 29, 2002

Ms. Sharon Lee
Mr. Henry Jefferson
Trademark Trial and Appeal Board
TTAB NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

TRADEMARK TRIAL AND
APPEAL BOARD
02 MAY - 9 PM 9:23

RE: Cancellation Action No. 32,215
Mark: SELECT HORIZONS
Reg. No. 2,093,235
Registrant: FFG Trust, Inc.
Petitioner: A.G. Edwards & Sons, Inc.
Our Ref: 712746.69

Cancellation Action No. 32,697
Mark: SELECT ADVISOR
Reg. No. 2,093,236
Registrant: FFG Trust, Inc.

Dear Ms Lee and Mr. Jefferson:

As we advised by telephone, we have discovered that two Notices of Cancellation were filed by our office with regard to the above registrations. The first Notice, mailed October 18, 2001, inadvertently listed Registration No. 2,093,325 in the Notice caption. This Notice was assigned Proceeding Number 92032215. Another Notice of Cancellation was filed by a staff person without instructions from the undersigned on October 26, 2001 with the correct Registration No. of 2,093,236. This Notice was assigned Proceeding Number 92032697.

Please withdraw Cancellation Action No. 32,215 as it was filed by mistake. Enclosed please find a Motion to Withdraw in that proceeding.

We have been advised by the attorney for FFG, Inc. that a motion was filed on January 17, 2002 before the U.S. Trademark Trial and Appeal Board surrendering Registration No. 2,093,236. A copy of the motion is attached. Please note that the caption of the surrender motion designates Cancellation No. 32, 215. This should be corrected to read Cancellation Action 32,697.

STLD01-914194-1

KANSAS CITY, MISSOURI • ST. LOUIS, MISSOURI • OVERLAND PARK, KANSAS • OMAHA, NEBRASKA
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AFFILIATES: LEEDS • MANCHESTER • MEXICO CITY • MONTREAL • TORONTO • VANCOUVER

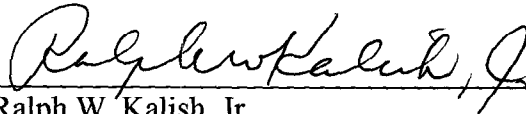
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BLACKWELL SANDERS PEPPER MARTIN
LLP

Ms. Sharon Lee
Mr. Henry Jefferson
April 29, 2002
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We regret any confusion with this proceeding. If you have any questions or concerns, please do not hesitate to advise. Kind regards.

Respectfully submitted



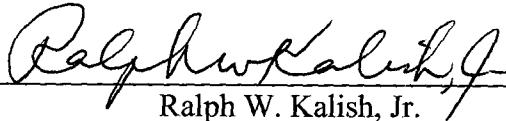
Ralph W. Kalish, Jr.
Blackwell Sanders Peper Martin
720 Olive Street – 24th Floor
St. Louis, Missouri 63101
(314) 345-6450

ATTORNEY FOR A.G. Edwards & Sons, Inc.

cc: Michael R. Annis, Esq.

CERTIFICATE OF SERVICE

I hereby certify that the above letter to the Trademark Trial and Appeal Board with regard to Cancellation Action Nos. 32,215 and 32,697 is being deposited with the United States Postal Service as first class, postage pre-paid, in an envelope addressed to: Mr. Harvey B. Stephens, Brown, Hays & Stephens, 205 S. Fifth Street, Suite 700, Springfield, Illinois 62701, this 29th day of April, 2002.



Ralph W. Kalish, Jr.

1. On or about October 18, 2001, Petitioner filed with the United States Patent and Trademark Office, Trademark Trial and Appeal Board ("TTAB") a Petition to Cancel the mark SELECT HORIZONS for U.S. Reg. No. 2,093,235, Cancellation No. 32,215.

2. No answer has been filed to date by Registrant to Petitioner's Petition for Cancellation.

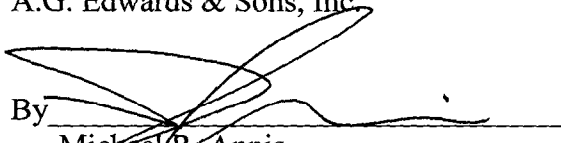
3. Petitioner respectfully requests the TTAB to enter an Order withdrawing Petitioner's Petition for Cancellation of the subject mark *without prejudice*.

WHEREFORE, premises considered, petitioner A.G. Edwards & Sons, Inc. respectfully requests an Order of the TTAB withdrawing its Petition for Cancellation of the subject mark without prejudice.

Respectfully submitted,

A.G. Edwards & Sons, Inc.

By

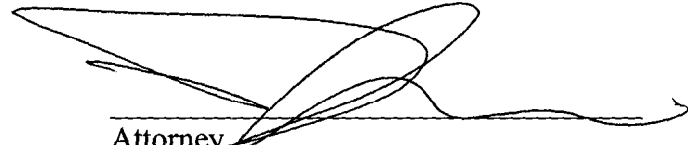


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Attorneys for A.G. Edwards & Sons, Inc.

CERTIFICATE OF SERVICE

A copy of the foregoing mailed, via United State Express Mail, postage prepaid, this 29th day of April, 2002, to: Box TTAB FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-5313.



Attorney

Registration No. 2,093,236

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and, with the express permission of Petitioner A.G. Edwards & Sons, Inc., moves this Board for an Order granting the voluntary surrender of U.S. Registration No. 2,093,236 with prejudice. Registrant files herewith the original certificate of registration as required by 37 CFR §2.172.

Respectfully submitted,

FIRSTAR BANK, N. A. , successor to FFG
TRUST, INC.,

Date: 1/15/02

By: James C. Davis
Print: James C. Davis
Title: Senior Vice President

Date: 1/15/02

By: Harvey B. Stephens
Harvey B. Stephens
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205 S. Fifth Street, Suite 700
Springfield, Illinois 62701
(217) 544-8491

Attorneys Registrant

Registration No. 2,093,236

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With the express permission of Petitioner,

A.G. EDWARDS & SONS, INC.

Date:

12/19/01

By: 

Ralph W. Kalish, Jr.

Michael R. Annis

INTELLECTUAL PROPERTY GROUP

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Attorneys Petitioner