



TTAB

12-12-2001

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #76

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

**Sterling Software, Inc.**

Opposer

VS.

**Atwood Daniel Cool**

Applicant

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date December 10, 2001, as in an envelope addressed to "BOX TTAB,, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513

Pamela Gomez

(Name of person mailing paper)

Signature

Opposition No. 118,919

Box TTAB

NO FEE

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

MOTION FOR SUSPENSION OF PROCEEDINGS/  
EXTENSION OF TIME TO FILE ANSWER TO NOTICE OF OPPOSITION

Applicant, by its attorney, hereby moves, pursuant to Trademark Rule 2.117(c), for suspension of all proceedings for six months, subject to the right of either party to request resumption of proceedings at any time prior thereto. As Applicant's answer has not yet been filed, a suspension of these proceedings will necessarily toll the time period to file an answer to Opposer's Notice of Opposition, until such time as this suspension is lifted.


As grounds in support of this motion, Applicant asserts that the parties, through their attorneys, are engaged in settlement discussions that, if successful, will result in the termination of this proceeding. Suspension is requested in order to allow the parties to maintain the status quo pending the outcome of these settlement negotiations.

Counsel for Opposer, Anita Nesser has verbally consented to this motion.

Applicant is not aware of any filing fees, but if there are any, the Commissioner is hereby authorized to charge any additional fees which may be required, to Deposit Account No. 07-1895.

Respectfully submitted,

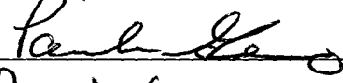
Dated: December 10, 2001

  
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John M. Kim, Esq.  
Attorneys for Applicant

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133  
Telephone: (858) 638-6859  
Facsimile: (858) 677-1400

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing  
Motion for Suspension of  
Proceedings/Extension of Time to File Answer  
to Notice of Opposition was mailed by first-  
class mail, postage prepaid, to Anita Nesser,  
Baker Botts, L.L.P., 2001 Ross Avenue, Suite  
600, Dallas, TX 75201-2980 this 10th day of  
December, 2001.

  
\_\_\_\_\_  
Pamela Gomez  
(type name of person mailing)