

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Johnson

Mailed: March 6, 2003

Opposition No. 91124081

STERLING SOFTWARE, INC.

v.

COOL PARTNERS, L.L.C.

Jyll S. Taylor, Attorney:

On September 9, 2002, the Board granted counsel's request to withdraw as attorney of record for applicant and allowed applicant time to appoint a new attorney or file a paper stating that applicant wishes to represent itself in this proceeding.

However, it has come to the attention of the Board through a telephone conversation with applicant's bankruptcy trustee, Mr. Robert Yaquinto, that the bankruptcy case which occasioned the suspension of this proceeding is still pending, and that the law firm of Sidley and Austin will act as a correspondent for applicant to receive all filings associated therewith.¹

Accordingly, inasmuch as the bankruptcy proceeding is ongoing and because the ownership of the involved application

¹ Applicant, or its bankruptcy trustee, should within 60 days of the mailing date of this order file a change of correspondence address verifying applicant's correspondent in these proceedings. Otherwise, and until

does not appear to be resolved, the Board's September 9, 2002 order is modified to the extent that proceedings remain suspended pending final determination of the bankruptcy action and, if and when proceedings are resumed, applicant and/or its counsel will be given an opportunity to make an appearance in this matter. See Section 362 of the United States Bankruptcy Code, 11 U.S.C. § 362.

Within twenty days after such final determination, the interested party should call up this proceeding for appropriate action. During the suspension period the Board should be notified of any address changes for the parties or their attorneys.

applicant appoints new counsel in this matter, correspondence will be forwarded to applicant at its last-known address of record.