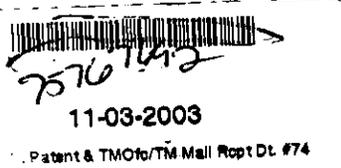


TTAB



UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: September 17, 2003

STERLING SOFTWARE, INC.  
300 Crescent Court Suite 1200  
Dallas, TX 75201

Cancellation No. 92042418  
Reg. No. 2360154

Steven N. Fox, Esq.  
P.O. Box 251  
Canton, MA 02021

International Electronics, Inc.

v.

STERLING SOFTWARE, INC.

TAMMY LOGAN, LEGAL ASSISTANT

A petition, a copy of which is attached, has been filed to cancel the above-identified registration.

Proceedings will be conducted in accordance with the Trademark Rules of Practice.

ANSWER IS DUE FORTY DAYS after the mailing date hereof. (See Patent and Trademark Rule 1.7 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that became effective October 9, 1998. See Notice of Final Rulemaking published in the *Official Gazette* on September 29, 1998 at 1214 TMOG 145. Slight corrections to the rules, resulting in a correction notice, were published in the *Official Gazette* on October 20, 1998 at 1215 TMOG 64. A copy of the recent amendments to the Trademark Rules, as well as the *Trademark Trial and Appeal Board Manual of Procedure (TBMP)*, is available at <http://www.uspto.gov>.

Discovery and testimony periods are set as follows:

Discovery period to open:	October 07, 2003
Discovery period to close:	April 04, 2004

30-day testimony period for party  
in position of plaintiff to close: July 03, 2004

30-day testimony period for party  
in position of defendant to close: September 01, 2004

15-day rebuttal testimony period  
for plaintiff to close: October 16, 2004

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

**NOTE:** The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). A hard copy of the *Official Gazette* containing this notice is available for a fee from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (Telephone (202) 512-1800). The notice is also available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

09/10/2003 10:10:10 AM

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

In the matter of: U.S. Trademark Reg. No. 2,360,154  
For the mark: CONTROL YOUR WORLD  
Date Registered: June 20, 2000



09-02-2003

U.S. Patent & TMO/tm Mail Rcpt Dt #22

INTERNATIONAL ELECTRONICS, INC.,  
PETITIONER,

v.

STERLING SOFTWARE, INC.,  
REGISTRANT.

SEP 10 10:10:10 AM

PETITION TO CANCEL UNDER 37 C.F.R. §2.111

The Petitioner, International Electronics, Inc., is a Massachusetts corporation having a principal place of business at 427 Turnpike Street, Canton, MA 02021.

To the best of Petitioner's knowledge, the name and address of the current owner of U.S. Reg. No. 2,360,154 is Sterling Software, Inc., a Delaware corporation having a principal place of business at 300 Crescent Court, Suite 1200, Dallas, Texas 75201.

The Petitioner believes that it will be damaged by the above-identified registration, and hereby petitions to cancel the same.

As grounds for cancellation, the Petitioner alleges as follows:

1. Petitioner is the owner of Application Serial No. 78/293,449 filed on August 28, 2003 for the mark "CONTROL YOUR WORLD" that recites goods of "Computer based access control systems comprising computer hardware such as controllers, entry key pads, proximity detectors, and lock sets; and software for use in controlling access by individuals to entry ways and devices." (the "Petitioner's Application").
2. On information and belief, the Registrant is no longer in business and has stopped and abandoned use of the mark "CONTROL YOUR WORLD" in connection with the goods identified in U.S. Reg. No. 2,360,154.

09/08/2003 KSDMCHRM 00000119 2360154

Page 1 of 2

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3. The mark sought to be registered by Petitioner's Application, namely, "CONTROL YOUR WORLD," is identical to that of U.S. Reg. No. 2,360,154 for the mark "CONTROL YOUR WORLD."
4. The goods identified in Petitioner's Application might arguably be considered related to the goods of U.S. Reg. No. 2,360,154.
5. There is a substantial likelihood that Petitioner's Application will be refused registration on the principal register in view of U.S. Reg. No. 2,360,154.
6. Petitioner will be damaged if U.S. Reg. No. 2,360,154 is not cancelled from the principal register.

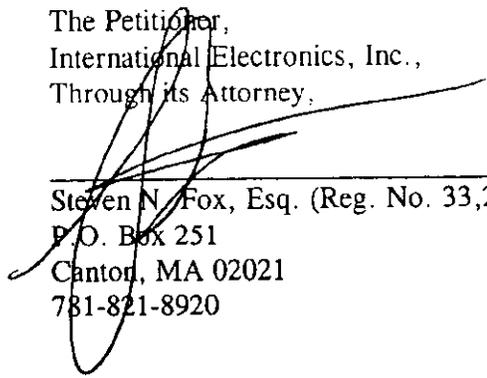
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Enclosed please find Check No. 1091 in the amount of \$300.00 for the petition fee of \$300.00.

A duplicate copy of this petition is enclosed.

Respectfully submitted,

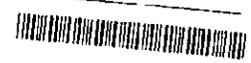
The Petitioner,  
International Electronics, Inc.,  
Through its Attorney,

  
Steven N. Fox, Esq. (Reg. No. 33,237)  
P.O. Box 251  
Canton, MA 02021  
781-821-8920

8-3003

D4000.890

TTAB



09-02-2003

U.S. Patent & TMO/TM Mail Rcd: Dt #22

(E-Mail) [foxpatent@aol.com](mailto:foxpatent@aol.com)

**STEVEN N. FOX, ESQ., PC**  
24 Fox Run, Unit #7  
Marshfield, MA 02050

(Voice) 781-821-8920  
(Facsimile) 781-821-8919

Government Mail Only:  
P.O. Box 251  
Canton, MA 02021

Patent, Trademark, and Copyright Law

August 29, 2003

BOX TTAB FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

09-02-2003

Re: U.S. Registration No. 2,360,154  
Mark: CONTROL YOUR WORLD  
Date of Registration: June 20, 2000

Petitioner: International Electronics, Inc.  
Registrant: Sterling Software, Inc.  
Cancellation No.: To Be Assigned  
Our Docket No.: 2003-219

Sir:

Enclosed please find the following documents for filing with the U.S. Patent and Trademark Office:

1. Petition For Cancellation Under 37 C.F.R. §2.111;
2. Duplicate Copy of Petition For Cancellation;
3. Check No. 1091 for \$300.00 for the petition fee; and
4. Certificate of Mailing.

If you should have any questions, please do not hesitate to contact me.

Respectfully submitted,

Steven N. Fox  
Attorney for Applicant  
Reg. No. 33,237

Enclosures  
D4000.891

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