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May 14, 1999

NOTICE OF PUBLICATION UNDER 12(a)

- | | |
|--------------------------------------|--|
| 1. Serial No.:
75/532,060 | 2. Mark:
VISION:SIMULATE |
| 3. International Class(es):
9 | |
| 4. Publication Date:
Jun 15, 1999 | 5. Applicant:
Sterling Software, Inc. |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

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PUBLICATION REGISTRATION EXAMINATION WORKSHEET

Reviewer: Lawrence R. Cooper, Sr. 103 Date: 3-18-99 Serial No: 7A-75/532 060

I certify all information in the database matched the information in the file and no corrections were required.

INSTRUCTIONS: If the information in the database does not match the information in the file the reviewer should check the ERROR column. After correction (text editing), the EDITED column should be checked. RETAIN IN FILE WRAP.

SCREEN	ERROR	EDITED	ERROR FOUND DURING REVIEW REQUIRING AMENDMENT OF:
AM			AM Mark Type:
			AM Register:
			AM Mark: <input type="checkbox"/> MDC:
			AM Amended Register: PR: SR:
			AM Amended Reg. Date:
PY			PY Owner: <input type="checkbox"/> Name:
			<input type="checkbox"/> Citizenship:
			<input type="checkbox"/> Entity Type:
			<input type="checkbox"/> Entity Statement:
			DB DBA/AKA/TA Statement:
			PY Address: <input type="checkbox"/> Inter <input type="checkbox"/> City <input type="checkbox"/> State/Country <input type="checkbox"/> Zip
			NC Assignment or Name Change:
CL			CO Composed of:
			CL International Class: U.S. Class:
			CL First Use: First Use in Commerce:
			GS Goods and Services:
			GS
OTHER DATA			IB 1(b) Claimed: Added <input type="checkbox"/> Deleted <input type="checkbox"/>
			D1 Disclaimer:
			DM Description of Mark:
			LS Lining and Stippling Statement:
			TR Translation of Words in Mark:
			NO Name/Portrait Description/Consent:
			TF Section 2(f): <input type="checkbox"/> Entire Mark <input type="checkbox"/> In Part <input type="checkbox"/> Limitation Statement:
			AF Use in Another Form:
			CS Certification Statement:
			CU Concurrent Use Statement:
			PR Prior U.S. Registrations:
FN			DR Domestic Representative:
			FN Foreign Country of Origin:
			FN Foreign Application No: Frgn. Appl. Filing Date:
			FN Section 44(d): Y/N
			FN Foreign Registration No: Frgn. Reg. Date:
			FN Foreign Registration Expiration Date:
			FN Foreign Renewal Reg. No: Frgn. Reg. Renewed:
CD			FN Foreign Registration Renewed Expiration Date:
			AT Attorney Name:
			CD Correspondence: <input type="checkbox"/> Name <input type="checkbox"/> Inter St. Address <input type="checkbox"/> City/State/Zip
		DN Attorney Docket Number:	

Other:

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Text Editor

Date

75532060

Reference No. 081319.T185

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
TRADEMARK APPLICATION, PRINCIPAL REGISTER

MARK: VISION:SIMULATE

INTERNATIONAL CLASS: 9

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

Sir:

Sterling Software, Inc. is a Delaware corporation, having a principal place of business at 5900 Canoga Avenue, Woodland Hills, California 91364-4237.

The above-identified Applicant has adopted and is using the trademark shown in the accompanying drawing for computer program which simulates system dates, either future or past, for Year 2000 testing of various batch and on-line applications and printed instruction manuals therefor, sold as a unit in International Class 9 and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946.

The mark was first used in connection with the above-described goods at least as early as June 10, 1998; it was first used in interstate commerce among the several states which may be regulated by Congress at least as early as June 10, 1998 and is still in use in such commerce.

The trademark is used by applying it to on the goods, labels affixed to the goods, packaging for the goods and in other ways customary to the trade, and on advertising and promotional literature and in other ways customary to the trade. Three specimens showing the mark as used in connection with the Applicant's goods are presented herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on 8/3/98
(Date of Deposit)

Name of applicant, assignee, or Registered Rep.
Signature Date 8/3/98

113 245/361

DECLARATION

Mark Kleinman hereby declares that he is the Assistant Secretary of Applicant and is authorized to execute this Declaration on its behalf; he believes Applicant to be the owner of the mark sought to be registered; to the best of his knowledge and belief, no other person, firm, corporation, or association has the right to use said mark in interstate commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Sterling Software, Inc.

Date: 7/24/98

By: Mark Kleinman
Mark Kleinman
Assistant Secretary

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