

Aug. 24. 2001 9:04AM

JONES, TULLAR & COOPER,
JONES, TULLAR & COOPER, P.C.
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FACSIMILE COVER LETTER
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Date: 8/24/01

Our Ref: Centralite 75/492,793

Your Ref: 75/492,793

To: Attn: Ms. Angela Poe

Opposition # 115,931

FAX: 703-308-9333

From: Kenneth Jones

Jones, Tullar & Cooper

AUG 27 AM 10:30

TOTAL NUMBER OF PAGES, INCLUDING COVER LETTER: 21

SPECIAL INSTRUCTIONS OR COMMENTS:

Please call to acknowledge receipt of these papers and the likely fate of this application with these papers.

Thank you,
Kenneth M. Jones
703-413-2546

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

CENTRAL MFG. INC.
P.O. Box 35189
Chicago, Illinois 60707-0189
Opposer,

vs.

THIRD MILLENNIUM TECHNOLOGY, INC.
6417-E Hillcrest Park Court
Mobile, Alabama 36695
Applicant

OPPOSITION NO. 115,931

Application No. 75/492,793

Mark: CENTRALITE
Published: June 29, 1999

BOX TTAB - NO FEE

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

REQUEST FOR EXPEDITED ISSUANCE OF REGISTRATION

The above-referenced opposition was withdrawn by the Opposer on May 10, 2000. However, Applicant's registration still has not issued. The application for registration was allowed by the Examining Attorney and published for opposition on June 29, 1999. Issuance of Applicant's registration was delayed by the Opposer for almost one year until the opposition was withdrawn. Now the Trademark Office has further delayed issuance of Applicant's registration for almost six months with no indication as to when Applicant's registration will issue or what action, if any, is

without some requested that

JONES, TULLAR & COOPER, P.C.

Patent Office date stamp acknowledges receipt of paper below

Application of: Third Millenium Technology, Inc.
Serial No. : 75/492,793
Opposition No.: 115,931
Mark : CENTRALITE



R.P.C.

Title of Paper : REQUEST FOR EXPEDITED ISSUANCE OF REGISTRATION

Date of Paper : October 30, 2000
Fee Payment : None Required
Case No. : CENTRALITE
By : CDB

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

CENTRAL MFG. INC.
P.O. Box 35189
Chicago, Illinois 60707-0189
Opposer,

vs.

THIRD MILLENNIUM TECHNOLOGY, INC.
6417-E Hillcrest Park Court
Mobile, Alabama 36695
Applicant

OPPOSITION NO. 115,931

Application No. 75/492,793

Mark: CENTRALITE
Published: June 29, 1999

BOX TTAB - NO FEE

Assistant Commissioner for Trademarks
2900 Crystal Drive
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REQUEST FOR EXPEDITED ISSUANCE OF REGISTRATION

The above-referenced opposition was withdrawn by the Opposer on May 10, 2000. However, Applicant's registration still has not issued. The application for registration was allowed by the Examining Attorney and published for opposition on June 29, 1999. Issuance of Applicant's registration was delayed by the Opposer for almost one year until the opposition was withdrawn. Now the Trademark Office has further delayed issuance of Applicant's registration for almost six months with no indication as to when Applicant's registration will issue or what action, if any, is being taken in this case. Further delay in issuance of Applicant's registration without some indication as to the reason for the delay is unconscionable. It is respectfully requested that Applicant's registration be issued with the utmost dispatch and without further delay.

Respectfully submitted,

JONES, TULLAR & COOPER, P.C.
Attorneys for Applicant

By: Colin D. Barnitz
Colin D. Barnitz

Date: 10/30/00

JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
(703) 415-1500

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

CENTRAL MFG. INC.
P.O. Box 35189
Chicago, Illinois 60707-0189
Opposer,

vs.
THIRD MILLENNIUM TECHNOLOGY, INC.
6417-E Hillcrest Park Court
Mobile, Alabama 36695
Applicant

OPPOSITION NO. 115,931

Application No. 75/492,793

Mark: CENTRALITE

Published: June 29, 1999

BOX TTAB - NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

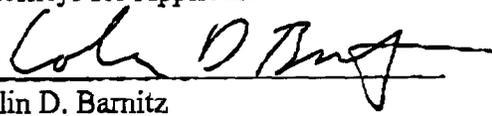
REQUEST FOR EXPEDITED ISSUANCE OF REGISTRATION

Now that the Opposer in the above case has requested withdrawal of the Opposition by his Request to Withdraw the Opposition mailed May 10, 2000, a copy of which is attached hereto, it is requested that issuance of Applicant's registration proceed as expeditiously as possible.

Respectfully submitted,

JONES, TULLAR & COOPER, P.C.
Attorneys for Applicant

Date: May 16, 2000

By: 
Colin D. Barnitz

JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
(703) 415-1500

33 35

JONES, TULLAR, & COOPER, P.C.

Patent Office date stamp acknowledges receipt of paper below:

Application of: Central Mfg. Inc. vs. Third Millennium Technology Inc.

Serial No. : 75/492,793

Filed :

Title : Mark: CENTRALITE

Title of Paper : Req. For Expedited Issuance of Registration;
Req. to Withdraw the Opposition

Date of Paper : May 16, 2000

Fee Payment : N/A

Case No. : N/A

By : CDB:nh



Certification of Mailing

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as first class mail in an envelope addressed to:
Box TTAB NO FEE, Assistant Commissioner of Parents and Trademarks
2900 Crystal Drive, Arlington, Virginia 22202-3513

Leo Stoller

Leo Stoller
May 10, 2000

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

LEO STOLLER D/B/A
CENTRAL MFG.
P O Box 35189
Chicago, IL 60707-0189
Opposer,

vs.

THIRD MILLENNIUM TECHNOLOGY, INC.
(an Alabama corporation)
6417-E Hillcrest Park Ct.
Mobile, Alabama 36695
Applicant.

Opposition No: 115,931
Trademark: CENTRALITE
Application SN: 75-492,793
Int. Class No: 09

Published: June 29, 1999

TTAB/NO FEE

REQUEST TO WITHDRAW THE OPPOSITION

Pursuant to the terms and conditions of a settlement agreement entered into by the parties on March 31, 2000, the Opposer requests that this Opposition be withdrawn.

By: *Leo Stoller*, Opposer
LEO STOLLER D/B/A
CENTRAL MFG., Opposer
Trademark & Licensing Dept.
P.O. Box 35189
Chicago, Illinois 60707-0189
773-283-3880 FAX 708 453-0083

Dated: May 10, 2000

CERTIFICATE OF SERVICE

I hereby certify that this document is being deposited with the United States Postal Service, via first class mail postage prepaid, addressed to:

Colin D. Barnitz
Jones, Tullar & Cooper
P.O. Box 2266 Eads Station
Arlington, Virginia 22202

Leo Stoller

Leo Stoller May 10, 2000

SETTLEMENT AGREEMENT
Consent to Registration and Covenant Not to Sue

THIS SETTLEMENT AGREEMENT, effective as of the date of the last signature affixed hereto, is by and between:

CENTRAL MFG. INC., a corporation of the State of Delaware,
P.O. Box 35189
Chicago, Illinois 60707-0189
(hereinafter "CENTRAL")

and

THIRD MILLENIUM TECHNOLOGIES, INC., a corporation of the State of Alabama
6414 Hillcrest Park
Mobile, Alabama 36695
(hereinafter "THIRD").

WITNESSETH THAT

WHEREAS THIRD has filed U.S. Trademark Application Serial No. 75/492,793 for the mark CENTRALITE for low voltage electric lighting control system, consisting of computer software, electric switches, and wiring to remotely control lighting for added convenience, comfort, and safety, in International Class 9, which Application was published for opposition on June 29, 1999.

WHEREAS CENTRAL is the successor in interest of S Industries, Inc, P.O. Box 417-120, Chicago, Illinois, 60641-7120, and is the owner of U.S. Trademark Registrations:

<u>REG. NO.</u>	<u>REG. DATE</u>	<u>INTL. CLASS</u>
2,273,229	Aug. 31, 1999	009
2,140,524	Mar. 3, 1998	002
2,064,576	May 27, 1997	036
1,984,329	July 2, 1996	014
1,496,826	July 19, 1988	025
1,384,193	Feb. 25, 1986	012
1,361,523	Sep. 24, 1985	009, 026
1,326,765	Mar. 26, 1985	009
1,270,016	Mar. 13, 1984	028

and pending U.S. Applications for Trademark Registration:

<u>APPL. NO.</u>	<u>DATE FILED</u>	<u>INTL. CLASS</u>
75/228004	Jan. 6, 1997	003
75/228064	Jan. 6, 1997	020

all for the mark **SENTRA**, copies of which Registrations and Pending Application Summaries are attached hereto as Exhibit A, showing the Goods/Services Specified for each Registration and Application (hereinafter the "SENTRA Registrations and Applications").

WHEREAS **CENTRAL** has filed a Notice of Opposition No. 115,931 to oppose the registration of the mark **CENTRALITE** by **THIRD** based upon a likelihood of confusion between the **CENTRALITE** mark and **CENTRAL**'s **SENTRA** Registrations and Applications.

WHEREAS **CENTRAL** and **THIRD** are desirous of amicably resolving this dispute over the use of the respective marks of the parties.

NOW, THEREFORE, in consideration of \$2500 (two thousand, five hundred dollars) paid by **THIRD** to **CENTRAL** and in light of the foregoing and following mutual promises and understandings, it is hereby agreed by and between the parties as follows:

- CENTRAL** agrees to withdraw its Notice of Opposition No. 115,931 against Application Serial No. 75/492,793 and to allow this Application to proceed to registration. **CENTRAL** further agrees that it will not oppose or object in any way to **THIRD**'s use or registration of **CENTRALITE** for the goods listed in Application Serial No. 75/492,793 and agrees not to seek cancellation of the resulting registration.
- CENTRAL** further agrees not to sue **THIRD** for any past, present, or future infringement of **CENTRAL**'s mark **SENTRA** by **THIRD**'s use of the mark **CENTRALITE**, so long as **THIRD** complies with the terms of this Agreement.
- THIRD** agrees that it will not use the mark **CENTRALITE** in any form in connection with the Goods/Services Specified in the **SENTRA** Registrations and Applications, as listed above with reference to Exhibit A.
- THIRD** acknowledges **CENTRAL**'s exclusive ownership of the mark **SENTRA** and agrees not to sue or oppose **CENTRAL**'s applications or **CENTRAL**'s use of its **SENTRA** marks.
- This Agreement shall be binding worldwide, and shall be binding on, and inure to the benefit of, all assigns and successors in interest to the parties hereto, and including their parents, subsidiaries, divisions, sister companies, affiliates, entities which they control, and entities which control them.

6. Each party will bear all its own costs incurred in connection with this matter. All parties hereby release all other parties, individually and collectively, from all claims, liabilities, and damages, whether known or unknown, relating to any aspect of Opposition No. 115,931 or the facts relating thereto.

7. This Agreement sets forth the entire agreement and understanding between the parties. No agreement amending the Agreement or any provisions hereof shall be valid unless in writing and signed by the party to be charged. If any portion of this Agreement is invalid or unenforceable, it shall not affect the validity or enforceability of the other provisions. The parties agree to execute such documents as may be required to effectuate the provisions of this Agreement.

8. This Agreement can be executed in duplicate and each executed document shall be regarded as an original of the executed document.

IN WITNESS WHEREOF, and intending to be legally bound thereby, each of the parties hereto has caused this Agreement to be executed as of the respective date set forth adjacent to its respective representative's signature.

THIRD MILLENNIUM TECHNOLOGY, INC.

Date: _____

By: _____

James L. Busby, President

CENTRAL MFG. INC.

Date: _____

By: _____

Leo Stoller, President

3 00 4

EXHIBIT A

Int. Cl.: 9

Prior, U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,273,229

United States Patent and Trademark Office

Registered Aug. 31, 1999

**TRADEMARK
PRINCIPAL REGISTER**

SENTRA

S INDUSTRIES, INC. (DELAWARE CORPORATION)
P O BOX 417-120
CHICAGO, IL 606417120

FOR: ELECTRONIC METAL LOCKS; ELECTRIC LAUNDRY IRONS; COMPUTERS; COMPUTER GOODS, NAMELY, PRINTERS, DISC DRIVES, FAX MODEM CARDS, KEYBOARDS, AND DISK STORAGE CASES; MOTION PICTURE FILMS IN THE NATURE OF SCIENCE FICTION; PRERECORDED VIDEO AND AUDIO CASSETTES, TAPES AND COMPACT DISCS AND PHONOGRAPH RECORDS IN THE FIELD OF SCIENCE FICTION; EYEGASSES, SUNGLASSES AND FRAMES THEREFORE; SPECTACLE CASES, OPTICAL CHARACTER RECOGNITION APPARATUS, SAFETY GOGGLES, RADIOS, THERMOMETERS NOT FOR

MEDICAL USE; TELEPHONES; PHOTOGRAPHIC SLIDE TRANSPARENCIES; TAPE MEASURE, GRADUATED RULERS; BINOCULARS FOR USE AT OPERAS; MAGNIFYING GLASSES; BAROMETERS; COMPRESSED AIR CYLINDERS FOR USE WITH BREATHING APPARATUS; AND ELECTRONIC FLYING INSECT TRAPS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-1982; IN COMMERCE 9-0-1982.

OWNER OF U.S. REG. NOS. 1,326,765, 1,361,523 AND OTHERS.

SER. NO. 75-143,090, FILED 7-29-1996.

GERALD C. SEEGARS, EXAMINING ATTORNEY

**TRADEMARK
PRINCIPAL REGISTER**

SENTRA

**S INDUSTRIES, INC. (DELAWARE CORPORATION)
P O BOX 35189
CHICAGO, IL 607070189**

FOR: MORDANTS FOR USE IN THE AREA OF CONSTRUCTION; VARNISH; COLORANTS FOR USE IN THE MANUFACTURE OF PAINT; COLORANTS FOR USE IN THE MANUFACTURE OF COSMETICS; CORROSION INHIBITING PAINT COATINGS FOR COMMERCIAL MARINE USE; HOUSE PAINT; EXTERIOR PAINT; INTERIOR PAINT; PAINT PRIMERS; PAINT FOR USE IN THE MANUFACTURE OF FURNITURE; PAINT FOR ARTISTS; PAINT FOR CONCRETE FLOORS; PAINT FOR INDUSTRIAL EQUIPMENT AND MACHINERY;

PAINT FOR MODEL AIRPLANES, MODEL CARS AND THE LIKE; WOOD PRESERVATIVES; RUST PRESERVATIVES IN THE NATURE OF A COATING; NATURAL RESINS FOR USE IN THE MANUFACTURE OF ADHESIVES; SHELLAC AND LACQUER FOR USE AS A SURFACE COATING; METALS IN FOIL AND POWDER FOR PAINTERS, DECORATORS, PRINTERS AND ARTISTS, IN CLASS 2 (U.S. CLS. 6, 11 AND 16).

FIRST USE 1-0-1986; IN COMMERCE 1-0-1986.

SER. NO. 75-228,010, FILED 1-6-1997.

G. MAYERSCHOFF, EXAMINING ATTORNEY

United States Patent and Trademark Office

**SERVICE MARK
PRINCIPAL REGISTER**

SENTRA

S INDUSTRIES INC (DELAWARE CORPORATION)
P.O. BOX 417-120
CHICAGO, IL 606417120

FIRST USE 10-0-1993; IN COMMERCE
10-0-1993.

SER. NO. 75-006,422, FILED 10-16-1993.

FOR: INVESTMENT MANAGEMENT AND
INSURANCE CONSULTATION, IN CLASS 36
(U.S. CLS. 100, 101 AND 102).

GERALD C. SEEGARS, EXAMINING ATTORNEY

Int. Cl.: 14

Prior U.S. Cls.: 2, 27, 28 and 50

United States Patent and Trademark Office Reg. No. 1,984,329
Registered July 2, 1996

**TRADEMARK
PRINCIPAL REGISTER**

SENTRA

S INDUSTRIES INC (DELAWARE CORPORATION)
P.O. BOX 417-120
CHICAGO, IL 606417120

FIRST USE 2-0-1982; IN COMMERCE
2-0-1982.

SER. NO. 74-724,048, FILED 9-1-1995.

FOR: CLOCKS AND WATCHES, IN CLASS 14
(U.S. CLS. 2, 27, 28 AND 50).

RANDY RICARDO, EXAMINING ATTORNEY

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,496,826

Registered July 19, 1988

**TRADEMARK
PRINCIPAL REGISTER**

SENTRA

S INDUSTRIES, INC. (DELAWARE CORPORATION)
4301 N. CICERO AVENUE
CHICAGO, IL 60641

FOR: CLOTHING, NAMELY, MEN'S, WOMEN'S, BOYS' AND GIRLS' PANTS, SHIRTS, SHORTS, LEGWARMERS, BRAS, PANTIES, SOCKS, HOSIERY, JACKETS, COATS, DRESSES, BATHING SUITS, WARM-UP SUITS,

T-SHIRTS, BLOUSES, SHIRTS, UNDERWEAR, HATS, HEADBANDS, LINGERIE, BODY SUITS AND SHOES, IN CLASS 25 (U.S. CL 39).

FIRST USE 9-1-1982; IN COMMERCE 9-1-1982

SER. NO. 621,174, FILED 9-22-1986.

MARK TRAPHAGEN, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent and Trademark Office Reg. No. 1,384,193^{3 00}
Registered Feb. 25, 1986

**TRADEMARK
PRINCIPAL REGISTER**

SENTRA

S INDUSTRIES, INC. (DELAWARE CORPORATION)
4301 N. CICERO AVE.
CHICAGO, IL 60641

FIRST USE 4-0-1981; IN COMMERCE
4-0-1981.

FOR: BOATS AND BICYCLES, IN CLASS 12
(U.S. CL. 19).

SER. NO. 552,024. FILED 8-5-1985.

DAVID H. STINE, EXAMINING ATTORNEY

Int. Cls.: 9 and 26

Prior U.S. Cls.: 22 and 28

United States Patent and Trademark Office

Reg. No. 1,361,523
Registered Sep. 24, 1985

TRADEMARK
PRINCIPAL REGISTER

SENTRA

STOLLER, LEO D. (UNITED STATES CITIZEN), DBA SENTRA SPORTING GOODS U.S.A. CO.
3113 NORTH CENTRAL AVENUE
CHICAGO, IL 60634

FOR: SPORTS GOGGLES, IN CLASS 9 (U.S. CL. 28).

FIRST USE 9-1-1982; IN COMMERCE 9-1-1982

FOR: SPORTING GOODS, NAMELY, TENNIS RACQUETS, GOLF CLUBS, GOLF BALLS,

TENNIS BALLS, BASKETBALLS, BASEBALLS, SOCCER BALLS, CROSS BOWS, TENNIS RACQUET STRINGS, AND SHUTTLECOCKS, IN CLASS 26 (U.S. CL. 22).

FIRST USE 9-1-1982; IN COMMERCE 9-1-1982

OWNER OF U.S. REG. NO. 1,270,016.

SER. NO. 478,410, FILED 5-2-1984.

DAVID A. GUTH, EXAMINING ATTORNEY

Aug. 24, 2001

9:09AM

JONES, TULLAR & COOPER

No. 2934

P. 18/21

Int. Cl.: 9

For U.S. Cl.: 26

United States Patent and Trademark Office

Reg. No. 1,326,765

Registered Mar. 26, 1995

TRADEMARK
Principal Register

SENTRA

Leo D. Stoller (United States citizen), d.b.a. Sentra
Sporting Goods
3113 N. Central Ave.
Chicago, Ill. 60634

For: CALCULATORS, PHOTOGRAPHIC AP-
PARATUS—NAMESLY, CAMERAS AND
LENSES, OPTICAL APPARATUS—NAMESLY,
BINOCULARS AND TELESCOPES, in CLASS 9
(U.S. Cl. 26).

First use Sep. 1, 1982; in commerce Sep. 1, 1982.
Owner of U.S. Reg. No. 1,270,016.

Ser. No. 431,745, filed May 25, 1984.

J. TINGLEY, Examining Attorney

Int. Cl.: 28

Prior U.S. Cl.: 22

United States Patent and Trademark Office

Reg. No. 1,178,816

Registered Mar. 13, 1984

TRADEMARK
Principal Register

SENTRA

Leo D. Stoller (United States citizen), d.b.a. Sentra
Sporting Goods USA Co.
3113 N. Central Ave.
Chicago, Ill. 60634

For: TENNIS RACKETS, in CLASS 28 (U.S. Cl.
22).

First use Sep. 1, 1982; in commerce Sep. 1, 1982.

Ser. No. 398,142 filed Sep. 30, 1982.

DAVID H. STINE, Examining Attorney

Trademarks PENDING

Serial Number: 75-228004

Filing Date: 1997-01-06

Word Mark: SENTRA

Type of Mark: TRADEMARK

Mark Drawing Code: (1) TYPED DRAWING

Register: PRINCIPAL

Other Reg Inf: 1270016; 1326765; 1361523; 1384193; 1496826; 1984329;
2064576 AND OTHERS

Published for Oppos: 1997-11-11

Intl. Class	U.S. Class	Goods & Services
003	001 004 006 050 051 052	laundry bleach; laundry detergent; all purpose cleaning preparations; floor polish; furniture polish; chrome polish; scouring liquids; general purpose scouring powder; skin abrasive preparations; skin soap; perfume; cologne; essential oils for personal use; hair lotion; dentifrices; suntan lotion and oil; shaving cream; aftershave lotion; cosmetics, namely, lipstick, eye shadow, toner, makeup, blush, rouge, lip gloss; DATE OF FIRST USE: 1986.01.00; DATE OF FIRST USE IN COMMERCE: 1986.01.00

Owner Name

Owner Address

(APPLICANT)

S Industries, Inc.

P O Box 417-120 Chicago ILLINOIS
606417120 CORPORATION DELAWARE

(LAST LISTED OWNER)

S Industries, Inc.

P O Box 417-120 Chicago ILLINOIS
606417120 CORPORATION DELAWARE

Trademarks PENDING

Serial Number: 75-228064
Filing Date: 1997-01-06
Word Mark: SENTRA
Type of Mark: TRADEMARK
Mark Drawing Code: (1) TYPED DRAWING
Register: PRINCIPAL
Published for Oppos: 1998-09-01

Intl. Class	U.S. Class	Goods & Services
020	002 013 022 025 032 050	furniture; mirrors; picture frames; sleeping bags; seat cushions; non-metal trophies; key rings with plastic fobs; pillows; folding stadium seats; air cushions; wooden figurines; wall plaques; director's chairs; plastic name badges; upholstered furniture; wall mirrors; children's furniture, namely, seats, toy boxes, bedroom furniture, and chests; DATE OF FIRST USE: 1986.01.00; DATE OF FIRST USE IN COMMERCE: 1986.01.00

Owner Name

Owner Address

(APPLICANT)
S Industries, Inc.

P O Box 417-120 Chicago ILLINOIS
606417120 CORPORATION DELAWARE

(LAST LISTED OWNER)
S Industries, Inc.

P O Box 417-120 Chicago ILLINOIS
606417120 CORPORATION DELAWARE