

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (GENERAL)
(With Certificate of Mailing by Express Mail)

Applicant/Registrant: **Auburn University**
Serial No.: **Cancellation No. 122,047**
Registration No.:
Trademark: **TOOMERS CORNER**

Docket No.
022690-00010

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is/are the following document(s):

**Opposer's Motion On Consent to Suspend Proceedings with Certificate of Service (submitted in triplicate)
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Signature

**Timothy A. Bush, Esq.
Sirote & Permutt, P.C.
P.O. Box 55727
Birmingham, AL 35255-5727**

cc: **Susan Smith**

Dated: **8/27/02**

I certify that this document and fee is being deposited on **8/27/02** with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive,



Signature of Person Mailing Correspondence

Tiffany McClain

Typed or Printed Name of Person Mailing Correspondence

ET 267130436 US

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

Auburn University

Opposer,

v.

Lipscomb Family Partnership, Ltd.

Applicant.

Opposition No. 122,047

Mark: TOOMERS CORNER

OPPOSER'S MOTION ON CONSENT TO SUSPEND PROCEEDINGS

Pursuant to Trademark Rule 2.117(c), Auburn University, Opposer herein, through its authorized attorneys requests that the instant proceedings be suspended for a period of six (6) months from September 13, 2002 to and including March 13, 2003.

Opposer has requested and has received the consent to this suspension request from Applicant's counsel, Bingham B. Leverich. Opposer requests this suspension for the purpose of settlement negotiations, which are ongoing. Accordingly, Opposer and Applicant request this suspension so that they may have an opportunity to reach an amicable resolution and avoid unnecessary expenditure of the Board's resources.

This Motion is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

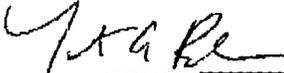
A copy of this motion on consent is being sent to Applicant's counsel.

I hereby certify that the foregoing document and attachments are being deposited with the United States Postal Service via EXPRESS MAIL Post Office to Addressee addressed to: Box: TTAB - NO FEE, The Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on this 27 day of August, 2002.

EXPRESS MAIL NO.: ET 267130436 US

By: *Lizamy McLean*

Respectfully Submitted,

BY: 

Timothy A. Bush, Esq.
SIROTE & PERMUTT, P.C.
P.O. Box 55727
Birmingham, AL 35255-5727

Attorneys for Opposer
Auburn University

Dated: 8/27/02

::ODMA\PCDOCS\DOCS\BHM\943891\1

Mark TOOMERS CORNER No. 127,047

The date stamp of the Patent & Trademark Office hereon confirms the date on which the following was received:

- Intent to Use Application with Declaration drawing and a check in payment of fees
- Trademark Application with Declaration drawing, 3 specimens and a check in payment of fees
- Response/Amendment
- Certificate of Express Mail
- Notice of Opposition
- Request for Extension of Time
- Section 8 Affidavit (and)
- Petition to Commissioner
- Answer

Other Opposer's Motion on Consent to Suspend Proceedings

No. 9013 Trademark Receipt Form 4-99

PTO: Please stamp and return.

- Section 15 Affidavit
- Petition for Cancellation
- Notice of Appeal

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Fax

5382

To: Frances S. Wolfson, Esq.	From: Tiffany McClain
Fax: 703-746-7087	Pages: 6
Phone: 703-803-3000	Date: December 11, 2002
Re: Opp. No. 122,047	C/M: 22690-10

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12-09-2002

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

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

STS DUOTEK, INC.,

Opposer,

v.

TIMOTHY J. ACKERMAN

Applicant.

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Serial No.: 78/087,059

Opposition No.: 91152721

Published: July 30, 2002

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

ATTN: BOX TTAB

STIPULATED REQUEST FOR EXTENSION OF TIME TO FILE
An ANSWER TO THE AMENDED NOTICE OF OPPOSITION

The parties to the proceeding identified in the heading of this document, by their attorneys, jointly request an enlargement of the deadline to respond to Opposer's Amended Notice of Opposition in this case for an additional thirty (30) days, from the original due date of November 27, 2002, to on or before December 27, 2002.

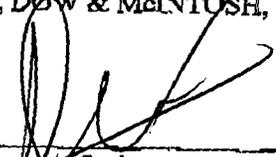
The foregoing is jointly requested by the parties because they are engaged settlement negotiations.

Dated: 12/4/02

VENABLE, BAETJER, HOWARD & CIVILETTI, LLP

By: 
Andrew D. Price
Attorney for Opposer
1201 New York Avenue NW, Ste. 100
Washington, D.C. 20005-3955

BAUMAN, DOW & McINTOSH, P.C.

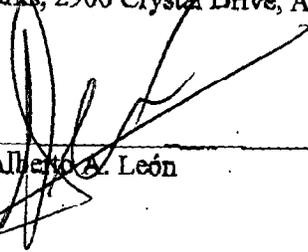
By: 
Alberto A. León
Attorney for Applicant
P. O. Box 30684
Albuquerque, N.M. 87190-0684

Date: December 3, 2002.

CERTIFICATE OF MAILING 37 CFR § 1.8

Date of Deposit:  December ~~3~~⁴, 2002

I hereby certify that this Stipulated Request for Extension of Time to File an Answer to the Amended Notice of Opposition (Opposition No. 91152721) is being deposited with the United States Postal Service "First Class Mail" Service under 37 CFR § 1.8 on the date indicated above and is addressed to Box TTAB No Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Signed: 
Alberto A. León


Date: December ~~3~~⁴, 2002

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AIB



12-09-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

BAUMAN, DOW & McINTOSH
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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December 4, 2002

Box TTAB No Fee
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

DEC 13 AM 9:30

**Re: United States Patent and Trademark Office Before
The Trademark Trial and Appeal Board;
STS Duotek, Inc. v. Timothy J. Ackerman
Opposition No.: 91152721**

Dear Sir or Madam:

Enclosed please find *Stipulated Request for Extension of Time to File An Answer to the Amended Notice of Opposition* in the above-referenced matter. Please file same and return a stamped copy to our office.

Thank you.

BAUMAN, DOW & McINTOSH, P.C.

By: _____

Alberto A. Leon, Esq.

AAL:kb
Enclosure

cc: Andrew D. Price, Esq. (w/encl)