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

Proceeding	91122524
Party	Defendant Wayne R. Gray
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Submission	Motion to Reopen
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Date	03/24/2011
Attachments	NTC BY APPLICANT OF STS CHANGE.pdf (2 pages)(15728 bytes)

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

X/OPEN COMPANY LIMITED,

Opposer,

Opposition No.: 91122524

vs.

Application Serial No.: 75/680,034

WAYNE R. GRAY,

Mark: INUX

Applicant.

APPLICANT'S NOTICE OF CASE STATUS CHANGE

COMES NOW Applicant Wayne R Gray, by and through his undersigned counsel, and hereby gives notice of a change in case status. This Opposition was suspended on July 17, 2007 pending final determination of a certain civil action before the United States District Court, Middle District of Florida, Tampa Division (herein "District Court") between the parties hereto, which case was styled *Wayne R. Gray v. Novell, Inc., The SCO Group, Inc. and The X/Open Company Limited*, and the suspension was extended for the related appeal before The United States Court of Appeals for the Eleventh Circuit (herein "Eleventh Circuit"). The District Court case and the Eleventh Circuit case are now final, and thus it is now appropriate to call this Opposition up for appropriate action.

Because of relatively new and dispositive evidence uncovered by Applicant which was not available to the District Court and the Eleventh Circuit, Applicant believes that the

appropriate action would be to reset and extend the schedule in this Opposition. Accordingly, Applicant is filing separately a motion to that effect in order to allow for entry of that dispositive new evidence.

Dated: March 24, 2011

Respectfully submitted,

/David L. Partlow/
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document has been furnished by email and regular U.S. mail to Mark Sommers, Esquire, at Finnegan, Henderson, Farabow, Garrett, & Dunner, L.L.P., 901 New York Ave., N.W., Washington, D.C. 20001-4413, this 24th day of March, 2011.

/David L. Partlow/