

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

csg

Mailed: December 13, 2005

Opposition No. 91160234

Leo Stoller, d/b/a Central

Mfg.

v.

AIRFRAME BUSINESS SOFTWARE,

INC.

On April 9, 2005, the Board suspended proceedings so that the parties could discuss settlement and deferred applicant's briefing on opposer's motion for summary judgment which sought judgment in his favor with respect to the opposition and denial of the counterclaims. The Board advised the parties that proceedings would resume, without prior notice of the Board, and the order clearly set forth the briefing schedule for the motion for summary judgment in the event that the parties did not settle the matter.

Proceedings resumed on October 7, 2005, and applicant was allowed until November 6, 2005 to file its response to opposer's motion for summary judgment. No response has been received.

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In view thereof, opposer's motion for summary judgment (filed January 18, 2005) is hereby granted as conceded. See Trademark Rule 2.127(a) and Fed. R. Civ. P. 56.

Accordingly, judgment is hereby entered against applicant, the opposition is sustained, registration to applicant is refused, and the counterclaim is dismissed.

***By the Trademark Trial
and Appeal Board***