

TAB

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

In the Matter of:  
Application Serial Number: 78/252199  
Mark: EPLAN

EPLAN Software & Service GmbH & Co. KG

Opposer,

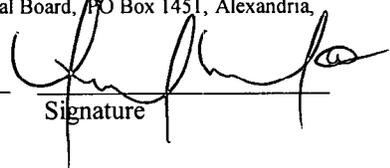
v.

Board of Regents,  
The University of Texas System,

Applicant.

EXPRESS MAIL CERTIFICATE No.  
The undersigned hereby certifies that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on 9/14/2005 and is addressed to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, PO Box 1451, Alexandria, Virginia 22313-1451.

Fred Carl III  
Print Name



Signature

**Opposition No. 91163056**

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
PO Box 1451  
Alexandria, VA 22313-1451



09-19-2005

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #26

**STIPULATION TO SUSPEND PROCEEDINGS PURSUANT TO TBMP §605.02**

The Parties, Opposer, EPLAN Software & Service GmbH & Co. KG, and Applicant, Board of Regents, The University of Texas System, have settled this matter, and wish to defer further litigation of this case pursuant to TBMP §605.02 pending the execution of a Settlement Agreement.

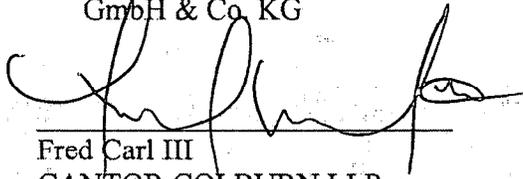
Pursuant to TBMP §605.02, when the Board is notified that the parties are negotiating for settlement, the Board may suspend proceedings for a period of up to six months. The parties had previously requested that the proceedings be suspended for three (3) months. The Board approved that motion, and the proceedings are due to resume on September 15, 2005. At this time, the parties are requesting that the proceedings be

suspended for one (1) month to allow the parties time to obtain all signatures on the Settlement Agreement.

WHEREFORE, based on the above, the Parties respectfully request that this Trademark Trial and Appeal Board suspend the proceedings through and including October 15, 2005.

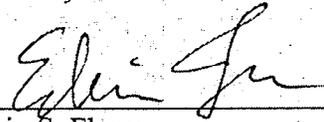
Respectfully submitted

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EPLAN Software & Service  
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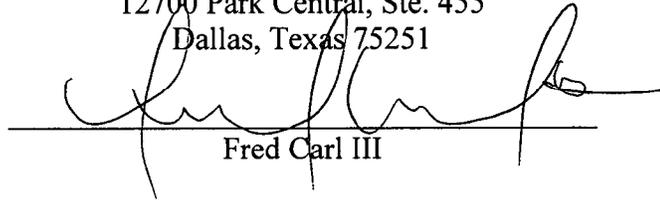
**CERTIFICATE OF SERVICE**

I, Fred Carl III, hereby certify that a copy of the above Stipulation to Suspend

Proceedings was forward via US Mail, postage prepaid, to the following on

9/14/2005 :

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Fred Carl III