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

Parametric Technology Corporation, Opposer,	)	# 78835516
v.	)	Opposition No. 91/174,641
PLMIC, LLC, Applicant.	)	

PLMIC, LLC, Opposer,	)	
v.	)	Opposition No. 91/177,168
Parametric Technology Corporation, Applicant.	)	

MOTION FOR STIPULATED
PROTECTIVE ORDER

The parties having agreed to a form of Protective Order that is acceptable to them both, and which has been signed by them both through their counsel, Parametric Technology Corporation hereby submits the Stipulated Protective Order to the Trademark Trial and Appeal Board and requests its entry.

Date: July 10, 2007

By: Thomas V. Smurzynski

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[redacted]

07-12-2007
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #34

CERTIFICATE OF SERVICE

I hereby certify that the foregoing MOTION FOR STIPULATED PROTECTIVE ORDER was served by first-class mail, postage prepaid, on counsel for PLMIC, LLC, Edward A. Haffer, Esq., Sheehan Phinney Bass &Green, P.A., 1000 Elm Street, Manchester, NH 03105-3701, on this 10th day of July, in the year 2007.

Thomas V. Smurzynski

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

Parametric Technology Corporation, Opposer, v. PLMIC, LLC, Applicant.	))))))	Opposition No. 91/174,641

PLMIC, LLC, Opposer, v. Parametric Technology Corporation, Applicant.	))))))	Opposition No. 91/177,168

STIPULATED PROTECTIVE ORDER

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, and the agreement of the parties, IT IS HEREBY ORDERED:

1. As used herein, the term "Protected Matter" refers to all information and documents obtained by any party through discovery in this proceeding and designated by the party producing such matter as "Confidential" or "Confidential Attorneys Only" substantially in accordance with Paragraph 5 of this Protective Order, and all copies, excerpts, summaries or compilations of such matter that, in whole or in part, are prepared or derived from, or reveal the substance or content of, Protected Matter.

2. Protected Matter shall be maintained in confidence in accordance with this Order and used solely for the purpose of this proceeding and not for any business or any other purpose whatsoever.

3. Protected Matter, or the substance or content of Protected Matter, shall not be disclosed to any person other than:

(a) outside counsel of record for the parties to this proceeding and their clerical and support staff who assist them in connection with this proceeding;

(b) Trademark Trial and Appeal Board personnel and stenographic reporters and their clerical and support staff who perform tasks concerning this proceeding;

(c) subject to the terms of Paragraph 4 hereof, experts retained by counsel of record in connection with this proceeding, and employees of such experts who assist with tasks concerning this proceeding; and

(d) subject to the terms of Paragraph 7 hereof, the parties to this proceeding.

4. Protected Matter shall be disclosed to an expert or employees of an expert only after: (1) the expert and any of the expert's employees to whom Protected Matter is to be disclosed have first been provided with a copy of this Protective Order and have signed an Affidavit captioned in these proceedings and reading substantially as follows:

(a) I, _____who reside at _____have read this Protective Order in the above-captioned proceedings and I agree to be bound thereof.

(b) I understand that any use or disclosure of designated Protected Matter other than in accordance with the terms of the Protective Order will subject me to action by the affected party.

[Signature]

(2) other parties are given at least ten days advance written notice of the Protected Matter to be disclosed and the identity of the proposed expert and his or her present and former professional and business relationships; and (3) no objection to such disclosure is made by other parties within ten days after receipt of notice of the Protected Matter to be disclosed and the identity of the proposed expert. In the event such an objection is made, Protected Matter shall not be disclosed to the proposed expert or employees of the proposed expert without the prior approval of the Board.

5. With respect to any matter any party intends to be governed by this order, it shall stamp the Protected Matter "Confidential" or "Confidential Attorneys Only." At the election of a party, it may create or produce documents without so stamping them until such time as copies of such documents are requested by and provided to counsel for other parties.

6. Protected Matter shall be stored in discrete files maintained for that purpose in the offices of counsel of record for the parties to this proceeding and/or the offices of any independent experts authorized to have access to Protected Matter pursuant to this Order.

7. Protected Matter stamped "Confidential Attorneys Only" shall not be disclosed to the non-producing party. Further, it shall not be disclosed to any in-house counsel of that party, even if that attorney is listed as a counsel of record in this proceeding, unless the Board orders differently.

8. In the event that the legend "Confidential" or "Confidential Attorneys Only" is stamped on Protected Matter, it shall be preserved or stamped on any copies, excerpts, summaries or compilations of such documents that, in whole or in part, are prepared or derived from, or reveal the substance or content of, Protected Matter. Between the time such documents are produced in this proceeding and copies thereof are requested by and provided to opposing counsel, such documents shall be treated as Protected Matter. If any party objects to another party's stamping certain documents "Confidential" or "Confidential Attorneys Only," the objecting party may submit a written notice of objection to counsel for the party so stamping such documents, which notice shall include a statement of the grounds for the objection. If, within five working days of its receipt of the notice, the party does not withdraw or modify its confidential designation, the objecting party may file with the Board a motion to strike the designation, and the Board shall strike the designation unless it finds that the confidential designation was justified under all the circumstances.

9. Any Protected Matter that is filed with the Board, including briefs, legal memoranda, transcripts, or other filings that disclose the substance or content of Protected Matter, shall be filed under seal unless the party producing the Protected Matter consents to its being filed

without seal. Material filed under seal shall be placed in a sealed envelope or other container bearing a statement substantially as follows:

> This envelope is sealed pursuant to Protective Order in Opposition No. 91/174,641 and 91/177,168 and its contents are not to be disclosed or revealed to persons other than Board personnel or outside counsel of record for the parties to this proceeding.

The Clerk shall not release any such sealed material except to the Board or outside counsel of record for the parties to this proceeding.

10. When Protected Matter or the substance or content of Protected Matter is incorporated in any transcript of a deposition hearing, trial or other proceeding herein, the reporter shall separately bind those portions of the transcript unless the party which produced the Protected Matter consents to its inclusion in the transcript without separate binding. The reporter shall attach to the separately bound portions of transcript containing Protected Matter a cover or cover page bearing the name and number of this proceeding and a statement that information contained therein is subject to Protective Order and may be disclosed only to persons authorized to have access thereto under the terms of that Order.

All deposition transcripts and exhibits produced therewith shall be treated as "Confidential Attorneys Only" by the reporter and by the parties for a period terminating thirty (30) days after receipt of the transcript by the deposed party. Before the termination of that period, a party may designate any or all of the deposition and exhibits as "Confidential" or "Confidential Attorneys Only", either by a statement at the deposition or by a statement in writing to the other party. Material not so designated shall not be considered Protected Matter after the termination of the thirty day period, unless the parties agree in writing to so treat it.

11. Prior to the disclosure of Protected Matter or the substance or content thereof at the trial or at any hearing in this proceeding, notice shall be given to all parties and the Board will rule on any motions regarding whether disclosure shall occur only in the presence of persons authorized to have access to the Protected Matter.

12. At the conclusion of this proceeding, all Protected Matter shall be returned to the party which produced it, except that Protected Matter incorporated in work product of counsel shall either be destroyed or be stored by counsel of record as set forth in paragraph 6 of this Order.

13. This Order is without prejudice to the right of any party to object to production of particular documents or to seek other or further relief from the Board on any matter.

SO ORDERED on this _____ day of _____, 2007

TRADEMARK TRIAL AND APPEAL BOARD

By:_____

AGREED

Edward A. Haffer, Esq.
Sheehan Phinney Bass &Green, P.A.
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P.O. Box 3701
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Attorney for PLMIC, LLC

Date: June 12, 2007

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Date: July 9, 2007