

TAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
INTERNATIONAL BUSINESS  
MACHINES CORPORATION

Filed: June 30, 2000

Mark: INFORMIX & Design

Serial No. 76/081486

Int. Class(es): 9

Assistant Commissioner for Trademarks  
Box NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3513



03-14-2002

U.S. Patent & TMO/TM Mail Rpt D 34

MAR 27 11:13 AM '02

M.P

Re: POWER OF ATTORNEY AND CHANGE OF ADDRESS

Sir:

Attached is correspondence forwarded to the PTO on October 31, 2001. INFORMIX & Design was assigned to International Business Machines Corporation, Recordation Date: 8/16/2001, Reel/Frame: 002356/0170

We just received "STIPULATED REQUEST FOR EXTENSION OF TIME TO FILE A NOTICE OF OPPOSITION" from the former Law Firm - GrayCary - who was previously responsible for prosecution of this trademark. This would indicate that the Power of Attorney and Change of Address may never have reached the file.

Please correct your records. Thank you.

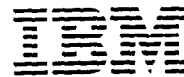
Sincerely,

*Nancy Battistelli*  
Nancy Battistelli  
Administrator Analyst

Date: March 14, 2002

International Business  
Machines Corporation  
Intellectual Property Law  
North Castle Drive  
Armonk, NY 10504

29



North Castle Drive  
Armonk, NY 10504

October 31, 2001

Assistant Commissioner for Trademarks  
Box NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Re: Power of Attorney and Change of Address

Sir:

Attached please find:

1. Executed Power of Attorney and Change of Address
2. Copy of schedule of trademarks formerly owned by Informix Corporation and Informix Software, Inc. which have been assigned to International Business Machines Corporation.
3. Copy of Recordation Form Cover Sheet, Informix Software, Inc. to International Business Machines Corporation.
4. Copy of Recordation Form Cover Sheet, Informix Corporation to International Business Machines Corporation.

Sincerely,

Alexander Tognino  
Corporate Counsel,  
Trademarks & Licensing

AT/nb

Attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applications/Registrations of:  
INTERNATIONAL BUSINESS  
MACHINES CORPORATION:

Assistant Commissioner for Trademarks  
Box NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

POWER OF ATTORNEY AND CHANGE OF ADDRESS

Sir:

Reference is made to the attached schedule of pending and registered trademarks formerly owned by Informix Software, Inc. and Informix Corporation, which have been assigned to International Business Machines Corporation - see copy of attached assignment.

Applicant hereby appoints Alexander Tognino, a member of the Bar of the States of New York and Connecticut; Frederick T. Boehm, a member of the Bar of the States of New York and Connecticut; and Nicole J. Gallo, member of the Bar of the States of New York and New Jersey; Lily Neff, member of the Bar of the States of New York and New Jersey, as the attorneys to prosecute this application to register, maintain resulting registration, and to transact all business in the Patent and Trademark Office in connection therewith. All previous Powers of Attorney are to be rescinded.

Please address all correspondence to:

Alexander Tognino, Esq.,  
Corporate Counsel,  
Trademarks and Licensing  
IBM Corporation  
Intellectual Property and Licensing Dept.  
North Castle Drive  
Armonk, New York 10504-1785

Please direct all telephone calls to Alexander Tognino at 914-765-4415.

Respectfully submitted,

INTERNATIONAL BUSINESS  
MACHINES CORPORATION

Dated: 10/30/01

IBM Corporation  
Intellectual Property and Licensing  
North Castle Drive  
Armonk, New York 10504

By Alexander Tognino  
Alexander Tognino  
Attorney for Applicant  
(914)-765-4415

CERTIFICATE OF EXPRESS MAILING

EXPRESS MAIL LABEL NO. EL146083225US

Date of Deposit October 31, 2001

I certify 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 the date indicated above, and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513

October 31, 2001

Date

Mandy Battistelli

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

ALLYN TAYLOR  
GRAY CARY WARE & FREIDENRICH LLP  
400 HAMILTON AVENUE  
PALO ALTO, CA 94301-1825

Mailed: February 13, 2002

Serial No.: 76081486

Lalita Greer, Legal Assistant

The extend time to oppose is granted until 3/21/02 on  
behalf of potential opposer InforMax, Inc.

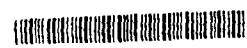
Please do not hesitate to contact the Trademark Trial and  
Appeal Board for any questions relating to this extension.



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

In the matter of

InforMax, Inc.,	)	
	)	
Opposer,	)	Application Serial No. 76/081,486
	)	
v.	)	Filed: June 30, 2000
	)	
Informix Software, Inc.,	)	Published: April 24, 2001
	)	
Applicant.	)	
_____	)	



01-15-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #01

STIPULATED REQUEST FOR EXTENSION OF TIME  
TO FILE A NOTICE OF OPPOSITION

InforMax, Inc. ("Opposer"), located at 7600 Wisconsin Avenue, Suite #1100, Bethesda, Maryland 20814, through its undersigned attorneys, respectfully requests that it be granted an additional sixty-one (61) day extension of time, to and including March 21, 2002, within which to file a Notice of Opposition to registration of the mark INFORMIX (Stylized), U.S. Application Serial No. 76/081,486, filed June 30, 2000, owned by Informix Software, Inc. ("Applicant") and published for opposition in the Official Gazette on April 24, 2001. The period for the filing of an Opposition presently is set to expire on January 19, 2002. Counsel for Applicant, Karin Segall, has consented to the requested extension.

The additional time is requested for the purpose of allowing Opposer to consider, and the parties to discuss, a recent settlement proposal presented by Applicant relating to this matter as well as Opposition No. 129,995. Opposer and Applicant are parties to Opposition No. 120,995, which involves Opposer's application to register the mark INFORMAX, U.S. Application Serial No. 75/891,644. Opposition No. 120,995 has been suspended until March 21, 2002 to allow the parties to engage in settlement negotiations. Now, therefore, Opposer respectfully requests that the requested extension be granted so that the parties may continue discussions with a view towards reaching an agreement to resolve this matter as well as Opposition No. 129,995.

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

Respectfully Submitted,  
HOGAN & HARTSON L.L.P.

By: \_\_\_\_\_

Robert B. Duncan  
Celia G. Spiritos  
8300 Greensboro Drive  
Suite 1100  
McLean, VA 22102  
(703) 610-6100

Attorneys for Opposer,  
InforMax, Inc.

Date: January 15, 2002

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15<sup>th</sup> day of January, 2002, a complete and accurate copy of the foregoing STIPULATED REQUEST FOR EXTENSION OF TIME TO FILE A NOTICE OF OPPOSITION was served by first-class mail, postage prepaid, addressed to the following:

Karin Segall, Esq.  
Darby & Darby  
805 Third Avenue  
New York, NY 10022

\_\_\_\_\_

Robert B. Duncan