

ESTTA Tracking number: **ESTTA77884**

Filing date: **04/25/2006**

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

## Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

### Petitioner Information

Name	State of Oregon acting by and through the State Board of Higher Education on behalf of the University of Oregon		
Entity	state university	Citizenship	Oregon
Address	1238 University of Oregon Eugene, OR 97403 UNITED STATES		

Attorney information	Sheree Lynn Rybak Klarquist Sparkman 121 SW Salmon Street One World Trade Center Portland, OR 97204 UNITED STATES sheree.rybak@klarquist.com, ptotmdocket@klarquist.com, richard.polley@klarquist.com Phone:503 2267391		
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### Registration Subject to Cancellation

Registration No	1426966	Registration date	01/27/1987
Registrant	TAU SYSTEMS CORPORATION SUITE 211 7115 LEESBURG PIKE FALLS CHURCH, VA 22043 UNITED STATES		
Goods/Services Subject to Cancellation	Class 042. First Use: 1982/10/01 , First Use In Commerce: 1982/10/01 Goods/Services: CONSULTING SERVICES, NAMELY, SERVICES RELATING TO THE ANALYSIS AND DESIGN OF COMPUTER DATA COMMUNICATION PROCESSING SYSTEMS		
Grounds for Cancellation	The registered mark has been abandoned.		

Attachments	petition.PDF ( 13 pages )(871528 bytes )
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Signature	/Sheree Lynn Rybak/
Name	Sheree Lynn Rybak
Date	04/25/2006

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

In the matter of Trademark Registration No. 1,426,966  
For the mark TAU SYSTEMS CORPORATION (and design)  
Date Registered: January 27, 1987  
International class: 042

STATE OF OREGON ACTING BY AND	)	
THROUGH THE STATE BOARD OF	)	
HIGHER EDUCATION ON BEHALF OF THE	)	
UNIVERSITY OF OREGON	)	Cancellation No.:
	)	
Petitioner,	)	
	)	
v.	)	
	)	
TAU SYSTEMS CORPORATION,	)	
	)	
Registrant.	)	

**PETITION TO CANCEL**

Petitioner, State of Oregon acting by and through the State Board of Higher Education on behalf of the University of Oregon (“University”), has an address of 1238 University of Oregon, Eugene, Oregon 97403.

To the best of Petitioners’ knowledge, the name and last known address of the current owner of Registration No. 1,426,966 is Tau Systems Corporation (“Tau Systems”), Suite 211, 7115 Leesburg Pike, Falls Church, Virginia, 22043.

Petitioner believes it will be damaged by the above-identified registration, and hereby petitions to cancel the same.

The grounds for cancellation are as follows:

1. On information and belief, Registrant Tau Systems has abandoned the mark TAU SYSTEMS CORPORATION.

2. Petitioner University has been unable to find any evidence that the mark TAU SYSTEMS CORPORATION is currently being used or has been used in recent years.

3. Petitioner University has been unable to find any evidence that Registrant Tau Systems is still in business.

4. Petitioner University's search of the Commonwealth of Virginia corporate database indicates that Tau Systems has been dissolved with last activity in 2001 (Exhibit A).

5. Petitioner University's search of the United States Patent and Trademark Office (PTO) database of trademark registrations and applications indicates that all other trademark filings by Registrant have been cancelled or abandoned (Exhibit B).

6. Petitioner University, through its attorneys, has contacted Registrant's listed attorneys, Mitchell B. Wasson and Stewart L. Giltler at Hoffman, Wasson & Gitler, Crystal Center 2, 2461 South Clark Street, Suite 522, Arlington, VA 22202-2823 by letter and telephone to discuss Registration 1,426,966. The listed attorneys have not represented to Petitioner that the TAU SYSTEMS CORPORATION mark is in use.

7. Registrant's Registration No. 1,426,966 has been cited against Petitioner's trademark application No. 78/466,031 for the mark TAU PERFORMANCE SYSTEM. In particular, in an Office action dated October 25, 2005, the Office concludes that Petitioner's mark TAU PERFORMANCE SYSTEM is confusingly similar to Registrant's mark TAU SYSTEMS CORPORATION. Therefore, continued registration of the mark of Registration No. 1,426,966 will cause injury to Petitioner.

WHEREFORE, Petitioners deem that they are or will be injured and damaged by continued existence of Registration No. 1,426,966, and request that this petition for cancellation thereof be sustained and that Registration No. 1,426,966 be cancelled.

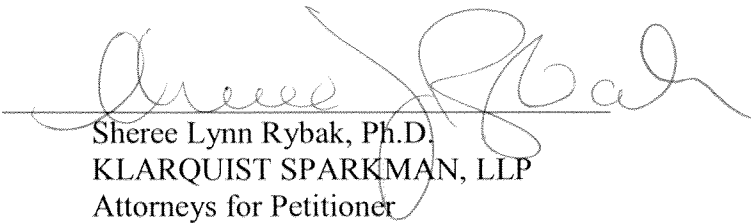
This Petition to Cancel is being filed along with the filing fee stated in 37 C.F.R. § 2.6(a)(16).

Respectfully submitted,

State of Oregon acting by and through the State Board of  
Higher Education on behalf of the University of Oregon

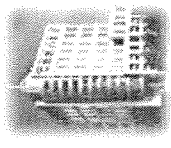
Dated: April 25, 2006

By:

  
Sheree Lynn Rybak, Ph.D.  
KLARQUIST SPARKMAN, LLP  
Attorneys for Petitioner

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 228-9446

Commonwealth  
of Virginia



State  
Corporation  
Commission

WEB#417      TCP00010      CISM0180      CIS      04/24/06  
CORPORATE DATA INQUIRY      17:42:42

CORP ID: 0233717 - 8      STATUS: 13      TERMINATED (VOL      STATUS      DATE: 09/24/02

CORP NAME: TAU SYSTEMS CORPORATION

DATE OF CERTIFICATE: 09/17/1982      PERIOD OF DURATION:      INDUSTRY CODE: 00  
STATE OF INCORPORATION: VA VIRGINIA      STOCK INDICATOR: S STOCK  
MERGER IND:      CONV ERSION/DOMESTICATION IND:

GOOD STANDING IND: N      TERMINATED (      MONI TOR INDICATOR:      CASE STATUS:      HEARING DTE:  
CHARTER FEE:      CASE NO:      R/A NAME: HENRY C MACKALL

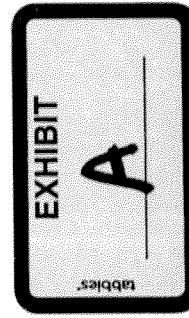
STREET: 4031 CHAINBRIDGE ROAD      AR RTN MAIL:

CITY: FAIRFAX      S TATE : VA      ZIP: 22030  
R/A STATUS: A      ATTORNEY      EFF. D ATE: 01/25/96      LOC.: 303  
ACCEPTED AR#: 201 69 0653      DATE: 09/24/0 1      (129) FAIRFAX C  
CURRENT AR#: 201 69 0653      DATE: 09/24/0 1      STATUS: A      ASSESSMENT INDICATOR: 0  
YEAR      FEES      PENALTY      INTEREST      TAXES      BALANCE      TOTAL SHARES  
02      670.00      670.00      100,000

COMMAND: .....

- Enter
- Signoff
- Help
- Print

NOTE: Function Key usage varies depending on the Application Screen.  
For specifics, refer to Function Key Documentation.



Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2005-03-19 19:56:11 ET

**Serial Number:** 73574215

**Registration Number:** (NOT AVAILABLE)

**Mark**



**(words only):** IOX

**Standard Character claim:** No

**Current Status:** Abandoned-Failure To Respond Or Late Response

**Date of Status:** 1987-06-12

**Filing Date:** 1985-12-19

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** (NOT AVAILABLE)

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 900 -File Repository (Franconia)

**Date In Location:** 1987-06-19

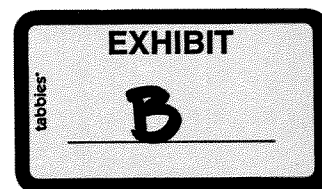
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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. TAU SYSTEMS CORPORATION

**Address:**  
TAU SYSTEMS CORPORATION  
SUITE 211 7115 LEESBURG PIKE



FALLS CHURCH, VA 22043  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Virginia

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**GOODS AND/OR SERVICES**

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**International Class:** 009  
COMPUTER SOFTWARE, NAMELY, DATA COMMUNICATIONS PROGRAMS FOR FILE TRANSFER APPLICATIONS BETWEEN MICROCOMPUTERS AND MICROCOMPUTERS OR MICROCOMPUTERS AND MAIN FRAME COMPUTERS

**First Use Date:** 1985-08-20  
**First Use in Commerce Date:** 1985-08-20

**Basis:** 1(a)

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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1987-06-12 - Abandonment - Failure To Respond Or Late Response  
1986-11-06 - Final refusal mailed  
1986-09-09 - Communication received from applicant  
1986-03-11 - Non-final action mailed  
1986-03-04 - Case file assigned to examining attorney

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**CORRESPONDENCE INFORMATION**

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**Correspondent**  
STEWART L. GITLER (Attorney of record)

STEWART L. GITLER  
2361 JEFFERSON DAVIS HIGHWAY  
522 HAYES BUILDING  
ARLINGTON, VIRGINIA 22202





**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2005-03-19 19:55:57 ET**

**Serial Number:** 74026507

**Registration Number:** 1732010

**Mark**



**(words only):** CBX

**Standard Character claim:** No

**Current Status:** Registration canceled under Section 8.

**Date of Status:** 1999-05-17

**Filing Date:** 1990-02-06

**Transformed into a National Application:** No

**Registration Date:** 1992-11-10

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 14

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 900 -File Repository (Franconia)

**Date In Location:** 1992-12-07

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. TAU SYSTEMS CORPORATION

**Address:**  
TAU SYSTEMS CORPORATION  
7115 Leesburg Pike Suite 327

Falls Church, VA 22043

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Virginia

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### GOODS AND/OR SERVICES

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**International Class:** 009

computer software for personal computer applications in the field of data transfer

**First Use Date:** 1990-07-10

**First Use in Commerce Date:** 1990-07-10

**Basis:** 1(a)

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### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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1999-05-17 - Canceled Section 8 (6-year)

1992-11-10 - Registered - Principal Register

1992-09-03 - Allowed for Registration - Principal Register (SOU accepted)

1992-07-01 - Statement of use processing complete

1992-06-18 - Amendment to Use filed

1991-12-31 - Notice of allowance - mailed

1991-06-18 - Published for opposition

1991-05-17 - Notice of publication

1991-02-12 - Approved for Pub - Principal Register (Initial exam)

1990-12-07 - Communication received from applicant

1990-06-07 - Non-final action mailed

1990-05-15 - Case file assigned to examining attorney

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**CORRESPONDENCE INFORMATION**

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**Correspondent**

Mitchell B. Wasson (Attorney of record)

Mitchell B. Wasson  
Hoffman, Wasson, Fallow & Gitler  
Suite 522  
2361 Jefferson Davis Highway  
Arlington, VA 22202

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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2005-03-19 19:55:43 ET

Serial Number: 73574241

Registration Number: (NOT AVAILABLE)

Mark



A handwritten mark consisting of a large, stylized capital letter 'C' on the left, followed by the word 'CHANNELS' in capital letters. The word 'CHANNELS' is underlined with three horizontal lines.

(words only): CHANNELS

Standard Character claim: No

Current Status: Abandoned-Failure To Respond Or Late Response

Date of Status: 1987-06-02

Filing Date: 1985-12-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 900 -File Repository (Franconia)

Date In Location: 1987-06-19

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. TAU SYSTEMS CORPORATION

**Address:**

TAU SYSTEMS CORPORATION  
SUITE 211 7115 LEESBURG PIKE

FALLS CHURCH, VA 22043

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Virginia

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### GOODS AND/OR SERVICES

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**International Class:** 009

COMPUTER PROGRAMS, NAMELY, DATA COMMUNICATIONS SOFTWARE FOR FILE TRANSFER APPLICATIONS BETWEEN MICROCOMPUTERS AND MICROCOMPUTERS OR MICROCOMPUTERS AND MAIN FRAME COMPUTERS

**First Use Date:** 1985-07-10

**First Use in Commerce Date:** 1985-07-10

**Basis:** 1(a)

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### ADDITIONAL INFORMATION

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(NOT AVAILABLE)

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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1987-06-02 - Abandonment - Failure To Respond Or Late Response

1987-06-02 - Case file assigned to examining attorney

1986-10-23 - Non-final action mailed

1986-10-21 - Case file assigned to examining attorney

1986-09-29 - Communication received from applicant

1986-03-31 - Non-final action mailed

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### CORRESPONDENCE INFORMATION

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**Correspondent**

MARTIN P. HOFFMAN (Attorney of record)

MARTIN P. HOFFMAN  
2361 JEFFERSON DAVIS HIGHWAY  
522 HAYES BUILDING  
ARLINGTON, VIRGINIA 22202

