

## Trademark Consent Agreement

This Trademark Consent Agreement (“**Agreement**”), dated as of May 1, 2018 (“**Effective Date**”), is by and between Carnegie Mellon University, a Pennsylvania non-profit corporation with offices located at 5000 Forbes Avenue, Pittsburgh, Pennsylvania, 15213 (“**Carnegie Mellon**”), and Central Michigan University, a Michigan State University with offices located at 1200 South Franklin, Mount Pleasant, Michigan, 48895 (“**Central Michigan**”) (each a “**Party**” and collectively “**Parties**”).

WHEREAS, Carnegie Mellon has used the CMU Trademark (as defined below) in interstate commerce for over fifty (50) years for certain of the CMU Goods and Services (as defined below), and wishes to file US trademark applications for the CMU Trademark;

WHEREAS, Central Michigan has used the CMU Trademark in interstate commerce for over fifty (50) years for certain of the CMU Goods and Services, and has filed the Central Michigan Applications (as defined below) for the CMU Trademark;

WHEREAS, the Parties have used the CMU Trademark in coexistence for over fifty (50) years with no likelihood of confusion;

WHEREAS, the Parties previously agreed to coexist regarding their respective unregistered uses of the CMU Trademark in the United States and have been doing so without issue for over twenty-five (25) years; and

WHEREAS, Carnegie Mellon and Central Michigan believe that both Parties’ continued use of the CMU Trademark will not create actual or likelihood of confusion as set out in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Definitions. For purposes of this Agreement, the following terms shall have the following meanings:

“**Central Michigan Applications**” means the pending US trademark applications filed by Central Michigan that include the CMU Trademark, including Ser. Nos. 87/680,304; 87/713,991; 87/723,075; 87/753,858; and 87/766,967, and any other US trademark applications filed by Central Michigan and including the CMU Trademark.

“**CMU Goods and Services**” means the goods and services offered by a university, including, e.g. educational, exhibition and athletic competition services in class 41, apparel in class 25, paper goods in class 16, decorative goods in class 21, consulting for others in class 35, fundraising in class 36, scientific equipment, research, and services in classes 9 and 42, and any other goods and services of the kind typically offered by a college or university.

“**CMU Trademark**” means the trademark “CMU,” in any form.

“**Identifying Element**” has the meaning set forth in Section 3.

“**Lack of Intent to Resume**” has the meaning set forth in Section 8.

“**Term**” has the meaning set forth in Section 8.

“**Terminating Party**” has the meaning set forth in Section 8.

“**Territory**” means the United States, its territories and possessions.

2. Consent to Use and Registration. Carnegie Mellon and Central Michigan hereby consent to:

(a) each Party’s registration in the US Patent & Trademark Office, of the CMU Trademark for the CMU Goods and Services; and

(b) each Party’s use of the CMU Trademark in the Territory for the CMU Goods and Services.

3. Restrictions on the Use of the CMU Trademark. Each Party agrees not to promote, market, license or sell products or services in a way that would cause confusion regarding each Party’s use of the CMU Trademark. In particular, each Party agrees to the following restrictions regarding use of the CMU Trademark:

(a) Each Party agrees that when using the CMU Trademark, that it will not use the CMU Trademark with words, symbols, or other source indicators (“**Identifying Element**”) of the other Party, namely:

Identifying Element	Carnegie Mellon	Central Michigan
School Name	Carnegie Mellon University	Central Michigan University
School/Sports Nicknames	Carnegie Mellon, Tartans	Central, Chippewas, Chips, Fire Up Chips
School Color Combinations	See Exhibit A	See Exhibit C
School Mascot	Scotty	None
Other School Trademarks	See Exhibit B	See Exhibit D

The Parties acknowledge that the trademarks listed in Exhibits B and D include those applied for or registered as of the Effective Date, and that the Identifying Elements will include trademarks included in US trademark applications and registrations filed or obtained after the Effective Date, or other trademarks communicated by either Party.

(b) Each Party agrees to use at least one of its own Identifying Elements in conjunction with each use by that Party of the CMU Trademark; and

(c) The Parties agree that, unless required to do so by legal process, they each will not make any disparaging statements or representations, either directly or indirectly, whether orally or in writing, by word or gesture, to any person whatsoever, about the other Party’s use of the CMU Trademark. For purposes of this paragraph a disparaging statement or representation is any communication which, if publicized to another, would cause or tend to cause the recipient of the communication to question the business

condition, integrity, competence, good character, or quality of the person or entity to whom the communication relates. For example, neither Party will make statements that any part is the “real” or “authentic” owner or user of the CMU Trademark.

4. No Likelihood of Confusion. The Parties acknowledge and agree that, subject to each Party's compliance with Section 3, there is and will be no likelihood of consumer confusion resulting from the simultaneous use and registration of the CMU Trademark for their respective CMU Goods and Services as set forth herein because the Parties have already substantially been following the guidelines laid out in this Agreement and have thereby coexisted without confusion for over fifty (50) years. In addition, the Parties participate in different athletic conferences, and lack geographic proximity. Therefore, the internet is the primary channel in which consumers will be exposed to both Parties' use of the CMU Trademark, and in those circumstances, the Parties agree that by complying with Section 3 of this Agreement, there will be no likelihood of confusion.

5. Further Efforts to Avoid Confusion. Each Party agrees that it will not advertise or promote its goods and services under the CMU Trademark in a manner that implies that such Party or its goods and services are affiliated or connected with the other Party or the other Party's goods and services.

6. Cooperation in the Event of Actual Confusion. In the unlikely event that either Party becomes aware of any actual consumer confusion resulting from the simultaneous use of the CMU Trademark as permitted by this Agreement:

(a) such Party shall promptly advise the other Party of the details of such confusion; and

(b) the Parties shall take commercially reasonable steps to address the confusion and prevent its future occurrence.

7. No Challenge.

(a) The Parties consent to and shall not challenge the other Party's use in the US or US registration of the CMU Trademark for the CMU Goods and Services.

(b) The Parties shall not challenge the validity of any US trademark registration for the CMU Trademark for the CMU Goods and Services owned by the other Party, or of other Party's ownership thereof.

8. Term. This Agreement shall be in effect unless and until at least one Party (“**Terminating Party**”) is no longer making substantially continuous use of the CMU Trademark in the Territory for any of its respective CMU Goods and Services, with no intent to resume (“**Lack of Intent to Resume**”) (all, the “**Term**”). In order to be effective, Lack of Intent to Resume must be confirmed in writing by the Terminating Party.

9. Miscellaneous.

(a) This Agreement shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns.

(b) This Agreement, together with all related exhibits and schedules, constitute the sole and entire agreement of the Parties with respect to the subject matter contained herein, and supersedes all prior and contemporaneous understandings and agreements, both written and oral, with respect to such subject matter.

(c) If any term or provision of this Agreement is invalid, illegal, or unenforceable in any jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other term or provision of this Agreement or invalidate or render unenforceable such term or provision in any other jurisdiction.

(d) This Agreement may only be amended, modified, or supplemented by an agreement in writing signed by each Party hereto, and any of the terms thereof may be waived only by a written document signed by the Party or Parties waiving compliance. Except as otherwise set forth in this Agreement, no failure to exercise, or delay in exercising, any rights, remedy, power, or privilege arising from this Agreement shall operate or be construed as a waiver thereof; nor shall any single or partial exercise of any right, remedy, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, remedy, power, or privilege.

(e) This Agreement may be executed in multiple counterparts and by facsimile signature, each of which shall be deemed an original and all of which together shall constitute one instrument. A signed copy of this Agreement delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date.


Carnegie Mellon University

By 

Name: *Scott Mory*

Title: *Vice President for  
University Advancement*

Central Michigan University

By 

Name: *George E. Ross*

Title: *President*

# **EXHIBIT A**

# Print Colors

## Primary

<b>CMU Red</b> PMS 187 C=0, M=100, Y=79, K=20	<b>Black</b> K=100	<b>White</b>
<b>Gray Light</b> 35% Black C=0, M=0, Y=0, K=35	<b>Gray Dark</b> 70% Black	

## Secondary

<b>Green</b> PMS 348 C=92, M=2, Y=100, K=12	<b>Yellow</b> PMS 130 C=0, M=32, Y=100, K=0	<b>Blue</b> PMS 288 C=100, M=80, Y=6, K=32
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## Plaid to the Bone





Tartan informs CMU's color palette.


# **EXHIBIT B**





Mark/Name/AN/RN	Full Goods/Services
<p><a href="#">CARNEGIE-MELLON</a> RN: 1521742 SN: 73699399</p>	<p>(Int'l Class: 14) jewelry and clocks (Int'l Class: 25) jackets, shirts, shorts, sweatshirts, and caps (Int'l Class: 41) educational services, namely conducting courses at the university level (Int'l Class: 42) retail bookstore services; and research services in the fields of arts, humanities, science, engineering, industrial administration, and urban &amp; public affairs</p>
<p><a href="#">Design Only</a></p>  <p>RN: 1997046 SN: 74731839</p>	<p>(Int'l Class: 41) educational services, namely conducting conferences, seminars and workshops and distributing educational and research materials in the field of international business management</p>
<p><a href="#">CERT</a> RN: 2042874 SN: 74725838</p>	<p>(Int'l Class: 16) printed publications, namely, advisories, bulletins, news summaries, technical tips and guidelines, all in the field of security of computer-stored information (Int'l Class: 41) educational services, namely, conducting seminars, technical meetings, conferences, and workshops, all in the field of security of computer-stored information (Int'l Class: 42) consultation services, namely, providing assistance and technical advice and support in the field of security of computer-stored information; computer services, namely, maintaining and providing on-line, electronically-distributed mailing lists, advisories, bulletins, and news summaries in the field of security of computer-stored information</p>
<p><a href="#">LYCOS</a> RN: 2048179 SN: 74625060</p>	<p>(Int'l Class: 09) software for searching for and retrieving information across a computer network; a directory of information available on a computer network recorded on compact disk, diskette, tape, or other machine-readable media (Int'l Class: 42) providing access to a directory of information available on a computer network</p>
<p><a href="#">CMM</a> RN: 2086863 SN: 74728701</p>	<p>(Int'l Class: 42) computer consulting services, namely, providing assessment services to businesses and governmental agencies and units to determine their computer software development and design capabilities</p>
<p><a href="#">CAPABILITY MATURITY MODEL</a> RN: 2193783 SN: 75357848</p>	<p>(Int'l Class: 16) printed publications, namely, instructional manuals, educational books and guide books concerning organizational software development and design capabilities (Int'l Class: 42) consulting services, namely, providing assessment services to businesses and governmental agencies and units to determine their computer software development and design capabilities</p>


Mark/Name/AN/RN	Full Goods/Services
<u>CERT COORDINATION CENTER</u> RN: 2208696 SN: 75357516	(Int'l Class: 16) printed publications, namely, advisories, bulletins, news summaries, technical tips and guidelines all in the field of security of computer-stored information (Int'l Class: 41) educational services, namely, conducting seminars, technical meetings, conferences, and workshops all in the field of security of computer-stored information (Int'l Class: 42) consultation services, namely, providing assistance and technical support in the field of security of computer-stored information; computer services, namely, maintaining and providing on-line, electrically-distributed mailing lists, advisories, bulletins, and news summaries in the field of security of computer-stored information
<u>THE INTELLIGENT WORKPLACE</u> RN: 2378615 SN: 75565153	(Int'l Class: 42) technical consulting and research in the field of assessing, comparing and demonstrating the capability of workplace environments to support organizational and technological change, for improving the environmental sustainability of workplace environments and for ensuring the quality of workplace environments
<u>TAML</u> RN: 2394732 SN: 75562678	(Int'l Class: 01) chemical products, namely, synthetic oxidation catalysts made from non-toxic or low toxicity elements which catalysts maintain their activity over many cycles in reaction media comprised of a solvent (the preferred solvent being water), an oxidant or source of an oxidant, a substrate or source of a substrate, and additional components as required for heterogeneous or homogeneous oxidation processes where such processes proceed for varying time periods dependent upon the design of the catalysts, for use in research regarding and the manufacture of industrial chemicals
<u>CMMI</u> RN: 2594896 SN: 75771117	(Int'l Class: 16) printed publications, namely, instructional manuals, books, frameworks and guidelines concerning organizational development and design capabilities (Int'l Class: 42) consulting services, namely, providing assessment services to businesses and governmental agencies and units to determine their computer development and design capabilities
<u>CMMI and Design</u>  RN: 2656288 SN: 76342175	(Int'l Class: 16) printed publications, namely, instructional manuals, books and guidelines concerning organizational development and design capabilities (Int'l Class: 42) computer consultation services, namely, providing assessment services to businesses and governmental agencies and units to determine their computer development and design capabilities
<u>ICARNEGIE</u> RN: 2769483 SN: 75852584	(Int'l Class: 41) educational services, namely, providing courses of instruction at the college and university level about the global computer network via the global computer network and distributing course material in connection therewith
<u>OCTAVE</u> RN: 2812207 SN: 76388027	(Int'l Class: 16) printed publications, namely books and reports in the field of information security, risk evaluation and risk management (Int'l Class: 35) business consulting services in the field of information security, risk evaluation and risk management (Int'l Class: 41) education and training services, namely group workshops and self-paced classes, and cd-rom presentations, in the field of information security, risk evaluation and risk management

Mark/Name/AN/RN	Full Goods/Services
<u>ARCHITECTURE TRADEOFF ANALYSIS METHOD</u> RN: 2826689 SN: 76461499	(Int'l Class: 42) consulting services, namely, investigation, namely, computer software design for others, and analysis, and testing of computer software architecture relative to software quality attributes and business goals and providing materials relating thereto
<u>ATAM</u> RN: 2827192 SN: 76461498	(Int'l Class: 42) consulting services, namely, investigation, namely, computer software design for others, and analysis and testing of computer software architecture relative to software quality attributes and business goals and providing materials relating thereto
<u>Design Only</u>  RN: 2932520 SN: 76573533	(Int'l Class: 16) printed publications, namely, instructional manuals, books, articles, reports and printed guidelines concerning organizational development and design capabilities (Int'l Class: 35) business appraisal consulting services in process appraisal to organizations engaged in the acquisition or production of products and services (Int'l Class: 41) providing training in process appraisal to organizations engaged in the acquisition or production of products and services (Int'l Class: 42) computer consultation services, namely providing assessment services to businesses and governmental agencies and units to determine their computer development and design capabilities
<u>CARNEGIE MELLON</u> RN: 2934389 SN: 76542688	(Int'l Class: 06) metal key chains, key tags, and money clips (Int'l Class: 09) magnetically-encoded credit cards, magnetically-encoded debit cards, computer game [ cassette ] *cassettes*, computer game discs, computer game joy sticks, computer game programs, computer game software, computer game tapes (Int'l Class: 14) jewelry and clocks (Int'l Class: 16) paper goods and printed matter, namely, brochures, newspapers, journals, bulletins, programs, catalogs, printed instructional, education, and teaching materials, books and magazines relating to general news, business, political, educational, sports, travel, and alumni affairs issues, year books, class albums, media guides, [ telephones ] *telephone* and address directories, registers, namely, books for receiving record entries, stationery, notebooks, stationery-type portfolios, binders, book covers, book ends, calendars, greeting cards, announcement cards, postcards, folders, wrapping paper, notecards, notepads, pocket and desk diaries, date books, appointment books, desk pads, memo pads, scrap books, paper weights, pen and/or pencil holders, address books, printed awards, diplomas, diploma covers, business cards, stickers, bumper stickers, letter openers, personal organizers, photographic prints, art prints, printed paper signs, paper banners, checkbook covers and holders, pencils, pens, decals, paper napkins, credit cards without magnetic coding, debit cards without magnetic coding, and rubber stamps (Int'l Class: 18) tote bags, backpacks, all purpose athletic bags, sports bags, duffel bags, handbags, bookbags, pocketbooks, school bags, traveling bags, luggage, umbrellas, and umbrella covers (Int'l Class: 20) furniture, namely chairs; mirrors, picture frames, seat cushions (Int'l Class: 21) coffee cups, mugs, drinking glasses, plates, bowls, containers for food or beverages, portable coolers, wastepaper baskets, bottle openers, corkscrews, coasters not of paper and not being table linen, vases, salt and pepper shakers, and serving trays not of precious metal (Int'l Class: 24) bed linens, namely sheets, bed spreads, quilts, blankets, throws, stadium blankets, comforters, pillow cases, pillow shams; table linens, namely tablecloths, fabric napkins, fabric place mats, fabric table runners; bath linens, namely towels, bath mats, wash cloths; cloth pennants, cloth banners

Mark/Name/AN/RN	Full Goods/Services
	<p>(Int'l Class: 25) jackets, shirts, shorts, sweatshirts, caps, hats, visors, neckties, boxer shorts, athletic uniforms, coats, sport coats, infantwear, baby bibs not of paper, socks, sweatpants, sweaters, slippers, pajamas and sleepwear, gloves, mittens, scarves, cardigans, and rainwear</p> <p>(Int'l Class: 28) toys and sporting goods, namely, stuffed animals, board games, card games, wastepaper basketball games, dart games, yo-yos, footballs, basketballs, soccer balls, baseballs, decorative wind socks, flying discs, golf tees, golf bags, golf club head covers and golf balls; holiday tree ornaments; playing cards</p> <p>(Int'l Class: 35) retail store services featuring collegiate and bookstore items, online retail store services featuring collegiate and bookstore items; research and consultation in the field of business; providing on-line directory information services also featuring hyperlinks to other web sites</p> <p>(Int'l Class: 36) charitable fundraising services; leasing of college facilities</p> <p>(Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction and training at the undergraduate, graduate, post-graduate, and professional levels, developing, arranging for and providing courses of instruction and training at the undergraduate, graduate, post-graduate levels via a global computer network; research and consultation in the field of liberal arts, namely, literature, history, philosophy, psychology, fine arts and modern languages; research and consultation in the field of education; publishing services, namely publication of books, pamphlets, textbooks and other materials, namely, magazines, newspapers, newsletters, and yearbooks in print and electronic format; production of radio and television programs; providing entertainment services, namely cultural exhibitions, motion picture exhibitions, concerts, plays, operas, musicals, recitals, dance performances, athletic events, and art exhibits; conducting educational conferences, lectures, workshops, demonstrations, and seminars; providing facilities for recreational, educational, and entertainment meetings; providing recreational, sports, and athletic facilities; providing reference and library services; computer services, namely, providing a web site featuring information, resources, and links to other web sites regarding university admissions, academic and research programs, university athletic programs, university employment opportunities, university housing, university administrative services, university alumni activities and organizations, university counseling services, student activities and organizations, university publications, university libraries, and university information technology services</p> <p>(Int'l Class: 42) computer services, namely, hosting the web sites of others on a computer server for a global computer network; research and consultation in the fields of science and engineering</p> <p>(Int'l Class: 43) providing temporary sleeping and eating accommodations; providing restaurant services; and providing community centers for social gatherings and meetings</p>
<p><a href="#">CARNEGIE-MELLON UNIVERSITY PITTSBURGH PENNSYLVANIA 1900 and Design</a></p>  <p>RN: 2934386 SN: 76542643</p>	<p>(Int'l Class: 06) metal key chains, key tags, and money clips</p> <p>(Int'l Class: 14) jewelry and clocks</p> <p>(Int'l Class: 16) paper goods and printed matter, namely, brochures, newspapers, journals, bulletins, programs, catalogs, printed instructional, education, and teaching materials, books and magazines relating to general news, business, political, educational, sports, travel, and alumni affairs issues, year books, class albums, media guides, telephone and address directories, registers, namely, books for receiving record entries, stationery, notebooks, stationery-type portfolios, binders, book covers, book ends, calendars, greeting cards, announcement cards, postcards, folders, wrapping paper, notecards, notepads, pocket and desk diaries, date books, appointment books, desk pads, memo pads, scrap books, paper weights, pen and/or pencil holders, address books, printed awards, diplomas, diploma covers, business cards, stickers, bumper stickers, letter openers, personal organizers, photographic prints, art prints, printed paper signs, paper banners, checkbook covers and holders, pencils, pens, decals, paper napkins, credit cards without magnetic coding, debit cards without magnetic coding, and rubber stamps</p> <p>(Int'l Class: 18)</p>


Mark/Name/AN/RN	Full Goods/Services
	<p>Cancelled - Sec. 8  [tote bags, backpacks, all purpose athletic bags, sports bags, duffel bags, handbags, bookbags, pocketbooks, school bags, traveling bags, luggage, umbrellas, and umbrella covers]  (Int'l Class: 20)  furniture, namely chairs; mirrors, picture frames, seat cushions  (Int'l Class: 21)  coffee cups, mugs, drinking glasses, plates, bowls, containers for food or beverages, portable coolers, wastepaper baskets, bottle openers, corkscrews, coasters not of paper and not being table linen, vases, salt and pepper shakers, and serving trays not of precious metal  (Int'l Class: 24)  bed linens, namely sheets, bed spreads, quilts, blankets, throws, stadium blankets, comforters, pillow cases, pillow shams; table linens, namely tablecloths, fabric napkins, fabric place mats, fabric table runners; bath linens, namely towels, bath mats, wash cloths; cloth pennants, cloth banners  (Int'l Class: 25)  Cancelled - Sec. 8  [jackets, shirts, shorts, sweatshirts, caps, hats, visors, neckties, boxer shorts, athletic uniforms, coats, sport coats, infantwear, baby bibs not of paper, socks, sweatpants, sweaters, slippers, pajamas and sleepwear, gloves, mittens, scarves, cardigans, and rainwear]  (Int'l Class: 28)  Cancelled - Sec. 8  [toys and sporting goods, namely, stuffed animals, board games, card games, wastepaper basketball games, dart games, yo-yos, footballs, basketballs, soccer balls, baseballs, decorative wind socks, flying discs, golf tees, golf bags, golf bag tags, golf club head covers and golf balls; holiday tree ornaments; playing cards]  (Int'l Class: 35)  Cancelled - Sec. 8  [retail store services featuring collegiate and bookstore items, online retail store services featuring collegiate and bookstore items; research and consultation in the field of business; providing on-line directory information services also featuring hyperlinks to other web sites]  (Int'l Class: 36)  charitable fundraising services; leasing of college facilities  (Int'l Class: 41)  educational services, namely, developing, arranging for and providing courses of instruction and training at the undergraduate, graduate, post-graduate, and professional levels, developing, arranging for and providing courses of instruction and training at the undergraduate, graduate, post-graduate levels via a global computer network; research and consultation in the field of liberal arts, namely, literature, history, philosophy, psychology, fine arts and modern languages; research and consultation in the field of education; publishing services, namely publication of books, pamphlets, textbooks and other materials, namely, magazines, newspapers, newsletters, and yearbooks in print and electronic format; production of radio and television programs; providing entertainment services, namely cultural exhibitions, motion picture exhibitions, concerts, plays, operas, musicals, recitals, dance performances, athletic events, and art exhibits; conducting educational conferences, lectures, workshops, demonstrations, and seminars; providing facilities for recreational, educational, and entertainment meetings; providing recreational, sports, and athletic facilities; providing reference and library services; computer services, namely, providing a web site featuring information, resources, and links to other web sites regarding university admissions, academic and research programs, university athletic programs, university employment opportunities, university housing, university administrative services, university alumni activities and organizations, university counseling services, student activities and organizations, university publications, university libraries, and university information technology services  (Int'l Class: 42)  Cancelled - Sec. 8  [computer services, namely, hosting the web sites of others on a computer server for a global computer network; research and consultation in the fields of science and engineering]</p>


Mark/Name/AN/RN	Full Goods/Services
<p data-bbox="87 155 375 449"> <a href="#">CARNEGIE INSTITUTE OF TECHNOLOGY</a>  <a href="#">PITTSBURGH PENNSYLVANIA 1912</a>  <a href="#">"MY HEART IS IN THE WORK" ANDREW CARNEGIE 1900</a>  <a href="#">SCIENCE ART SERVICE CHARACTER and Design</a> </p>  <p data-bbox="87 760 261 814"> RN: 2937309  SN: 76542644 </p>	<p data-bbox="391 155 581 180">(Int'l Class: 14)</p> <p data-bbox="391 184 618 210">Cancelled - Sec. 8</p> <p data-bbox="391 214 646 239">[ jewelry and clocks ]</p> <p data-bbox="391 243 581 268">(Int'l Class: 16)</p> <p data-bbox="391 273 618 298">Cancelled - Sec. 8</p> <p data-bbox="391 302 1539 651"> [ paper goods and printed matter, namely, brochures, newspapers, journals, bulletins, programs, catalogs, printed instructional, education, and teaching materials, books and magazines relating to general news, business, political, educational, sports, travel, and alumni affairs issues, year books, class albums, media guides, [ telephones ] *telephone* and address directories, registers, namely, books for receiving record entries, stationery, notebooks, stationery-type portfolios, binders, book covers, book ends, calendars, greeting cards, announcement cards, postcards, folders, wrapping paper, notecards, notepads, pocket and desk diaries, date books, appointment books, desk pads, memo pads, scrap books, paper weights, pen and/or pencil holders, address books, printed awards, diplomas, diploma covers, business cards, stickers, bumper stickers, letter openers, personal organizers, photographic prints, art prints, printed paper signs, paper banners, checkbook covers and holders, pencils, pens, decals, paper napkins, credit cards without magnetic coding, debit cards without magnetic coding, and rubber stamps ] </p> <p data-bbox="391 655 581 680">(Int'l Class: 20)</p> <p data-bbox="391 684 618 709">Cancelled - Sec. 8</p> <p data-bbox="391 714 1149 739">[ furniture, namely, chairs; mirrors, picture frames, seat cushions ]</p> <p data-bbox="391 743 581 768">(Int'l Class: 25)</p> <p data-bbox="391 772 1474 856"> jackets, shirts, shorts, sweatshirts, caps, hats, visors, neckties, boxer shorts, athletic uniforms, coats, sport coats, infantwear, baby bibs not of paper, socks, sweatpants, sweaters, slippers, pajamas and sleepwear, gloves, mittens, scarves, cardigans, and rainwear </p> <p data-bbox="391 861 581 886">(Int'l Class: 28)</p> <p data-bbox="391 890 618 915">Cancelled - Sec. 8</p> <p data-bbox="391 919 1495 1033"> [ toys and sporting goods, namely, stuffed animals, board games, card games, wastepaper basketball games, dart games, yo-yos, footballs, basketballs, soccer balls, baseballs, decorative wind socks, flying discs, golf tees, golf bags, golf bag tags, golf club head covers and golf balls; holiday tree ornaments; playing cards ] </p>
<p data-bbox="87 1062 380 1087"><a href="#">ROBOT HALL OF FAME</a></p> <p data-bbox="87 1092 261 1159"> RN: 2943156  SN: 76520575 </p>	<p data-bbox="391 1062 581 1087">(Int'l Class: 41)</p> <p data-bbox="391 1092 1539 1234"> educational and entertainment services, namely, services rendered in connection with the operation of a museum and library providing exhibits and displays regarding robots; conducting classes, seminars, and workshops in the field of robotics, and distributing course materials in connection therewith; providing recognition and awards to those who demonstrate excellence in the field of robotics </p>
<p data-bbox="87 1264 277 1289"><a href="#">ASSISTMENTS</a></p> <p data-bbox="87 1293 272 1360"> RN: 3021545  SN: 76581683 </p>	<p data-bbox="391 1264 581 1289">(Int'l Class: 09)</p> <p data-bbox="391 1293 1430 1348"> computer software for the collection, management, and evaluation of student achievement; computer software, namely interactive educational software </p>
<p data-bbox="87 1390 367 1507"> <a href="#">CARNEGIE MELLON SOFTWARE ENGINEERING INSTITUTE and Design</a> </p>  <p data-bbox="87 1612 261 1667"> RN: 3019099  SN: 76573536 </p>	<p data-bbox="391 1390 581 1415">(Int'l Class: 16)</p> <p data-bbox="391 1419 1507 1474"> printed publications, namely, instructional manuals, books, articles, reports and printed guidelines concerning organizational development and design capabilities </p> <p data-bbox="391 1478 581 1503">(Int'l Class: 35)</p> <p data-bbox="391 1507 1442 1562"> business appraisal consulting services in process appraisal to organizations engaged in the acquisition or production of products and services </p> <p data-bbox="391 1566 581 1591">(Int'l Class: 41)</p> <p data-bbox="391 1596 1511 1650"> providing training in process appraisal to organizations engaged in the acquisition or production of products and services </p> <p data-bbox="391 1654 581 1680">(Int'l Class: 42)</p> <p data-bbox="391 1684 1523 1738"> computer consultation services, namely providing assessment services to businesses and governmental agencies and units to determine their computer development and design capabilities </p>

Mark/Name/AN/RN	Full Goods/Services
<u>URBAN LABORATORY</u> RN: 3105581 SN: 76591497	(Int'l Class: 41) educational services, namely, developing, arranging for, and providing courses of instruction, training, seminars, workshops, and conferences in the fields of urban planning, architecture, land-use planning, and community and corporate outreach (Int'l Class: 42) engineering and scientific research, design, development, planning, and technical consultation services in the fields of urban planning, architecture, and land-use planning, for others
<u>FLOCON</u> RN: 3158692 SN: 78770302	(Int'l Class: 41) educational services, namely, conducting conferences, workshops, and technical presentations relating to the construction and use of flow data to analyze computer network traffic, network security and improvements to these technologies
<u>MYSECURECYBERSPACE</u> RN: 3163113 SN: 76591754	(Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction, training, seminars, workshops, and conferences in the fields of information technology, public policy, and management of information systems and data (Int'l Class: 42) design and development of computer programs for information technology security systems, for others
<u>INTERNET SUSPEND/RESUME</u> RN: 3167021 SN: 78853521	(Int'l Class: 09) computer software, namely software that layers virtual machine technology on top of distributed storage technology to provide seamless mobility of the personal computer environment across diverse hardware
<u>INI (Stylized)</u>  RN: 3191901 SN: 78681290	(Int'l Class: 41) educational services, namely, developing, arranging for, and providing courses of instruction, training, seminars, workshops, and conferences in the fields of information technology, public policy, and management (Int'l Class: 42) design and development of computer programs for information technology security systems; consultation and research for others in the field of information technology; consultation and research for others in the field of privacy
<u>INI</u> RN: 3192334 SN: 78737171	(Int'l Class: 41) educational services, namely, developing, arranging for, and providing courses of instruction, training, seminars, workshops, and conferences in the fields of information technology, public policy, and management (Int'l Class: 42) design and development of computer programs for information technology security systems; consultation and research for others in the field of information technology; consultation and research for others in the field of privacy
<u>STUDIO FOR CREATIVE INQUIRY</u> RN: 3212285 SN: 78579109	(Int'l Class: 41) educational services, namely, providing instruction and information in community service programs related to interdisciplinary projects that bring together the arts, sciences, technology, and/or the humanities; providing educational facilities and fellowships to those involved in interdisciplinary projects that bring together the arts, sciences, technology, and/or the humanities; and providing educational services in the form of sponsoring educational fellowships to those involved in interdisciplinary projects that bring together the arts, sciences, technology, and/or the humanities



Mark/Name/AN/RN	Full Goods/Services
<p><a href="#">SEI and Design</a></p>  <p>RN: 3227035 SN: 78751396</p>	<p>(Int'l Class: 16) printed publications, namely, instructional manuals, books, articles, reports and printed guidelines concerning organizational development and design capabilities (Int'l Class: 41) providing training in process appraisal to organizations engaged in the acquisition or production of products and services (Int'l Class: 42) computer consultation services and computer systems process appraisal services, namely providing assessment services to businesses and governmental agencies and units to determine their computer development and design capabilities</p>
<p><a href="#">CONFIDENT. CONNECTED. GOING PLACES.</a></p> <p>RN: 3249197 SN: 78819362</p>	<p>(Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction, training, seminars, workshops, and conferences in the fields of information technology, public policy, and management</p>
<p><a href="#">OPENDIAMOND</a></p> <p>RN: 3327606 SN: 78853534</p>	<p>(Int'l Class: 09) computer software, namely, software that enables interactive searching of complex non-indexed data through early discard</p>
<p><a href="#">OPENISR</a></p> <p>RN: 3327605 SN: 78853529</p>	<p>(Int'l Class: 09) computer software, namely, software that layers virtual machine technology on top of distributed storage technology to provide seamless mobility of the personal computer environment across diverse hardware</p>
<p><a href="#">INFORMATION NETWORKING INSTITUTE</a></p> <p>RN: 3329115 SN: 78681278</p>	<p>(Int'l Class: 41) educational services, namely, developing, arranging for, and providing courses of instruction, training, seminars, workshops, and conferences in the fields of information technology, public policy, and management (Int'l Class: 42) design and development of computer programs for information technology security systems; consultation and research for others in the field of information technology</p>
<p><a href="#">SOFTWARE ENGINEERING INSTITUTE and Design</a></p>  <p>RN: 3329177 SN: 78751361</p>	<p>(Int'l Class: 16) printed publications, namely, instructional manuals, books, articles, reports and printed guidelines concerning organizational development and design capabilities (Int'l Class: 41) providing training in process appraisal to organizations engaged in the acquisition or production of products and services (Int'l Class: 42) computer consultation services and computer systems process appraisal services, namely providing assessment services to businesses and governmental agencies and units to determine their computer development and design capabilities</p>
<p><a href="#">REMAKING CITIES INSTITUTE</a></p> <p>RN: 3405870 SN: 76593531</p>	<p>(Int'l Class: 41) educational services, namely, developing, arranging for, and providing courses of instruction, training, seminars, workshops, and conferences in the fields of urban planning, architecture, land-use planning, and community and corporate outreach (Int'l Class: 42) engineering and scientific research, design, development, planning, and technical consultation services in the fields of urban planning, architecture, and land-use planning, for others</p>



Mark/Name/AN/RN	Full Goods/Services
<u>MYSECURECYBERSPACE</u> RN: 3491390 SN: 77234910	(Int'l Class: 09) computer game software in the field of computer privacy in the context of networked communications
<u>GIGAPAN</u> RN: 3534906 SN: 77230356	(Int'l Class: 09) camera systems comprising robotic camera mounting devices for digital cameras and software for constructing high resolution panoramic images (Int'l Class: 42) website hosting services for sharing and commenting upon panoramic images from around the world to promote education, cultural and environmental understanding
<u>Design Only</u>  RN: 3613779 SN: 77976866	(Int'l Class: 06) metal key chains, metal key tags (Int'l Class: 16) programs; stationery-type portfolios; binders; notepads; stickers; bumper stickers; decals (Int'l Class: 21) coffee cups, mugs, drinking glasses, containers for beverages, portable coolers, bottle openers (Int'l Class: 24) bed linens, namely, bed spreads, blankets, throws, stadium blankets (Int'l Class: 25) shirts, sweatshirts, caps, hats, infantwear, baby bibs not of paper (Int'l Class: 28) toys and sporting goods, namely, flying discs; holiday tree ornaments (Int'l Class: 35) retail store services featuring collegiate and bookstore items, online retail store services featuring collegiate and bookstore items
<u>HEINZ COLLEGE</u> RN: 3921715 SN: 77863734	(Int'l Class: 16) paper goods and printed matter, namely, brochures, journals and newsletters in the fields of information systems and management, and public policy and management; printed instructional, educational and teaching materials in the fields of information systems and management, and public policy and management (Int'l Class: 35) marketing research, public policy research and management research for businesses and others in information systems and management, and public policy and management, industrial administration, and urban and public affairs; consultation for businesses and others in the fields of information systems and management, and public policy and management, industrial administration, and urban and public affairs (Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction and training at the graduate, post-graduate and professional levels and developing, arranging for and providing courses of instruction and training at the graduate, post-graduate and professional levels via a global computer network; conducting educational conferences, lectures, workshops, demonstrations and seminars in the fields of information systems and management, and public policy and management
<u>HEINZ COLLEGE</u> RN: 3975336 SN: 77863742	(Int'l Class: 21) cups and mugs

Mark/Name/AN/RN	Full Goods/Services
<p><u>Design Only</u></p>  <p>RN: 4035262 SN: 77354353</p>	<p>(Int'l Class: 16) paper goods and printed matter, namely, stationery; notebooks; notecards</p>
<p><u>DEVELOPING SOFTWARE LEADERS</u></p> <p>RN: 4086451 SN: 85193385</p>	<p>(Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction and training at the undergraduate, graduate, post-graduate, and professional levels; developing, arranging for and providing courses of instruction and training at the undergraduate, graduate, post-graduate levels via a global computer network; research and consultation in the field of education; publishing services, namely, publication of books and research papers in print and electronic format; conducting educational conferences, lectures, workshops, demonstrations, and seminars in the field of computer software development</p>
<p><u>LOYAL SCOT</u></p> <p>RN: 4196887 SN: 85351568</p>	<p>(Int'l Class: 35) advertising and publicity services (Int'l Class: 36) charitable fundraising services to support the interests of the university, its students, and its alumni</p>
<p><u>PLAID TO THE BONE</u></p> <p>RN: 4196853 SN: 85347882</p>	<p>(Int'l Class: 35) advertising and publicity services (Int'l Class: 36) charitable fundraising services to support the interests of the university, its students, and its alumni</p>
<p><u>GREENLIGHTING STARTUPS</u></p> <p>RN: 4278040 SN: 85343315</p>	<p>(Int'l Class: 35) business development services, namely, providing strategic business information and start-up support to newly-formed business organizations</p>
<p><u>CARNEGIE ROBOTICS</u></p> <p>RN: 4438329 SN: 85603938</p>	<p>(Int'l Class: 09) electronic and robotic equipment, namely, mechanisms in the nature of hardware that embodies vehicles, manipulators, sensors and industrial machines or controls the movement or operation of vehicles, manipulators, sensors and industrial machines, control algorithms in the nature of software and hardware that controls the movement or operation of vehicles, manipulators, sensors and industrial machines, electronic sensors, electronic hardware and software, electronic control mechanisms, and system architecture in the nature of computer software, electronic controls, and sensors related to machines, autonomous and human-controlled machine controls, machine safety and electronic visualization devices, and location estimation equipment; all for use in the fields of robotics, automation hardware and software, and security and surveillance equipment (Int'l Class: 42) scientific and technological services, namely, design, engineering, analysis, research, development and testing services in the fields of robotics and automation hardware and software and consulting services relating thereto</p>

Mark/Name/AN/RN	Full Goods/Services
<p><u>CARNEGIE MELLON UNIVERSITY CYLAB</u> RN: 4493812 SN: 85886822</p>	<p>(Int'l Class: 35) public policy research; consultation in the field of public policy; consultation and research for others in the field of business risk management (Int'l Class: 36) consultation and research for others in the field of financial information risk management (Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction, training, seminars, workshops, and conferences in the fields of information technology, public policy, and management (Int'l Class: 42) design and development of computer programs for information technology security systems; consultation and research for others in the field of information technology; consultation and research for others in the field of privacy protection technology (Int'l Class: 45) monitoring of information technology security systems of others; consultation and research for others in the field of privacy laws, regulations, policies, and requirements</p>
<p><u>TEPPER SCHOOL</u> RN: 4595232 SN: 85794878</p>	<p>(Int'l Class: 35) scientific and technological services, namely, research and consultation in the fields of business administration, economics, marketing, accounting, entrepreneurship, statistics, business operations management, business organizational behavior (Int'l Class: 36) charitable fundraising services to support the interests of the university, its students, and its alumni; scientific and technological services, namely, research and consultation in the fields of finance (Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction and training, at both the university level and in non-degree seminars and executive education programs, in the fields of business administration, economics, marketing, finance, accounting, entrepreneurship, statistics, computing and information technology, operations management and manufacturing, organizational behavior, and executive education; scientific and technological services, namely, research and consultation in the fields executive education (Int'l Class: 42) scientific and technological services, namely, research and consultation in the fields of computing and information technology</p>
<p><u>IDEATE</u> RN: 4949891 SN: 86712494</p>	<p>(Int'l Class: 36) charitable fund-raising services; providing information, including on-line about charitable fund-raising services (Int'l Class: 41) educational services, namely, developing, arranging for and providing interdisciplinary programs and courses of instruction and training that merge technology and art expertise in the fields of game design, animation and special effects, media design, sound design, learning media design, creative industry entrepreneurship, intelligent environments, physical computing, emerging media, computational data science, integrated innovation, interactive entertainment and/or urban design, at the undergraduate, graduate, post-graduate and professional levels and/or to perform any or all of the preceding activities via a global computer network; computer services, namely, providing a web site featuring educational information in the fields of game design, animation and special effects, media design, sound design, learning media design, creative industry entrepreneurship, intelligent environments, physical computing, emerging media, computational data science, integrated innovation, interactive entertainment and/or urban design, at the undergraduate, graduate, post-graduate and professional levels</p>

Mark/Name/AN/RN	Full Goods/Services
<p data-bbox="99 155 345 243"><a href="#">CARNEGIE MELLON UNIVERSITY CYLAB and Design</a></p>  <p data-bbox="99 499 261 552">RN: 5090362 SN: 86973057</p>	<p data-bbox="407 155 1539 243">(Int'l Class: 35) public policy research; consultation in the field of public policy; consultation and research for others in the field of business risk management</p> <p data-bbox="407 243 1539 331">(Int'l Class: 36) consultation and research for others in the field of financial information risk management</p> <p data-bbox="407 331 1539 420">(Int'l Class: 41) educational services, namely, developing, arranging for and providing courses of instruction, training, seminars, workshops, and conferences in the fields of information technology, public policy, and management</p> <p data-bbox="407 420 1539 535">(Int'l Class: 42) design and development of computer programs for information technology security systems; consultation and research for others in the field of information technology; consultation and research for others in the field of privacy protection technology</p> <p data-bbox="407 535 1539 623">(Int'l Class: 45) monitoring of information technology security systems of others; consultation and research for others in the field of privacy laws, regulations, policies, and requirements</p>
<p data-bbox="99 653 362 678"><a href="#">OLYMPUS and Design</a></p>  <p data-bbox="99 993 261 1018">SN: 87501507</p>	<p data-bbox="407 653 1539 741">(Int'l Class: 35) incubation services, namely, providing work space to start-ups, students, faculty and staff; business support services, namely, business consulting to start-ups, students, faculty and staff</p> <p data-bbox="407 741 1539 798">(Int'l Class: 36) incubation services, namely, providing grants to start-ups and students</p> <p data-bbox="407 798 1539 886">(Int'l Class: 41) educational services, namely, conducting workshops in the field of entrepreneurship and distribution of course and educational materials in connection therewith</p>
<p data-bbox="99 1050 224 1075"><a href="#">OLYMPUS</a></p> <p data-bbox="99 1079 272 1104">SN: 87501512</p>	<p data-bbox="407 1050 1539 1138">(Int'l Class: 35) incubation services, namely, providing work space to start-ups, students, faculty and staff; business support services, namely, business consulting to start-ups, students, faculty and staff</p> <p data-bbox="407 1138 1539 1194">(Int'l Class: 36) incubation services, namely, providing grants to start-ups and students</p> <p data-bbox="407 1194 1539 1283">(Int'l Class: 41) educational services, namely, conducting workshops in the field of entrepreneurship and distribution of course and educational materials in connection therewith</p>
<p data-bbox="99 1308 345 1333"><a href="#">PROJECT OLYMPUS</a></p> <p data-bbox="99 1337 272 1362">SN: 87501501</p>	<p data-bbox="407 1308 1539 1396">(Int'l Class: 35) incubation services, namely, providing work space to start-ups, students, faculty and staff; business support services, namely, business consulting to start-ups, students, faculty and staff</p> <p data-bbox="407 1396 1539 1453">(Int'l Class: 36) incubation services, namely, providing grants to start-ups and students</p> <p data-bbox="407 1453 1539 1541">(Int'l Class: 41) educational services, namely, conducting workshops in the field of entrepreneurship and distribution of course and educational materials in connection therewith</p>

# EXHIBIT C



**Official CMU colors** Maroon: PMS 209  
 Uncoated stock: PMS 216 CMYK: C=20, M=97, Y=40, K=58 RGB:  
 R=106, G=0, B=50  
 Hex: 6a0032

**Gold: PMS 123**  
 Uncoated stock: PMS 114 CMYK: C=0, M=22, Y=91, K=0 RGB:  
 R=255, G=200, B=46  
 Hex: ffc82e

Appropriate use



Color guidelines

For all **print and electronic communications**, the Action C should appear only in the following color palette :

CMU maroon (PMS 209; C=20%, M=97%, Y=40%, K=58%)

CMU gold (PMS 123; C=0%, M=22%, Y=91%, K=0%)

Black

White (or reverse)

Two-color logo in CMU maroon with CMU gold shadow

NOTE: If logo is placed on a CMU maroon background, the two-color logo will be in CMU gold with white shadow; likewise, if logo is placed on a CMU gold background, the two-color logo will be in CMU maroon with a white shadow.

When using the Action C on **apparel items**, the above color standards must be followed. Maroon, gold and white are the preferred garment colors. Avoid using black or other fashion colors.

When using the Action C on or creating it out of **special materials or surfaces**, such as metals, mirrors, plastics, vinyl, fabric, etc., the above color standards must be followed.

Appropriate use



It is permissible to rotate the action C at an angle of no more than 17 degrees









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# **EXHIBIT D**


Trademark	Class
	<p>C 016. US 002 005 022 023 029 037 038 050. G &amp; S: printed matter, namely, programs, schedules and media guides containing information on university sporting events. FIRST USE: 19960716. FIRST USE IN COMMERCE: 19960716</p> <p>IC 025. US 022 039. clothing, namely, sweatshirts, T-shirts, pants, shorts, jackets, hats, and scarves. FIRST USE: 19960716. FIRST USE IN COMMERCE: 19960818</p> <p>IC 041. US 100 101 107 providing of training, namely, training collegiate athletes for football, basketball, cross-country running, wrestling, baseball, softball, indoor and outdoor track and field events, volleyball, field hockey, and gymnastics competitions; sporting activities, namely, providing athletic facilities; arranging for and conducting collegiate athletic competitions; arranging for conducting summer camps for sporting and recreational activities; providing sports information to the media and to other colleges and universities.</p>
	<p>IC 016. US 002 022 037. G &amp; S: paper articles; namely, playing cards, notebooks and paper covers, paperweights, paper bags, writing paper and envelopes.</p> <p>IC 025. US 039. G &amp; S: clothing; namely, sweatshirts, T-shirts, pants, shorts, jackets, hats, and scarves.</p> <p>IC 041. US 107. G &amp; S: educational services; namely, providing courses of instruction at the college undergraduate and postgraduate levels.</p>
<p>Central Michigan University</p>	<p>Class 25 for "Headwear; hooded sweatshirts; jackets; jerseys; outerwear, namely, coats, scarves, jackets, gloves; pants; shirts; shorts; sweaters; sweatpants; sweatshirts; t-shirts; and ties as clothing."</p>
<p>Central Michigan</p>	<p>Class 25 for "Headwear; Hooded Sweatshirts; Socks; Jackets; Jerseys; Outerwear; Pants; Polo Shirts; Shorts; Sweaters; Sweatpants; Sweatshirts; T-shirts; and Ties"</p>



Class 41 for "Educational services, namely, providing courses of instruction at the college level; arranging and conducting athletic competitions; arranging and conducting educational conferences; entertainment services in the nature of sporting events, namely, football games, basketball games, baseball games, softball games, volleyball games, soccer games, golf meets, cross country meets, swimming meets, tennis meets, and track meets"

## Applications to be Filed

Trademarks	Classes
Central Michigan University	Class 25 for clothing Class 16 for paper goods
Central Michigan	Class 41 for educational activities Class 16 for paper goods
cmich.edu	Class 41 for educational activities Class 35 for online retail store
<b>CMU</b>	Class 14 -- jewelry, rings, belt buckles, metal key chains, watches, and clocks Class 16 -- pens, decals, and paintings Class 18 -- tote bags; backpacks; leather portfolios; leather key chains; wallets; purses; and umbrellas. Class 20 --plaques, mirrors, and folding seats for use by fans in athletic stadiums. Class 21 -- mugs; cups; drinking glassware, and beverage container insulators Class 24 -- blankets and pennants Class 28 -- games and play things, toys, card games, board games, toy stuffed animals, and Christmas tree decorations. Class 35 -- online retail store and advertising

 <p><b><i>CENTRAL MICHIGAN</i></b></p>	<p>Class 25 for clothing Class 16 for paper goods</p>