UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 75/334378

APPLICANT: SPECIALTY COATING SYSTEMS, INC.

CORRESPONDENT ADDRESS:
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[redacted]
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD ON APPEAL

8-16-06

MARK: OMEGA METER

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

CORRESPONDENT EMAIL ADDRESS:

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

EXAMINING ATTORNEY'S APPEAL BRIEF

The applicant, Specialty Coating Systems, Inc.,[1] has appealed the trademark examining attorney's final refusal on the Principal Register to register the trademark OMEGA METER AND DESIGN for *apparatus for measuring the residual ionic contamination of electronic parts, components and printed wiring assemblies*, in International Class 9, on the ground of a likelihood of confusion under Section 2(d) of the Trademark Act, 15 U.S.C. Section 1052(d), with the United States Trademark Registration No. 2022762. The cited registration is OMEGA for a *variety of industrial and electronic parts and equipment, including ionic analyzer*, in International Class 9. See Attachment A for complete identification of goods. The examining attorney attaches a copy of the registration at the end of this brief. See Attachment B.

FACTS

On August 1, 1997, the applicant, Specialty Coating Systems, Inc., applied to register on the Principal Register the trademark OMEGA METER AND DESIGN for *apparatus for measuring the residual ionic contamination of electronic parts, components and printed wiring assemblies,* in International Class 9.

In an Office Action issued on May 4, 1998, the examining attorney refused registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), because the applicant's mark, when used on the identified goods, so resembles the mark in United States Registration No. 2022762 for OMEGA for *a variety of industrial and electronic parts and equipment, including ionic analyzer*, in International Class 9, as to be likely to cause confusion, to cause mistake, or to deceive. On July 31, 1998, the applicant responded to the refusal by arguing that the applicant's mark does not cause a likelihood of confusion with the cited registered mark. After carefully reviewing the applicant's response but finding it unpersuasive, on November 20, 1998, the examining attorney issued a final refusal under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). On May 20, 1999, the applicant filed a Notice of Appeal and a Request for Reconsideration.

On September 29, 1999, the prosecution of this application was suspended pending the cancellation proceeding of the cited mark, Reg. No. 2022762 (Cancellation Proceeding No. 92027575). On February 17, 2006, the Cancellation proceeding was dismissed. On March 4, 2006, the application was remanded to the examining attorney for determination of the applicant's request for reconsideration filed on May 20, 1999. The examining attorney denied the applicant's request for reconsideration. On June 12, 2006, the applicant filed its appeal brief.

The applicant's predecessor-in-interest, Kenco Alloy & Chemical Co., Inc., owned Registration No. 1045835, which was for the same mark and same goods[2] as this present application. Reg. No. 1045835 was active from October 20, 1975 to April 6, 1998 and has expired for failure to file a renewal.

ARGUMENT

The applicant's arguments in support that there is no likelihood of confusion are (1) an

examining attorney had concluded previously that the parties' marks may coexist on the Principal Register, (2) the marks designate different goods and target different groups of purchasers, and (3)
the parties' long coexistence without evidence of confusion demonstrates that there would be no likelihood of confusion.

(1) Decisions Involving Prior Registrations Are NOT Controlling

The applicant argues that because the cited registration coexisted with a now-expired prior registration owned by the applicant's predecessor-in-interest, this present application should also be allowed to coexist with the cited registration. The now-expired prior registration Reg. No. 1045835 was active from October 20, 1975 to April 6, 1998. The cited registration, Reg. No. 2022762 has a filing date of January 21, 1994. There was contemporaneous registration of five years.

Prior decisions and actions of other trademark examining attorneys in registering marks are without evidentiary value and are not binding upon the Office. Each case is decided on its own facts, and each mark stands on its own merits. *AMF Inc. v. American Leisure Products, Inc.*, 177 USPQ 268, 269 (C.C.P.A. 1973); *In re International Taste, Inc.*, 53 USPQ2d 1604 (TTAB 2000); *In re Sunmarks Inc.*, 32 USPQ2d 1470 (TTAB 1994); *In re National Novice Hockey League, Inc.*, 222 USPQ 638, 641 (TTAB 1984); *In re Consolidated Foods Corp.*, 200 USPQ 477 (TTAB 1978).

It states in Trademark Manual of Examining Procedure § 1216.01:

> Trademark rights are not static, and eligibility for registration must be determined on the basis of the facts and evidence of record that exist at the time registration is sought. *In re Morton-Norwich Products, Inc.*, 671 F.2d 1332, 213 USPQ 9, 18 (C.C.P.A. 1982); *In re Thunderbird Products Corp.*, 406 F.2d 1389, 160 USPQ 730 (C.C.P.A. 1969); *In re Sun Microsystems Inc.*, 59 USPQ2d 1084 (TTAB 2001); *In re Styleclick.com Inc.*, 58 USPQ2d 1523 (TTAB 2001); *In re Styleclick.com Inc.*, 57 USPQ2d 1445 (TTAB 2000).
>
> Each case must be decided on its own facts. The Office is not bound by the decisions of the examiners who examined the applications for the applicant's previously registered marks, based on different records. *See . . . In re Perez*, 21 USPQ2d 1075 (TTAB 1991) (likelihood of confusion between applicant's EL GALLO for fresh tomatoes and peppers and the previously registered mark ROOSTER for fresh citrus fruit, notwithstanding applicant's ownership of an expired registration of the same mark for the same goods) . . . .

Particularly, in *In re Perez*, 21 USPQ2d 1075 (TTAB 1991), the Trademark Trial and Appeal Board found likelihood of confusion between applicant's EL GALLO for fresh tomatoes and peppers and the previously registered mark ROOSTER for fresh citrus fruit, notwithstanding applicant's ownership of an expired registration of the same mark for the same goods.

The facts of *Perez* are very similar to the facts of this present application. The applicant in *Perez* owned a prior registration for the same mark and same goods as the application on appeal, but the prior registration had expired due to a failure to renew the registration. During the active period of this prior registration, there was a fifty-year period of contemporaneous registration and coexistence with the cited mark. However, the Board held that "[a]s to the years of contemporaneous registration, we are, of course, not bound by an Examining Attorney's prior determination as to registrability."[3]

Similarly, in this present application, the prior registration of the applicant's predecessor-in-interest expired due to a failure to renew the registration. Further, the mark and goods of the prior registration are identical to this present application. While there was a contemporaneous registration of fifty years in *Perez*, there was contemporaneous registration of five years. The significant facts of *Perez* and this present application cannot be more similar than they are.

Therefore, as the Board is not bound the determination by an examining attorney, the Board should decide that the registration of this present application should not be decided on prior determinations but on its own facts and on its own merits, based on the relevant factors of *DuPont.*

(2) The Marks Designate Goods That Are Very Similar

The applicant argues in the alternative that there is no likelihood of confusion because the goods of the parties are sufficiently unrelated and are directed to different potential customers. Instead of in the alternative, the Board should decide only upon the relevant factors of *DuPont,* namely, the similarity of the marks and the close relationship between the applicant and registrant's goods.

The applicant does not appear to dispute the similarity of the marks. Both share the wording "OMEGA." The applicant has disclaimed the exclusive right to use "METER" in "OMEGA METER." The disputable factor is the close relationship of the goods.

The applicant argues that even if the marks of the parties are identical, there is no likelihood of confusion where the good are sufficiently unrelated and are directed to different potential customers. This is correct statement of law. However, in this present application, the goods of the parties are more than sufficiently similar and are directed to related potential customers.

As demonstrated in the evidence of third-party registrations submitted previously, there is a close relationship between the applicant's goods - *apparatus for measuring the residual ionic contamination of electronic parts, components and printed wiring assemblies* – and registrant's goods - *ionic analyzer.* This evidence has probative value to the extent that they serve to suggest that the goods listed therein are of a kind that may emanate from a single source. *See In re Infinity Broad. Corp.*, 60 USPQ2d 1214, 1217-1218 (TTAB 2001); *In re Albert Trostel & Sons Co.*, 29 USPQ2d 1783, 1785-86 (TTAB 1993); *In re Mucky Duck Mustard Co., Inc.*, 6 USPQ2d 1467, 1470 at n.6 (TTAB 1988). For the Board's convenience, the examining attorney has attached the previously-submitted evidence. See Attachment C.

The applicant argues that the applicant's customers are sophisticated purchasers, namely, "quality and process engineers of electronics manufacturers." The fact that purchasers are sophisticated or knowledgeable in a particular field does not necessarily mean that they are sophisticated or knowledgeable in the field of trademarks or immune from source confusion. *See In re Decombe*, 9 USPQ2d 1812 (TTAB 1988); *In re Pellerin Milnor Corp.*, 221 USPQ 558 (TTAB 1983); TMEP §1207.01(d)(vii). Just as sophisticated as the applicant's customers may be, the registrant's customers may be just as sophisticated.

The presumption under Trademark Act Section 7(b), 15 U.S.C. §1057(b), is that the registrant is the owner of the mark and that use of the mark extends to all goods identified in the registration. The presumption also implies that the registrant operates in all normal channels of trade and reaches all classes of purchasers of the identified goods and/or services. *In re Melville Corp.*, 18 USPQ2d 1386, 1389 (TTAB 1991); *McDonald's Corp. v. McKinley*, 13 USPQ2d 1895, 1899 (TTAB 1989); *RE/MAX of America, Inc. v. Realty Mart, Inc.*, 207 USPQ 960, 964-5 (TTAB 1980). Because the registrant's goods are not limited to a specific normal channel of trade, the registrant's goods may also be marketed towards the same sophisticated, highly-trained and educated professional purchasers.

A determination of whether there is a likelihood of confusion is made solely on the basis of the goods identified in the application and registration, without limitations or restrictions that are not reflected therein. *In re Dakin's Miniatures Inc.*, 59 USPQ2d 1593, 1595 (TTAB 1999). If the cited registration describes the goods broadly and there are no limitations as to their nature, type, channels of trade or classes of purchasers, then it is presumed that the registration encompasses all goods of the type described, that they move in all normal channels of trade, and that they are available to all potential customers. *In re Linkvest S.A.*, 24 USPQ2d 1716 (TTAB 1992); *In re Elbaum*, 211 USPQ 639 (TTAB 1981); TMEP §1207.01(a)(iii).

The fact that the goods of the parties differ is not controlling in determining likelihood of confusion. The issue is not likelihood of confusion between particular goods, but likelihood of confusion as to the source of those goods. *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993), and cases cited therein.

Any doubt regarding a likelihood of confusion is resolved in favor of the prior registrant. *Hewlett-Packard Co. v. Packard Press Inc.*, 281 F.3d 1261, 62 USPQ2d 1001, 1004 (Fed. Cir. 2002); *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988); TMEP §§1207.01(d)(i).

Although the applicant has argued that the applicant's customers are sophisticated purchasers, the applicant has not sufficiently demonstrated that the goods of the parties are neither closely related nor target different sophisticated purchasers.

(3) Absence of Actual Confusion Is Not Dispositive

The applicant argues there is no evidence of actual confusion within the thirty years of coexistence. However, the test under Trademark Act Section 2(d) is whether there is a likelihood of confusion. It is unnecessary to show actual confusion in establishing likelihood of confusion. *See Weiss Associates Inc. v. HRL Associates Inc.*, 902 F.2d 1546, 14 USPQ2d 1840 (Fed. Cir. 1990), and cases cited therein. *See also In re Kangaroos U.S.A.*, 223 USPQ 1025 (TTAB 1984), wherein the Board stated as follows:

> [A]pplicant's assertion that it is unaware of any actual confusion occurring as a result of the contemporaneous use of the marks of applicant and registrant is of little probative value in an ex parte proceeding such as this where we have no evidence pertaining to the nature and extent of the use by applicant and registrant (and thus cannot ascertain whether there has been ample

> opportunity for confusion to arise, if it were going to); and registrant has no chance to be heard (at least in the absence of a consent agreement, which applicant has not submitted in this case).

Id. at 1026-1027.

In *In re Perez* (cited earlier), even with fifty years of contemporaneous use without actual confusion, the Board concluded that there is likelihood of confusion and stated:

> [T]the absence of actual confusion is but one factor in our analysis which, in the case before us, is outweighed by the other factors bearing on likelihood of confusion. In any event, the issue before us in not one of actual confusion, but only the likelihood of confusion.

In re Perez, 21 U.S.P.Q.2d 1075, 1976 (TTAB 1991).

In this present application where the facts are very similar to *Perez*, the factor of actual confusion may be somewhat probative, but it is outweighed by the more significant factors, namely, the close similarity of the marks and the close relationship of the goods.

CONCLUSION

The marks are sufficiently similar. The good of the parties are closely related. Although the applicant has stated the applicant's customers are sophisticated purchasers, the applicant has not sufficiently demonstrated that the registrant's goods are dissimilar from, or unrelated to, the applicant's goods.

For the foregoing reasons, the refusal to register on the basis of Section 2(d) of the Trademark Act, 15 U.S.C. Section 1052(d), for the reason that there is a likelihood of confusion, should be affirmed.

Respectfully submitted,

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[1] The applicant is in the process of filing a correction or clarification to Assignment Frame/Reel No. 3240/0101. The correction or clarification is to explain the chain of title from the original applicant, Alpha Metals, Inc., to the current-listed applicant, Specialty Coating Systems, Inc.

[2] The now-expired prior registration (Reg. No. 1045835) that was owned by the applicant's predecessor-in-interest, Kenco Alloy & Chemical Co. Inc., was OMEGA METER AND DESIGN for apparatuses for measuring the residual ionic contamination of electronic parts, components and printed wiring assemblies, in International Class 9.

[3] *Id.* at 1076.

Complete Identification of Goods

solutions, namely conductivity solutions, ion selective electrode standard solutions, pH buffer solutions, pH electrode fill solutions; cements, namely air set cements, chemical set cements, epoxy cements, in International Class 1;

coatings, namely heat transfer and release coatings, in International Class 2;

electric motors for fluid flow pumps, in International Class 7;

adaptors, namely electrode adaptors; alarms, namely alarm modules, audible alarms; ammeters, namely D;C; ammeters; amplifiers; namely thermocouple amplifiers; analyzers, namely ion analyzers, loop analyzers, water analyzers; anemometer, namely anemometers, hygro/thermal/anemometers; barometers, namely barometers, handheld barometers; temperature controlling baths, namely circulating baths, constant temperature baths, fluidized sand baths, heated baths, refrigerated baths; battery chargers; circuit boards, namely analog I/O boards, digital I/O boards, plug-in boards, adapter boards, relay boards; cable, namely constant wattage heat trace cable; mineral insulated heat trace cable, self-regulating heat trace cable; calibrators, namely automatic pH loop calibrators, benchtop calibrators, block calibrators, conductivity calibrators, frequency calibrators, handheld calibrators, loop calibrators, multi-function calibrators, pH calibrators, process calibrators, RTD calibrators, thermocouple calibrators; capsules, namely pH buffer capsules; cards, namely plug-in cards; cells, namely conductivity cells, conductivity/resistivity cells, load cells; high temperature cements; checker, namely handheld leak checkers; clamps, namely tube clamps; computers, namely BTU/flow computer, mass flow/BTU computer, computers, computer interfaces, computer software; conditioners, namely signal conditioners; connectors, namely contactors, namely magnetic contactors; crayons, namely temperature indicating crayons; controllers, namely analog controllers, autotune controllers, batch controllers, benchtop controllers, conductivity controllers, conductivity/resistivity controllers, cryogenic controllers, deviation controllers, digital controllers, dual input controller, IEEE-488 controllers, indicating controllers, industrial pH controllers, level and temperature controllers, limit controllers, microprocessor based conductivity/resistivity controllers, microprocessor based pH controllers, microprocessor based pH/ORP controllers, multi-loop controllers, non-indicating controllers, panel mount controllers, pH controllers, pH/ORP controllers, pH pump controllers, power controllers, process controllers, profile controllers, programmable logic controllers, pulse frequency pH controllers, ramp and soak controllers, resistivity controllers, SCR controllers, SCR power controllers, setpoint controllers, sequencing controllers, temperature controllers; converters, namely A/D converters, D/A converters, converters; dataloggers, namely battery powered, handheld dataloggers, intelligent dataloggers, portable dataloggers; programmable dataloggers, temperature dataloggers; detectors, namely leak detectors; dialers, namely autodialers, telephone dialers; electrodes, namely combination pH electrodes, conductivity electrodes, epoxy bodied combination pH electrodes, glass bodied pH electrodes, in-line pH/ORP electrodes, industrial pH/ORP electrodes, ion selective electrodes, ISE electrodes, laboratory pH/ORP electrodes, measuring electrodes, ORP electrodes, oxidation-reduction potential electrodes, pH electrodes, preamplified pH electrodes, reference electrodes, retractable pH/ORP electrodes, submersible pH/ORP electrodes, power control elements laboratory feedthroughs, namely hermetic feedthroughs, vacuum feedthroughs, laboratory feedthroughs, namely compression fittings, tube fittings; flowmeters, namely in-line flowmeters, magnetic flowmeters, mass flowmeters/controllers, ultrasonic flowmeters; gages, namely dial gages, handheld force gages, strain gages; hygrometers, namely digital thermal hygrometers; indicators, namely analog indicators, analog input indicators, analog/frequency input indicators, flow/total/batch control indicators, frequency input indicators, humidity and recorder indicators, loop indicators, loop powered indicators, mini indicators, modular indicators/controllers/transmitters, motor rotation indicators, phase sequence indicators, pH indicators, RTD indicators, temperature indicators, thermistor indicators; interfaces; isolators, namely loop isolators, loop powered isolators; junction boxes, namely load cell summing junction boxes; labels, namely liquid crystal labels; temperature labels; lacquers, namely temperature indicating lacquers; loggers, namely power loggers; manometers, namely handheld manometers; meters, namely AC/DC meters, AC clamp meters, air velocity meters, analog meters, benchtop meters, benchtop conductivity meters, benchtop pH meters, benchtop dissolved oxygen meters, conductivity meters, conductivity/TDS meters, current meters, datalogging pH/MV meters, DC volt meters, dewpoint meters, digital meters, dissolved oxygen meters, flow meters, frequency meters, handheld meters, handheld dissolved oxygen meters, handheld conductivity meters, handheld strain gage meters, handheld humidity meters, panel instrumentation meters, laboratory conductivity meters, large display meters, load meters, loop powered meters, load cell meters, microvolt meters, miniature meters, OHM meters, panel meters, panel mounted meters, pH meters, pH/MV meters, pH/KV/ISE meters, pH/ORP meters, potentiometers, portable conductivity meters, portable dissolved oxygen meters, portable pH meters, portable pressure meters, positive displacement meters, pressure meters, process meters, process instrumentation meters, programmable process meters, quadrature meters, rate meters, reference point meters, relative humidity meters, RDT meters, strain-gauge meters, solar powered meters, strain meters, temperature meters, square root meters, temperature meters using infrared technology, thermistor meters, thermocouple RTD meters, thermocouple meters, true-RMS (root mean square) meters, turbine meters, voltage meters, plastic vortex meters, harsh environment vortex meters, water meters, watertight pH meters; mixers, namely bung-entering mixers, static mixers; modems, namely short haul modems; modules, namely intelligent control modules, isolation modules, loop isolator modules, proportional firing modules, pulse control

isolation modules, loop isolator modules, proportional ring modules, pulse control modules, solid state I/O modules; monitors, namely conductivity monitors, dewpoint monitors, environmental monitors, handheld pressure monitors, handheld temperature monitor, power line monitors; multimeters, namely digital multimeters, handheld multimeter, multi-functional multimeters, multimeters/thermometers; panels, namely power control panels; papers, namely pH indicating papers; pellets, namely temperature indicating pellets; plotters; printers, namely panel-mount printers; probes, namely conductivity probes; profiler, namely temperature profiler; psychrometers, namely sling psychrometers; pumps, namely carboy drum pumps, centrifugal pumps, chemical dosing pumps, chemical metering pumps, diaphragm metering pumps, drum pumps, electronic metering pumps, gear pumps, hand pumps, large capacity metering pumps, microprocessor based chemical metering pumps, low flow metering pumps, magnetic drive centrifugal pumps, peristaltic pumps, rubber impeller pumps; pyrometers, namely infrared radiation pyrometers; receivers, namely process receivers; recorders, namely analog recorders, battery powered recorders, benchtop recorders, circular recorders, compact recorders, distributed process recorders, event recorders, flatbed recorders, function recorders, hybrid recorders, indicating recorders, ink jet recorders, microprocessor recorders, paperless recorders, pH recorders, portable recorders, programmable recorders, temperature recorders, thermal recorders, thermal-array recorders, transient recorders, trend recorders, vertical recorders, X-Y recorders; relays, namely intrinsic safety relays, mechanical relays, power switching relays, solid state relays, pump up/pump down relays; rotameters, namely acrylic rotameters, gas proportioning rotameters, industrial rotameters, laboratory rotameters, multiple tube rotameters; purge rotameters; scanners, namely process scanners, temperature scanners; seals, namely diaphragm pressure seals; sensors, namely conductivity sensors, conductivity/resistivity sensors, displacement sensors, low flow sensors, non-contact conductivity sensors; paddlewheel sensors, torque sensors, vacuum sensors; simulators, namely pH electrode simulator, RTD simulators, thermocouple simulators; snubbers, namely pressure snubbers; computer software, namely data acquisition software, data analysis software, graphic presentation software; standards, namely benchtop pressure standards, handheld pressure standards, melting point standards; stirrers, namely lab hot plate/stirrers; supplies, namely power supplies; switches, namely conductivity level switches, level switches, dry material level switches, industrial flow switches, paddle type switches, pressure switches; radio frequency level switches, single station level switches; tachometers; testers, namely conductivity testers, pH testers, pocket pH testers, pocket testers, solder system tester; thermocouples; thermometers, namely benchtop thermometers, bi-metal thermometers, compost thermometers, dial thermometers, digital thermometers, glass thermometers, handheld thermometers, infrared thermometers, microprocessor based thermometers, non-contact thermometers, portable thermometers, radiation thermometers; thermostats; [timers, namely period timers;] * period timers ancillary to and incorporated into apparatus scientifically or industrially employed for the measurement and/or control of temperature, pressure, force, load, vibration, electrical conductivity, liquid level, acidity, humidity, strain or flow; * totalizers, namely ratameters/totalizers; transducers, namely air mass flow transducers, air velocity transducers, infrared transducers, pressure transducers; transmitters, namely chilled mirror transmitters, conductivity, continuous level transmitters, dewpoint transmitters, digital transmitters, infrared transmitters, indicating transmitters, indicating transmitters and recorders, intelligent transmitters, pH transmitters, programmable transmitters, relative humidity transmitters, modular indicator/controller transmitters, pressure transmitters, RTD transmitters, smart transmitters, temperature transmitters, thermocouple transmitters, two-wire transmitters, two-wire conductivity transmitters, two-wire pH transmitters, two-wire resistivity transmitters, wireless transmitters; laboratory tubes, namely pitot tubes; laboratory tubing, namely metal tubing, plastic tubing, rubber tubing; valves, namely metering valves, solenoid valves, voltmeters, namely strain-gauge/micro voltmeter; laboratory wind tunnels; wire, namely nichrome resistance wires, sensor wires, superconductive wires, thermocouple wire; and parts therefor industrially and/or scientifically employed, in International Class 9;

furnaces, namely bench top muffle furnaces; hot plates; tapes, namely flexible heating tapes; heaters, namely air duct heaters, air gun heaters, band heaters, cartridge heaters, ceramic radiant heaters, circulation heaters, comfort heaters, drum heaters, electric stud heaters, finned strip heaters, finned tubular heaters, flanged immersion heaters, kapton insulated flexible heaters, over the side immersion heaters, process air heaters, portable air heaters, radiant panel heaters, ring heaters, screw plug immersion heaters, silicone rubber insulated flexible heaters, small tank immersion heaters, space heaters, strip heaters, substrate heaters, teflon covered immersion heaters, tubular heaters; mantles, namely heating mantles, in International Class 11;

printed matter, namely catalogs and reference guides containing product, engineering and/or technical data, in International Class 16.

TYPED DRAWING

Serial Number
74480756

Status
CANCELLATION TERMINATED - SEE TTAB RECORDS

Word Mark
OMEGA

Standard Character Mark
No

Registration Number
2022762

Date Registered
1996/12/17

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
OMEGA ENGINEERING, INC. CORPORATION DELAWARE One Omega Drive, Box 4047
Stamford CONNECTICUT 069070047

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: adaptors, namely electrode adaptors; alarms, namely alarm modules, audible alarms; ammeters, namely D;C; ammeters; amplifiers, namely thermocouple amplifiers; analyzers, namely ion analyzers, loop analyzers, water analyzers; anemometer, namely anemometers, hygro/thermal/anemometers; barometers, namely barometers, handheld barometers; temperature controlling baths, namely circulating baths, constant temperature baths, fluidized sand baths, heated baths, refrigerated baths; battery chargers; circuit boards, namely analog I/O boards, digital I/O boards, plug-in boards, adapter boards, relay boards; cable, namely constant wattage heat trace cable, mineral insulated heat trace cable, self-regulating heat trace cable; calibrators, namely automatic pH loop calibrators, benchtop calibrators, block calibrators, conductivity calibrators, frequency calibrators, handheld calibrators, loop calibrators, multi-function calibrators, pH calibrators, process calibrators, RTD calibrators, thermocouple calibrators; capsules, namely pH buffer capsules; cards,

namely plug-in cards; cells, namely conductivity cells, conductivity/resistivity cells, load cells; high temperature cements; checker, namely handheld leak checkers; clamps, namely tube clamps; computers, namely BTU/flow computer, mass flow/BTU computer, computers, computer interfaces, computer software; conditioners, namely signal conditioners; connectors, namely contactors, namely magnetic contactors; crayons, namely temperature indicating crayons; controllers, namely analog controllers, autotune controllers, batch controllers, benchtop controllers, conductivity controllers, conductivity/resistivity controllers, cryogenic controllers, deviation controllers, digital controllers, dual input controller, IEEE-488 controllers, indicating controllers, industrial pH controllers, level and temperature controllers, limit controllers, microprocessor based conductivity/resistivity controllers, microprocessor based pH controllers, microprocessor based pH/ORP controllers, multi-loop controllers, non-indicating controllers, panel mount controllers, pH controllers, pH/ORP controllers, pH pump controllers, power controllers, process controllers, profile controllers, programmable logic controllers, pulse frequency pH controllers, ramp and soak controllers, resistivity controllers, SCR controllers, SCR power controllers, setpoint controllers, sequencing controllers, temperature controllers; converters, namely A/D converters, D/A converters, converters; dataloggers, namely battery powered, handheld dataloggers, intelligent dataloggers, portable dataloggers, programmable dataloggers, temperature dataloggers; detectors, namely leak detectors; dialers, namely autodialers, telephone dialers; electrodes, namely combination pH electrodes, conductivity electrodes, epoxy bodied combination pH electrodes, glass bodied pH electrodes, in-line pH/ORP electrodes, industrial pH/ORP electrodes, ion selective electrodes, ISE electrodes, laboratory pH/ORP electrodes, measuring electrodes, ORP electrodes, oxidation-reduction potential electrodes, pH electrodes, preamplified pH electrodes, reference electrodes, retractable pH/ORP electrodes, submersible pH/ORP electrodes, power control elements laboratory feedthroughs, namely hermetic feedthroughs, vacuum feedthroughs, laboratory feedthroughs, namely compression fittings, tube fittings; flowmeters, namely in-line flowmeters, magnetic flowmeters, mass flowmeters/controllers, ultrasonic flowmeters; gages, namely dial gages, handheld force gages, strain gages; hygrometers, namely digital thermal hygrometers; indicators, namely analog indicators, analog input indicators, analog/frequency input indicators, flow/total/batch control indicators, frequency input indicators, humidity and recorder indicators, loop indicators, loop powered indicators, mini indicators, modular indicators/controllers/transmitters, motor rotation indicators, phase sequence indicators, pH indicators, RTD indicators, temperature indicators, thermistor indicators; interfaces; isolators, namely loop isolators, loop powered isolators; junction boxes, namely load cell summing junction boxes; labels, namely liquid crystal labels, temperature labels; lacquers, namely temperature indicating lacquers; loggers, namely power loggers; manometers, namely handheld manometers; meters, namely AC/DC meters, AC clamp meters, air velocity

meters, analog meters, benchtop meters, benchtop conductivity meters, benchtop pH meters, benchtop dissolved oxygen meters, conductivity meters, conductivity/TDS meters, current meters, datalogging pH/MV meters, DC volt meters, dewpoint meters, digital meters, dissolved oxygen meters, flow meters, frequency meters, handheld meters, handheld dissolved oxygen meters, handheld conductivity meters, handheld strain gage meters, handheld humidity meters, panel instrumentation meters, laboratory conductivity meters, large display meters, load meters, loop powered meters, load cell meters, microvolt meters, miniature meters, OHM meters, panel meters, panel mounted meters, pH meters, pH/MV meters, pH/KV/ISE meters, pH/ORP meters, potentiometers, portable conductivity meters, portable dissolved oxygen meters, portable pH meters, portable pressure meters, positive displacement meters, pressure meters, process meters, process instrumentation meters, programmable process meters, quadrature meters, rate meters, reference point meters, relative humidity meters, RDT meters, strain-gauge meters, solar powered meters, strain meters, temperature meters, square root meters, temperature meters using infrared technology, thermistor meters, thermocouple RTD meters, thermocouple meters, true-RMS (root mean square) meters, turbine meters, voltage meters, plastic vortex meters, harsh environment vortex meters, water meters, watertight pH meters; mixers, namely bung-entering mixers, static mixers; modems, namely short haul modems; modules, namely intelligent control modules, isolation modules, loop isolator modules, proportional firing modules, pulse control modules, solid state I/O modules; monitors, namely conductivity monitors, dewpoint monitors, environmental monitors, handheld pressure monitors, handheld temperature monitor, power line monitors; multimeters, namely digital multimeters, handheld multimeter, multi-functional multimeters, multimeters/thermometers; panels, namely power control panels; papers, namely pH indicating papers; pellets, namely temperature indicating pellets; plotters; printers, namely panel-mount printers; probes, namely conductivity probes; profiler, namely temperature profiler; psychrometers, namely sling psychrometers; pumps, namely carboy drum pumps, centrifugal pumps, chemical dosing pumps, chemical metering pumps, diaphragm metering pumps, drum pumps, electronic metering pumps, gear pumps, hand pumps, large capacity metering pumps, microprocessor based chemical metering pumps, low flow metering pumps, magnetic drive centrifugal pumps, peristaltic pumps, rubber impeller pumps; pyrometers, namely infrared radiation pyrometers; receivers, namely process receivers; recorders, namely analog recorders, battery powered recorders, benchtop recorders, circular recorders, compact recorders, distributed process recorders, event recorders, flatbed recorders, function recorders, hybrid recorders, indicating recorders, ink jet recorders, microprocessor recorders, paperless recorders, pH recorders, portable recorders, programmable recorders, temperature recorders, thermal recorders, thermal-array recorders, transient recorders, trend recorders, vertical recorders, X-Y recorders; relays, namely intrinsic safety relays, mechanical relays, power switching relays, solid state relays, pump up/pump down relays; rotameters, namely acrylic rotameters, gas

proportioning rotameters, industrial rotameters, laboratory rotameters, multiple tube rotameters; purge rotameters; scanners, namely process scanners, temperature scanners; seals, namely diaphragm pressure seals; sensors, namely conductivity sensors, conductivity/resistivity sensors, displacement sensors, low flow sensors, non-contact conductivity sensors; paddlewheel sensors, torque sensors, vacuum sensors; simulators, namely pH electrode simulator, RTD simulators, thermocouple simulators; snubbers, namely pressure snubbers; computer software, namely data acquisition software, data analysis software, graphic presentation software; standards, namely benchtop pressure standards, handheld pressure standards, melting point standards; stirrers, namely lab hot plate/stirrers; supplies, namely power supplies; switches, namely conductivity level switches; level switches, dry material level switches, industrial flow switches, paddle type switches, pressure switches; radio frequency level switches, single station level switches; tachometers; testers, namely conductivity testers, pH testers, pocket pH testers, pocket testers, solder system tester; thermocouples; thermometers, namely benchtop thermometers, bi-metal thermometers, compost thermometers, dial thermometers, digital thermometers, glass thermometers, handheld thermometers, infrared thermometers, microprocessor based thermometers, non-contact thermometers, portable thermometers, radiation thermometers; thermostats; [timers, namely period timers;] * period timers ancillary to and incorporated into apparatus scientifically or industrially employed for the measurement and/or control of temperature, pressure, force, load, vibration, electrical conductivity, liquid level, acidity, humidity, strain or flow; * totalizers, namely ratameters/totalizers; transducers, namely air mass flow transducers, air velocity transducers, infrared transducers, pressure transducers; transmitters, namely chilled mirror transmitters, conductivity, continuous level transmitters, dewpoint transmitters, digital transmitters, infrared transmitters, indicating transmitters, indicating transmitters and recorders, intelligent transmitters, pH transmitters, programmable transmitters, relative humidity transmitters, modular indicator/controller transmitters, pressure transmitters, RTD transmitters, smart transmitters, temperature transmitters, thermocouple transmitters, two-wire transmitters, two-wire conductivity transmitters, two-wire pH transmitters, two-wire resistivity transmitters, wireless transmitters; laboratory tubes, namely pitot tubes; laboratory tubing, namely metal tubing, plastic tubing, rubber tubing; valves, namely metering valves, solenoid valves, voltmeters, namely strain-gauge/micro voltmeter; laboratory wind tunnels; wire, namely nichrome resistance wires, sensor wires, superconductive wires, thermocouple wire; and parts therefor industrially and/or scientifically employed. First Use: 1962/09/00. First Use In Commerce: 1962/09/00.

Goods/Services

Class Status -- ACTIVE. IC 002. US 006 011 016. G & S: coatings, namely heat transfer and release coatings. First Use: 1962/09/00.

First Use In Commerce: 1962/09/00.

Goods/Services
Class Status -- ACTIVE. IC 001. US 001 005 006 010 026 046. G & S: solutions, namely conductivity solutions, ion selective electrode standard solutions, pH buffer solutions, pH electrode fill solutions; cements, namely air set cements, chemical set cements, epoxy cements. First Use: 1962/09/00. First Use In Commerce: 1962/09/00.

Goods/Services
Class Status -- ACTIVE. IC 007. US 013 019 021 023 031 034 035. G & S: electric motors for fluid flow pumps. First Use: 1962/09/00. First Use In Commerce: 1962/09/00.

Goods/Services
Class Status -- ACTIVE. IC 011. US 013 021 023 031 034. G & S: furnaces, namely bench top muffle furnaces; hot plates; tapes, namely flexible heating tapes; heaters, namely air duct heaters, air gun heaters, band heaters, cartridge heaters, ceramic radiant heaters, circulation heaters, comfort heaters, drum heaters, electric stud heaters, finned strip heaters, finned tubular heaters, flanged immersion heaters, kapton insulated flexible heaters, over the side immersion heaters, process air heaters, portable air heaters, radiant panel heaters, ring heaters, screw plug immersion heaters, silicone rubber insulated flexible heaters, small tank immersion heaters, space heaters, strip heaters, substrate heaters, teflon covered immersion heaters, tubular heaters; mantles, namely heating mantles. First Use: 1962/09/00. First Use In Commerce: 1962/09/00.

Goods/Services
Class Status -- ACTIVE. IC 016. US 002 005 022 023 029 037 038 050. G & S: printed matter, namely catalogs and reference guides containing product, engineering and/or technical data. First Use: 1962/09/00. First Use In Commerce: 1962/09/00.

Prior Registration(s)
0818251;1397434

Filing Date
1994/01/21

Examining Attorney
TINGLEY JOHN C

Attorney of Record
MARC A. BERGSMAN

TYPED DRAWING

Serial Number
75373943

Status
REGISTERED

Word Mark
IONSENS

Standard Character Mark
No

Registration Number
2486450

Date Registered
2001/09/11

Type of Mark
TRADEMARK; SERVICE MARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
British Nuclear Fuels PLC CORPORATION UNITED KINGDOM Risley, Warrington Cheshire ENGLAND WA3 6AS

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: INSTRUMENTS FOR MEASURING, MONITORING, SURVEYING, DETECTING, ASSAYING, ANALYZING AND INFORMATION GATHERING FOR ALPHA, BETA, AND GAMMA EMISSIONS FROM LOCATIONS, NAMELY ALPHA DETECTORS, BETA DETECTORS, GAMMA DETECTORS, ION DETECTORS, ELECTRONIC SIGNAL PROCESSORS, COMPUTERS FOR USE WITH THE AFORESAID GOODS THAT OPERATE THE COMPUTER SOFTWARE, AND COMPUTER SOFTWARE FOR USE WITH THE AFORESAID GOODS USED TO CALCULATE, ANALYZE, COMPARE, PROCESS, DISPLAY, CORRELATE AND STORE INFORMATION GATHERED, PERFORM INSTRUMENT CALIBRATIONS, AND CLASSIFY LOCATIONS ALL FOR USE IN RADIOACTIVE, FISSION PRODUCT, HEALTH PHYSICS, NUCLEAR MATERIAL, PLUTONIUM AND NEUTRON APPLICATIONS.

Goods/Services
Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: EDUCATION AND TRAINING SERVICES, NAMELY ARRANGING AND CONDUCTING TRAINING CLASSES, SEMINARS, COURSES AND DEMONSTRATIONS IN THE USE, APPLICATIONS AND OPERATION OF MEASURING, MONITORING, SURVEYING, DETECTING,

ASSAYING, ANALYSIS AND INFORMATION GATHERING APPARATUS AND INSTRUMENTS.

Foreign Country Name
UNITED KINGDOM

Foreign Priority
FOREIGN PRIORITY CLAIMED

Foreign Application Number
2129863

Foreign Filing Date
1997/04/16

Foreign Registration Number
2129863

Foreign Registration Date
1997/12/12

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2007/04/16

Filing Date
1997/10/16

Examining Attorney
BERK, STEVEN

Attorney of Record
SUSAN P WILLSON

TYPED DRAWING

Serial Number
75474337

Status
REGISTERED

Word Mark
NEWPORTUS.COM

Standard Character Mark
No

Registration Number
2683919

Date Registered
2003/02/04

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Newport Electronics, Inc. CORPORATION DELAWARE Riverbend Executive Center P.O. Box 4497 Stamford CONNECTICUT 069070047

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Industrial and scientific equipment for measuring, controlling, and/or regulating temperature, humidity, pressure, strain, force, flow, level, pH, load, vibration, electrical resistance, air velocity, amperage, frequency, voltage, ion concentration and conductivity and acquisition, display and retrieval of data regarding temperature, humidity, pressure, strain, force, flow, level, pH, load, vibration, electrical resistance, air velocity, amperage, frequency, voltage, ion concentration and conductivity; namely, analyzers, namely, signal analyzers, voltage analyzers, process loop analyzers; cable, namely, constant wattage heat trace cable, mineral insulated heat trace cable, self-regulating heat trace cable; calibrators, namely, thermocouple, resistance, temperature, ohm and thermistor calibrators; conductivity cells; signal conditioners; electrical connectors, namely, three-prong connectors, four-pin connectors, circuit board connectors, crimp-style connectors, low noise connectors, miniature connectors for resistance temperature detectors and thermistors, quick disconnect connectors,

thermocouple connectors, thermistor connectors and ultra-high temperature connectors; controllers, namely, analog controllers, autotune controllers, batch controllers, benchtop controllers, conductivity controllers, conductivity/resistivity controllers, cryogenic controllers, deviation controllers, digital controllers, digital monitors for temperature controllers, dual input controllers, IEEE-488 (Institute of Electrical Engineers Standard Number 488) controllers, indicating controllers, pH controllers, level and temperature controllers, limit controllers, microprocessor based conductivity/resistivity controllers, microprocessor based pH/oxidation reduction potential controllers, multi-loop controllers, non-indicating controllers, panel mount controller, pH/oxidation reduction potential controllers, pH pump controllers, power controllers, process controllers, profile controllers, programmable logic controllers, electrical pulse frequency controllers, ramp and soak controllers, resistivity controllers, silicon controlled rectified controllers, silicon controlled rectified power controllers, setpoint controllers, sequencing controllers, and temperature controllers; electrical counters used to register activity; digital dataloggers; electrodes, namely, combination pH electrodes, conductivity electrodes, epoxy bodied combination pH electrodes, in-line pH/oxidation reduction potential electrodes, industrial pH/oxidation reduction potential electrodes, ion selective electrodes, laboratory pH/oxidation reduction potential electrodes, oxidation-reduction potential electrodes, pH electrodes, reference electrodes, retractable pH electrodes, submersible pH/oxidation reduction potential electrodes; flowmeters, namely, conductive fluid flowmeters, dc pulse style flowmeters, electromagnetic flowmeters, analog input flowmeters, high viscosity flowmeters, vortex flowmeters, magnetic flowmeters, liquid flowmeter, high pressure flowmeter, mechanical flowmeter, paddlewheel flowmeter, position displacement flowmeters; gauges, namely, industrial type H and J gauges, dial gauges, hygrometers; ice-point reference units; indicators, namely, analog indicators, analog input indicators, analog/frequency input indicators, flow/total/batch control indicators, frequency input indicators, humidity and recorder indicators, loop indicators, loop powered indicators, mini indicators, modular indicators/controllers/transmitters, motor rotation indicators, phase sequence indicators, pH indicators, resistance temperature detector indicators, temperature indicators, thermistor indicators, electronic time indicators, moisture indicators, acidity indicators, concentration indicators, distance indicators, angle indicators, speed indicators, acceleration indicators, power indicators, pressure indicators, voltage indicators, current indicators, brightness indicators, current intensity indicators, transducer indicators and magnetic flux indicators; loggers, namely, power loggers; meters, namely, AC/DC meters, AC clamp meters, air velocity meters, analog meters, benchtop meters, benchtop conductivity meters, benchtop pH meters, benchtop dissolved oxygen meters, conductivity meters, conductivity/total dissolved solids meters, current meters, datalogging pH/mV meters, DC volt meters, dewpoint meters, dissolved

oxygen meters, flow meters, frequency meters, hand-held meters, hand-held dissolved oxygen meters, hand-held conductivity meters, hand-held strain gauge meters, hand-held humidity meters, panel instrumentation meters, large display meters, load meters, loop powered meters, load cell meters, microvolt meters, miniature meters, ohm meters, panel meters, panel mounted meters, pH/mV/ion selective meters, pH/oxidation reduction potential meters, potentiometers, portable conductivity meters, portable dissolved oxygen meters, portable pH meters, portable pressure meters, positive displacement meters, pressure meters, ammeters, process meters, process instrumentation meters, rate meters, reference point meters, relative humidity meters, resistance temperature detector meters, strain gauge meters, solar powered meters, temperature meters, square root meters, temperature meters using infrared technology, thermistor meters, thermocouple resistance temperature detector meters, thermocouple meters, true-RMS (root mean square) meters, turbine meters, voltage meters, plastic vortex meters, harsh environment vortex meters, water meters, watertight pH meters, watt meters, and strain gauge monitor meters; modules, namely, intelligent control modules, isolation modules, loop isolation modules, proportional firing modules, electrical pulse control modules, solid state i/o modules; monitors, namely, conductivity monitors, dewpoint monitors, environmental monitors; hand-held pressure monitors, handheld temperature monitor, power line monitors; multimeters, namely, digital multimeters, hand-held multimeters, multi-function multimeters, combination multimeters and thermometers; panels, namely, power control panels; temperature indicating pellets, namely, specific temperature turning point indicators; plotters; probes, namely, conductivity probes, surface temperature probes, and insertion temperature probes; profilers, namely, temperature profilers; pyrometers; recorders, namely, analog recorders, battery powered recorders, benchtop recorders, circular recorders, compact recorders, distributed process recorders, event recorders, flatbed recorders, function recorders, hybrid recorders, indicating recorders, ink jet recorders, microprocessor recorders, paperless recorders, pH recorders portable recorders, programmable recorders, temperature recorders, thermal recorders, thermal-array recorders, transient recorders, trend recorders, vertical recorders, and x-ray recorders; relays, namely, intrinsic safety relays, mechanical relays, power switching relays, solid state relays, and pump up/pump down relays; scanners, namely, process scanners and temperature scanners; sensors, namely, conductivity sensors, bolt sensors, conductivity/resistivity sensors, displacement sensors, low flow sensors, non-contact conductivity sensors, paddlewheel sensors, torque sensors and vacuum sensors; simulators, namely, pH electrode simulators, transducer simulators, resistance temperature detector simulators, and thermocouple simulators; snubbers, namely, pressure snubbers; electric sockets, namely, holders for transducers; standards, namely, benchtop pressure standards, hand-held pressure standards, and melting point standards; switches, namely, conductivity level switches, level switches, dry material level switches, industrial flow switches, paddle type

switches, pressure switches, radio frequency level switches, single station level switches; tachometers; terminals, namely, strips to connect wire; testers, namely, conductivity testers, pH testers, pocket pH testers, solder system testers; thermistors, namely, resistive measuring sensors; thermocouples, thermocouple assemblies; thermometers (not for medical use); thermopiles; timers, namely, period timers; totalizers, namely, rotameters/totalizers; transducers; transmitters, namely, temperature and process transmitters, process/strain transmitters, temperature transmitters, batch control electrical transmitters, rate/total electrical transmitters; wire, namely, nichrome resistance wires, sensor wires, superconductive wires, and thermocouple wires; benchtop wind tunnels; blank floppy discs; electronic instruments and apparatus for the measurement of process parameters and electrical parameters; microprocessor operated data processors; microprocessor operated apparatus, namely, computer displays, liquid crystal displays, data recording apparatus, namely, chart recorders; data storing apparatus, namely, recorders and computer memory data recording apparatus; electronic signal indicating panels with electrical indicating instruments; infra red sensors; mounting hardware, namely, adaptor plates, brackets, bezel strips, bushings; transducer simulators; setpoint controllers; digital strain gage monitor meters, pressure test systems comprising pressure calibrators; pressure standards for testing pressure switches; temperature sensitive labels; thermocouple blocks; thermocouple heads; thermowells; anemometers, manometers, process receivers, power line monitors, as well as parts for all of the above. First Use: 1999/06/00. First Use In Commerce: 1999/06/00.

Prior Registration(s)
1656111;1794794;2106737;2111905;2113672;AND OTHERS

Filing Date
1998/04/27

Examining Attorney
CRAWFORD, MARY

Attorney of Record
WILLIAM A DRUCKER

DESIGN MARK

Serial Number
75601376

Status
REGISTERED

Word Mark
HORIBA

Standard Character Mark
No

Registration Number
2526439

Date Registered
2002/01/08

Type of Mark
TRADEMARK; SERVICE MARK

Register
PRINCIPAL

Mark Drawing Code
(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Owner
HORIBA, LTD. CORPORATION JAPAN 2, Miyanohigashi-machi Kisshoin, Minami-ku Kyoto JAPAN

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: ANALYTICAL AND MEASURING APPARATUS AND INSTRUMENTS FOR GENERAL PURPOSES, NAMELY, PH METERS, CONDUCTIVITY METERS, SALT METERS, ION METERS, OXYGEN METERS, SALINITY CHECKERS, PH ELECTRODES, ION SELECTIVE ELECTRODES, NON-CONTACT INFRARED THERMOMETERS; APPARATUS AND INSTRUMENTS FOR PROCESS CONTROL AND ENERGY, NAMELY, PROCESS PH/ORP ANALYZERS, PH SENSOR ASSEMBLIES, PH ANALYZERS, CONDUCTIVITY MONITORS, DISSOLVED OXYGEN MONITORS, TURBIDITY MONITORS, SILICA MONITORS, SILICA ANALYZERS, DISSOLVED OXYGEN ANALYZERS, TRACE SODIUM ION MONITORS, HYDRAZINE MONITORS, PHOSPHATE ANALYZERS, PROCESS GAS ANALYZERS, THERMAL CONDUCTIVITY GAS OR HYDROGEN ANALYZERS, MAGNETOPNEUMATIC OXYGEN ANALYZERS, PARAMAGNETIC OXYGEN ANALYZERS, BURNER EMISSION ANALYZERS, INFRARED GAS ANALYZERS; ELECTRONIC AND INFORMATION APPARATUS AND INSTRUMENTS FOR ELECTRONICS, NEW MATERIAL AND SEMICONDUCTOR INDUSTRIES, NAMELY, ENERGY DISPERSIVE X-RAY ANALYZERS, X-RAY FLUORESCENCE ANALYZERS, CARBON ANALYZERS, CARBON/SULFUR ANALYZERS, OXYGEN/NITROGEN/HYDROGEN ANALYZERS PARTICLE SIZE

DISTRIBUTION ANALYZERS, GAS PYCNOMETERS, RETICLE/MASK PARTICLE DETECTION SYSTEMS COMPRISING LASER SCATTERING AND PATTERN DISCRIMINATION AND MAPPING ON CRT, WAFER FLATNESS ANALYZERS, LIQUID PARTICLE COUNTER, ULTRA-PURE WATER MONITORS, TRACE GAS MONITORS, SEMICONDUCTOR IMPURITY ANALYZERS, MASS FLOW CONTROLLERS, VAPORIZED LIQUID SOURCE CONTROL SYSTEMS COMPRISING MASS FLOW CONTROLLERS FOR DELIVERY OF VAPOR PRESSURE LIQUID, OPTICAL CRYSTALS, SCINTILLATION CRYSTALS, X-RAY DETECTORS, PYROELECTRIC INFRARED DETECTORS, THERMOPILE DETECTORS, INTELLIGENT TACHOMETERS; APPARATUS AND INSTRUMENTS FOR FOOD INDUSTRY, AGRICULTURE, FORESTRY AND FISHERIES, NAMELY, SALINITY METERS, CALCIUM HARDNESS METERS, DISSOLVED OXYGEN CHECKERS, PLANT PHOTOSYNTHESIS ANALYZERS; LIVING ENVIRONMENT AND POLLUTION MONITORING AND ANALYZING APPARATUS AND INSTRUMENTS, NAMELY, MONITORS TO MEASURE GAS AND DUST; APPARATUS AND INSTRUMENTS FOR VEHICLE ENGINES, NAMELY, AUTOMOTIVE EMISSION ANALYSIS SYSTEMS COMPRISING FLOW CONTROLLER AND ANALYZERS, VOLUME SAMPLERS, AUTOMOTIVE EMISSION ANALYZERS, INFRARED GAS ANALYZERS, AIR-FUEL RATIO ANALYZERS, VEHICLE EMISSION TEST SYSTEMS COMPRISING COMPUTER HARDWARE AND SOFTWARE FOR PROCESSING EMISSIONS DATA, EMISSION TEST PROCESSORS, ENGINE PERFORMANCE TEST SYSTEMS COMPRISING ANALYZERS FOR DATA COLLECTION AND PROCESSING, DC CHASSIS DYNAMO-METERS, SEALED HOUSING FOR EVAPORATIVE DETERMINATION, GAS PURIFIERS AND GAS DIVIDERS. First Use: 1968/01/00. First Use In Commerce: 1969/09/00.

Goods/Services

Class Status -- ACTIVE. IC 037. US 100 103 106. G & S: REPAIR AND MAINTENANCE SERVICES FOR ANALYTICAL AND MEASURING APPARATUS AND INSTRUMENTS FOR GENERAL PURPOSES, NAMELY, PH METERS, CONDUCTIVITY METERS, SALT METERS, ION METERS, OXYGEN METERS, SALINITY CHECKERS, PH ELECTRODES, ION SELECTIVE ELECTRODES, NON-CONTACT INFRARED THERMOMETERS; APPARATUS AND INSTRUMENTS FOR PROCESS AND CONTROL AND ENERGY, NAMELY, PROCESS PH/ORP ANALYZERS, PH SENSOR ASSEMBLIES, PH ANALYZERS, CONDUCTIVITY MONITORS, DISSOLVED OXYGEN MONITORS, TURBIDITY MONITORS, SILICA MONITORS, SILICA ANALYZERS, DISSOLVED OXYGEN ANALYZERS, TRACE SODIUM ION MONITORS, HYDRAZINE MONITORS, PHOSPHATE ANALYZERS, PROCESS GAS ANALYZERS, THERMAL CONDUCTIVITY GAS OR HYDROGEN ANALYZERS, MAGNETOPNEUMATIC OXYGEN ANALYZERS, PARAMAGNETIC OXYGEN ANALYZERS, BURNER EMISSION AND ANALYZERS, INFRARED GAS ANALYZERS; ELECTRONIC AND INFORMATION APPARATUS AND INSTRUMENTS FOR ELECTRONICS, NEW MATERIAL AND SEMICONDUCTOR INDUSTRIES, NAMELY, ENERGY DISPERSIVE X-RAY ANALYZERS, X-RAY FLUORESCENCE ANALYZERS, CARBON ANALYZERS, CARBON/SULFUR ANALYZERS, OXYGEN/NITROGEN/HYDROGEN ANALYZERS, PARTICLE SIZE DISTRIBUTION ANALYZERS, GAS PYCNOMETERS, RETICLE/MASK PARTICLE DETECTION SYSTEMS, WAFER FLATNESS ANALYZERS, LIQUID PARTICLE COUNTER, ULTRA-PURE WATER MONITORS, TRACE GAS MONITORS, SEMICONDUCTOR IMPURITY ANALYZERS, MASS FLOW CONTROLLERS, VAPORIZED LIQUID SOURCE CONTROL SYSTEMS, OPTICAL CRYSTALS, SCINTILLATION CRYSTALS, X-RAY DETECTORS, PYROELECTRIC INFRARED DETECTORS, THERMOPILE DETECTORS, INTELLIGENT TACHOMETERS; APPARATUS AND INSTRUMENTS FOR FOOD INDUSTRY, AGRICULTURE, FORESTRY AND FISHERIES, NAMELY, SALINITY METERS, CALCIUM HARDNESS METERS, DISSOLVED OXYGEN CHECKERS, PLANT PHOTOSYNTHESIS ANALYZERS;

LIVING ENVIRONMENT AND POLLUTION MONITORING AND ANALYZING APPARATUS AND INSTRUMENTS; APPARATUS AND INSTRUMENTS FOR VEHICLE ENGINES, NAMELY, AUTOMOTIVE EMISSION ANALYSIS SYSTEMS, VOLUME SAMPLERS, AUTOMOTIVE EMISSION ANALYZERS, INFRARED GAS ANALYZERS, AIR-FUEL RATIO ANALYZERS, VEHICLE EMISSION TEST SYSTEMS, EMISSION TEST PROCESSORS, ENGINE PERFORMANCE TEST SYSTEMS, DC CHASSIS DYNAMO-METERS, SEALED HOUSING FOR EVAPORATIVE DETERMINATION, GAS PURIFIERS AND GAS DIVIDERS.
First Use: 1968/01/00. First Use In Commerce: 1969/09/00.

Filing Date
1998/12/08

Examining Attorney
GARTNER, JOHN

Attorney of Record
Gary D. Krugman

HORIBA

DESIGN MARK

Serial Number
75603484

Status
REGISTERED

Word Mark
HORIBA

Standard Character Mark
No

Registration Number
2392746

Date Registered
2000/10/10

Type of Mark
TRADEMARK; SERVICE MARK

Register
PRINCIPAL

Mark Drawing Code
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner
Horiba, Ltd. CORPORATION JAPAN 2, Miyanohigashi-machi Kisshoin, Minami-ku Kyoto JAPAN

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Analytical and measuring apparatus and instruments for general purposes, namely, pH meters, conductivity meters, salt meters, ion meters, oxygen meters, salinity checkers, pH electrodes, ion selective electrodes, non-contact infrared thermometers; Apparatus and instruments for process control and energy, namely, process pH/ORP analyzers, pH sensor assemblies, pH analyzers, conductivity monitors, dissolved oxygen monitors, turbidity monitors, silica monitors, silica analyzers, dissolved oxygen analyzers, trace sodium ion monitors, hydrazine monitors, phosphate analyzers, process gas analyzers, thermal conductivity gas or hydrogen analyzers, magnetopneumatic oxygen analyzers, paramagnetic oxygen analyzers, burner emission analyzers, infrared gas analyzers; Electronic and information apparatus and instruments for electronics, new material and semiconductor industries, namely, energy dispersive x-ray analyzers, X-ray fluorescence analyzers, carbon analyzers, carbon/sulfur analyzers oxygen/nitrogen/hydrogen analyzers, particle size

distribution analyzers, gas pycnometers, re
detection systems comprising laser scatteri
discrimination and mapping on CRT, wafer fl
particle counter, ultra-pure water monitors
semiconductor impurity analyzers, mass flow
liquid source control systems comprising ma
delivery of vapor pressure liquid, optical
crystals, X-ray detectors, pyroelectric inf
detectors, intelligent tachometers; Apparat
industry, agriculture, forestry and fisheri
meters, calcium hardness meters, dissolved
photosynthesis analyzers; Living environmen
and analyzing apparatus and instruments, na
gas and dust; Apparatus and instruments for
automotive emission analysis systems compri
analyzers, volume samplers, automotive emis
gas analyzers, air-fuel ratio analyzers, ve
comprising computer hardware and software f
data, emission test processors, engine perf
comprising analyzers for data collection an
dynamo-meters, sealed housing for evaporati
purifiers and gas dividers. First Use: 197
Commerce: 1971/11/00.

Goods/Services

Class Status -- ACTIVE. IC 037. US 100 1
maintenance services for analytical and mea
instruments for general purposes, namely, P
meters, salt meters, ion meters, oxygen met
electrodes, ion selective electrodes, non-c
thermometers; apparatus and instruments for
energy, namely, process PH/ORP analyzers, P
analyzers, conductivity monitors, dissolved
monitors, silica monitors, silica analyzers,
analyzers, trace sodium ion monitors, hydra
analyzers, process gas analyzers, thermal c
analyzers, magnetopneumatic oxygen analyzer
analyzers, burner emission analyzers, infra
electronic and information apparatus and in
new material and semiconductor industries,
X-ray analyzers, X-ray fluorescence analyze
carbon/sulfur analyzers oxygen/nitrogen/hyd
size distribution analyzers, gas pycnometer
detection systems, wafer flatness analyzers,
ultra-pure water monitors, trace gas monito
analyzers, mass flow controllers, vaporized
systems, optical crystals, scintillation cr
pyroelectric infrared detectors, thermopile
tachometers; apparatus and instruments for
forestry and fisheries, namely, salinity me
meters, dissolved oxygen checkers, plant ph

HORIBA

DESIGN MARK

Serial Number
75603484

Status
REGISTERED

Word Mark
HORIBA

Standard Character Mark
No

Registration Number
2392746

Date Registered
2000/10/10

Type of Mark
TRADEMARK; SERVICE MARK

Register
PRINCIPAL

Mark Drawing Code
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner
Horiba, Ltd. CORPORATION JAPAN 2, Miyanohigashi-machi Kisshoin, Minami-ku Kyoto JAPAN

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Analytical and measuring apparatus and instruments for general purposes, namely, pH meters, conductivity meters, salt meters, ion meters, oxygen meters, salinity checkers, pH electrodes, ion selective electrodes, non-contact infrared thermometers; Apparatus and instruments for process control and energy, namely, process pH/ORP analyzers, pH sensor assemblies, pH analyzers, conductivity monitors, dissolved oxygen monitors, turbidity monitors, silica monitors, silica analyzers, dissolved oxygen analyzers, trace sodium ion monitors, hydrazine monitors, phosphate analyzers, process gas analyzers, thermal conductivity gas or hydrogen analyzers, magnetopneumatic oxygen analyzers, paramagnetic oxygen analyzers, burner emission analyzers, infrared gas analyzers; Electronic and information apparatus and instruments for electronics, new material and semiconductor industries, namely, energy dispersive x-ray analyzers, X-ray fluorescence analyzers, carbon analyzers, carbon/sulfur analyzers oxygen/nitrogen/hydrogen analyzers, particle size

distribution analyzers, gas pycnometers, reticle/mask particle detection systems comprising laser scattering and pattern discrimination and mapping on CRT, wafer flatness analyzers, liquid particle counter, ultra-pure water monitors, trace gas monitors, semiconductor impurity analyzers, mass flow controllers, vaporized liquid source control systems comprising mass flow controllers for delivery of vapor pressure liquid, optical crystals, scintillation crystals, X-ray detectors, pyroelectric infrared detectors, thermopile detectors, intelligent tachometers; Apparatus and instruments for food industry, agriculture, forestry and fisheries, namely, salinity meters, calcium hardness meters, dissolved oxygen checkers, plant photosynthesis analyzers; Living environment and pollution monitoring and analyzing apparatus and instruments, namely, monitors to measure gas and dust; Apparatus and instruments for vehicle engines, namely, automotive emission analysis systems comprising flow controller and analyzers, volume samplers, automotive emission analyzers, infrared gas analyzers, air-fuel ratio analyzers, vehicle emission test systems comprising computer hardware and software for processing emissions data, emission test processors, engine performance test systems comprising analyzers for data collection and processing, DC chassis dynamo-meters, sealed housing for evaporative determination, gas purifiers and gas dividers. First Use: 1971/11/00. First Use In Commerce: 1971/11/00.

Goods/Services

Class Status -- ACTIVE. IC 037. US 100 103 106. G & S: Repair and maintenance services for analytical and measuring apparatus and instruments for general purposes, namely, PH meters, conductivity meters, salt meters, ion meters, oxygen meters, salinity checkers, PH electrodes, ion selective electrodes, non-contact infrared thermometers; apparatus and instruments for process control and energy, namely, process PH/ORP analyzers, PH sensor assemblies, PH analyzers, conductivity monitors, dissolved oxygen monitors, turbidity monitors, silica monitors, silica analyzers, dissolved oxygen analyzers, trace sodium ion monitors, hydrazine monitors, phosphate analyzers, process gas analyzers, thermal conductivity gas or hydrogen analyzers, magnetopneumatic oxygen analyzers, paramagnetic oxygen analyzers, burner emission analyzers, infrared gas analyzers; electronic and information apparatus and instruments for electronics, new material and semiconductor industries, namely, energy dispersive X-ray analyzers, X-ray fluorescence analyzers, carbon analyzers, carbon/sulfur analyzers oxygen/nitrogen/hydrogen analyzers, particle size distribution analyzers, gas pycnometers, reticle/mask particle detection systems, wafer flatness analyzers, liquid particle counter, ultra-pure water monitors, trace gas monitors, semiconductor impurity analyzers, mass flow controllers, vaporized liquid source control systems, optical crystals, scintillation crystals, X-ray detectors, pyroelectric infrared detectors, thermopile detectors, intelligent tachometers; apparatus and instruments for food industry, agriculture, forestry and fisheries, namely, salinity meters, calcium hardness meters, dissolved oxygen checkers, plant photosynthesis analyzers;

living environment and pollution monitoring and analyzing apparatus and instruments; apparatus and instruments for vehicle engines, namely, automotive emission analysis systems, volume samplers, automotive emission analyzers, infrared gas analyzers, air-fuel ratio analyzers, vehicle emission test systems, emission test processors, engine performance test systems, DC chassis dynamo-meters, sealed housing for evaporative determination, gas purifiers and gas dividers.
First Use: 1971/11/00. First Use In Commerce: 1971/11/00.

Filing Date
1998/12/08

Examining Attorney
GOODMAN,CHERYL S.

Attorney of Record
Gary D. Krugman


HORIBA

DESIGN MARK

Serial Number
75608568

Status
REGISTERED

Word Mark
WTW

Standard Character Mark
No

Registration Number
2420544

Date Registered
2001/01/16

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner
WTW WISSENSCHAFTLICH-TECHNISCHE WERKSTAETTEN GMBH CORPORATION FED REP GERMANY Dr. Karl-Slevogt-Str. 1 D-82362 Weilheim FED REP GERMANY

Goods/Services
Class Status -- ACTIVE. IC 001. US 001 005 006 010 026 046. G & S: REAGENTS FOR ANALYZING PURPOSES, STANDARD AND BUFFER REAGENTS FOR CALIBRATING MEASURING AND ANALYZING DEVICES. First Use: 1957/00/00. First Use In Commerce: 1988/00/00.

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: ELECTRONIC MEASURING, SIGNALING AND TESTING DEVICES, NAMELY ION SELECTIVE ELECTRODES; ORP SENSORS FOR MEASURING A REDUCING OR OXIDIZING STRENGTH OF A SOLUTION; IONMETERS; SENSOR EXTENSIONS AND HOLDERS; FLOW-THROUGH ADAPTERS; ANALYZERS FOR MEASURING THE CONTENT OF CHEMICAL OR BIOLOGICAL MATERIAL IN WATER OR WASTE WATER, AND WATER FILTERS FOR USE THEREWITH; FIELD MONITORS FOR ON-SITE MONITORING AND ANALYZING OF BOD, PH-VALUE, AMOUNTS OF OXYGEN AND OTHER CHEMICAL SUBSTRATES IN LIQUIDS; METERS, MONITORS AND SENSORS FOR MEASURING OXYGEN, TEMPERATURE, PH RANGE AND CONDUCTIVITY; BOD SENSORS FOR MEASURING THE BIOLOGICAL OXYGEN DEMAND; SENSORS FOR DETERMINING SOIL

RESPIRATION, BIODEGRADATION, BIOGAS, DETERMINATION, ANAEROBIC DEGRADATION AND MICROBIOLOGY; MEASUREMENT DEVICES FOR SOIL RESPIRATION RATES; COLONY COUNTERS; PHOTOMETERS; TURBIDITY METERS; MULTIPLEXERS; MULTIPARAMETER METERS FOR LIQUID, WATER AND WASTE WATER ANALYSIS; STIRRERS, NAMELY, AN ELECTRICALLY ACTUATED STIRRER FOR STIRRING A LIQUID SAMPLE IN A TEST CONTAINER OR HAVING AN ACTUATED STIRRING MECHANISM COACTING WITH AN ELECTROMAGNETIC STIRRING ELEMENT THROUGH THE CONTAINER WALL; THERMOSTATING CHAMBERS, NAMELY, ELECTRICALLY HEADED AND/OR COOLED CHAMBERS TO KEEP TEST SAMPLES AT A DESIRED TEMPERATURE; ELECTRICAL SENSORS; ANALYZERS FOR NITRATE, NITRITE, AMMONIA, AMMONIUM, PHOSPHATE, TOTAL PHOSPHATE AND OTHER CHEMICALS COMPRISED IN WATER OR WASTE AND FOR A COMBINED MEASUREMENT OF THESE PARAMETERS; SOFTWARE, PRINTERS, CONNECTING CABLES AND MEASURING STATIONS FOR MEASURING DEVICES FOR MEASURING BOD, TEMPERATURE, OXYGEN CONTENT AND THE CONTENT OF CHEMICAL SUBSTRATES IN LIQUIDS, ESPECIALLY WATER AND WASTE WATER; ADAPTERS FOR CONNECTING SENSORS TO CABLES AND MEASURING DEVICES; COMPUTER PRINTERS AND COMPUTER CABLES FOR COMPUTER AIDED MEASURING DEVICES OF THE ABOVE MENTIONED TYPE. First Use: 1957/00/00. First Use In Commerce: 1988/00/00.

Filing Date
1998/12/17

Examining Attorney
THOMPSON, HEATHER

Attorney of Record
MICHAEL A CANTOR


WTW

DESIGN MARK

Serial Number
75908268

Status
REGISTERED

Word Mark
CATALINA TECHNOLOGIES

Standard Character Mark
No

Registration Number
2415907

Date Registered
2000/12/26

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
CATALINA TECHNOLOGIES, INC. CORPORATION ARIZONA 4740 East Sunrise, #393 Tucson ARIZONA 85718

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Instruments and devices used in chemical research, medical research, biomedical research, industrial manufacturing and processing, chemical manufacturing and processing, water purification and wastewater treatment, and in environmental monitoring and control; namely instruments, devices, and apparatus, and parts therefor, for detecting, analyzing, monitoring, data collecting, and or measuring oxygen content, salinity, conductivity, color, opacity, reflectivity, turbidity, hydrogen ion concentration, oxidation-reduction potential, and temperature of gases, liquids, and or solids and or samples thereof. First Use: 1995/04/01. First Use In Commerce: 1995/09/01.

Disclaimer Statement
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TECHNOLOGIES" APART FROM THE MARK AS SHOWN.

Filing Date

2000/02/02

Examining Attorney
YOUNG, SKYE

Attorney of Record
Michael S. Green

CATALINA TECHNOLOGIES

DESIGN MARK

Serial Number
76228780

Status
REGISTERED

Word Mark
BASIC IC

Standard Character Mark
No

Registration Number
2796591

Date Registered
2003/12/23

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Metrohm Ltd. CORPORATION SWITZERLAND Oberdorfstrasse 68 9100 Herisau SWITZERLAND

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Measuring and analyzing apparatus, namely computer controlled automatic ion chromatographic analyzer comprising electronic and software devices for operation, measurement, data acquisition, data evaluation, and data storage and interfaces for peripheral parts and fittings therefor.

Foreign Country Name
SWITZERLAND

Foreign Priority
FOREIGN PRIORITY CLAIMED

Foreign Application Number
01800/2001

Foreign Filing Date

2001/02/20

Foreign Registration Number
483914

Foreign Registration Date
2001/02/20

Foreign Expiration Date
2011/02/20

Disclaimer Statement
NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "IC" APART FROM THE MARK AS SHOWN.

Filing Date
2001/03/22

Examining Attorney
AXILBUND, MELVIN

Attorney of Record
Lawrence E. Abelman

BASIC IC