

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77619729
LAW OFFICE ASSIGNED	LAW OFFICE 103
MARK SECTION (no change)	
ARGUMENT(S)	
<p>Registration was refused under Trademark Act Section 2(d), 15 U.S.C. § 1052(d), based upon U.S. Reg. Nos. 1,668,485; 1,672,574; 1,672,578; 1,690,799; 1,695,318; 1,697,578 and 1,715,661. The primary term in each of the preceding registrations is EARTHWISE.</p> <p>The preceding registrations are each limited to International Class 16 and include at least one of the following goods: STATIONERY PRODUCTS; NAMELY, REPORT COVERS, STATIONERY TYPE PORTFOLIOS, EXPANDING FILE POCKETS, STORAGE FILES, INDEX CARDS, FILE POCKETS, EXPANDABLE FILES, RINGBOOK INDEXES, FILLER PAPER, COMPOSITION BOOKS, COLUMNAR PADS, RING BINDERS, DATA BINDERS, BOUND BOOKS, SPIRAL NOTEBOOKS, FILE FOLDERS, HANGING FOLDERS, INDEX TABS FOR HANGING FOLDERS.</p> <p>In support of this rejection, the Examining Attorney cited the similarity of the marks, the similarity of the goods and the similarity of the trade channels of the goods. Each of these factors will be addressed in responding to this rejection. Submitted herewith is a Declaration of Gurpreet Vig that provides additional evidence in support of the conclusion that confusion between the marks in the cited registrations and the present application is unlikely.</p> <p>SIMILARITY OF THE MARKS</p> <p>While it is acknowledged that the marks in the cited registrations and the present application both have the same primary element, EARTHWISE, it is submitted that the impact of this similarity is mitigated by other factors.</p> <p>A recent case decided by the Trademark Trial and Appeal Board ("TTAB"), <i>7-Eleven, Inc. v. HEB Grocery Company, LP</i> (January 8, 2007) addressed issues that are similar to the issues involved in evaluating the registrability of the mark in the present application (While the TTAB designated the <i>7-Eleven</i> decision as non-precedential, a U.S. Patent & Trademark Office Official Gazette Notice from</p>	

January 23, 2007, indicated that non-precedential decisions while not binding on the TTAB may be cited for whatever persuasive value it might have. As this opinion is available in the public electronic database of the U.S. Patent & Trademark Office, a copy of the decision is not being submitted herewith.).

The *7-Eleven* case relates to products that are sold in a supermarket while the cited registrations and the present application relates to products that are sold by office supply stores. While there are some differences between the products sold in supermarkets and office supply stores, supermarkets and office supply stores both generally sell a wide variety of products.

In evaluating the issue of the similarity of the marks, the TTAB acknowledged that the dominant and distinguishing portion of the respective marks CLASSIC SELECTION is essentially identical in sound, appearance, connotation and commercial impression. *Id.* at 8.

The *7-Eleven* opinion indicates that “[t]he existence of widespread third-party use under the du Pont factors may serve to indicate the weakness of a term in the context of its source identifying significance.” The TTAB indicates that “we cannot disagree that the phrase CLASSIC SELECTION is composed of commonly used terms on food and beverage products and that individually these terms may have a suggestive meaning and, thus, are weak.” *Id.* at 9.

While the TTAB found that the differences in the marks was not sufficient to avoid a likelihood of confusion when used on sufficiently related goods, the TTAB indicated that they do not accord the opposer’s mark the broad scope of protection that would be given to a stronger, more arbitrary mark. *Id.* at 10-11.

It has become quite popular to promote products and services as being earth friendly. To indicate to consumers that products are earth friendly, it is common for products and services to use marks that contain the term EARTH.

Using the term WISE in conjunction with the term EARTH as in the mark EARTHWISE further signifies that the products bearing such mark are made wisely so that they are good for the earth. For example, the Union of Concerned Scientists publishes a newsletter entitled EARTHWISE (<http://www.ucsusa.org/publications/earthwise/>), a copy of a recent issue is submitted herewith as Exhibit 1. This newsletter is directed to research and advocacy efforts by the Union of Concerned Scientists relating to environmental issues.

Set forth below is a chart of active registrations and applications in particular International Classes that include the term EARTH:

IC	Total	Registrations
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Additionally, there are 50 active registrations and applications with marks that include the terms EARTH and WISE and of these items, there are 27 active registrations.

Marks that have a narrow scope of protection are much less likely to be confused than arbitrary

marks, which have a relatively broad scope of protection. For marks with a narrow scope of protection, relatively small differences in marks and/or the goods and services on which the marks are used would significantly reduce the potential of confusion.

In view of the preceding numbers of active registrations, marks that include the terms EARTH alone or in combination with WISE would not have a broad scope of protection. Rather, these marks are suggestive similar to the mark CLASSIC SELECT and thereby would have a relatively narrow scope of protection.

SIMILARITY OF THE GOODS AND TRADE CHANNELS

While the goods in the cited registrations and the goods in the present application both fall within the type of products that would be sold by an office supplies company, it is submitted that the respective products are quite distinct, which weighs against finding a likelihood of confusion.

As noted by the TTAB in the *7-Eleven* opinion, the drinking water in the cited registration was obviously different in character than the frozen food entrées in the opposed application. In reaching this conclusion the TTAB looked at the fact that opposer's goods were non-perishable beverages while applicant's goods were perishable frozen food items. The differences in these products are reflected by how these products are managed in the retail food industry. These products are handled by different personnel in view of the different functionality of the goods and the consumer's shopping habits.

In distinguishing the *Martin's Famous Pastry Shoppe* case in which bread and cheese were considered complementary, the TTAB found that even though "drinking water may be consumed at the same time a heated frozen entrée is eaten, it is not used in combination with the entrée in the same way bread and cheese are used together to complement each other." *Id.* at 13.

The TTAB indicated that they must determine if consumers would believe that goods as diverse as drinking water and frozen food entrées would emanate from a single source. *Id.* at 15. When evaluating the doctrine of natural expansion, the TTAB indicated that frozen food entrées are not within the natural expansion of drinking water in the consumer's mind. *Id.* at 18.

The *7-Eleven* opinion recognized that the presence of goods in the same store does not necessarily lead to the conclusion that confusion would arise under such conditions. *Id.* In the context of a supermarket, the conditions under which drinking water and frozen entrées are marketed does not compel a finding of likelihood of confusion given the inherent differences between these goods. *Id.* at 19.

The *7-Eleven* opinion also noted that while the consumers of the parties' respective goods are the same and these are relatively inexpensive ordinary consumer items, which would be purchased with a lesser degree of care, this factor does not outweigh the inherent differences in the goods. *Id.* The *7-Eleven* opinion concluded that after analyzing the relevant du Pont factors, they concluded that in view of the disparity in the parties' goods and the relative weakness of the marks, no confusion is likely with the contemporaneous use of these marks on these goods. *Id.* at 20.

A. Declaration of Gurpreet Vig

Submitted herewith is a Declaration of Gurpreet Vig, a product marketing manager for Imation Corporation. Based upon Mr. Vig's work in conjunction with his position as a product marketing manager for data storage tape products, he has become very familiar with the conditions under which data storage tape products and many other office products are sold. Vig Decl. at ¶ 11.

There are a variety of data storage tape products on the market. These products have different form factors that enable data storage tape products to be used in conjunction with the particular types of equipment. For example, a few common form factors for data storage tape products include DLT, LTO, SLR/KLR and Travan (see pages 690 and 691 from the Bertelson catalog attached to Vig Declaration as Exhibit A). Vig Decl. at ¶ 12.

The capacity of data storage tape products continues to increase in response to enhancements on the magnetic tape structure and fabrication techniques used for the data storage tape products. For example, the LTO data storage tape products currently have 4 generations of products LTO 1 (capacity 200 GB), LTO 2 (capacity 400 GB), LTO 3 (capacity 800 GB) and LTO 4 (capacity 1,600 GB). Equipment that was designed for use with LTO 1 may not be able to read LTO 2, LTO 3 or LTO 4 data storage tape products. Vig Decl. at ¶ 13.

In light of the factors set forth in the factors set forth in Paragraphs 12 and 13 of the Vig Declaration, care must be used to select the particular data storage tape product that is used in conjunction with the form factor and capacity of the unit on which the data storage tape products will be used. Vig Decl. at ¶ 14.

The data storage tape products become progressively more expensive as the capacity increases with some items costing more than \$100 per item. Vig Decl. at ¶ 15. Based on the preceding elements, it is Mr. Vig's experience that a person purchasing data storage tape products will exercise a high degree of care, which in his opinion reduces the potential of the purchasers being confused. Vig Decl. at ¶ 16.

The various binders and filing products in the cited registration are each suited for particular uses. For example, expanding file pockets would be used for storing a variety of papers in an organized manner. Vig Decl. at ¶ 17. Based on the specialized nature of the binders and filing products in the cited registrations, it is the opinion of Mr. Vig that consumers would exercise care when selecting these products to ensure that they are suitable for a particular task based upon his experiences in marketing office products. Vig Decl. at ¶ 18.

The owner of the cited registration does not have a wide array of office products that would be displayed in various locations of an office supply store. Rather, the goods in the cited registration are all binders and filing products that Mr. Vig envisions would all be displayed in a single section of an office supply store based upon his experience in marketing office products. Vig Decl. at ¶ 19.

While these types of binders and filing products are less expensive than the products in the

present application, these products are not cheap such that they would be purchased on impulse. It is the opinion of Mr. Vig that this factor would reduce the potential of consumer confusion between the goods in the cited registrations with the goods in the present application. Vig Decl. at ¶ 20.

One way in which the products included in the cited registrations and the present application are sold is through online merchants. One such online merchant is Staples, Inc. which operates an Internet site at www.staples.com. Vig Decl. at ¶ 21. Attached to the Vig Declaration as Exhibit B is a printout of the home page from www.staples.com, which includes three main headers into which its products are classified. Vig Decl. at ¶ 22.

All of the goods included in the cited registrations would be classified under the header Office Products. None of the goods included in the cited registrations would be classified under the header Technology. Vig Decl. at ¶ 23.

All of the goods included in the present application would be classified under the header Technology. None of the goods included in the present application would be classified under the header Office Supplies. Vig Decl. at ¶ 24.

Other online merchants such as Office Depot and Office Max have web sites that are organized in a similar manner where the goods in the cited registrations are classified under Office Supplies and the goods in the present application are classified under Technology as illustrated in Exhibits C and D to the Vig Declaration. Vig Decl. at ¶ 25.

Based upon the factors set forth in the preceding paragraphs about the nature in which binders and filing products, data storage tape products and blank optical media are sold through internet merchants, it is the opinion of Mr. Vig that consumers are not likely to encounter the respective products. Even if particular consumers encounter the respective products, it is the opinion of Mr. Vig that the significant differences in the products and the suggestive nature of the mark EARTHWISE would minimize the potential of consumer confusion. Vig Decl. at ¶ 26.

Another primary way in which the products included in the cited registrations and the present application are sold is through catalogs. One such catalog merchant is Bertelson Brothers Inc., which conducts business under Bertelson Total Office Solutions. Vig Decl. at ¶ 27. Attached to the Vig Declaration as Exhibit E is the cover from the Bertelson Total Office Solutions 2009 Reference Catalog. This catalog includes an index on page 1, a copy of which is attached hereto as Exhibit F. Vig Decl. at ¶ 28.

As illustrated in the index page, data storage tape products (data storage media) and blank optical media (data storage media) in the present application are in different sections of the catalog than the various binders and filing products in the cited registrations (binders, file folders, indexes, notebooks, paper and report covers). Vig Decl. at ¶ 29.

As the Bertelson catalog contains over 1,500 pages and includes more than 26,000 products, it is the experience of Mr. Vig that persons using this catalog do not page through the catalog but rather

use the index at the front of the catalog or the complete index at the back of the catalog to locate the desired product. Vig Decl. at ¶ 30.

Finding products in the manner set forth in the preceding paragraph is similar to the manner used to locate products on an office products web site. As such, persons who are searching for binders and filing products are unlikely to encounter the goods included in the present application and persons searching for data storage tape products and blank optical media are unlikely to encounter the goods included in the cited registrations. Vig Decl. at ¶ 31.

Because of the preceding differences and Mr. Vig's experiences in working with marketing of data storage tape products and other office products, it is the opinion of Mr. Vig that consumers are not likely to confuse the respective uses of the marks in the cited registrations and the present application in conjunction with their respective products. Vig Decl. at ¶ 32.

Still another way in which the goods included in the cited registrations and the present application are sold is through retail stores. One such retail store is Office Depot. While individual stores operated by Office Depot may have slightly different layouts depending on the shape and dimensions of the space in which the retail store is located, the Office Depot retail stores generally appear to be organized according to the store layout set forth in Exhibit G of the Vig Declaration. Vig Decl. at ¶ 33.

The goods included in the cited registrations are generally included within the section of the store layout entitled Binders & Filing. The goods included in the present application are generally included in the large portion of the retail store entitled Tech DEPOT, which includes Ink DEPOT and Peripheral & Media sections. Vig Decl. at ¶ 34.

Based upon the experiences of Mr. Vig in reviewing the ways in which various office products are marketed, each of these store sections is quite distinct and it is very unlikely that products from the Binders & Filing section would be displayed in the Ink DEPOT section or the Peripherals & Media section. Vig Decl. at ¶ 35.

While the Examining Attorney has referenced certain trademark registrations that include binders and filing products as are included in the cited registration and the data storage tape products and blank optical disks, it is the experience of Mr. Vig based upon reviewing the ways in which the preceding products are marketed that a very high percentage of the products in these respective areas are not marketed under the same trademarks. Vig Decl. at ¶ 36.

It is further the experience of Mr. Vig in reviewing the ways in which data storage products and blank optical disks are marketed is that consumers would generally not expect these products to be marketed by the same entities that market binders and filing products such as are included in the cited registration. Vig Decl. at ¶ 37.

CONCLUSION

Based upon the preceding comments from Gurpreet Vig and in conformance with the reasoning

set forth by the TTAB in the *7-Eleven* opinion, the binders and filing products in the cited registrations are sufficiently different than the data storage tape products and blank optical media in the present application such that consumers would not believe that the respective products emanate from a single source.

Additionally, because of the significantly different nature of the goods in the cited registrations and the present application, it cannot be said that the goods in the present application are within the zone of normal expansion of the goods in the cited registrations. Therefore, this factor weighs against finding a likelihood of confusion.

Based upon the preceding factors, it is submitted that the likelihood of confusion between the mark in the present application with the marks in the cited registrations is quite low. Reconsideration and withdrawal of this rejection are respectfully requested.

EVIDENCE SECTION

EVIDENCE FILE NAME(S)	
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PDF FILE	105315729 . Vig_Declaration Exhibit G.pdf
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DESCRIPTION OF EVIDENCE FILE	Exhibit 1 to Response Declaration of Gupreet Vig Exhibit A to Vig Declaration Exhibit B to Vig Declaration Exhibit C to Vig Declaration Exhibit D to Vig Declaration Exhibit E to Vig Declaration Exhibit F to Vig Declaration Exhibit G to Vig Declaration
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Michael A. Bondi/
SIGNATORY'S NAME	Michael A. Bondi
SIGNATORY'S POSITION	Attorney, Minnesota bar member
DATE SIGNED	10/26/2009
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Oct 26 11:06:15 EDT 2009
TEAS STAMP	USPTO/RFR-65.248.216.185- 20091026110615732067-7761 9729-460c6c617c76bc775659 deb2661f47cf-N/A-N/A-2009 1026105315729940

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To the Commissioner for Trademarks:

Application serial no. 77619729 has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Registration was refused under Trademark Act Section 2(d), 15 U.S.C. § 1052(d), based upon U.S. Reg. Nos. 1,668,485; 1,672,574; 1,672,578; 1,690,799; 1,695,318; 1,697,578 and 1,715,661. The

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SIMILARITY OF THE MARKS

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The data storage tape products become progressively more expensive as the capacity increases with some items costing more than \$100 per item. Vig Decl. at ¶ 15. Based on the preceding elements, it is Mr. Vig's experience that a person purchasing data storage tape products will exercise a high degree of care, which in his opinion reduces the potential of the purchasers being confused. Vig Decl. at ¶ 16.

The various binders and filing products in the cited registration are each suited for particular uses. For example, expanding file pockets would be used for storing a variety of papers in an organized manner. Vig Decl. at ¶ 17. Based on the specialized nature of the binders and filing products in the cited registrations, it is the opinion of Mr. Vig that consumers would exercise care when selecting these products to ensure that they are suitable for a particular task based upon his experiences in marketing office products. Vig Decl. at ¶ 18.

The owner of the cited registration does not have a wide array of office products that would be displayed in various locations of an office supply store. Rather, the goods in the cited registration are all binders and filing products that Mr. Vig envisions would all be displayed in a single section of an office supply store based upon his experience in marketing office products. Vig Decl. at ¶ 19.

While these types of binders and filing products are less expensive than the products in the present application, these products are not cheap such that they would be purchased on impulse. It is the opinion of Mr. Vig that this factor would reduce the potential of consumer confusion between the goods in the cited registrations with the goods in the present application. Vig Decl. at ¶ 20.

One way in which the products included in the cited registrations and the present application are sold is through online merchants. One such online merchant is Staples, Inc. which operates an Internet site at www.staples.com. Vig Decl. at ¶ 21. Attached to the Vig Declaration as Exhibit B is a printout of the home page from www.staples.com, which includes three main headers into which its products are classified. Vig Decl. at ¶ 22.

All of the goods included in the cited registrations would be classified under the header Office Products. None of the goods included in the cited registrations would be classified under the header Technology. Vig Decl. at ¶ 23.

All of the goods included in the present application would be classified under the header Technology. None of the goods included in the present application would be classified under the header Office Supplies. Vig Decl. at ¶ 24.

Other online merchants such as Office Depot and Office Max have web sites that are organized in a similar manner where the goods in the cited registrations are classified under Office Supplies and the goods in the present application are classified under Technology as illustrated in Exhibits C and D to the Vig Declaration. Vig Decl. at ¶ 25.

Based upon the factors set forth in the preceding paragraphs about the nature in which binders and filing products, data storage tape products and blank optical media are sold through internet merchants, it is the opinion of Mr. Vig that consumers are not likely to encounter the respective products. Even if particular consumers encounter the respective products, it is the opinion of Mr. Vig that the significant differences in the products and the suggestive nature of the mark EARTHWISE would minimize the

potential of consumer confusion. Vig Decl. at ¶ 26.

Another primary way in which the products included in the cited registrations and the present application are sold is through catalogs. One such catalog merchant is Bertelson Brothers Inc., which conducts business under Bertelson Total Office Solutions. Vig Decl. at ¶ 27. Attached to the Vig Declaration as Exhibit E is the cover from the Bertelson Total Office Solutions 2009 Reference Catalog. This catalog includes an index on page 1, a copy of which is attached hereto as Exhibit F. Vig Decl. at ¶ 28.

As illustrated in the index page, data storage tape products (data storage media) and blank optical media (data storage media) in the present application are in different sections of the catalog than the various binders and filing products in the cited registrations (binders, file folders, indexes, notebooks, paper and report covers). Vig Decl. at ¶ 29.

As the Bertelson catalog contains over 1,500 pages and includes more than 26,000 products, it is the experience of Mr. Vig that persons using this catalog do not page through the catalog but rather use the index at the front of the catalog or the complete index at the back of the catalog to locate the desired product. Vig Decl. at ¶ 30.

Finding products in the manner set forth in the preceding paragraph is similar to the manner used to locate products on an office products web site. As such, persons who are searching for binders and filing products are unlikely to encounter the goods included in the present application and persons searching for data storage tape products and blank optical media are unlikely to encounter the goods included in the cited registrations. Vig Decl. at ¶ 31.

Because of the preceding differences and Mr. Vig's experiences in working with marketing of data storage tape products and other office products, it is the opinion of Mr. Vig that consumers are not likely to confuse the respective uses of the marks in the cited registrations and the present application in conjunction with their respective products. Vig Decl. at ¶ 32.

Still another way in which the goods included in the cited registrations and the present application are sold is through retail stores. One such retail store is Office Depot. While individual stores operated by Office Depot may have slightly different layouts depending on the shape and dimensions of the space in which the retail store is located, the Office Depot retail stores generally appear to be organized according to the store layout set forth in Exhibit G of the Vig Declaration. Vig Decl. at ¶ 33.

The goods included in the cited registrations are generally included within the section of the store layout entitled Binders & Filing. The goods included in the present application are generally included in the large portion of the retail store entitled Tech DEPOT, which includes Ink DEPOT and Peripheral & Media sections. Vig Decl. at ¶ 34.

Based upon the experiences of Mr. Vig in reviewing the ways in which various office products are marketed, each of these store sections is quite distinct and it is very unlikely that products from the Binders & Filing section would be displayed in the Ink DEPOT section or the Peripherals & Media section. Vig Decl. at ¶ 35.

While the Examining Attorney has referenced certain trademark registrations that include binders

and filing products as are included in the cited registration and the data storage tape products and blank optical disks, it is the experience of Mr. Vig based upon reviewing the ways in which the preceding products are marketed that a very high percentage of the products in these respective areas are not marketed under the same trademarks. Vig Decl. at ¶ 36.

It is further the experience of Mr. Vig in reviewing the ways in which data storage products and blank optical disks are marketed is that consumers would generally not expect these products to be marketed by the same entities that market binders and filing products such as are included in the cited registration. Vig Decl. at ¶ 37.

CONCLUSION

Based upon the preceding comments from Gurpreet Vig and in conformance with the reasoning set forth by the TTAB in the *7-Eleven* opinion, the binders and filing products in the cited registrations are sufficiently different than the data storage tape products and blank optical media in the present application such that consumers would not believe that the respective products emanate from a single source.

Additionally, because of the significantly different nature of the goods in the cited registrations and the present application, it cannot be said that the goods in the present application are within the zone of normal expansion of the goods in the cited registrations. Therefore, this factor weighs against finding a likelihood of confusion.

Based upon the preceding factors, it is submitted that the likelihood of confusion between the mark in the present application with the marks in the cited registrations is quite low. Reconsideration and withdrawal of this rejection are respectfully requested.

EVIDENCE

Evidence in the nature of Exhibit 1 to Response Declaration of Gupreet Vig Exhibit A to Vig Declaration Exhibit B to Vig Declaration Exhibit C to Vig Declaration Exhibit D to Vig Declaration Exhibit E to Vig Declaration Exhibit F to Vig Declaration Exhibit G to Vig Declaration has been attached.

Original PDF file:

http://tgate/PDF/RFR/2009/10/26/20091026110615732067-77619729-009_001/evi_65248216185-105315729_-_Earthwise_Response_Exhibit_1.pdf

Converted PDF file(s) (4 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

Original PDF file:

http://tgate/PDF/RFR/2009/10/26/20091026110615732067-77619729-009_002/evi_65248216185-105315729_-_77619729_Declaration_Vig.pdf

Converted PDF file(s) (7 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

Evidence-5

Evidence-6

Evidence-7

Original PDF file:

http://tgate/PDF/RFR/2009/10/26/20091026110615732067-77619729-009_003/evi_65248216185-105315729_.Vig_Declaration_Exhibit_A.pdf

Converted PDF file(s) (2 pages)

Evidence-1

Evidence-2

Original PDF file:

http://tgate/PDF/RFR/2009/10/26/20091026110615732067-77619729-009_004/evi_65248216185-105315729_.Vig_Declaration_Exhibit_B.pdf

Converted PDF file(s) (1 page)

Evidence-1

Original PDF file:

http://tgate/PDF/RFR/2009/10/26/20091026110615732067-77619729-009_005/evi_65248216185-105315729_.Vig_Declaration_Exhibit_C.pdf

Converted PDF file(s) (1 page)

Evidence-1

Original PDF file:

http://tgate/PDF/RFR/2009/10/26/20091026110615732067-77619729-009_006/evi_65248216185-105315729_.Vig_Declaration_Exhibit_D.pdf

Converted PDF file(s) (1 page)

Evidence-1

Original PDF file:

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Evidence-1

Original PDF file:

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Converted PDF file(s) (1 page)

Evidence-1

Original PDF file:

http://tgate/PDF/RFR/2009/10/26/20091026110615732067-77619729-009_009/evi_65248216185-105315729_.Vig_Declaration_Exhibit_G.pdf

Converted PDF file(s) (1 page)

Evidence-1

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Michael A. Bondi/ Date: 10/26/2009

Signatory's Name: Michael A. Bondi

Signatory's Position: Attorney, Minnesota bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in

this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77619729

Internet Transmission Date: Mon Oct 26 11:06:15 EDT 2009

TEAS Stamp: USPTO/RFR-65.248.216.185-200910261106157

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earthwise

News and Ideas for UCS Members and Activists

President Moves on Scientific Integrity

Government scientists cheered in March as President Obama formally asked the White House Office of Science and Technology Policy to develop a plan aimed at preventing political interference in federal science. In his memorandum, the president set forth the following principles: federal agencies should make public any non-classified scientific information considered in policy decisions, candidates for executive-branch scientific positions should be chosen based on their knowledge and experience, and agencies should adopt procedures that allow political interference in science to be reported and addressed.

UCS met more than a dozen times with presidential transition teams over the winter to urge increased transparency in decision making, whistle-blower protections for scientists, and other reforms. The president's directive is just one of several actions his administration has taken that closely mirror our recommendations.

Implementation of this directive will be complex and time-consuming, but UCS will work with the administration to create a realistic and effective plan and build public support for its execution. To read the memorandum and learn more about our recommendations for further reforms, visit the UCS website at www.ucsusa.org/scientific_integrity.

close to home

A New Wave in Community Farming

The growing popularity of community supported agriculture programs (or CSAs), in which people buy shares of a local farm's harvest, has led some city dwellers to give up their cubicles for a career in farming. Take Denise and Cameron Anderson, for example. The former urban professionals now run a CSA called 2silos Farm outside Columbus, OH, that sells farm-fresh vegetables in the summer and pasture-raised meat and eggs year-round.



Denise and Cameron Anderson, owners of 2silos Farm in Ohio, launched a meat CSA last year. Here, they show off some of their pasture-raised animals.

Not Bad for a Hobbyist

Like more than a third of U.S. farm operators today, the Andersons did not start out in agriculture; raising chickens and selling the eggs at farmers markets was essentially a hobby for Denise (one that provided supplemental income) in 2003. But when Cameron lost his job as a Web developer, the couple decided to pursue farming full-time. They expanded their egg sales to include area retailers and restaurants, and started raising a flock of sheep.

Last year, with help from friends who run the area's largest vegetable CSA, the Andersons launched a meat CSA. More than 12,500 small and mid-sized farms nationwide market their products through CSAs, but meat and dairy CSAs or "buying clubs" represent a relatively new trend. Members of the 2silos CSA pay an annual fee that helps underwrite the farm's operating costs, then in return receive six monthly shares of eggs and a variety of meat cuts (approximately 20 pounds per month).

The Andersons like this marketing arrangement because it offers them guaranteed sales and customer loyalty while giving consumers the opportunity to

(continued on back page)

on a personal note

Finding Common Ground on Deforestation



Of the many factors contributing to global warming, one that has yet to be addressed in any significant way is the clearing of the world's tropical forests. Stopping this large-scale deforestation may seem like an intractable problem. But at a recent event co-hosted by the Union of Concerned Scientists for members of Congress and their staffs, President Bharrat Jagdeo of Guyana helped me understand that the solution lies in understanding and responding to the concerns and needs of the peoples who depend on these forests for their livelihood.

He explained that while the world values the selling of timber and clearing of forests to plant crops or raise livestock, it "does not value most of the services that forests provide when trees are kept alive," such as their capacity for absorbing heat-trapping carbon dioxide emissions. President Jagdeo has emerged as a leader among rainforest nations calling for a compact with the developed world that would provide an economic incentive to keep these critical forests—and their irreplaceable biodiversity—intact.

That's where UCS comes in. With our expertise in deforestation science and policy, we help international policy makers craft incentives that will benefit both the global environment and local economies. Our analysis shows that \$20 billion in annual funding could cut deforestation-related emissions in half by 2020; the funds can come from the auction of permits that carbon polluters would be required to purchase, or the sale of a limited amount of "offsets," which would allow polluters to meet their emissions reduction targets partly by funding forest conservation initiatives.

Compensating rainforest nations for protecting their carbon-storing forests is in every nation's interest. The entire world would benefit from a sharp reduction in global warming emissions—about 20 percent of which are produced by deforestation—and the developing world would also benefit from an alternative revenue stream that could address such pressing needs, in President Jagdeo's words, as "better schools and hospitals, teachers and doctors . . . and jobs for our citizens."

By focusing on these common interests, UCS will continue to encourage the international community to forge a comprehensive policy on tropical forests that will benefit people all over the world.

KEVIN KNOBLOCH, *president*

fast facts



Taxpayers may pay for another bailout of the nuclear power industry.

Proponents of nuclear power are calling for as many as 300 new plants by 2050 as a way to reduce global warming pollution. But history shows this could be a financially risky path:

- The industry has an extremely poor record of predicting construction costs, which has led to massive overruns and the abandonment of more than 100 reactors since the 1970s. As a result, ratepayers and taxpayers have paid almost \$300 billion in today's dollars for the industry's past failures.
- The Department of Energy has already allocated \$18.5 billion in loan guarantees for new nuclear plants, but the industry is asking Congress for much more.
- The average risk of default on nuclear loan guarantees is about 50 percent. At this rate, taxpayers could lose between \$360 billion (for 100 new plants) and \$1.6 trillion (for 300 new plants).

Nearly 5,000 UCS members support our work through small monthly gifts automatically withdrawn from their bank accounts or charged to their credit cards. If you're not already one of them, consider joining the **Partners for the Earth** program today—it saves time, postage, and paper. For more information, go to www.ucsusa.org/pfe or call our membership department at (800) 666-8276 x8000.

Help Shape Strong Climate Policy

What's at Stake

A clean energy future that curbs global warming.

How You Can Help

Urge Congress to send President Obama strong climate legislation this year.

What's Happening

In February, Congress passed a stimulus package that included strong provisions for renewable energy and energy efficiency. This is an important first step in breaking our dependence on oil, putting Americans back to work, and protecting future generations from the worst effects of global warming—but it is not enough. Scientific research indicates that climatic changes are happening faster than projected and that further delay will result in even greater costs to human health and the environment.

With Congress poised to consider climate legislation in the months ahead, we must challenge our lawmakers to take bold action that will curb global warming and transition the United States to a clean energy economy.

What You Can Do

Tell your legislators that a comprehensive climate policy must:

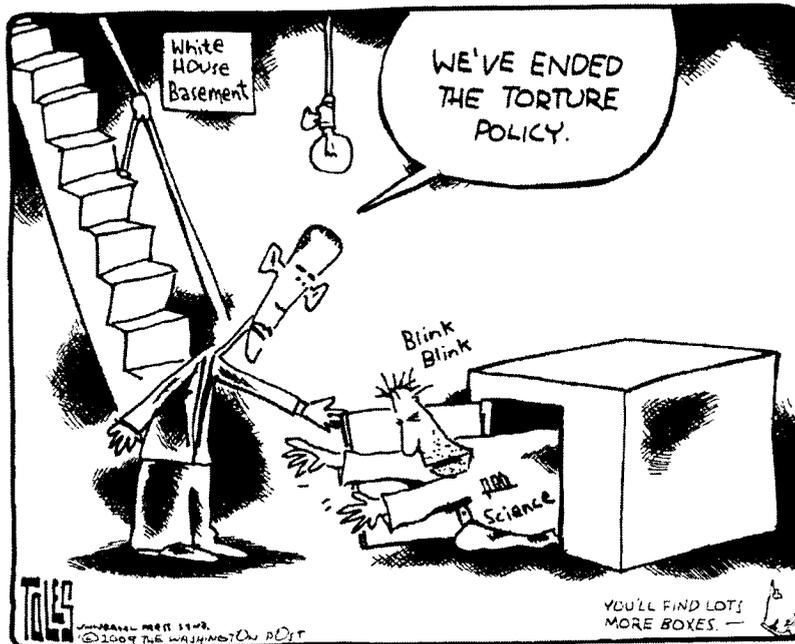
- Require U.S. global warming emissions reductions of 35 percent below current levels by 2020 and at least 80 percent by 2050, with the flexibility to rapidly adjust these targets if emerging climate science concludes deeper cuts are needed
- Require 25 percent of our nation's electricity to be generated from renewable resources by 2025—a standard that would create 297,000 U.S. jobs and save consumers \$64.3 billion by 2025



© National Renewable Energy Laboratory

- Require polluters to pay for their global warming emissions; invest the revenue in clean energy and energy efficiency, prevention of tropical deforestation, transfer of clean technologies to developing nations, and assistance for disadvantaged communities in adapting to unavoidable climate changes
 - Exclude any loopholes that would let polluters delay or avoid needed pollution reductions, especially unlimited carbon "offsets" or a "safety valve" that limits the fee for emissions
- Remind your elected officials that swift action will maximize consumer savings and minimize global warming's impact over the long term. To contact your U.S. senators or representative, send an email from the online UCS Action Network at www.ucsaction.org or call the Capitol switchboard at (202) 224-3121 and ask to be connected to the appropriate office.

drawing conclusions



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A New Wave in Community Farming *(continued from front page)*

purchase fresh, often organic food at a competitive price. It also keeps food dollars in the community. The 2silos CSA was so successful in its first year—"We had so much interest, we had to expand just to meet our first winter's demand," Denise says—that the Andersons added a summer vegetable CSA for 2009.

A Smarter Way to Raise Animals

The 2silos CSA now offers chicken, eggs, beef, lamb, pork, and even goose and rabbit, but the Andersons don't have the space to raise all these animals themselves. Instead, they have joined forces with four neighboring farms that supply the CSA with livestock. Though each farm raises different animals, they share a common commitment to sustainable farming practices. All of the animals are raised on carefully managed pastures, a system that produces more nutritious meat while minimizing the pollution problems that plague overcrowded CAFOs (confined animal feeding operations).

"Smart pasture systems" and other farms that reduce the non-therapeutic use of antibiotics common in CAFOs are even healthier for animals and people alike. Missouri hog farmer Russ Kremer knows this well; years ago, he nearly died from an antibiotic-resistant infection related to his small CAFO's routine overuse of antibiotics. He responded by updating his operation to a modern, cost-saving model that houses hardy breeds of pigs in an airy, straw-filled barn with constant access to pasture—an environment that virtually eliminates the need for antibiotics.

UCS is working to expand government support for farmers like the Andersons and Russ Kremer who are moving U.S. agriculture away from the unhealthy practices of the past by investing in organic and smart pasture systems. Visit our website at www.ucsusa.org/food_and_agriculture to learn more about these efforts, download a fact sheet on meat CSAs, or view a slide show about Russ Kremer and his farm.

UCS on the web

Can you Digg it? A useful and fun new way to share UCS news and analysis with people all over the world is through "bookmarking" websites such as Delicious.com, Digg.com, Reddit.com, and StumbleUpon.com. Register for free at any of these sites and you'll be able to add UCS links and vote for your favorites. You can also point people to specific content on our site by clicking the Share icon at the top of each UCS webpage.

earthwise

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National Headquarters
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Cambridge, MA 02138-9105



dialogue

Hybrid and diesel vehicles both get good mileage, but do they have similar impact in terms of global warming emissions?

First, we should point out that while gasoline-electric hybrids and diesel vehicles both achieve impressive highway fuel economy, hybrids excel in city driving. For example, the Honda Civic Hybrid and the diesel Volkswagen Jetta TDI have similar highway fuel economy (45 and 40 mpg, respectively) but the Civic Hybrid gets 40 mpg in the city versus 29 mpg for the Jetta. In addition, diesel and gasoline have different chemical compositions and, thus, different emissions when burned. Over the course of the entire fuel cycle (i.e., from the time the fuel is extracted at the wellhead to the point at which it is emitted from a vehicle's tailpipe), burning a gallon of diesel emits roughly 10 percent more global warming emissions than a gallon of gasoline.

As a result of the combined differences in chemical composition and fuel efficiency, the Civic Hybrid emits an estimated 4.4 tons of heat-trapping emissions for every 15,000 miles of driving (a typical amount of mileage for U.S. drivers in one year), while the Jetta releases 6.4 tons—not unlike many other cars on the road, such as the non-hybrid Ford Focus (6.8 tons). Diesels, while significantly cleaner than those from years past, also produce more smog-forming pollution than typical gasoline-powered hybrids.

UCS is working to ensure that automakers reduce emissions from both diesel and gasoline vehicles. To learn more, visit www.ucsusa.org/clean_vehicles. To compare the emissions performance of specific diesel and hybrid models, visit www.fueleconomy.gov.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING DIVISION

Applicant: Imation Corp.	Class: 9
Serial No.: 77/619,729	Law Office: 103
Filed: November 21, 2008	Docket No.: I201.601.101
Mark: EARTHWISE	

DECLARATION OF GURPREET VIG

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Sir/Madam:

I, Gurpreet Vig, declare as follows:

1. I am employed by Imation Corp. ("Imation") as marketing manager for data storage tape products. I have held this position since 2008. I began working with Imation in 1999 and while employed by Imation have had several different positions.
2. In conjunction with my position as marketing manager for data storage tape products, I am responsible for overseeing Imation's marketing efforts in support of its data storage tape products.
3. One aspect of my position as marketing manager is understanding the channels through which the Imation data storage tape products are sold and the types of customers that purchase the Imation data storage tape products.
4. I have visited numerous dealers who sell data storage tape products.

DECLARATION OF GURPREET VIG

Mark: EARTHWISE

US Applic. No. 77/619.729

Page 2

5. I make this Declaration in support of the registrability of the present trademark application that was filed on behalf of Imation for the mark EARTHWISE.
6. It is my understanding that this trademark application currently includes the following goods: RECYCLED, REMANUFACTURED OR REFURBISHED MAGNETIC TAPE CARTRIDGES FOR DATA STORAGE FOR USE WITH COMPUTERS; AND BLANK OPTICAL DISKS in International Class 9.
7. It is my understanding that registration of this trademark application has been refused under Trademark Act Section 2(d), 15 U.S.C. § 1052(d), based upon U.S. Reg. Nos. 1,668,485; 1,672,574; 1,672,578; 1,690,799; 1,695,318; 1,697,578 and 1,715,661 that are each currently owned by Esselte Corporation.
8. The primary term in each of the cited registrations set forth in Paragraph 7 is EARTHWISE.
9. Each of the cited registrations set forth in Paragraph 7 include at least one of the following products in International Class 16: STATIONERY PRODUCTS; NAMELY, REPORT COVERS, STATIONERY TYPE PORTFOLIOS, EXPANDING FILE POCKETS, STORAGE FILES, INDEX CARDS, FILE POCKETS, EXPANDABLE FILES, RINGBOOK INDEXES, FILLER PAPER, COMPOSITION BOOKS, COLUMNAR PADS, RING BINDERS, DATA BINDERS, BOUND BOOKS, SPIRAL NOTEBOOKS, FILE FOLDERS, HANGING FOLDERS, INDEX TABS FOR HANGING FOLDERS.
10. Based upon my experience in working with office products, I would classify each of the products in the preceding paragraph as paper-based office products.

DECLARATION OF GURPREET VIG

Mark: EARTHWISE

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Page 3

11. From my work in conjunction with my position as a marketing manager for data storage tape products, I have become very familiar with the conditions under which data storage tape products and many other office products are sold.
12. There are a variety of data storage tape products on the market. These products have different form factors that enable data storage tape products to be used in conjunction with the particular type of equipment that the data storage tape product is designed to work. For example, a few common form factors for data storage tape products include DLT, LTO, SLR and TravanTM (see pages 690 and 691 from the Bertelson catalog attached hereto as Exhibit A).
13. Additionally, the capacity of data storage tape products continues to increase in response to enhancements on the structure and fabrication techniques used for the data storage tape products. For example, the LTO data storage tape products currently have 4 generations of products LTO 1 (capacity 200 GB), LTO 2 (capacity 400 GB), LTO 3 (capacity 800 GB) and LTO 4 (capacity 1,600 GB). Equipment that was designed for use with LTO 1 may not be able to read LTO 2, LTO 3 or LTO 4 data storage tape products.
14. In light of the factors set forth in the preceding 2 paragraphs, care must be used to select the particular data storage tape product that is used in conjunction with the form factor and capacity of the unit on which the data storage tape products will be used.
15. Additionally, the data storage tape products become progressively more expensive as the capacity increases with some items costing more than \$100 per item.
16. Based on the preceding elements, it is my experience that a person purchasing data storage tape products will exercise a high degree of care, which in my opinion reduces the potential of the purchasers being confused.

DECLARATION OF GURPREET VIG

Mark: EARTHWISE

US Applic. No. 77/619,729

Page 4

17. The various paper-based office products in the cited registrations are each suited for particular uses. For example, expanding file pockets would be used for storing a variety of papers in an organized manner.
18. Based on the specialized nature of the paper-based office products in the cited registrations, it is my opinion that consumers would exercise care when selecting these products to ensure that they are suitable for a particular task based upon my experiences in marketing office products.
19. I also note that the owner of the cited registrations does not have a wide array of office products that would be displayed in various locations of an office supply store. Rather, the goods in the cited registrations are all paper-based office products that in my experience would all be displayed in a single section of an office supply store based upon my experience in marketing office products.
20. While these types of paper-based office products are less expensive than the products in the present application, these products are not inexpensive such that they would be purchased on impulse. It is my opinion that this factor would reduce the potential of consumer confusion between the goods in the cited registrations with the goods in the present application.
21. One way in which the products included in the cited registrations and the present application are sold is through online merchants. One such online merchant is Staples, Inc. which operates an Internet site at www.staples.com.
22. Attached hereto as Exhibit B is a printout of the home page from www.staples.com, which includes three main headers into which its products are classified.

DECLARATION OF GURPREET VIG

Mark: EARTHWISE

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Page 5

23. All of the goods included in the cited registrations would be classified under the header Office Products. None of the goods included in the cited registrations would be classified under the header Technology.
24. All of the goods included in the present application would be classified under the header Technology. None of the goods included in the present application would be classified under the header Office Supplies.
25. Other online merchants such as Office Depot and Office Max have web sites that are organized in a similar manner where the goods in the cited registrations are classified under Office Supplies and the goods in the present application are classified under Technology as illustrated in Exhibits C and D.
26. Based upon the factors set forth in the preceding paragraphs about the nature in which paper-based office products, data storage tape products and blank optical media are sold through internet merchants, it is my opinion that consumers are not likely to encounter the respective products. Even if particular consumers encounter the respective products, it is my opinion that the significant differences in the products and the suggestive nature of the mark EARTHWISE would minimize the potential of consumer confusion.
27. Another primary way in which the products included in the cited registrations and the present application are sold is through catalogs. One such catalog merchant is Bertelson Brothers Inc., which conducts business under Bertelson Total Office Solutions.
28. Attached hereto as Exhibit E is the cover from the Bertelson Total Office Solutions 2009 Reference Catalog. This catalog includes an index on page 1, a copy of which is attached hereto as Exhibit F.
29. As illustrated in the index page, the data storage tape products (data storage media) and blank optical media (data storage media) in the present application are in different

DECLARATION OF GURPREET VIG

Mark: EARTHWISE

US Applic. No. 77/619.729

Page 6

sections of the catalog than the various paper products in the cited registrations (binders, file folders, indexes, notebooks, paper and report covers).

30. As this catalog contains over 1,500 pages and includes more than 26,000 products, it is my experience that persons using this catalog do not page through the catalog but rather use the index at the front of the catalog or the complete index at the back of the catalog to locate the desired product.
31. Finding products in the manner set forth in the preceding paragraph is similar to the manner used to locate products on an office products web site. As such, persons who are searching for paper products are unlikely to encounter the goods included in the present application and persons searching for data storage tape products and blank optical media are unlikely to encounter the goods included in the cited registrations.
32. Because of the preceding differences and my experiences in working with marketing of data storage tape products and other office products, it is my opinion that consumers are not likely to confuse the respective uses of the marks in the cited registrations and the present application in conjunction with their respective products.
33. Still another way in which the goods included in the cited registrations and the present application are sold is through retail stores. One such retail store is Office Depot. While individual stores operated by Office Depot may have slightly different layouts depending on the shape and dimensions of the space in which the retail store is located, the Office Depot retail stores generally appear to be organized according to the store layout set forth in Exhibit G.
34. The goods included in the cited registrations are generally included within the section of the store layout entitled Binders & Filing. The goods included in the present application are generally included in the large portion of the retail store entitled Tech DEPOT, which includes Ink DEPOT and Peripheral & Media sections.

DECLARATION OF GURPREET VIG

Mark: EARTHWISE

US Applic. No. 77/619,729

Page 7

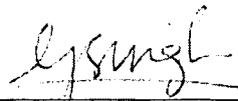
35. Based upon my experiences in reviewing the ways in which various office products are marketed, each of these store sections is quite distinct and it is very unlikely that products from the Binders & Filing section would be displayed in the Ink DEPOT section or the Peripherals & Media section.
36. While the Examining Attorney has referenced certain trademark registrations that include paper-based office products as are included in the cited registrations and the data storage tape products and blank optical disks, it is my experience based upon reviewing the ways in which the preceding office products are marketed that a very high percentage of the office products in these respective areas are not marketed under the same trademarks.
37. It is further my experience in reviewing the ways in which data storage products and blank optical disks are marketed is that consumers would not expect these products to be marketed by the same entities that market paper-based office products such as are included in the cited registrations.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any registration issuing thereon.

Date

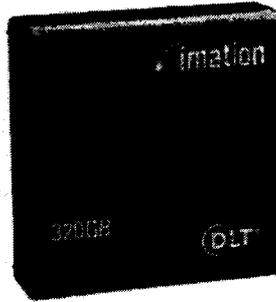
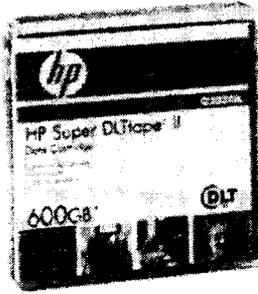
10/13/2009

Gurpreet Vig



D DATA STORAGE MEDIA • Data Cartridges

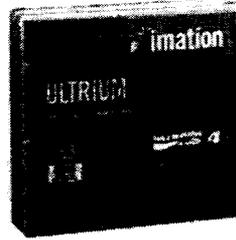
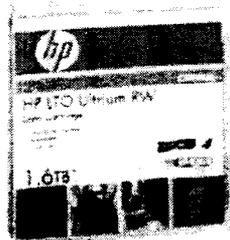
Fully Loaded



DLT TAPE CARTRIDGES

- The most advanced data storage tapes available
- Extremely durable, with a low error rate and prolonged archival life

Manufacturer		DLT IV 20/40GB (DLT4000), 35/70GB (DLT7000) or 40/80GB (DLT9000)	DLT Cleaning Cartridge	Super DLT 220GB (SDLT 220) or 320GB (SDLT 320)	Super DLT II 300/600GB	Super DLT Cleaning Cartridge	DLT S4 Data Cartridge
	No.	HEW-C5141F	HEW-C5142A	HEW-C7980A	HEW-Q2020A	HEW-C7982A	....
	Unit	EA	EA	EA	EA	EA	....
	List	53.69	99.17	66.97	134.22	117.92	....
	No.	IMN-11775	IMN-12919	IMN-16260	IMN-16988	IMN-16332	....
	Unit	EA	EA	EA	EA	EA	....
	List	68.11	116.04	88.67	195.65	165.67	....
maxell.	No.	MAX-183270	MAX-183770	MAX-183700	MAX-183715	MAX-183710	MAX-184030
	Unit	EA	EA	EA	EA	EA	EA
	List	57.04	88.76	71.48	155.51	146.13	161.87
SONY	No.	SON-OL4TK88	SON-OL3CL	SON-SDLT1320	....	....	....
	Unit	EA	EA	EA	....	....	....
	List	43.28	195.99	68.04	....	....	....



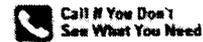
LTO CARTRIDGES

- Single reel tape cartridges with new "open" format are ideal for high capacity backup, restoration and archival needs
- Scalability to accommodate a wide range of system platforms

Manufacturer		LTO I Up to 200GB	LTO II Up to 400GB	LTO III Up to 800GB	LTO IV Up to 800GB	LTO Universal Cleaning Cartridge
	No.	HEW-C7971A	HEW-C7972A	HEW-C7973A	HEW-C7974A	HEW-C7978A
	Unit	EA	EA	EA	EA	EA
	List	51.71	48.00	58.18	128.73	107.97
	No.	IMN-41089	IMN-16598	IMN-17532	IMN-26592	IMN-15931
	Unit	EA	EA	EA	EA	EA
	List	68.25	62.78	74.11	179.00	109.16
maxell.	No.	MAX-183800	MAX-183850	MAX-183900	MAX-183906	MAX-183804
	Unit	EA	EA	EA	EA	EA
	List	57.82	58.84	72.22	146.67	115.20
SONY	No.	SON-LTX100	SON-LTX200G	SON-LTX400	SON-LTX800G	....
	Unit	EA	EA	EA	EA	....
	List	42.34	59.33	55.98	152.00	....
	No.	....	TDK-27694	TDK-27791	TDK-48969	TDK-27637
	Unit	....	EA	EA	EA	EA
	List	....	51.33	64.78	157.78	160.80

690

[A GUIDE TO OUR ICONS]
See page two for more information



Data Cartridges • DATA STORAGE MEDIA

D



Data Cartridges

	hp		imation		maxell		SONY		
	Unit	List	Unit	List	Unit	List	Unit	List	
8MM Data Tapes									
8MM DDS-1 90M 2GB (4GB Comp.)	HEW-C5706A	EA 5-96	.....	.....	MAX-331910	EA 4-78	SON-DG90P	EA 3-69
8MM DDS-2 120M 4GB (8GB Comp.)	HEW-C5707A	EA 6-66	IMN-43347	EA 10-93	MAX-200110	EA 8-87	SON-DGD120P	EA 5-79	
8MM DDS-3 125M 12GB (24GB Comp.)	HEW-C5708A	EA 6-69	IMN-11737	EA 11-18	MAX-200025	EA 11-87	SON-DGD125P	EA 6-49	
8MM DDS-4 150M 20GB (40GB Comp.)	HEW-C5718A	EA 9-63	IMN-40963	EA 10-29	MAX-200028	EA 16-67	SON-DGD150P	EA 9-69	
8MM DAT 72 170M 36GB (72GB Comp.)**	HEW-C8010A	EA 17-84	IMN-17204	EA 47-56	MAX-200200	EA 21-69	SON-DGDAT72	EA 20-29	
8MM DAT 160 (160GB)	HEW-C8011A	EA 48-89	.....	.....	MAX-230010	EA 69-14	SON-DGDAT160	EA 48-13
8MM Cleaning Cartridge	HEW-C5709A	EA 10-78	IMN-45382	EA 15-53	MAX-186990	EA 8-10	SON-DGD15CL	EA 13-73	
8MM Data Tapes									
8MM 112M 5GB (10GB Comp.)	.....	.....	.....	.....	.....	.....	SON-DG112M	EA 5-69
8MM 160M 7GB (14GB Comp.)	.....	.....	.....	.....	.....	.....	SON-GGD160M	EA 10-69
8MM 170M MAMMOTH 1 20GB (40GB Comp.)***	.....	.....	.....	.....	.....	.....	SON-GGD170ME	EA 92-69
8MM 170M AIT-1 25GB (65GB Comp.)***	.....	.....	.....	.....	.....	.....	SON-SDX125C	EA 66-95
8MM 170M AIT-1 35GB (70GB Comp.)***	HEW-Q1997A	EA 78-95	.....	.....	.....	.....	SON-FDX135C	EA 64-95
8MM 230M AIT-1 35GB (91GB Comp.)***	.....	.....	.....	.....	.....	.....	.....	.....
8MM 230M AIT-2 50GB (100GB Comp.)**	HEW-Q1998A	EA 81-29	.....	.....	.....	.....	SON-SDX250C	EA 67-95
8MM 250M AIT-2 50GB (130GB Comp.)***	.....	.....	.....	.....	.....	.....	.....	.....
8MM 230M AIT-3 100GB (200GB Comp.)**	HEW-Q1999A	EA 89-99	.....	.....	.....	.....	SON-SDX3100C	EA 78-63
8MM 230M AIT-3 100GB (250GB Comp.)**	.....	.....	.....	.....	.....	.....	SON-SDX4200C	EA 71-95
8MM 246M AIT-4 200GB (520GB Comp.)	.....	.....	.....	.....	.....	.....	SON-SDX5400C	EA 74-14
8MM 246M AIT-3/AIT-3Ex/AIT-4	.....	.....	.....	.....	.....	.....	.....	.....
AIT-5/AIT-6 400GB (800GB Comp.)	.....	.....	.....	.....	.....	.....	SON-DGD8CL	EA 22-64
8MM Cleaning Cartridge	.....	.....	.....	.....	.....	.....	.....	.....
SLR/MLR Cartridge									
SLR5 4GB (8GB Comp.)	.....	.....	IMN-11864	EA 103-04	.....	.....	.....	.....
SLR7 20GB (40GB Comp.)	.....	.....	IMN-41461	EA 125-01	.....	.....	.....	.....
SLR32 16GB (32GB Comp.)	.....	.....	IMN-11892	EA 255-44	.....	.....	.....	.....
SLR60 30GB (60GB Comp.)	.....	.....	IMN-41115	EA 175-34	.....	.....	.....	.....
SLR100 50GB (100GB Comp.)	.....	.....	IMN-41069	EA 208-32	.....	.....	.....	.....
MLR1-26GB 13GB (26GB Comp.)	.....	.....	IMN-45640	EA 220-65	.....	.....	.....	.....
SLR/MLR Head Cleaning Cartridge	.....	.....	IMN-12094	EA 83-39	.....	.....	.....	.....
Travan									
4GB TR4 Format (8GB Comp.)**	HEW-C4425A	EA 56-96	IMN-46214	EA 83-63	.....	.....	.....	.....
10GB Travan NS20 (20GB Comp.)	HEW-C4435A	EA 77-91	IMN-12115	EA 112-08	.....	.....	.....	.....
20GB Travan 40 (40GB Comp.)	.....	.....	IMN-42467	EA 122-64	.....	.....	.....	.....
NS Cleaning Cartridge	.....	.....	IMN-12132	EA 69-60	.....	.....	.....	.....
Standard 5.25" Data Tapes									
DC6250 250MB No Format	.....	.....	IMN-46157	EA 60-47	.....	.....	.....	.....
DC6525 525MB No Format	.....	.....	IMN-46156	EA 64-60	.....	.....	.....	.....
DC9120 1.2GB No Format	.....	.....	IMN-46165	EA 96-87	.....	.....	.....	.....
DC9200 2GB No Format	.....	.....	IMN-46167	EA 126-33	.....	.....	.....	.....
DC9250 2.5GB No Format	.....	.....	IMN-46168	EA 111-38	.....	.....	.....	.....

* For Exabyte Memory Tape Drives ** For AIT-1 Tape Drives *** For AIT-2 Tape Drives **** For AIT-3 Tape Drives ***** For AIT-4 Tape Drives

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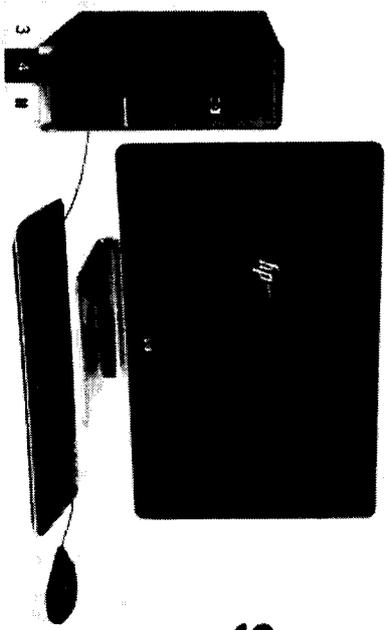
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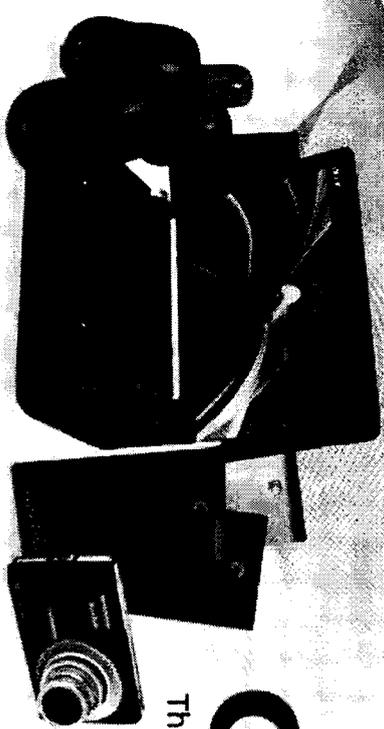
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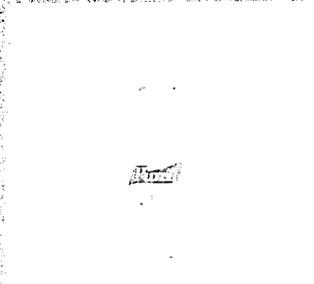
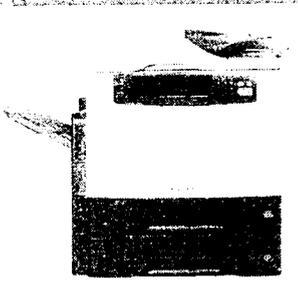
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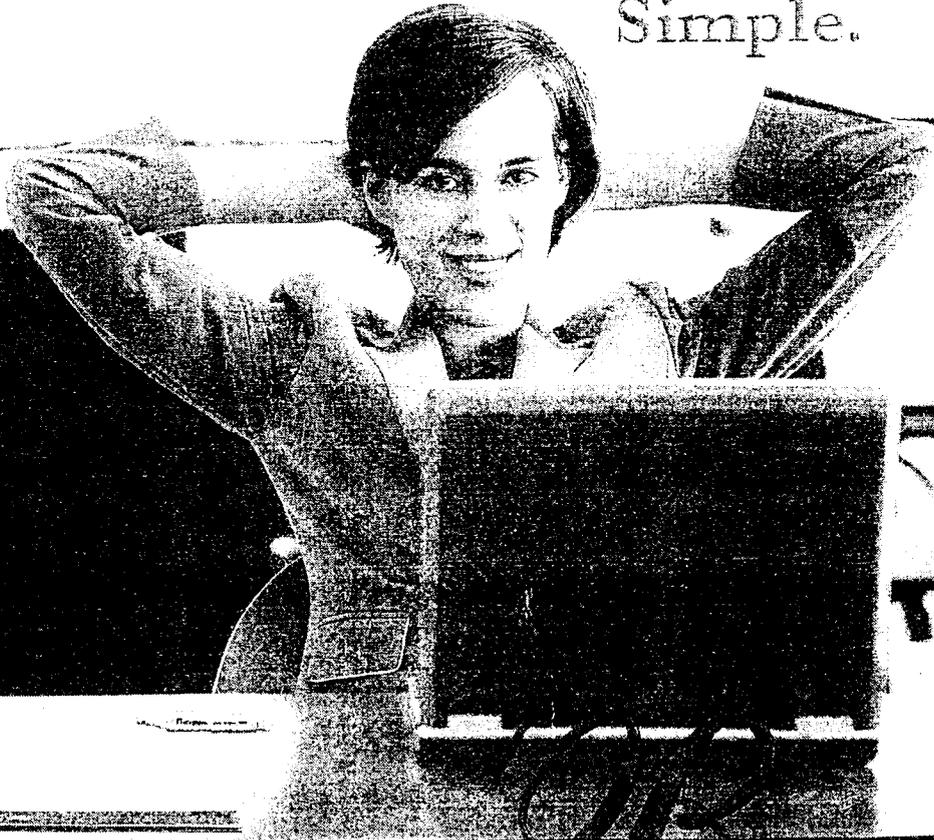
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