TTAB

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

In re application of: Matrix Operations Company, LLC	)	International Class: 9
Serial No.: 78/533102	)	Law Office: 114
Mark: MATRIX PLUS	)	Examining Attorney: Brian Neville
Filed: December 15, 2004	)	

TRANSMITTAL

The Commissioner for Trademarks
UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Sir or Madam:

Transmitted herewith is Applicant's Appeal Brief for the above-referenced application. If a Petition for an Extension of Time is necessary for the paper transmitted herewith to be timely filed, this transmittal is to be considered as a petition to extend the response period by the amount of time needed for the papers to be timely filed. A duplicate of the transmittal is enclosed.

Respectfully submitted,

Jennifer L. Cerce
Maiello Brungo & Maiello, LLP
One Churchill Park
3301 McCrady Road
Pittsburgh, PA 15235
412-242-4400

[redacted]

10-10-2006
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #30

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited via FedEx delivery in an envelope addressed to: Trademark Trial and Appeal Board, US Patent and Trademark Office, Madison East, Concourse Level, Room C 55, 600 Dulany Street, Alexandria, VA 22314

Date: 10-9-06

Jennifer L. Cerce

160455,11180.4

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

In re application of: Matrix Operations Company, LLC	)	International Class: 9
Serial No.: 78/533102	)	Law Office: 114
Mark: MATRIX PLUS	)	Examining Attorney: Brian Neville
Filed: December 15, 2004	)	

TRANSMITTAL

The Commissioner for Trademarks
UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Sir or Madam:

Transmitted herewith is Applicant's Appeal Brief for the above-referenced application. If a Petition for an Extension of Time is necessary for the paper transmitted herewith to be timely filed, this transmittal is to be considered as a petition to extend the response period by the amount of time needed for the papers to be timely filed. A duplicate of the transmittal is enclosed.

Respectfully submitted,

Jennifer L. Cerce
Maiello Brungo & Maiello, LLP
One Churchill Park
3301 McCrady Road
Pittsburgh, PA 15235
412-242-4400

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited via FedEx delivery in an envelope addressed to: Trademark Trial and Appeal Board, US Patent and Trademark Office, Madison East, Concourse Level, Room C 55, 600 Dulany Street, Alexandria, VA 22314

Date: 10-9-06

Jennifer L. Cerce

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

In re application of: Matrix Operations Company, LLC	)	International Class: 9
Serial No.: 78/533102	)	Law Office: 114
Mark: MATRIX PLUS	)	Examining Attorney: Brian Neville
Filed: December 15, 2004	)	

The Commissioner for Trademarks
UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

APPLICANT'S APPEAL BRIEF

The Notice of Appeal in the instant application was filed on August 12, 2006. In reliance on the points and authorities cited, Applicant respectfully requests that the February 24, 2006 final refusal to register the mark be overruled.

TABLE OF CASES

Blue Bell Bio-Medical v. Cin-bad, Inc., 864 F.2d 1253 (5th Cir. 1989).

In re Burndy Corp, 49 C.C.P.A. 967, 300 F.2d 938, 133 U.S.P.Q (BNA) 196 (1962).

Checkpoint Systems, Inc. v. Check Point Software Technologies, Inc., 269 F.3d 270 (3d Cir. 2001).

Conde Nast Publications, Inc. v. Miss Quality, Inc. 507 F.2d 1404, 184 U.S.P.Q. 422 (1975).

In re Electrolyte Laboratories, Inc., 929 F.2d 645, 647 16 U.S.P.Q. 2d 1239 (C.N.N.A. U.S. Court of Appeals Fed. Cir. 1990).

In re E.I. DuPont DeNemours & Co., 476 F.2d 1357, 1364, 177 U.S.P.Q. 563, 560 (C.C.P.A. 1973).

In re Fesco Inc., 219 U.S.P.Q. 437 (TTAB 1983).

General Mills, Inc. v. Kellogg Co., 824 F.2d 622, 627 (8th Cir. 1987).

Georgia Pacific Corp. v. Great Plains Bag Company, 614 F.2d 757, 204 U.S.P.Q. 697 (C.C.P.A. 1980).

Knapp-Monarch Co. v. Poloron Products, Inc., 134 U.S.P.Q. 412 (TTAB 1962).

Plus Products v. General Mills, Inc., 188 U.S.P.Q. 520 (TTAB 1975).

Sunbeam Lighting Co. v. Sunbeam Corp., 183 F.2d 969 (9th Cir. 1950).

TABLE OF AUTHORITIES

Fund and Wagnall Standard Dictionary, Second Edition.

Merriam-Webster OnLine Dictionary

TMEP §1207 (b)(i) and (iii).

DISCUSSION

Applicant appeals to the Trademark Trial and Appeal Board from the February 24, 2006 final decision refusing the registration of the MATRIX PLUS mark under Section 2(d). Applicant is seeking registration in International Class 42 for use with: "Computer software for use by the media industry encompassing television, cable, print, online and radio media sources for the development, execution and monitoring of successful sales strategies which permit the user to download historical and prospective sales data directly from traffic systems thereby providing up-to-date sales information." The examining attorney refused registration due to an alleged likelihood of confusion with U.S. Registration No. 1725130 for the mark MATRIX for "computer program and software, all of which is used in the marketing/marketing research environment to facilitate understanding, analysis and implementation of sales and marketing data." It is Applicant position that there is no likelihood of confusion between the marks.

In reviewing a refusal based upon a likelihood of confusion, the "DuPont" factors must be taken into consideration. The most relevant of these factors are as follows:

> (1) the similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression;
>
> (2) the similarity or dissimilarity and nature of the goods or services as described in an application or registration or in connection with which a prior mark is in use;
>
> (3) the similarity or dissimilarity of established, likely-to-continue trade channels; and
>
> (4) the conditions under which and buyers to whom sales are made; i.e. "impulse" vs. careful sophisiticated purchasing.

See, In re E.I. DuPont DeNemours & Co., 476 F.2d 1357, 1364, 177 U.S.P.Q. 563, 560 (C.C.P.A. 1973).

1. The similarity or dissimilarity of the marks in their entirety as to appearance, sound, connotation and commercial impression.

The Examining Attorney notes in the final refusal:

> [t]he applicant and the registrant use the identical term MATRIX. The applicant added the term PLUS, which, the applicant argues, serves to distinguish it from the registrant's mark. However, the term PLUS does not fuction as a source indicator where, as in this case, it suggests a newer or enchanced version of the goods marketed under the MATRIX mark. See attached for example, with the marks BANKGUARD and BANKGUARD PLUS, MEASURETECH and MEASURETECH PLUS, RXSCAN and RXSCAN PLUS, and COLORFROST and COLORFROST PLUS. (Examining Attorney's Final Refusal.)

The examining attorney focuses on the term MATRIX which he considers to be a dominant term that automatically creates a likelihood of confusion. "The use of identical, even dominant, words in common does not automatically mean that the two marks are similar. General Mills, Inc. v. Kellogg Co., 824 F.2d 622, 627 (8th Cir. 1987). While Applicant acknowledges that both its mark and Registrant's mark use the word MATRIX, the fact that the two marks share this common term is not in and of itself an indication that the term is dominant. In fact, a recent search of the United States Patent and Trademark Office ("PTO") searchable database revealed 1,381 applications containing the work MATRIX.[1] A particular portion of a mark may be weak, as Applicant has argued, simply because it is commonly used by the marketplace. See Knapp-Monarch Co. v. Poloron Products, Inc., 134 U.S.P.Q. 412 (TTAB 1962). Applicant would direct the Board's attention to the numerous registered marks (attached hereto as Exhibits "A" through "E") The various registrations of Matrix marks clearly indicate that the United States Patent and Trademark Office recognizes variations in software and grants registration even if a mark includes the word MATRIX. The plethora of MATRIX marks found in the PTO database indicates that the term MATRIX is not dominant and cannot support the Examining Attorney's assertions.

[1] 634 of the 1,381 MATRIX marks are live marks.

Next, the Examining Attorney improperly discounted and ignores the additional elements of Applicant's mark which act to distinguish it from Registrant's mark. Additional language and design elements are sufficient to overcome a likelihood of confusion if the marks in their entireties convey different commercial impressions. See TMEP §1207(b)(i) and (iii). See also, Conde Nast Publications, Inc. v. Miss Quality, Inc. 507 F.2d 1404, 184 U.S.P.Q. 422 (1975) (COUNTRY VOGUES not confusingly similar with VOGUE); Plus Products v. General Mills, Inc., 188 U.S.P.Q. 520 (TTAB 1975) (PROTEIN PLUS not confusingly similar to PLUS).

As to sound, Applicant's mark includes an additional word and three additional syllables with the inclusion of PLUS. The registered mark is the work MATRIX with nothing more. The additional words and syllables differentiate the two marks.

As to appearance, Applicant's mark is a design mark utilizing a specified font and also includes a distinct visual element of a grid/checkerboard design between the two words. Because Applicant's mark uses both visual and oral indicia both must be weighed in the context in which they occur. See Georgia Pacific Corp. v. Great Plains Bag Company, 614 F.2d 757, 204 U.S.P.Q. 697 (C.C.P.A. 1980). "A design is viewed, not spoken, and a stylized letter design cannot be treated simply as a word mark." In re Electrolyte Laboratories, Inc., 929 F.2d 645, 647 16 U.S.P.Q. 2d 1239 (C.N.N.A. U.S. Court of Appeals Fed. Cir. 1990) *citing* In re Burndy Corp, 49 C.C.P.A. 967, 300 F.2d 938, 133 U.S.P.Q (BNA) 196 (1962). The registered mark is also design mark. Because both are design marks, neither can be changed in appearance to encroach upon the other's design and do not lend themselves to a likelihood of confusion.

As to connotation and commercial impression, the two marks also are dissimilar in nature. The commercial impression of a mark must be taken into consideration with the products and/or services with which the mark is used. See TMEP §1207 (b)(i). Definitions of MATRIX are as follows:

> 1: something within or from which something else originates, develops, or takes form; 2a: a mold from which a relief surface (as a piece of type) is mad b: DIE 3a(1) c: an engraved or inscribed

> die or stamp d: an electroformed impression of a phonograph record use for mass-producing duplicates of the original 3a: the natural material (as soil or rock) in which something (as a fossil or crystal) is embedded b: material in which something is enclosed or embedded (as for protection or study) 4a: the intercellular substance in which tissue cells (as of connective tissue) are embedded b: the thickened epithelium at the base of a fingernail or toenail from which new nail substance develops 5a a rectangular array of mathematical elements (as the coefficients of simultaneous linear equations) that can be combined to form sums and products with similar arrays having an appropriate number of rows and columns b: something resembling a mathematical matrix especially in rectangular arrangement of elements into rows and columns c: an array of circuit elements (as diodes and transistors) for performing a specific function 6: a mail clause that contains a subordinate clause. Merriam-Webster OnLine Dictionary A copy of the definition is attached here to as Exhibit "F."

Matrix is also defined as:

> 1. that in which anything originates, develops, takes shape, or is contained. 2. a mold in or from which anything is cast or shaped. Funk and Wagnall Standard Dictionary, Second Edition A copy of the definition is attached hereto as Exhibit "G."

As the registered mark consists of the work MATRIX, the connotation and commercial impression arrived at by Applicant's mark is that the goods identified by the mark provide an additional layer of elements to an already exisiting frame work which enhances the overall system.

Finally, the Examining Attorney places great emphasis on the PLUS which "suggests a newer or enhanced version." The Examining Attorney cited to, and attached to the Final Refusal, four pairs of "plus" marks to illustrate his point that Applicant's mark will be viewed as a newer/better version of Registrant's mark (See Exhibits "H" through "O" attached hereto.). All of the pairs are registered with the PTO. Careful review of the BANKGUARD/BANKGUARD PLUS and MEASURETECH/MEASURETECH PLUS registered trademark pairs reveals that each pair is registered in the same International Class but are owned by different entities. To cite to these examples and then suggest that individuals can differentiate between the four pairs but somehow cannot differentiate between Applicant's and Registrant's marks flies in the face of

reason. Further, when one factors in the non-relatedness of the goods and the buyers of the goods, there cannot be likelihood of confusion.

2. The relatedness of the goods or services as described in an application or registration or in connection with which a prior mark is in use and also the conditions under which and buyers to whom sales are made.

With respect to the relatedness of goods and/or services the Examining Attorney notes in this case

> The identification of the registrant's goods is very broad with no limitation placed on the field of use for the software. Therefore, as indicated in the initial office action, the examining attorney must presume that the registration encompasses software use din [sic] all industries including the media industry. [Citation omitted.] Any goods or services in the registrant's normal fields of expansion must also be considered in order to determine whether the registrant's good or services are related to the applicant's identified goods or services for purposes of analysis under Section 2(d). (Examining Attorney's Final Refusal.)

Applicant disagrees with Examining Attorney's arguments. The services provided by Applicant and Registrant are wholly distinct. On its website, Registrant identifies its services as follows:

> Landis' proprietary MATRIX™ relational database technologies consistently advanced research industry standards with its unique capability to deeply differentiate consumer attitudes and behaviors between a *product category* and the *individual brands* within that category. With the emergence of this new level of analytics as the gold standard in market research, clients were quick to recognize the leverage for growth the powerful consumer insights, innovations, and fact based strategies that only MATRIX™ can provide.
>
> With MATRIX™, Landis further redefined the historic notice of product testing by enabling the old trial and error simulation game to be mathematically modeled and projected. Such modeling has since involved into the norm in consumer marketing. Landis Strategy & Innovation has been guiding senior management of Marquee Consumer Brands toward breakthrough growth solutions. (Registrant website printout attached hereto as Exhibit "P.")

Turning to Applicant's identification of MATRIX PLUS, its website sets forth as follows:

Today, the Power of Matrix*Plus* is helping more than 50 media companies at 700+ sites to realize greater revenue potential in each line of business by enabling them to plan and execute more strategically.

* * * *

Since its introduction in 1992 our flagship software product Matrix*Plus* has become the tool suite that competitive sales professionals and media advertising have come to rely on to manage their business.

* * * *

Strategic Account Management is at the heart of Matrix*Plus*. In fact, it is the PLUS in Matrix*Plus*. Our 9-cell grid allows you to classify your accounts by a combination of revenue and future potential. Matrix*Plus* also provides the necessary tools to better ascertain the needs of your customers and better focus that strategy.

* * * *

While Matrix*Plus* extracts some key billing information form your traffic system, it is the ability to cleanse and group that data into useful information that makes Matrix*Plus* so powerful. In addition, your traffic system does not contain prospect information nor can it provide you the flexibility to view the data in ways that are conducive to accomplishing your many tasks-including forecasting, NTR evaluations, Strategic Account Management and various Sales CRM functions.

* * * *

Matrix*Plus* is not just about pulling historical reports. It's a total Sales Operating Action Plan that is designed to provide an overall sales strategy for your station including:

- Strategic Account Management
- Client Profile and Customer Needs Analysis
- Salesperson Interaction (Forecasting, Project Updates, Planning)
- Salesperson Account Change Previews

Matrix*Plus* also has the capacity to create a wide array of reports including:

- Sales Reports
- Pacing Reports

- Forecasting Reports
- Share Tracking Reports
- Special Project Analysis Reports
- Salesperson Review Reports
- Compensation Reports

(Applicant website printout attached hereto as Exhibit "Q.")

Although both are software based, they are not identical or directly competitive and do not overlap or move in common trade channels.

The Registrant's good/services "differentiate consumer attitudes and behaviors between a product category and the individual brands within that category" and "knowledge of the relationship between what motivates consumers to buy and use a category of products, their perception of brands within the category, how they segment their view of a market to fulfill needs, and how brands and consumers needs mesh in the broader competitive context. "

Applicant's goods, on the other hand, are directed specifically toward and used by the media industry- television stations, cable stations, newspapers, magazines, online sites and radio stations. Applicant's goods, unlike Registrant's, concerns itself with account management. not marketing. Applicant's services allows media outlets to track and organize the amount of television ad time for a customer; the number of ads placed in a magazine; billing ramifications, grouping of advertisers. Applicant's services are not related to promoting products. The information provided by Applicant illustrates that the goods are clearly not the same and there is insufficient evidence to establish a basis for assuming that the services would be encountered by the same purchaser or parties." See In re Fesco Inc., 219 U.S.P.Q. 437 (TTAB 1983).

Moreover, Applicant and Registrant solicit and obtain their customer base from a careful, sophisticated and distinct purchaser. Where the class of purchasers is sophisticated who are intimately familiar with their particular fields, the purchasers will not be confused by similar marks. Checkpoint Systems, Inc. v. Check Point Software Technologies, Inc., 269 F.3d 270 (3d Cir. 2001); Blue Bell Bio-Medical v. Cin-bad, Inc., 864 F.2d 1253 (5th Cir. 1989); Sunbeam

Lighting Co. v. Sunbeam Corp., 183 F.2d 969 (9th Cir. 1950). Neither are offered to the public pe se; i.e. "Joe or Jane Consumer," rather they are offered to the sophisticated purchaser; i.e., professionals. Registrant's client base appears to be comprised of *senior management of marquee consumer brands* versus Applicant's client base which is comprised of *sales professionals in media advertising.* These individuals are going to be particular in their respective purchases and are going to exercise a high level of care. The purchaser would not believe Applicant's goods are within "the registrant's normal fields of expansion." The Examining Attorney's concerns of related goods and related purchasers are unfounded. There is no likelihood of confusion.

CONCLUSION

The differences in the goods/services of Applicant and Registrant, when combined with the overall differences in the two marks, leads to the conclusion that there is no likelihood of confusion and Applicant's registration of the mark MATRIX PLUS should be granted.

Respectfully submitted,

MAIELLO BRUNGO & MAIELLO, LLP

Jennifer L. Cerce
Maiello Brungo & Maiello, LLP
One Churchill Park
3301 McCrady Road
Pittsburgh, PA 15235
412-242-4400
jlc@mbm-law.net

Thank you for your request. Here : the latest resul

In re: Matrix Operations Company, LLC

This page was generated by the TARR system on 200

Filed By: Applicant

Serial Number: 78065384

Registration Number: 3039818

Mark (words only): MATRIX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-01-10

Filing Date: 2001-05-23

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 108

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-01-10

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

.. ServerZero Inc.

Address:
ServerZero Inc.
'o Box 1389
Rancho Santa Fe, CA 92067
Jnited States
Legal Entity Type: Corporation
State or Country of Incorporation: Nevada
'hone Number: 858-756-7778
'ax Number: 858-678-5082

EXHIBIT
tabbies
A

GOODS AND/OR SERVICES

nternational Class: 009
Computer hardware including parts associated with housing the processor, motherboard/main board and associated rocessing hardware, excluding computer displays, excluding connectors between computers, and excluding computer eripherals not housing the processors, mainboard

First Use Date: 2001-01-02
First Use in Commerce Date: 2001-03-12

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-10 - Registered - Principal Register

2005-10-18 - Published for opposition

2005-09-28 - Notice of publication

2005-07-07 - Law Office Publication Review Completed

2005-07-01 - Assigned To LIE

2005-06-27 - Approved for Pub - Principal Register (Initial exam)

2004-09-04 - Report Completed Suspension Check Case Still Suspended

2004-01-26 - Case File in TICRS

2002-06-04 - Letter of suspension mailed

2002-02-05 - Communication received from applicant

2001-08-10 - Non-final action mailed

2001-07-30 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent
SERVERZERO INC.
PO BOX 1389
RANCHO SANTA FE CA 92067-1389

Phone Number: 858-756-7778
Fax Number: 858-678-5082

Thank you for your request. Here : the latest results from th

In re: Matrix Operations Company, LLC

This page was generated by the TARR system on 2006-01-12 1(

Filed By: Applicant

Serial Number: 78393686

Registration Number: 3016307

Mark

(words only): MATRIX MANAGER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-11-15

Filing Date: 2004-03-31

Transformed into a National Application: No

Registration Date: 2005-11-15

Register: Principal

Law Office Assigned: LAW OFFICE 106

f you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

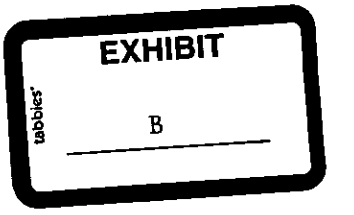
Current Location: 650 -Publication And Issue Section

Date In Location: 2005-10-06

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

. Set Forward LLC

ddress:
et Forward LLC
2 Fairmount Road West
alifon, NJ 07830
nited States
egal Entity Type: Ltd Liab Co



State or Country Where Organized ew Jersey
Phone Number: 908-832-5770
Fax Number: 908-832-5107

GOODS AND/OR SERVICES

International Class: 009
Computer programs to negotiate and manage employee tasks, projects, and performance appraisals for small, medium and large corporations
First Use Date: 2005-06-15
First Use in Commerce Date: 2005-07-20

Basis: 1(a)

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) yellow and grey is/are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The mark consists of grey 3D circular background, 3 yellow orbs connected with 2 white tubular lines.

Disclaimer: "MANAGER"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-15 - Registered - Principal Register

2005-10-01 - Law Office Registration Review Completed

2005-09-23 - Assigned To LIE

2005-09-16 - Allowed for Registration - Principal Register (SOU accepted)

2005-09-16 - Statement of use processing complete

2005-08-28 - Amendment to Use filed

2005-08-28 - TEAS Statement of Use Received

005-08-02 - Notice of allowance - mailed

005-05-10 - Published for opposition

005-04-20 - Notice of publication

005-01-25 - Law Office Publication Review Completed

2005-01-19 - Assigned To LIE

2004-11-15 - Approved for Pub - Principal Register (Initial exam)

2004-11-13 - Teas/Email Correspondence Entered

2004-11-04 - Communication received from applicant

2004-11-13 - Assigned To LIE

2004-11-04 - TEAS Response to Office Action Received

2004-10-28 - Non-final action e-mailed

2004-10-28 - Non-Final Action Written

2004-04-12 - Applicant amendment prior to exam entered

2004-10-21 - Assigned To LIE

2004-10-20 - Case file assigned to examining attorney

2004-04-12 - TEAS Preliminary Amendment Received

2004-04-08 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent
Set Forward LLC
42 Fairmount Road West
Califon, NJ 07830

Phone Number: 908-832-5770
Fax Number: 908-832-5107

Thank you for your request. Here : the latest results fro

In re: Matrix Operations Company, LLC

This page was generated by the TARR system on 2006-01-1

Filed By: Applicant

Serial Number: 78285666

Registration Number: 2869688

Mark (words only): TARASOFT MATRIX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-08-03

Filing Date: 2003-08-11

Transformed into a National Application: No

Registration Date: 2004-08-03

Register: Principal

Law Office Assigned: LAW OFFICE 113

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-08-09

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

1. Tarasoft Corporation

Address:
Tarasoft Corporation
#206-625 Front Street
Nelson, British Columbia V1L 4B6
Canada
Legal Entity Type: Corporation
State or Country of Incorporation: Canada
Phone Number: 250-544-0407
Fax Number: 250-544-0407

EXHIBIT
tabbies
C

GOODS AND/OR SERVICES

International Class: 009
Computer software, namely, custom application and web browser based software for use in updating and accessing real state listing information
First Use Date: 2003-01-14

First Use in Commerce Date: 2003 ·14

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-08-03 - Registered - Principal Register

2004-05-11 - Published for opposition

2004-04-21 - Notice of publication

2004-03-03 - Approved for Pub - Principal Register (Initial exam)

2004-03-03 - Case file assigned to examining attorney

2003-09-15 - TEAS Change of Correspondence Received

2003-08-25 - TEAS Change of Correspondence Received

CORRESPONDENCE INFORMATION

Correspondent
Gloria McDonald (Attorney of record)

Gloria McDonald
Private Practice
2415 Arbutus Crescent
Nanoose Bay British Columbia V9P 9G1 Can

Phone Number: 250-468-5811
Fax Number: 250-468-5811

Domestic Representative
Lalitha Mani
Phone Number: 703-356-1346
Fax Number: 703-356-1346

In re: Matrix Operations Company, LLC

Filed By: Applicant

Thank you for your request. Here : the latest results from

This page was generated by the TARR system on 2006-01-12

Serial Number: 78251588

Registration Number: 2918143

Mark (words only): MATRIX EXPLORER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-11

Filing Date: 2003-05-19

Transformed into a National Application: No

Registration Date: 2005-01-11

Register: Principal

Law Office Assigned: LAW OFFICE 116

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-11-29

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

I. REDDY, SHEKAR C.

Address:
REDDY, SHEKAR C.
C/O POWERSOFT.US, INC. 931 VILLAGE BLVD SUITE 905-472
WEST PALM BEACH, FL 33409
United States
Legal Entity Type: Individual
Country of Citizenship: India
Phone Number: (732) 470-6055
Fax Number: (561) 686-1838 (ATTN: POW

EXHIBIT
tabbies
D

GOODS AND/OR SERVICES

International Class: 009
COMPUTER SOFTWARE USED IN CONJUNCTION WITH OTHER DATABASE SOFTWARE PROGRAMS TO ALLOW A USER TO GAIN SIMULTANEOUS ACCESS TO MULTIPLE DATABASES, DATABASE OBJECTS AND DATA WHILE MAINTAINING CONCURRENT CONNECTIONS; COMPUTER SOFTWARE IN THE

NATURE OF GRAPHICAL USER I ERFACE FOR DATABASE ACCES.)ATABASE MANAGEMENT, DATABASE ADMINISTRATION, DATA MANIPULATION AND FOR TESTING AND DEBUGGING PROCEDURES
First Use Date: 2004-01-12
First Use in Commerce Date: 2004-01-12

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-20 - TEAS Change of Correspondence Received

2005-01-11 - Registered - Principal Register

2004-11-03 - Law Office Registration Review Completed

2004-11-03 - Assigned To LIE

2004-10-18 - Allowed for Registration - Principal Register (SOU accepted)

2004-10-08 - Statement of use processing complete

2004-09-08 - Amendment to Use filed

2004-09-07 - Notice of allowance - mailed

2004-06-15 - Published for opposition

2004-05-26 - Notice of publication

2004-04-06 - Approved for Pub - Principal Register (Initial exam)

2004-03-11 - Communication received from applicant

.004-03-12 - Email Received

004-03-10 - TEAS Amendment of Use Received

004-03-10 - EXAMINERS AMENDMENT E-MAILED

004-02-21 - Communication received from applicant

004-02-25 - Amendment to use held informal - letter mailed

2004-02-21 - Amendment to Use file

2004-02-23 - Email Received

2004-02-15 - Communication received from applicant

2004-02-17 - Email Received

2004-01-17 - Final refusal e-mailed

2003-12-08 - Communication received from applicant

2003-12-08 - PAPER RECEIVED

2003-11-14 - Non-final action e-mailed

2003-11-14 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent
Shekar C. Reddy
StaffEx Corporation
C/o Powersoft, Inc.
931 Village Blvd Suite 905-472
West Palm Beach FL 33409
Phone Number: (732) 470-6055
Fax Number: (440) 860-3647

In re: Matrix Operations Company, LLC

Filed By: Applicant

Thank you for your request. Here a the latest results fron

This page was generated by the TARR system on 2006-01-1

Serial Number: 76428535 Assignment Information

Registration Number: 2826040 Assignment Information

Mark (words only): SCT MATRIX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-03-23

Filing Date: 2002-07-09

Transformed into a National Application: No

Registration Date: 2004-03-23

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-03-29

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

. SUNGARD SCT INC.

Address:
SUNGARD SCT INC.
680 EAST SWEDESFORD ROAD
WAYNE, PA 19087
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

EXHIBIT
tabbies
E

GOODS AND/OR SERVICES

International Class: 009
Computer software for use in the field of education to manage financial, academic and administrative records
First Use Date: 2002-09-00
First Use in Commerce Date: 2002-09-00

Basis: 1(a)

ADDITIONAL INFORMATION

Prior Registration Number(s):
1765791
1765792
1782866
1783875
1783876
1789590
2192038
2517706

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-23 - Registered - Principal Register

2004-01-24 - Allowed for Registration - Principal Register (SOU accepted)

2003-12-16 - Case file assigned to examining attorney

2003-12-11 - Case File in TICRS

2003-11-25 - Statement of use processing complete

2003-11-25 - Extension 1 granted

2003-10-28 - Amendment to Use filed

2003-10-28 - Extension 1 filed

2003-10-28 - PAPER RECEIVED

2003-04-29 - Notice of allowance - mailed

2003-02-04 - Published for opposition

2003-01-15 - Notice of publication

2002-11-27 - Approved for Pub - Principal Register (Initial exam)

2002-11-12 - Case file assigned to examining attorney

2002-11-12 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent
Glenn A. Gundersen (Attorney of record)

GLENN A. GUNDERSEN
DECHERT
4000 BELL ATLANTIC TOWER
1717 ARCH STREET
PHILADELPHIA, PA 19103-2793
Phone Number: 215.994.4000
Fax Number: 215.994.2222

Merriam-Webster

In re: Matrix Operations Company, LLC

Filed By: Applicant

Merriam-Webster FOR KIDS Encyclopædia BRITANNICA
Merriam-Webster ONLINE Merriam-Webster COLLEGIATE® Merriam-Webster UNABRIDGED

THINKMAP VISUALTHESAURUS VERSION 5
learn LOOK IT UP TRY IT NOW!
instruct memorize determine read learn check study ascertain teach

HOME
PREMIUM SERVICES
M-WCollegiate.com
M-WUnabridged.com
Britannica.com
Multi-User Licenses
DOWNLOADS
WORD OF THE DAY
WORD GAMES
WORD FOR THE WISE
ONLINE STORE
HELP
Merriam-Webster Inc.

Merriam-Webster Online Dictionary

Thesaurus

matrix

10 entries found for **matrix**.
To select an entry, click on it.

matrix
augmented matrix
diagonal matrix
dot matrix
Hermitian matrix
identity matrix
Go

Main Entry: **ma·trix**
Pronunciation: `'mA-triks`
Function: *noun*
Inflected Form(s): *plural* **ma·tri·ces** /`'mA-tr&-"sEz, 'ma-`/; *or* **ma·trix·es** /`'mA-trik-s&z`/
Etymology: Latin, female animal used for breeding, parent plant, from *matr-, mater*
1 : something within or from which something else originates, develops, or takes form
2 a : a mold from which a relief surface (as a piece of type) is made **b :** DIE 3a(1) **c :** an engraved or inscribed die or stamp **d :** an electroformed impression of a phonograph record used for mass-producing duplicates of the original
3 a : the natural material (as soil or rock) in which something (as a fossil or crystal) is embedded **b :** material in which something is enclosed or embedded (as for protection or study)
4 a : the intercellular substance in which tissue cells (as of connective tissue) are embedded **b :** the thickened epithelium at the base of a fingernail or toenail from which new nail substance develops
5 a : a rectangular array of mathematical elements (as the coefficients of simultaneous linear equations) that can be combined to form sums and products with similar arrays having an appropriate number of rows and columns **b :** something resembling a mathematical matrix especially in rectangular arrangement of elements into rows and columns

Merriam-Webster Online
Dictionary
Thesaurus
Go

Browse by letter:
A B C D E F G H I J K L M
N O P Q R S T U V W X Y Z

Browse words next to:
matrix

Britannica
matrix Find

Babylon-Pro
Get instant results from Merriam-Webster in any desktop application in a single click
Merriam-Webster on Babylon-Pro

Handheld Collegiate
Now you can take the Eleventh Edition with you anywhere as Franklin's new Speaking Electronic Handheld!
Franklin.com/estore

Merriam-Webster Collegiate.com
14-day Free Trial

EXHIBIT
F

c : an arra f circuit elements (as diodes and trans rs) for performing a specific function
6 : a main clause that contains a subordinate clause

For **More Information on "matrix" go to Britannica.com**

Get the **Top 10 Search Results for "matrix"**

Ads by Google

Matrix Screensaver
The most desired Screensaver EverWill look Awesome on your Computer
www.screensavers.com

Top Toyota Matrix Prices
Find out our lowest possible priceon a new Matrix
www.CarPriceSecrets.com

Electronic Patch Panel
Industry Leader. 288 x 288 port.Copper and optical to 10 Gbps.
www.apcon.com

Pronunciation Symbols

Products Premium Services Company Info Contact Us Advertising Info Privacy Policy

© 2005-2006 Merriam-Webster, Incorporated

In re: Matrix Operations Company, LLC

Filed By: Applicant

match or equal; peerless. —**match'less•ly** *adv.*

match•mak•er (MACH MAY kər) *n.* 1. one who arranges a marriage. 2. one who arranges an athletic match. 3. one who makes matches for lighting.

mate[1] (mayt) *n.* 1. something matched, paired, or joined with another. 2. a husband or wife. 3. either of two animals paired for propagation. 4. a companion. 5. an officer of a merchant vessel, ranking next below the captain. —*v.t. & v.i.* **mat•ed, mat•ing** 1. join together; pair. 2. join in marriage. 3. unite for breeding, as animals. [ME]

mate[2] *v.t.* **mat•ed, mat•ing** in chess, checkmate. —*n.* a checkmate.

ma•te•ri•al (mə TEER ee əl) *n.* 1. that of which anything is composed, created, or developed. 2. *pl.* the tools, instruments, etc. for doing something. 3. cloth or fabric. —*adj.* 1. of, pertaining to, or composed of matter; physical. 2. of, related to, or affecting the body: *material* comforts. 3. concerned with or devoted to things primarily worldly rather than spiritual or intellectual. 4. substantial; important. [ME]

ma•te•ri•al•ism (mə TEER ee ə LIZ əm) *n.* 1. *Philos.* the doctrine that everything in the universe is reducible to matter and can be explained in terms of physical laws. 2. undue regard for the material aspects of life. —**ma•te'ri•al•ist** *n.* —**ma•te'ri•al•is'tic** *adj.*

ma•te•ri•al•ize (mə TEER ee ə LIZ) *v.* **•ized, •iz•ing** *v.t.* 1. give material or actual form to. 2. in spiritualism, cause (a spirit etc.) to appear in visible form. —*v.i.* 3. assume material or visible form; appear. 4. take form or shape; be realized.

ma•te•ri•al•ly (mə TEER ee ə lee) *adv.* 1. in an important manner or to a considerable degree. 2. physically.

ma•té•ri•el (mə TEER ee EL) *n.* 1. the equipment and supplies of a military force. 2. the equipment of any organization. Also **ma•te'ri•el.** [< F]

ma•ter•nal (mə TUR nl) *adj.* 1. of, pertaining to, or characteristic of a mother; motherly. 2. derived from, related through, or connected with one's mother. [< Med.L *maternalis*] —**ma•ter'nal•ly** *adv.*

ma•ter•ni•ty (mə TUR ni tee) *n.* 1. the state of being a mother. 2. the qualities of a mother. —*adj.* 1. fashioned for pregnant women: *maternity* clothes. 2. designed to accommodate women and babies during and after childbirth: *maternity* ward. [< Med.L *maternitas*]

math•e•ma•ti•cian (MATH ə mə TISH ən) *n.* one who specializes or is expert in mathematics.

math•e•mat•ics (MATH ə MAT iks) *n.* (*construed as sing.*) the study of quantity, form, arrangement, and magnitude; esp., the methods and processes for disclosing the properties and relations of quantities and magnitudes. —**math'e•mat'i•cal** *adj.*

mat•i•née (MAT n AY) *n.* a performance or entertainment, as a play, concert, etc., held in the daytime, usu. in the afternoon. Also **mat'i•nee'.** [< F, morning]

ma•tri•arch (MAY tree AHRK) *n.* a woman holding the position corresponding to that of a patriarch in her family or tribe. —**ma'tri•ar'chal** *adj.*

ma•tri•ar•chy (MAY tree AHR kee) *n. pl.* **•chies** a social organization having the mother as the head of the family, in which descent is traced through the mother.

mat•ri•cide (MA tri SID) *n.* 1. the killing of one's mother. 2. one who kills his or her mother. [< L *matricidium*] —**mat'ri•cid'dal** *adj.*

ma•tric•u•late (mə TRIK yə LAYT) *v.t. & v.i.* **•lat•ed, •lat•ing** register or enroll in a college or university as a candidate for a degree. [< Med.L *matriculatus* enrolled] —**ma•tric'u•la'tion** *n.*

mat•ri•mo•ny (MA trə MOH nee) *n.* 1. the state or condition of being married. 2. *pl.* **•nies** the act, ceremony, or sacrament of marriage. [ME] —**mat'ri•mo'ni•al** *adj.*

ma•trix (MAY triks) *n. pl.* **ma•tri•ces** (MAY tri SEEZ) or **ma•trix•es** 1. that in which anything originates, develops, takes shape, or is contained. 2. a mold in or from which anything is cast or shaped. [< L, womb]

ma•tron (MAY tron) *n.* 1. a married woman, esp. one who is mature in age or manner. 2. a female attendant or guard, as in a woman's prison, rest room, etc. 3. a female superintendent of an institution, etc. [ME *matrone*] —**ma'•tron•ly** *adj. & adv.*

matron of honor a married woman acting as chief attendant to a bride at a wedding.

mat•ter (MAT ər) *n.* 1. that which makes up the substance of anything; constituent material. 2. that which is material and physical, occupies space, and is perceived by the senses. 3. a specific kind of substance: organic *matter.* 4. an object of discussion, concern, etc.: a *matter* of faith. 5. some-

thing of importance or
ism. unpleasant conditi
with the: What's the ma
content or meaning of a
guished from the style
that which is written, [
matter. 10. anything
chess matter. —v.i. bo
little. [ME materie]
mat•ter-of-fact (MAT
closely adhering to fac
forward; blunt. —ma
mat•ting[1] (MAT ing) n
fiber, straw, or other
floor covering, for pa
lectively.
mat•ting[2] n. 1. a mat
2. a dull, lusterless s
glass.
mat•tress (MA tris) n
strong fabric and fill
terial, as cotton, rub
on or as a bed. [ME
mat•u•rate (MACH
•rat•ing 1. form p
[< L maturatus rip
n.
ma•ture (mə CHU
developed; fully r
animals. 2. highly
outlook, etc.: a m
oughly developed,
science. 4. due
loud. —v. •tured
ripen; bring to fu
come to full deve
as a note. [ME] –
mat•zo (MAHT s
a large, flat piece
ditionally eaten c
zoh. [< Hebrew
maud•lin (MAW
emotional or se
mental or emoti
[ME Maudelen.
tent sinner, ofte
maul (mawl) n.
wedges, piles, e
2. handle roug
malle hammer
maun•der (M
incoherent ma
lly or idly. —v
mau•so•le•um
•le•ums or •l
tomb. [ME]

EXHIBIT

tabbies

G

Print: Feb 22, 2006 **78012883**

DESIGN MARK

Serial Number
78012883

Status
REGISTERED

Word Mark
BANKGUARD

Standard Character Mark
No

Registration Number
2828475

Date Registered
2004/03/30

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Buchanan, Beau INDIVIDUAL UNITED STATES 150 S. Glenoaks Blvd., #233
Burbank CALIFORNIA 91502

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: PERSONAL IDENTIFICATION AND COORDINATION SYSTEM COMPRISING COMPUTER SOFTWARE AND PROPRIETARY DATA BASES FOR FACILITATING COMMERCIAL TRANSACTIONS WHICH INCLUDE ELECTRONIC PAYMENT. First Use: 2000/09/01. First Use In Commerce: 2000/09/01.

Filing Date
2000/06/15

Examining Attorney
WILLIAMS, IRENE D.

EXHIBIT
H

BANKGUARD

Filed By: Applicant

Print: Feb 22, 2006 **78206975**

DESIGN MARK

Serial Number
78206975

Status
REGISTERED

Word Mark
BANKGUARD PLUS

Standard Character Mark
Yes

Registration Number
3060846

Date Registered
2006/02/21

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(4) STANDARD CHARACTER MARK

Owner
S&C Electric Company CORPORATION DELAWARE 6601 N. Ridge Blvd. Chicago ILLINOIS 60626

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Electronic Control for protection of shunt reactor and capacitor bank arrays. First Use: 2003/08/29. The mark was first used anywhere in a different form other than that sought to be registered on 06/30/1980.. First Use In Commerce: 2003/08/29.

Filing Date
2003/01/24

Examining Attorney
AYALA, LOURDES

Attorney of Record
JAMES V LAPACEK

EXHIBIT
tabbies
I

BANKGUARD PLUS

In re: Matrix Operations Company, LLC

Filed By: Applicant

Print: Feb 22, 2006 **73450858**

TYPED DRAWING

Serial Number
73450858

Status
REGISTERED AND RENEWED

Word Mark
COLORFROST

Standard Character Mark
No

Registration Number
1300389

Date Registered
1984/10/16

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Erie Scientific Company CORPORATION DELAWARE 20 Post Road Portsmouth NEW HAMPSHIRE 03801

Goods/Services
Class Status -- ACTIVE. IC 009. US 026. G & S: Microscope Slides. First Use: 1983/10/17. First Use In Commerce: 1983/10/17.

Filing Date
1983/11/02

Examining Attorney
GLYNN, GERALD T.

Attorney of Record
Edward R. Williams, Jr.

EXHIBIT
tabbies
J

Print: Feb 22, 2006 **78209982**

TYPED DRAWING

Serial Number
78209982

Status
REGISTERED

Word Mark
COLORFROST PLUS

Standard Character Mark
No

Registration Number
2797773

Date Registered
2003/12/23

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Erie Scientific Company CORPORATION DELAWARE 20 Post Road Portsmouth NEW HAMPSHIRE 03801

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Laboratory products, namely microscope slides. First Use: 1990/00/00. First Use In Commerce: 1990/00/00.

Prior Registration(s)
1300389;1320442

Filing Date
2003/02/03

Examining Attorney
KRISP, JENNIFER

Attorney of Record
Edward R. Williams, Jr.

EXHIBIT
K

Print: Feb 22, 2006 **73801502**

TYPED DRAWING

Serial Number
73801502

Status
REGISTERED AND RENEWED

Word Mark
MEASURETECH

Standard Character Mark
No

Registration Number
1587542

Date Registered
1990/03/20

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
MEASUREMENT TECHNOLOGY CORPORATION CORPORATION MINNESOTA 4396 ROUND LAKE ROAD ST. PAUL MINNESOTA 55112

Goods/Services
Class Status -- ACTIVE. IC 009. US 026. G & S: ELECTRONIC MEASUREMENT UNITS FOR DETERMINING THE THICKNESS OF PLASTIC FILMS. First Use: 1986/10/02. First Use In Commerce: 1986/10/02.

Filing Date
1989/05/22

Examining Attorney
GLYNN, GERALD T.

Attorney of Record
FRANK S. FARRELL

EXHIBIT
L

Filed By: Applicant

Print: Feb 22, 2006 **78215904**

DESIGN MARK

Serial Number
78215904

Status
REGISTERED

Word Mark
MEASURETECH PLUS

Standard Character Mark
No

Registration Number
2949905

Date Registered
2005/05/10

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
One World Technologies, Ltd. CORPORATION BERMUDA Cedar House 41 Cedar Avenue Hamilton BERMUDA HM12

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Hand-Held Household And Construction Distance Measuring Devices Which Use Sound Waves. First Use: 2004/06/07. First Use In Commerce: 2004/06/07.

Filing Date
2003/02/18

Examining Attorney
BELENKER, ESTHER

Attorney of Record
Mark F. Harrington

EXHIBIT
tabbies
M

MEASURETECH PLUS

Print: Feb 22, 2006 **75129071**

TYPED DRAWING

Serial Number
75129071

Status
SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

Word Mark
RXSCAN

Standard Character Mark
No

Registration Number
2126295

Date Registered
1997/12/30

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Retail Management Products Ltd. LTD LIAB CO OHIO 1214 Three Forks Drive South Westerville OHIO 43081

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: optical scanners for reading bar codes. First Use: 1996/06/01. First Use In Commerce: 1996/06/01.

Filing Date
1996/07/01

Examining Attorney
BELENKER, ESTHER

Attorney of Record
EDWARD A. MATTO

EXHIBIT
tabbies
N

Print: Feb 22, 2006 **78290878**

TYPED DRAWING

Serial Number
78290878

Status
REGISTERED

Word Mark
RXSCAN PLUS

Standard Character Mark
No

Registration Number
2874901

Date Registered
2004/08/17

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(1) TYPED DRAWING

Owner
Retail Management Products Ltd. LTD LIAB CO OHIO 1214 Three Forks Dr. S. Westerville OHIO 43081

Goods/Services
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Optical scanners for reading bar codes. First Use: 2000/03/00. First Use In Commerce: 2000/03/00.

Prior Registration(s)
2126295

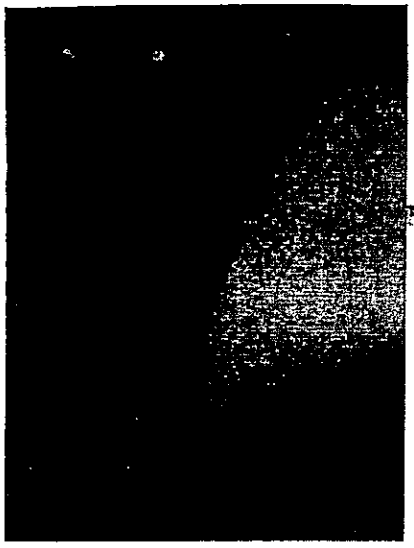
Filing Date
2003/08/22

Examining Attorney
MIZELLE, DEZMONA

Attorney of Record
Edward A. Matto

EXHIBIT
tabbies
0

In re: Matrix Operations Company, LLC)
Filed By: Applicant)
)



LANDIS Strategy & Innovation

How Smart Brands Own the Future

About Landis

For nearly thirty years, Landis Strategy & Innovation has been guiding senior management of marquee consumer brands toward breakthrough growth solutions.

For Landis, helping our clients manage change is no academic exercise. It's about empowering executive decision-makers to confidently commit to a new direction based on fact-based market insights, innovations, and strategies drawn from our extensive experience guiding leading brand marketers toward ownership of their future.

Our client partnership model is successful, in part, because Landis' expertise is derived from a history of groundbreaking advances in consumer insights, innovations, and marketing strategies that consistently exceed client expectations.

Guiding Clients To Own Their Future

Rapid changes in the consumer landscape require a better understanding of how to use research to improve marketing and business strategy. With rapidly expanding computer power, new demands emerged in the 1980s for market research and consulting to develop the next generation of analytics, integrate historically disparate data, and fill the gap in strategic decision-making. Landis realized this shift was an opportunity to provide clients with a unique, holistic view of their business. That view would greatly improve knowledge of the relationship between what motivates consumers to buy and use a category of products, their perception of brands within the category, how they segment their view of a market to fulfill needs, and how brands and consumer needs mesh in the broader competitive context.

From the beginning, Landis has continuously reinvented itself to stay ahead of change. Landis' proprietary MATRIX™ relational database technology has consistently advanced research industry standards with its unique capability to deeply differentiate consumer attitudes and behaviors between a *product category* and the *individual brands* within that category. With the emergence of this new level of analytics as the gold standard in market research, clients were quick to recognize and leverage for growth the powerful consumer insights, innovations, and fact-based strategies that only MATRIX™ can provide.

With MATRIX™, Landis further redefined the historic notion of product testing by enabling the old trial and error simulation game to be mathematically modeled and projected. Such modeling has since evolved into the norm in consumer marketing.

Consistently On The Cutting Edge of Brand Growth Solutions

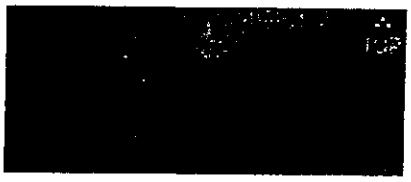
As more clients experienced Landis' strategic approach to growth solutions by integrating consumer insights, innovations, and marketing strategies, new opportunities ensued. Concurrently, corporate downsizing and the re-engineering movement of the 1990s were delivering unintended consequences. Leading brand organizations were losing talented people, while new product

EXHIBIT
tabbies
P

development groups were often reduced to a minimum. Many of those left behind did not have the time or experience to fully interpret or implement complex market research output. Research firms that remained entrenched in the old model of complex data delivery were becoming obsolete, and firms that had research design acumen, but could not leverage their output on behalf of marketing strategy, were becoming self-limiting.

Landis enables its clients to go beyond the data to also deliver innovation and marketing strategy solutions for growth that clients are seeking: solutions that are more predictive and pragmatic; solutions that close the gap between anticipated and required growth and profitability; and growth strategies that lead markets and empower organizations to own their future.

Start accelerating your profitable growth today. Click here.



In re: Matrix Operations Company, LLC

Filed By: Applicant

Think smart. Work smart. Get results.

matrix solutions

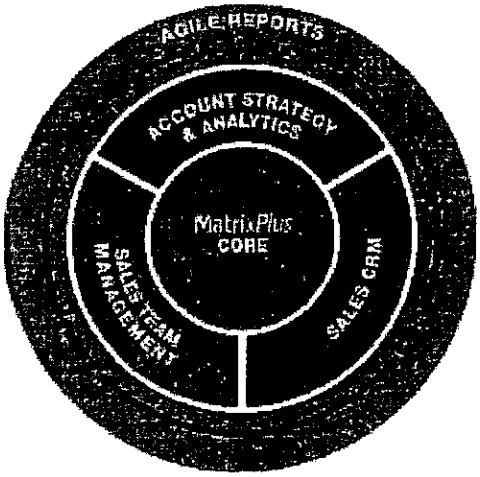
Intelligent Solutions For Media Sales

HOME | COMPANY | PRODUCTS | SERVICES | DEMO | MEDIA CENTER | SUPPORT

on the Future of Media Sales

Today, the power of Matrix*Plus* is helping more than 50 media companies at 700+ sites to realize greater revenue potential in each line of business by enabling them to plan and execute more strategically.

MatrixPlus 3-D INSIGHT



From forecasting to performance tracking, our strategic sales operation solution, Matrix*Plus* 3-D Insight method, enables your organization to have a unified approach to sales strategy management.

READ MORE >>

Matrix Solutions Spotlight

Introducing - Matrix*Plus* v4

Matrix*Plus* v4 is smarter, more powerful, more agile and easier to use than ever before. In addition to incorporating 250+ customer-initiated enhancements, we took the opportunity to build-in more time-saving features and conveniences, and Agile*Reports* to give you greater insight into accounts and sales effectiveness without increasing the burden of administration or set-up.

MatrixPlus v4 At-a-Glance (PDF)

VIEW DEMO >>

PR & News

Matrix Solutions Announces Management Promotions and New Additions to Team
PITTSBURGH, PA, December 20, 2005

Matrix Solutions Sets New Standard for Strategic Sales Operation Solutions with Version 4.0 of Matrix*Plus*™ Suite
November 17, 2005 - PITTSBURGH, PA

Events

SAC 2006
February 6-7 - Toronto, Canada

Television Bureau of Advertising Annual Marketing Conference
April 20, 2006 - New York, NY

National Association of Broadcasters 2006
April 22-27, 2006 - Las Vegas, NV

"At the touch of a button, we have access to historical and prospective information for the leading station sales numbers. There's no question that we have a competitive advantage with Matrix*Plus*."

— Dwight Walker, VP-GM, KFOG-FM, San Francisco

© Copyright 2005 - Matrix Solutions
Think smart. Work smart. Get results.
Intelligent Solutions for Media Sales and **3-D Insight** are servicemarks of Matrix Solutions, Inc. **Matrix*Plus*** is a trademark of Matrix Solutions, Inc.

EXHIBIT
tabbies
Q

Think smart. Work smart. Get results.

matrix solutions

Intelligent Solutions For Media Sales

Matrix Solutions provides software and services to some of the most innovative sales organizations in media advertising. Since its introduction in 1992 our flagship software product, Matrix*Plus* , has become the tool suite that competitive sales professionals in media advertising have come to rely on to manage their business. Our training and integrated software suite are tailored to meet the unique demands of the industry, encompassing television, cable, print, on-line and radio, and has been adopted by more than 700+ customers representing more than 50 media groups throughout North America.

Our Focus

Matrix Solutions brings together a deep knowledge of media and advertising with the experience and discipline of strategic selling. It's what we know best and we know it's ever-changing. That's why we continue to adapt and evolve our product and services to align with the changes in the industry. We draw on interaction with our broad customer base to develop and incorporate best practices for media sales into our software.

Our Commitment

The power of Matrix*Plus* is backed by a commitment to a gold standard of customer service and support. We value our customers highly and listen to them. We know they depend on us - so we set our bar high to ensure customer satisfaction.

Media Center

PR & News

Matrix Solutions Announces Management Promotions and New Additions to Team
PITTSBURGH, PA, December 20, 2005

Matrix Solutions Sets New Standard for Strategic Sales Operation Solutions with Version 4.0 of Matrix*Plus*™ Suite
November 17, 2005 - PITTSBURGH, PA

Events

SAC 2006
February 6-7 - Toronto, Canada

Television Bureau of Advertising Annual Marketing Conference
April 20, 2006 - New York, NY

National Association of Broadcasters 2006
April 22-27, 2006 - Las Vegas, NV

© Copyright 2005 - Matrix Solutions
Think smart. Work smart. Get results.
Intelligent Solutions for Media Sales and **3-D Insight** are servicemarks of Matrix Solutions, Inc. **Matrix*Plus*** is a trademark of Matrix Solutions, Inc.

Think smart. Work smart. Get results.

matrix solutions

Intelligent Solutions For Media Sales

Frequently Asked Questions

1. What are the key elements in Matrix*Plus* that can help me manage my business more strategically?

2. Why should we buy Matrix*Plus* if our current traffic system supplies the same information?

3. What else can Matrix*Plus* provide that our traffic system can't?

4. What is IntelliLink™ Technology?

5. What do I gain by using IntelliLink or by manually linking accounts?

6. How can I use Matrix*Plus* to make my forecasts more accurate?

7. I need to deliver quarterly and annual performance evaluations of each of my salespeople. What capabilities can I use in Matrix*Plus* to help me?

8. What does it take to get started with Matrix*Plus*?

9. None of my systems has complete information so I'm forced to maintain prospect and customer information separately. This is very cumbersome and causes things to falls through the cracks. Can Matrix*Plus* help me better manage this information?

10. I have to pull customer information from too many sources and put them into a spreadsheet in order to see how close I came to my sales goals. How can Matrix*Plus* make this process more efficient?

11. How can Matrix*Plus* help me with the tedious process of reassigning accounts?

12. I need to prove an acceptable ROI on all special projects and promotions at my station. How can Matrix*Plus* help me?

13. Matrix*Plus* provides the capability to do special account grouping. How can I use this to gain a better understanding of my business?

Q. What are the key elements in Matrix*Plus* that can help me manage my business more strategically?

A. Strategic Account Management is at the heart of Matrix*Plus*. In fact, it is the PLUS in Matrix*Plus*. Our 9-cell grid allows you to classify your accounts by a combination of revenue and future potential. Matrix*Plus* also provides the necessary tools to better ascertain the needs of your customers and better focus that strategy.

Q. Why should we buy Matrix*Plus* if our current traffic system supplies the same information?

A. While Matrix*Plus* extracts some key billing information from your traffic system, it is the ability to cleanse and group that data into useful information that makes Matrix*Plus* so powerful. In addition, your traffic system does not contain prospect information nor can it provide you the flexibility to view the data in ways that are conducive to accomplishing your many tasks – including forecasting, NTR evaluation,

Media Center

PR & News

Matrix Solutions Announces Management Promotions and New Additions to Team
PITTSBURGH, PA, December 20, 2005

Matrix Solutions Sets New Standard for Strategic Sales Operation Solutions with Version 4.0 of Matrix*Plus*™ Suite
November 17, 2005 - PITTSBURGH, PA

Events

SAC 2006
February 6-7 - Toronto, Canada

Television Bureau of Advertising Annual Marketing Conference
April 20, 2006 - New York, NY

National Association of Broadcasters 2006
April 22-27, 2006 - Las Vegas, NV

Strategic Account Management and various Sale RM functions.

Q. What else can Matrix*Plus* provide that our traffic system can't?

A. Matrix*Plus* is not just about pulling historical reports. It's a total Sales Operating Action Plan that is designed to provide an overall sales strategy for your station including:

- Strategic Account Management
- Client Profile and Customer Needs Analysis
- Salesperson Interaction (Forecasting, Project Updates, Planning)
- Salesperson Account Change Previews

Matrix*Plus* also has the capacity to create a wide array of reports including:

- Sales Reports
- Pacing Reports
- Forecasting Reports
- Share Tracking Reports
- Special Project Analysis Reports
- Salesperson Review Reports
- Compensation Reports

Q. What is IntelliLink™ Technology?

A. IntelliLink Technology takes Matrix*Plus* account linking to a new level. In addition to being able to link accounts manually, IntelliLink offers greater time savings by providing a mechanism for automatically linking accounts from an invoicing system (Traffic and Billing) as its data is transferred into Matrix*Plus*. Once accounts are linked, information provided in reports will combine billing information, displaying greater accuracy of performance results.

Q. What do I gain by using IntelliLink or by manually linking accounts?

A. With your clients constantly changing agencies, reps and offices, you can't get an accurate view of your data without linking accounts. Imagine pulling a ranking report for your station only to find that the account that spent $400,000 last year is showing up in two different places (ranked #14 and #58, instead of #3), because they changed agencies halfway through the year. IntelliLink does the work for you, without giving up historical views. Imagine the time you'll be able to devote to other elements of your job!

Q. How can I use Matrix*Plus* to make my forecasts more accurate?

A. Matrix*Plus* takes a snapshot each week of what every seller has forecasted for a given month. This allows the manager(s) to provide specific feedback on how well salespeople know their customers.

Q. I need to deliver quarterly and annual performance evaluations of each of my salespeople. What capabilities can I use in Matrix*Plus* to help me?

A. There are many capabilities with Matrix*Plus* that will allow a manager to provide both quantitative and qualitative feedback to sellers. From budget comparison reports, to attrition and new business analysis, managers will be able to work with salespeople to evaluate past performance and plan for future success.

Q. What does it take to get started with Matrix*Plus*?

A. Matrix*Plus* has been built to be effective immediately upon installation. In fact, most of our customers realize an excellent return on investment within several months after starting with Matrix*Plus*. The average time to install and train a sales team is approximately 6 weeks.

Q. None of my systems has compl information so I'm forced to maintai prospect and customer information separately. This is very cumbersome and causes things to falls through the cracks. Can Matrix*Plus* help me better manage this information?

A. No sales organization should have to deal with more than one system to maintain a customer database. With Matrix*Plus* you keep BOTH billing clients (past, present and future) AND prospects in one place. Because prospects are "date stamped", you see how long a prospect has been claimed by a salesperson. Nothing slips through the cracks!

Q. I have to pull customer information from too many sources and put them into a spreadsheet in order to see how close I came to my sales goals. How can Matrix*Plus* make this process more efficient?

A. Matrix*Plus* streamlines the entire account management process, specifically for the media industry. All components are integrated, enabling you to rely on one interface and information repository to make forecasting more predictable, sales reporting more accurate and salespeople more accountable.

Q. How can Matrix*Plus* help me with the tedious process of reassigning accounts?

A. Matrix*Plus* has the ability to "what if" scenarios on account reassignments for salespeople. Simply identify specific accounts (or entire agencies) that you would like to reassign and "tag" them. Run a quick report to look at the billing ramifications from several different angles – Year-to-date billing, previous year billing, balance of the year billing, etc. Once you've decided on the changes, simply hit "Execute Changes" and the accounts (and all associated billing and contact information) are reassigned to the new salesperson(s).

Q. I need to prove an acceptable ROI on all special projects and promotions at my station. How can Matrix*Plus* help me?

A. No other program in media can provide you the detailed information on Special Projects (Non-Traditional Revenue) like Matrix*Plus*. Not only can you view the respective ROI for each Project, you can also drill down to get the details on each presentation. Matrix*Plus* will also provide with an even more important measurement – Presentation to Sales ratios (CLOSING RATE) for each project.

Q. Matrix*Plus* provides the capability to do special account grouping. How can I use this to gain a better understanding of my business?

A. Have you ever been asked to identify the total amount of business that you get from General Motors? Where do you start? How long does it take? With Matrix*Plus*, just a few clicks of the mouse will give you a "Custom Group" of advertisers (Chevrolet, GMC, Oldsmobile, Pontiac, etc.). Once this group is created, you'll be able to pull any/all reports in Matrix*Plus* – rankers, pacing, attrition, etc.

© Copyright 2005 - Matrix Solutions
Think smart. Work smart. Get results.
Intelligent Solutions for Media Sales and **3-D Insight** are servicemarks of Matrix Solutions, Inc. **Matrix*Plus*** is a trademark of Matrix Solutions, Inc.

Think smart. Work smart. Get results.

matrix solutions

Intelligent Solutions For Media Sales

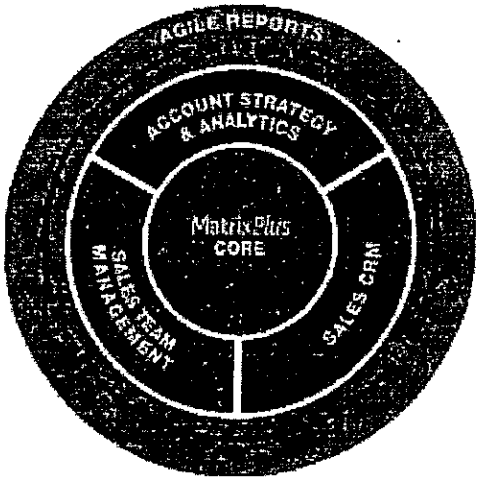
HOME | COMPANY | PRODUCTS | SERVICES | DEMO | MEDIA CENTER | SUPPORT

MatrixPlus

– The Intelligent Solution for Media Sales

Navigate Change – Keep Pace with Trends – With the Power of Insight

MatrixPlus 3-D INSIGHT



For television, on-line, radio, cable and print, Matrix*Plus* is an integrated suite of sales strategy, sales operations and customer relationship management (CRM) tools that delivers greater insight and greater dimension for managing media sales. Adopted by some of the most progressive media companies in North America, Matrix*Plus* empowers media salespeople and their managers by housing and delivering all account performance, customer information and salesperson performance data in a way that allows you to prioritize and execute focused plans, and measure their effectiveness.

From forecasting to performance tracking, our strategic sales operation solution, Matrix*Plus* 3-D Insight approach, enables your organization to have a unified approach to sales strategy management. Matrix*Plus* consolidates all key data and lets you pull easy-to-use reports and worksheets to support:

Sales Strategy: Quickly zero-in on strategic accounts and formulate the most productive sales action plans. Be proactive by driving business development through the account management steps of strategize, plan, execute and assess.

Customer Relationship Management (CRM): Access a comprehensive view of account communications and contact information to help efficiently execute sales strategies and manage business relationships.

Sales Operations: Measure and track your progress (or that of your sales staff).

Download Matrix*Plus* Overview Brochure (PDF)

Product Highlights

Matrix*Plus* Core includes:
- Budgeting & Performance Tracking
- Forecasting
- Account List Management
- Pacing
- Account Linking

Matrix*Plus* Core Datasheet (PDF)

Account Strategy & Analytics includes:
- Customer Needs Profile
- Pacing
- Share
- Non-Traditional Revenue (NTR)
- Personalized Account Strategy Matrix

Matrix*Plus* Account Strategy & Analytics Datasheet (PDF)

Sales CRM includes:
- Account List Management
- Account Intelligence
- Contact Management

Matrix*Plus* Sales CRM Datasheet (PDF)

Sales Team Management includes:
- Performance Tracking
- Sales Compensation
- Skills Evaluation

Matrix*Plus* Sales Team Management Datasheet (PDF)

Agile*Reports* Report Engine includes:
- Personalization
- On-the-fly updating
- Custom groups, sorts and filters

Matrix*Plus* AgileReports Datasheet (PDF)

conventions/meetings

conventions
join nab now
nab store

Conventions & Conferences| Career Development Programs & Seminars
Meetings | Online Events | Broadcast Event Calendar | Hotel Discounts

NAB Post+
November 15-17, 2005 • New York, NY
The NAB Post+Production Show will feature more than 100 training sessions in cutting-edge production and post-production techniques and an exhibit floor that showcases the latest audio and video content creation technologies.

THE WORLD'S LARGEST ELECTRONIC MEDIA SHOW

April 22-27, 2006 • Las Vegas Convention Center • Las Vegas, Nevada

The future of electronic media takes shape at the NAB show. Bringing together more than 100,000 attendees and 1,400 exhibitors from 130 countries, the NAB show delivers the most comprehensive showcase of electronic media in the world. Click here for details.

The NAB Radio Show
September 20-22, 2006 • Dallas, TX
The NAB Radio Show puts you where you need to be — on the leading edge. The largest show focused exclusively on Radio delivers expertise and technology you can't afford to miss. Click here for a look back at the 2005 show in Philly.

NAB European Radio Conference
October 23-25, 2005 • Athens, Greece
The NAB European Radio Conference brings together radio broadcasters from around the world in a beautiful European city for an in depth look at hot radio issues and techniques and a chance to interact with international colleagues. Click here for information about the 2004 show in Lisbon.

NAB Futures Summit
March 19-21, 2006 • Pebble Beach, CA

This invitation-only event brings member radio and television CEOs and executives together with CEOs of technologically progressive companies in the communications arena for an advanced first-hand look at their companies' vision for the future. Their developments will no doubt change the way broadcasters do business. How should your company plan to meet the challenges? Futures Summit 2005 in Review

NAB Television Group Executive Fly-In
May 22-23, 2006 - Washington, DC

This invitatior ıly event brings together television decision-makers including group heads and other executives to discuss current issues facing the television industry. contact NAB Advertisting at (800) 521-8624 or advertisting@nab.org for information on sponsorship opportunities available at this event. Contact NAB Television at TVEvents@nab.org for additional event details.

NAB Small Market Television Exchange (formerly Hundred Plus Exchange)
September 14-16, 2006 - San Diego, CA
This is the only national meeting for television small market broadcasters. The Exchange focuses on innovative, sure-fire strategies to attract emerging and non-traditional advertisers, suggestions to enhance the station's position in the local marketplace, and tips to help turn good ideas into revenue-generating plans. Contact NAB Advertising at (800) 521-8624 or advertising@nab.org for information on sponsorship opportunities available at this event.

NAB Small Market Group Executive Roundtable
September 14, 2006 - San Diego, CA
The Small Market Group Roundtable is an invitation-only event for corporate executives who have overall responsibility for operations of the group and the group's stations in 70+ DMAs including: corporate CEOs, group presidents, regional vice presidents and chief financial officers.

Future NAB Conventions & Conferences

NAB2007	April 14-19, 2007	Las Vegas, NV
NAB2008	April 12-17, 2008	Las Vegas, NV

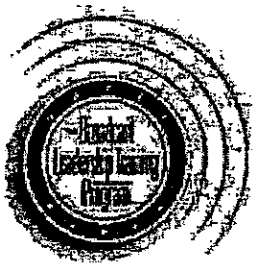
Career Development Programs & Seminars

NABEF-BEA-RTNDA Career Fair
April 26, 2006 • Las Vegas
Industry professionals, students, entry-level job seekers and others interested in broadcasting will have an opportunity to meet with recruiters.

NAB Executive Development Program for Radio Broadcasters
July 2006 • Washington, DC
The program is designed to increase managerial effectiveness. Attendees receive an MBA-style education at a fraction of the time and expense. Plus, EDP counts toward a station's number of outreach activities under the EEO rules. To register or for more information, contact edp@nab.org or (202) 429-5420.

Management Development Seminar for Television Executives
July 23-28, 2006• Northwestern University, Evanston, IL
This seminar's curriculum is designed to provide senior executives from TV stations, groups and networks with a new literacy in modern management and a broader perspective on the television business. Email MDS@nab.org to be added to the event mailing list.

NABEF Broa st Leadership Training Seminar
September 2005 - June 2006• Washington, DC



The NAB Education Foundation created this program to promote diversity and upward mobility for women and minorities in broadcast management. The BLT targets senior level broadcast managers of proven ability who aspire to advance as group executives or station owners. The program follows the model of weekend MBA courses, meeting one weekend a month at NAB for 10 months.

NAB Satellite Uplink Operators Training Seminar

May 15 -18, 2006 • Washington, DC
This four-day course is designed to instruct about uplink operational practices, which minimize the risk of satellite transmission interference. This is an important course since the FCC rules require that a trained operator be present at all times during transmissions, either an earth station site or designated remote control point. Contact NAB Advertising at (800) 521-8624 or advertising@nab.org for information on sponsorship opportunities available at this event.

Meetings

The NAB Education Foundation Service to America Summit and Symposium
June 12, 2006 • Washington, DC

The summit and corresponding awards ceremony recognize and encourage outstanding community service by broadcasters and their community partners. The day-long event begins with a morning symposium that addresses issues affecting today's broadcasters. The evening gala reception honors broadcasters for their outstanding public service. Contact NAB Advertising at (800) 521-8624 or advertising@nab.org for information on sponsorship opportunities available at this event.

Future NAB Meetings

NAB Board of Directors Meeting	March 1-3, 2006	Washington, DC
NAB Board of Directors Meeting	June 13-14, 2006	Washington, DC
NAB Board of Directors Meeting	November 7-9, 2006	Washington, DC

Online Events

Account Executive Sales Seminar Series
October 2005-July 2006 • Live Webcasts

NAB and TVB have partnered to create the Account Executive Sales Seminar Series. This program uses live, interactive webcasts presented by leading media sales trainers to develop the skills Account Executives with two years or less media experience need to succeed. This members-

only benefit c :ists of four sixty-minute training se: ·ns presented via live webcasc with one session offered each quarter.

Digital Decisions Webcast Archive
This free inter-active webcast is a must see for group executives, station management and industry consultants. The Digital Decisions Webcast is your last chance to receive up-to-the-minute information that you will need to confirm or reevaluate your DTV strategy before the first FCC deadlines. Let NAB and MSTV streamline your DTV decisions with help from FCC staff and our expert panel, in a format that won't waste your time.

The NAB HD Radio Workshop Webcast
The NAB HD Radio Workshop is designed to familiarize broadcast engineers and managers with iBiquity Digital Corporation's HD Radio digital radio system for the AM and FM bands.The challenges of implementation in a variety of environments are addressed by experts from iBiquity Digital, equipment manufacturers, consultants and broadcasters. Viewing the HD Radio webcast will qualify you to earn SBE recertification points.

Calendar Of Broadcast Industry Events
NAB maintains a comprehensive directory of all upcoming events covering broadcasting and related industries.

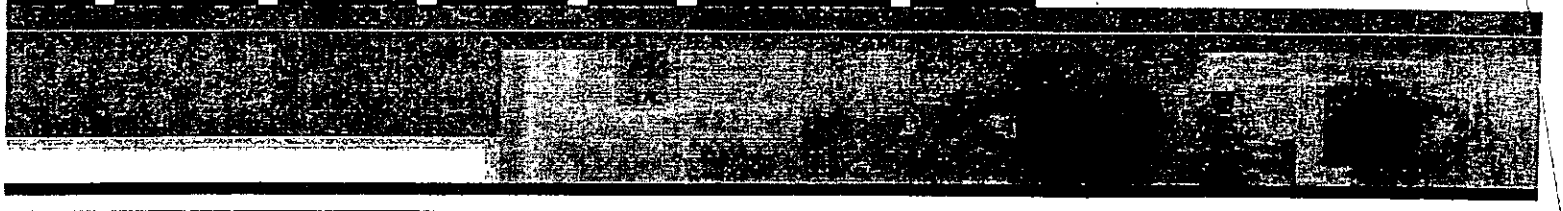
DC Area Hotels and NAB Discounts
Download our brochure for local rates available to NAB members and guests. When calling the hotel, be sure to ask for the NAB rate and inquire about any specials offering even lower rates that may in effect at the time.

- 2006 DC Area Hotel Discounts (PDF)

Think smart. Work smart. Get results.

matrix solutions

Intelligent Solutions For Media Sales



Product Highlights

MatrixPlus Core includes:

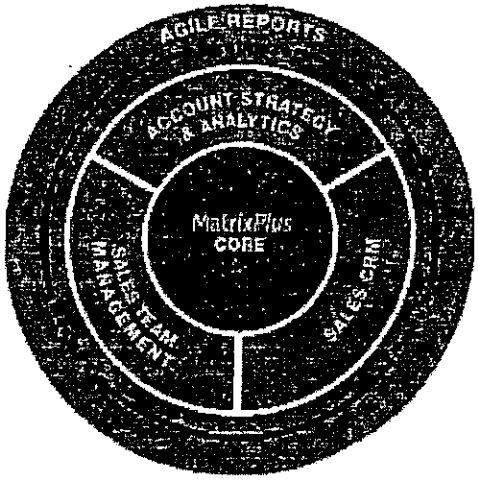
- Budgeting & Performance Tracking
- Forecasting
- Account List Management
- Pacing
- Account Linking

MatrixPlus Core Datasheet (PDF)

MatrixPlus is designed by media sales professionals for media sales professionals.

Our solution is the only Sales CRM suite that is tailored to the unique needs of television, cable, on-line, print and radio businesses.

MatrixPlus 3-D INSIGHT



The core of MatrixPlus provides the foundation for media sales fundamentals and is built to support the flexibility and ease-of-use demanded by today's businesses.

Gain access to the right information at the right time and shift your business from reactive to proactive with quick access to measurements of progress-to-goal, and gain insight into the overall effectiveness of sales efforts. Whether you're a sales person, a manager or a corporate level business executive MatrixPlus lets you track the status of hot button initiatives such as cross-selling, attrition, new business development and advertiser mix. Better information puts you a step ahead to achieve better results.

The Core of MatrixPlus includes centralized, integrated **Budgeting & Performance Tracking**, **Forecasting** , **Account List Management** , **Pacing** and **Account Linking**, and is supported by capabilities for merging accounts, and core reporting and analytics.

Budgeting & Performance Tracking

"Are you going to hit your number this month???" – Dir. Of Sales, AnyOutlet

How many times have you heard or have you asked this question? Why do you even do a budget if you aren't sure how to achieve it and don't have the tools to track performance?

MatrixPlus Puts You in Control

MatrixPlus Budget capabilities provide you with absolute flexibility to *enter* and *track* budgets the way you want to. Take the budget you've been given – set it up and distribute it across accounts and sales people - - the way it makes the most sense for your organization, your market and to achieve or even exceed your goals. Then – stay on top of it with tools to see where your business is tracking – any time during the month.

Budget with Insight

Make your budget a strategic plan. Examine your business' past performance from a variety of angles using accurate information. Use this knowledge for planning, and to create a budget that aligns sales resources for the greatest impact. Create a budget that incorporates strategic initiatives and special

projects that key-in on growth potential.

- **Gain greater insight into how sales budgets are being met** - Examine the composition of a revenue stream year-over-year for comparison, to analyze business strengths, opportunities and risks.
- **Easily manage a "stretch" budget** - Provides Manager-capability to assign a "stretch budget" for added incentive and to ensure achievement of revenue goals.
- **View budget numbers from any report** - View one or multiple budgets (in multiple reports) to measure and compare performance expectations with results and progress.

Staying On Track

The sooner you know how you're performing each month, the sooner you can make changes to stay on course. Use Matrix*Plus* to see into your business every day. Track where you're up and where you're down. The ability to quickly filter and sort revenue by category, revenue stream, office, salesperson and account enables you to uncover potential problem areas in your business so you can take corrective action.

Forecasting

Sales Reports show the rear view mirror but Forecasting shows you what's ahead – both good and bad. A reliable view of the future is key to controlling your destiny – and an edge in managing your business. Matrix*Plus* gives you the tools to drive your team to reliable and accurate forecasts. Make decisions with confidence, better manage your inventory, and develop best forecasting practices with your sales staff.

- **On-the-Fly Forecasting** – Forecast from within any report. Make adjustments based on business changes, and real-time observations and discoveries.
- **Integrated Pacing** – View forecast in 3-month increments in conjunction with Pacing and improve long-term forecasting capability.
- **Analytical capabilities** – Apply sorting and filtering to help you easily uncover opportunities such as emerging categories.
- **Single-click to details** – Drill-down to view forecast and budget details for each account, salesperson, office, and/or revenue type to evaluate accuracy, trends and progress – with a single click.
- **Fully integrated with budgets** – provides the foundation for business analysis, and delivers consistency and accuracy for reporting.
- **Monitor sales staff forecast accuracy** — Improve short-term forecasting through standard and custom reports.
- **Apply weighted forecasts** – DON'T let poor forecasters mislead you into a false sense of security (or concern). Allow your sales force to tell you how likely each piece of business is to close. This aggregate number is your "take to the bank" forecast. That "bank" is your boss.

Account List Management

Save time, save paper and save the headache that comes with juggling account and prospect history, billing, and the noise created by multiple entries for a single client. Now, manage everything from one place. In Matrix*Plus*, everything is integrated, everything connects – add, track and forecast prospects, and let our solution convert them to customers automatically. All relevant information is pulled-through when prospect status changes. For multiple account entries due to misspellings, name changes, mergers, and agency or office changes, IntelliLink links accounts for a consolidated account view and a true picture of account billing.

Matrix*Plus* is an all-in-one tool that treats account changes in a powerful, holistic way.

- **Gain insight into the life of an account** – See when a prospect or account was added, contact history, shifts in account ownership.
- **Maintain all account changes** – Assess every change and move that has been made over time. Use to deduce performance impact and to formulate account strategy.
- **Auto convert from prospect to account** – All prospect information is maintained and merged within Matrix*Plus* as soon as the account starts billing
- **Preview account changes** – Make redistributing accounts painless. Try out "what-if" scenarios to assess the budget and overall business impact of account moves and changes – quickly and easily.
- **Consolidate multiple accounts for apples-to-apples comparison** – Use IntelliLink to virtually link multiple account entries for performance accuracy. Use to capture and manage the impact of account shifts - for local, national or office status changes.

- **Manage your business from many a: ts** – Use a rich selection of account characteristic manage your business, including:
  - Category
  - Demo
  - Office
  - Revenue Type
  - Sales Person
  - Lost Business
  - Agency Type
  - Advertiser
  - Account Creation Date
  - Last Bill Date

Pacing

Most Pacing reports can tell you what business came in during a particular time period. What's missing is what it really means – the details of what it's comprised of.

Use Matrix*Plus* to gain insight into the composition of your past revenue performance and answer forecasting questions and discrepancies with confidence. Our solution will tell you what you need to know, quickly, accurately, and with the benefit of viewing information from multiple perspectives. Isolate the most relevant billing by applying sorting, filtering, and custom account groupings and create a true performance baseline that leads to improved predictability for billing.

- **Drill-down to details, on-the-fly** – Did an account bill earlier than usual? Identify dependencies that can throw off your Pacing results. Instantly open category or advertiser detail to understand what contributes to fluctuations and variances.
- **Access salesperson forecast and Pacing concurrently** – Compare and contrast the Pacing view with the actual forecast from Sales. Use multiple validation points to ensure accurate period forecasting; identify unknowns and red flags requiring further investigation.
- **A flexible, customizable view of Pacing** – Look at Pacing by category, advertiser, or any other available Matrix*Plus* account characteristic.
- **Create custom groups for Pacing** – Create the basis for clean comparisons by eliminating distractions such as seasonality, one-time business and other revenue stream irregularities that affect pacing accuracy.

Intelligent Linking - IntelliLink Technology™

IntelliLink Technology takes Matrix*Plus* account linking to a new level. In addition to being able to link accounts manually, IntelliLink offers greater time savings by providing a mechanism for automatically linking accounts from an invoicing system (Traffic and Billing) as its data is transferred into Matrix*Plus*. Once accounts are linked, information provided in reports will combine billing information, displaying greater accuracy of performance results.

Linked accounts also have a central data store for contact management and needs analysis information so the relationship between the account entries is inherited throughout the system.

- IntelliLink automates linking accounts that share a common Advertiser but bill through different Agencies, Offices, or Revenue Types over time. As data transfers into Matrix*Plus*, changes in an Advertiser's billing specifications can be grouped together.
- Users can configure the criteria that will link accounts sharing common Advertisers. There is also the option to share account Needs Analysis information between accounts that use Matrix*Plus*' linking functionality.

› Copyright 2005 - Matrix Solutions
hink smart. Work smart. Get results.
ıtelligent Solutions for Media Sales and **3-D Insight** are servicemarks of Matrix Solutions, Inc. **Matrix*Plus*** is a trademark of Matrix Solutions, Inc.