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

| | |
|------------------------|------------|
| Application Serial No. | 79109249 |
| Applicant | Hexagon AB |

Notice of Appeal

Notice is hereby given that Hexagon AB appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79109249.

The refusal to register has been appealed as to the following class of goods/services:

- Class 009.

All goods and services in the class are appealed, namely: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, apparatus and instruments, namely, navigation and positioning transceivers, mobile data receivers, satellite receivers, radio receivers, antennas, integrated circuits, circuit boards, data processors, visual displays in the nature of LCD displays, digital light processor displays and CRT displays, sensors in the nature of movement sensors, motion sensors and proximity sensors, atmospheric conditions sensors, network interface devices; imaging sensors for use in applications for land management, topocadaste, infrastructure management, engineering works, corridor mapping, border control, disaster risk assessment, rapid response mapping, forestry, agriculture and environmental mapping; interactive graphic design and drafting computer systems, namely, mini-computer, display, input terminal, disk storage unit and plotter for use with architecture, engineering and construction drawings, graphic exploration and exploration data base drawings, well-log editing drawings for the petroleum industry, mechanical design projects, map projects, land-use mapping and map overlays for facilities such as electric utilities, sewers and power easements; computing devices containing embedded software to process sensor data and transmit sensor data in the fields of monitoring, security, defense, aviation, electric utility applications, oil and gas applications, water utility applications, communications, information processing, and information technology; wireless radio receivers and parts thereof, namely, circuit boards, resistors, capacitors, inductors, transistors, diodes, and plug-in modules or chips mounted to the circuit boards; wireless controller to monitor and control the functioning of other electronic devices, carriers and accessories therefor, namely, screws and height hooks; digital camera hardware and software used by the photogrammetry industry; aerial digital photogrammetric cameras, photogrammetric cameras; stereo analyzing devices, namely, image stations and stereo softcopy kits, scanners, and software for photogrammetry; analytical plotters for the universal evaluation of photogrammetric photographs and photogrammetric data; digitizer for digitizing photographic film; anti-jamming devices for satellite navigation and positioning systems; vision inspection system comprised primarily of optical inspection apparatus for industrial use for dimensional inspection of manufactured components; sensing and signaling devices for measurement and quality control of materials processing by laser; digital and optical levels for measuring heights, height differences and distances and accessories therefor, namely, tripods for surveying and level rods for surveying; level measuring machines for surveying; flow regulators for agricultural use; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, charging stations for batteries, charging adapters for batteries, car adapter cables, batteries, battery chargers, adapters for electricity, power adapters, power cables, modems, docketing stations; apparatus for the recording, transmission and reproduction of sound and images; calculating machines, data processing equipment and computers; computer software for data aggregation, processing and transmitting of sensor data for use in the fields of home and industrial security, safety and surveillance; computer software for database management and records management for law enforcement; computer software for use in providing a textual and graphical interface to access and manipulate data from multiple disparate sources; computer software for reading, storing, and manipulating digital imagery; computer software used in conjunction with digitizers; computer software used for computer-aided design in the fields of drafting and education; computer software for providing a 3D visualization interface to access data; computer software for data aggregation, compilation, and display that incorporates, accesses, processes, filters, aligns and transmits sensor or sensor network data, in the fields of monitoring, intelligence, security, defense, aviation, energy, environmental,

communications, software development, application development, engineering, information processing, and information technology; computer software for the management and visual representation of complex information; computer graphics software for the creation of deliverables in the fields of engineering, construction and plant operation; computer graphics software used for structural modeling and drawing production used in the architectural, engineering and construction disciplines; computer graphics software used in the mapping and civil engineering fields; computer graphics software for publishing and producing geographic and non-geographic maps; computer graphics software for providing information concerning current location of persons and assets; computer graphics software used for production of color-separated files used for printing maps and other cartographic data; computer graphics software used in the mapping and geographic information systems markets; computer software for performing batch processing; computer software for integration and information management, design, engineering, construction, production, operation, maintenance and lifecycle management of manufacturing, power and process plants, ships, offshore platforms and other marine structures; computer software for management of ship-related data; computer software used in the process, power and offshore industries to create and maintain plant designs and associated information; computer software for the analytical design and evaluation of engineered systems in plant design; computer software for engineers for use in pipe stress analysis and design; flight simulator software; computer software for the management of infrastructure, facilities, assets, land information, outages and mobile workforces; computer software for incident and response management, jail and records management; computer software for video enhancement and analysis; computer software for alarm display and common operational picture display; computer software for extracting, analyzing and reporting business intelligence data; computer software used to catalog, monitor and analyze data, and evaluate regulatory compliance, in the fields of environmental management, in the fields of communications, control systems, and data processing in the defense industry that may be downloaded from a global computer network; computer software for the management of images and geospatial data; computer software for geospatial mapping, earth imaging and developing and deploying spatial data infrastructure; computer software for geospatial intelligence exploitation and product generation; computer software for moving spatial and text data from one mapping or geographic information system to another for use in the field of mapping and geographic information; computer software used for the generation of map data at multiple scales from a common, high resolution database; mapping and information systems software for fusion, analysis and exploitation of geospatially organized cartographic, image and intelligence data to include information contained within database; computer software for use with geographic data models to store geospatial information, namely, associated geometry, spatial and topological relationships and attribute values, to permit GIS analysis, digital and cartographic product production; computer software for controlling and operating global navigation satellite systems (GNSS) reference stations and networks; computer software for post processing of global navigation satellite systems (GNSS) and inertial navigations systems (INS) observations; computer software for post processing geographic imaging and photogrammetry processing of data; digital mapping software for use in the field of geographic information systems and location-based services; computer software for orientation and triangulation; computer software for navigating and determining position, velocity, alignment and altitude for use in post-mission determination of navigation parameters and sensor orientation from data in land, air and sea applications; software for processing global positioning and navigation data for surveying, mapping, trajectory reconstruction and other control point and base station positioning applications; computer software for use with coordinate measuring machines and systems; computer software programs for computer control of tube bending and inspecting and non-contact measuring machines; computer graphical user interface software; three-dimensional metrology software; computer software providing a deformation monitoring system and deformation analysis; measuring instruments and apparatus, namely, electronic coordinate measuring instruments comprised of gauges and systems and parts therefor; measuring instruments and apparatus, namely, electronic display gauges, instrument dial indicators, coordinate measuring machines and contact and non-contact probes therefor used in the field of manufacturing, research and instruction, portable coordinate measuring machines and contact and non-contact probes therefor, gyroscopes; precision measuring apparatus, namely, metrology instruments, and gauges or gauging apparatus; length measuring instruments, in particular slide callipers; precision measuring apparatus, namely, spatial measurement equipment, comprised of a coordinate measuring arm positioning systems for industrial use, white light measuring systems for three dimensional measurement used for three dimensional metrology, quality inspection and digitizing; precision measuring apparatus, namely, micrometers and digital readout callipers for measuring dimensions; distance measuring apparatus; directional compasses; leveling rods; surveying, testing or measuring apparatus and instruments, namely, transits for surveying, laser scanners, laser measuring systems, laser distance meters and parts and accessories therefor; theodolites; surveyors' levels; levelling instruments, namely optical levels, electronic and digital levels; lasers, not for medical purposes; downloadable computer

software used for computer-aided design in the fields of drafting and education, downloadable software in the nature of a mobile application for street view and 3D navigation, downloadable software in the nature of a mobile application for multi content maps, downloadable software in the nature of a mobile application for 3D map view, downloadable software in the field of measuring, downloadable software in the field of metrology, downloadable software for image processing; scanning software and image processing software; computer workstations comprising computers, microcomputers, display monitors, disk storage units, keyboards, mouse, wireless adapters; computer firmware for database management, data processing, digital signal processing and graphic display processing, having use in surveying, tracking, navigating, positioning, monitoring, detecting, accident avoiding, locating, mapping, measuring, communicating and other telemetry-enabled measuring and locating; satellite navigational apparatus, namely a global positioning system; satellites for scientific purposes; software for use with satellite navigation systems or global positioning systems (GPS); software for use with satellite navigation systems or global positioning systems, comprised of real time kinematic positioning feature in global positioning and navigation systems and devices provided by software, hardware or firmware, and a heading feature in global positioning and navigation systems and devices provided by software, hardware or firmware; optical lenses; optical goods, namely, optical probes comprised of cameras and coordinate measuring machines, eye pieces for measuring instruments; eye pieces with laser pointers, ancillary lenses, solar filters, and levels for surveying; scientific and technical apparatus, namely optical mirrors; prisms for optics purposes; optical glasses; lenses for cameras; microscopes; visual display units; blank magnetic data carriers; blank magnetic and optical data carriers; blank tapes for data storage devices; data storage apparatus, namely, computer memory hardware and electronic memory card readers; none of the aforesaid goods being for use in relation to the provision of financial services

Respectfully submitted,
/Steven Abreu/
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