

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79143266
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION (no change)	
ARGUMENT(S)	
<p>This Office Action raised two issues. First, additional clarifying amendments to the goods and services was requested and second, the refusal to register was maintained and made final based on the alleged descriptiveness of the mark. Applicant addresses each issue, in turn, below.</p> <p>1. <u>Identification of Goods and Services</u></p> <p>In response to the request for additional amendments to the goods and services in the application, Applicant has amended the identification directly in TEAS. Applicant submits that the amendments clarify and limit the original identifications and are therefore acceptable. Accordingly, Applicant believes this issue is now resolved.</p> <p>2. <u>Allegedly Merely Descriptive</u></p> <p>This Office Action also maintained and made final the refusal to register based on the alleged descriptiveness of the mark. For the reasons set forth below, and for the reasons set forth in Applicant's September 29, 2014 response, which Applicant incorporates as though fully set forth herein, Applicant respectfully disagrees with this refusal and requests that the refusal be withdrawn.</p> <p><i>A. Applicable Law</i></p> <p>A mark or term is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods or services. <i>See, e.g., In re Gyulay</i>, 820 F.2d 1216, 3 U.S.P.Q.2d 1009 (Fed. Cir. 1987); <i>In re Bright-Crest, Ltd.</i>, 204 U.S.P.Q. 591, 593 (T.T.A.B. 1979). Additionally, a mark or term is merely descriptive if it "immediately convey[s] to one seeing or hearing it the thought of the appellant's services." <i>In re Abcor Dev. Corp.</i>, 588 F.2d 811, 814, 200 U.S.P.Q. 215, 218 (C.C.P.A. 1978). It is not necessary that a term describe all of the purposes, functions, or other attributes of the goods or services to be merely descriptive; it is enough if the term describes one such attribute. <i>In re MbAssociates</i>, 180 U.S.P.Q. 338, 339 (T.T.A.B. 1973). However, the attribute or attributes must be described with "some particularity." <i>In re Entenmann's, Inc.</i>, 15 U.S.P.Q.2d 1750 (T.T.A.B. 1990).</p>	

The Examining Attorney bears the burden of demonstrating the descriptiveness of the mark for which registration is sought. *In re Gyulay, supra; In re Computer Systems Center*, 5 U.S.P.Q. 2d 1378, 1380 (T.T.A.B. 1987). “When there are “doubts about the ‘merely descriptive’ character of the mark...it is clear that such doubts are to be resolved in favor of applicants.” *In re Conductive Sys. Inc.*, 220 U.S.P.Q. 84, 86 (T.T.A.B. 1983) (quoting *In re Pennwalt Corp.*, 173 U.S.P.Q. 317 (T.T.A.B. 1972)).

B. Prima Facie case that the mark is merely descriptive not established

The Examining Attorney maintains the descriptiveness refusal on the allegation that BOSS in Applicant’s mark stands for “ Business Operations Support Systems.” The Examining Attorney asserts that “BOSS” appears to be a term of art in the computer and IT industries as an acronym for “ Business Operations Support Systems.” However, the evidence submitted does not support this assertion.

In fact, some of the Examining Attorney’s evidence supports Applicant’s position. Several articles solely reference OSS or operations support systems, while other evidence contains references to “OSS” and the complementary “business support system” which together may be abbreviated as “BOSS.” For example, a Wikipedia entry for “Business support system (BSS)” specifically mentions that when a BSS is used “[t]ogether with Operations Support Systems (OSS)...[t]he two systems together are often abbreviated...B/OSS” The Wikipedia entry for Operations support system was submitted separately and also explains that when an OSS is used[t]ogether with business support systems (BSS)...[they] are often abbreviated ...B/OSS.” (See combined **Exhibit A**). Another webpage cited by the Examining Attorney is taken from PCCW Solutions’ website and also makes clear that the set of solutions PCCW is offering as Business/Operations Support Systems (B/OSS) combines two distinguishable systems. “...PCCW Solutions can help them achieve high levels of performance by building operations support systems (OSS) and business support systems (BSS)...[w]e partner with world-class B/OSS solutions vendors...” (See **Exhibit B**). Yet another piece of evidence relied upon by the Examining Attorney, an article on T-Systems.com, references the separate “operation support system (OSS)” and “business support system (BSS),” and mentions that they can be used together, but does not combine them into the acronym BOSS. (See **Exhibit C**). This evidence, provided by the Examining Attorney, actually supports Applicant’s argument and shows that not all “operating support systems” are “business operating support systems.” Only when an operating support systems is used with a business support systems does the combination create a business operation support system which may be referred to as a “BOSS,” Applicant respectfully submits “BOSS” as used in its mark does not have that meaning.

Simply because BOSS *may* be an acronym for “business operations support systems” in some cases, does not mean that the term is *always* understood to be an acronym for “business operations support systems.” Without evidence showing that Applicant’s use of BOSS is used as such an acronym, the Examining Attorney must rely on inference and conjecture. The argument appears to be that because Applicant provides telecommunications services via an OSS platform, Applicant must also be providing the complementary business support systems and that therefore BOSS is descriptive of Applicant’s goods and services. This mental leap is not supported by the evidence of record in this matter and Applicant respectfully asserts that BOSS in its mark does *not* stand for “business operations support systems,” and that consumers do *not* understand the term to have that meaning. However, in this Response, Applicant will do more than merely provide arguments in support of its position, specifically, Applicant submits objective evidence in the form of a declaration of Joachim Kniesel (see **Exhibit D**) [1], the managing partner of Applicant. This declaration sets forth, under penalty of perjury, that Applicant’s use of “BOSS” is not as an acronym for “Business Operations Support Systems” and that consumers of Applicant’s goods and services do not interpret the mark to have that underlying

meaning. The Kniesel Declaration provides objective evidence in support of Applicant's position that Applicant's use of "BOSS" is not as an acronym for "Business Operations Support Systems." Sufficient evidence has not been put forth to support the assertion that BOSS in *Applicant's* mark has the asserted underlying meaning. The only evidence presented of *Applicant's* use of "BOSS" is a brochure setting out the features of the goods and services offered under the BOSS FILE TRANSFER MANAGER mark. However, a review of this document shows that nothing in this evidence supports the assertion that "BOSS" as used in Applicant's mark stands for "business operations support systems." In fact, there is no evidence of record in this case supporting the assertion that "BOSS" as used in Applicant's mark has the meaning asserted by the Examining Attorney.

The Examining Attorney makes reference to an article, included in a previous Office Action, which explains that OSS stands for "operations support systems," and that *one* usage of such OSS is by telecommunication providers. As detailed above, that article references a complementary system, "business support systems" that, when used together with the OSS, is abbreviated as BOSS. Further evidence showing that BOSS may be used an acronym for "business operations support systems" by telecommunication companies is also submitted as evidence in this Office Action. However, none of the proffered evidence supports the assertion that *Applicant's* use of BOSS stands for "business operations support systems."

Applicant disputes that the Examining Attorney's evidence shows that "BOSS" as used in Applicant's mark has the asserted underlying meaning.

In fact, a careful review of the evidence cited to support the alleged descriptiveness actually supports *Applicant's assertion* that in the field of computer and IT industries, BOSS is not universally recognized as "Business Operations Support Systems." For example, the third party BOSS registrations initially cited in support of the likelihood of confusion refusal in the first Office Action issued in this case (which Applicant has since overcome) are registered in connection with software services in Classes 9 and/or 42. (See **Exhibit E**). The existence of these registrations for software products along with the absence of any disclaimer of BOSS demonstrate that not all "BOSS" marks used on software goods and services are descriptive and/or *necessarily* have the underlying meaning of "business operations software systems." The Trademark Office would not have registered these other BOSS marks for goods and services in the computer and IT industries if the term "BOSS" in these fields is universally understood to be an acronym for "Business Operations Software Systems" and is therefore descriptive. Instead, these several BOSS-formative marks are registered in Classes 9 and 42. Consistent with the Trademark Office's precedent, the BOSS element in Applicant's mark should not necessarily be deemed descriptive.

In the first Office Action issued for this application, the Examining Attorney requested additional information about the goods and services. Specifically, the Examining Attorney asked whether the goods and/or services are used for, or in connection with, business operation support systems or operation support systems. Applicant submitted that its goods and services are used for operations support systems. By using the conjunction "or," the Examining Attorney admitted that "business operations support systems" and "operations support systems" can be mutually exclusive. The Examining Attorney could have used "and" or "and/or," but chose not to. Instead, "or" was used which indicated that not all operations support systems are business operations support systems. This supports Applicant's position that while its goods and services are operations support systems they are *not* business operations support systems and therefore "BOSS" in its mark is not descriptive.

Based on the above, Applicant respectfully submits that a *prima facie* showing has not been made

that the “BOSS” element in Applicant’s mark is descriptive. In view of this, the entire mark is not merely descriptive and Applicant therefore requests that this refusal be withdrawn.

In the event the Examining Attorney maintains the objections to the identification or the descriptiveness refusal, Applicant has filed simultaneously herewith a Notice of Appeal. It is the Applicant’s understanding that the Examining Attorney will have the opportunity to review the Applicant’s Request for Reconsideration prior to the institution of the Appeal.

CONCLUSION

In light of the above, Applicant believes that it has responded to all issues raised in the Office Action and respectfully requests that the application be passed to publication. However, should any questions arise with respect to the application or the issues addressed herein, please contact the undersigned.

[1] The Kniesel Declaration was submitted in a copending application for the mark BOSS PLATFORM, Ser. No. 79/129,816 where the issue of the understanding and meaning of BOSS was similarly presented so the Kniesel Declaration is probative of this issue in both the present application and the BOSS PLATFORM application.

EVIDENCE SECTION

EVIDENCE FILE NAME(S)

ORIGINAL PDF FILE	evi_20487401-20150421172206505989_ . Exhibits_BOSS_.pdf
CONVERTED PDF FILE(S) (17 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\432\79143266\xml12\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\432\79143266\xml12\RFR0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\432\79143266\xml12\RFR0004.JPG
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	\\TICRS\EXPORT16\IMAGEOUT16\791\432\79143266\xml12\RFR0016.JPG

	\\TICRS\EXPORT16\IMAGEOUT16\791\432\79143266\xml12\RFR0017.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\432\79143266\xml12\RFR0018.JPG
DESCRIPTION OF EVIDENCE FILE	exhibits in support of Applicant's response.
GOODS AND/OR SERVICES SECTION (009)(current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
<p>Scientific, photographic, cinematographic, optical, measuring, signaling and checking apparatus and instruments; apparatus and instruments for the remote control of industrial processes; electrical monitoring devices, namely, probes, analyzing devices, measurement equipment for quality assurance and quality control for transporting broadcast, satellite and telecommunications signals for electronic devices in the field of television and cable, satellite and terrestrial broadcasting and for broadcast networks; electrical alarm devices, namely devices to notify of computer operating conditions for devices in broadcasting companies and radio stations and head-ends; apparatus for recording, transmission or reproduction of sound and images; apparatus for data processing and computers, namely, interface devices for computers, and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media; data carriers with computer programs; computer programs and software included in this class for device controls systems, element managers and network management systems and operation support systems; all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and multimedia and telecommunications networks</p>	
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009
TRACKED TEXT DESCRIPTION	
<p>Scientific, photographic, cinematographic, optical, measuring, signaling and checking apparatus and instruments; Electronic apparatus for the remote control of industrial processes; apparatus and instruments for the remote control of industrial processes; electrical monitoring devices, namely, probes, analyzing devices, measurement equipment for quality assurance and quality control for transporting broadcast, satellite and telecommunications signals for electronic devices in the field of television and cable, satellite and terrestrial broadcasting and for broadcast networks; electrical alarm devices, namely devices to notify of computer operating conditions for devices in broadcasting companies and radio stations and head-ends; apparatus for recording, transmission or reproduction of sound and images; apparatus for data processing equipment and computers, namely, interface devices in the nature of electronic display interfaces for computers and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media; apparatus for data processing and computers, namely, interface devices for computers, and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media; computer programs and software included in this class for device controls systems, element managers and network management systems and operation support systems for use in database management, use management, use as a spreadsheet, word processing; data carriers with computer programs; all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and</p>	

~~multimedia and telecommunications networks.; computer programs and software included in this class for device controls systems, element managers and network management systems and operation support systems; all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and multimedia and telecommunications networks~~

FINAL DESCRIPTION

Electronic apparatus for the remote control of industrial processes; electrical monitoring devices, namely, probes, analyzing devices, measurement equipment for quality assurance and quality control for transporting broadcast, satellite and telecommunications signals for electronic devices in the field of television and cable, satellite and terrestrial broadcasting and for broadcast networks; electrical alarm devices, namely devices to notify of computer operating conditions for devices in broadcasting companies and radio stations and head-ends; apparatus for recording, transmission or reproduction of sound and images; apparatus for data processing equipment and computers, namely, interface devices in the nature of electronic display interfaces for computers and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media; computer programs and software included in this class for device controls systems, element managers and network management systems and operation support systems for use in database management, use management, use as a spreadsheet, word processing; all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and multimedia and telecommunications networks.

GOODS AND/OR SERVICES SECTION (038)(current)

INTERNATIONAL CLASS	038
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DESCRIPTION

Telecommunications services, namely, services delivery in the nature of end-to-end management of networks, user management, services orchestration, scheduling, provisioning, fault management, inventory, activation, discovery, performance manager and reporting via Internet platforms and portals; transmission of data packages via networks, namely, transmission of media data via wide area networks; providing access to a global computer network; electronic transmission of messages and images

GOODS AND/OR SERVICES SECTION (038)(proposed)

INTERNATIONAL CLASS	038
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TRACKED TEXT DESCRIPTION

~~Telecommunications services, namely, services delivery in the nature of end-to-end management of networks, user management, services orchestration, scheduling, provisioning, fault management, inventory, activation, discovery, performance manager and reporting via Internet platforms and portals;~~
Telecommunications services, namely, services delivery in the nature of services orchestration, namely, providing electronic telecommunications connections, electronic transmission of messages and data, provisioning and reporting, namely, electronic bulletin board services via Internet platforms and portals;
~~transmission of data packages via networks, namely, transmission of media data via wide area networks;~~
providing OSS platforms for dynamic management of telecommunication and broadcasting networks;
providing access to a global computer network; ~~electronic transmission of messages and images;~~
transmission of advertising programs via digital communications networks; electronic transmission of messages and images.

FINAL DESCRIPTION

Telecommunications services, namely, services delivery in the nature of services orchestration, namely, providing electronic telecommunications connections, electronic transmission of messages and data, provisioning and reporting, namely, electronic bulletin board services via Internet platforms and portals; providing OSS platforms for dynamic management of telecommunication and broadcasting networks; providing access to a global computer network; transmission of advertising programs via digital communications networks; electronic transmission of messages and images.

GOODS AND/OR SERVICES SECTION (042)(current)

INTERNATIONAL CLASS	042
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DESCRIPTION

Scientific and technological services, namely, providing design services for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunications networks and research relating thereto; scientific and technological services, namely, technical support services in the nature of inventory, configuration management, activation, event managing, SLA Service Level Agreement, reporting, fault management and scheduling for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto; industrial analysis and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks; design and development of computer software, design of computer programs, implementation of computer programs in networks; configuration, technical controlling, in the nature of analysis, interpretation and tracking of information, technical configuration and technical monitoring of video, audio and data connections across transmission networks of all types

GOODS AND/OR SERVICES SECTION (042)(proposed)

INTERNATIONAL CLASS	042
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TRACKED TEXT DESCRIPTION

Scientific and technological services, namely, providing design services for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunications networks and research relating thereto; ~~scientific and technological services, namely, technical support services in the nature of inventory, configuration management, activation, event managing, SLA Service Level Agreement, reporting, fault management and scheduling for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto;~~ scientific and technological services, namely, technical support services in the nature of configuration management of hardware and software for others, reporting on the performance, availability and errors of telecommunications systems of others, fault management, namely, tracing and identifying faults, carrying out sequences of diagnostic tests, correcting faults, reporting error conditions and localizing and tracing faults by examining and manipulating database information for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto; ~~industrial analysis and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks;~~ industrial analysis, namely, analysis of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks, and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks; design and development of computer software, design of computer programs, implementation of computer programs in networks; ~~configuration, technical controlling, in the nature of analysis, interpretation and tracking of information, technical configuration~~

~~and technical monitoring of video, audio and data connections across transmission networks of all types;~~
configuration and technical controlling services, in the nature of analysis, interpretation and tracking of performance information, technical configuration and technical monitoring of video, audio and data connections across transmission networks of all types.

FINAL DESCRIPTION

Scientific and technological services, namely, providing design services for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunications networks and research relating thereto; scientific and technological services, namely, technical support services in the nature of configuration management of hardware and software for others, reporting on the performance, availability and errors of telecommunications systems of others, fault management, namely, tracing and identifying faults, carrying out sequences of diagnostic tests, correcting faults, reporting error conditions and localizing and tracing faults by examining and manipulating database information for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto; industrial analysis, namely, analysis of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks, and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks; design and development of computer software, design of computer programs, implementation of computer programs in networks; configuration and technical controlling services, in the nature of analysis, interpretation and tracking of performance information, technical configuration and technical monitoring of video, audio and data connections across transmission networks of all types.

SIGNATURE SECTION

RESPONSE SIGNATURE	/Dayna M Frenkel/
SIGNATORY'S NAME	Dayna M Frenkel
SIGNATORY'S POSITION	Attorney of Record, Wisconsin Bar Member
SIGNATORY'S PHONE NUMBER	414-297-5745
DATE SIGNED	04/21/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION

SUBMIT DATE	Tue Apr 21 17:27:30 EDT 2015
TEAS STAMP	USPTO/RFR-204.87.40.1-201 50421172730400144-7914326 6-5301fbddee8d4c4c985efdf 1b9a059e9cf88be48f71c8bc8 8b339a234e0adf6-N/A-N/A-2 0150421172206505989

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **79143266** has been amended as follows:

ARGUMENT(S)

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

This Office Action raised two issues. First, additional clarifying amendments to the goods and services was requested and second, the refusal to register was maintained and made final based on the alleged descriptiveness of the mark. Applicant addresses each issue, in turn, below.

1. Identification of Goods and Services

In response to the request for additional amendments to the goods and services in the application, Applicant has amended the identification directly in TEAS. Applicant submits that the amendments clarify and limit the original identifications and are therefore acceptable. Accordingly, Applicant believes this issue is now resolved.

2. Allegedly Merely Descriptive

This Office Action also maintained and made final the refusal to register based on the alleged descriptiveness of the mark. For the reasons set forth below, and for the reasons set forth in Applicant's September 29, 2014 response, which Applicant incorporates as though fully set forth herein, Applicant respectfully disagrees with this refusal and requests that the refusal be withdrawn.

A. Applicable Law

A mark or term is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods or services. *See, e.g., In re Gyulay*, 820 F.2d 1216, 3 U.S.P.Q.2d 1009 (Fed. Cir. 1987); *In re Bright-Crest, Ltd.*, 204 U.S.P.Q. 591, 593 (T.T.A.B. 1979). Additionally, a mark or term is merely descriptive if it "immediately convey[s] to one seeing or hearing it the thought of the appellant's services." *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 U.S.P.Q. 215, 218 (C.C.P.A. 1978). It is not necessary that a term describe all of the purposes, functions, or other attributes of the goods or services to be merely descriptive; it is enough if the term describes one such attribute. *In re MbAssociates*, 180 U.S.P.Q. 338, 339 (T.T.A.B. 1973). However, the attribute or attributes must be described with "some particularity." *In re Entenmann's, Inc.*, 15 U.S.P.Q.2d 1750 (T.T.A.B. 1990).

The Examining Attorney bears the burden of demonstrating the descriptiveness of the mark for which registration is sought. *In re Gyulay, supra*; *In re Computer Systems Center*, 5 U.S.P.Q. 2d 1378, 1380 (T.T.A.B. 1987). "When there are "doubts about the 'merely descriptive' character of the mark...it is clear that such doubts are to be resolved in favor of applicants." *In re Conductive Sys. Inc.*, 220

U.S.P.Q. 84, 86 (T.T.A.B. 1983) (quoting *In re Pennwalt Corp.*, 173 U.S.P.Q. 317 (T.T.A.B. 1972)).

B. *Prima Facie case that the mark is merely descriptive not established*

The Examining Attorney maintains the descriptiveness refusal on the allegation that BOSS in Applicant's mark stands for "Business Operations Support Systems." The Examining Attorney asserts that "BOSS" appears to be a term of art in the computer and IT industries as an acronym for "Business Operations Support Systems." However, the evidence submitted does not support this assertion.

In fact, some of the Examining Attorney's evidence supports Applicant's position. Several articles solely reference OSS or operations support systems, while other evidence contains references to "OSS" and the complementary "business support system" which together may be abbreviated as "BOSS." For example, a Wikipedia entry for "Business support system (BSS)" specifically mentions that when a BSS is used "[t]ogether with Operations Support Systems (OSS)...[t]he two systems together are often abbreviated...B/OSS" The Wikipedia entry for Operations support system was submitted separately and also explains that when an OSS is used[t]ogether with business support systems (BSS)...[they] are often abbreviated ...B/OSS." (See combined **Exhibit A**). Another webpage cited by the Examining Attorney is taken from PCCW Solutions' website and also makes clear that the set of solutions PCCW is offering as Business/Operations Support Systems (B/OSS) combines two distinguishable systems. "...PCCW Solutions can help them achieve high levels of performance by building operations support systems (OSS) and business support systems (BSS)...[w]e partner with world-class B/OSS solutions vendors..." (See **Exhibit B**). Yet another piece of evidence relied upon by the Examining Attorney, an article on T-Systems.com, references the separate "operation support system (OSS)" and "business support system (BSS)," and mentions that they can be used together, but does not combine them into the acronym BOSS. (See **Exhibit C**). This evidence, provided by the Examining Attorney, actually supports Applicant's argument and shows that not all "operating support systems" are "business operating support systems." Only when an operating support systems is used with a business support systems does the combination create a business operation support system which may be referred to as a "BOSS," Applicant respectfully submits "BOSS" as used in its mark does not have that meaning.

Simply because BOSS *may* be an acronym for "business operations support systems" in some cases, does not mean that the term is *always* understood to be an acronym for "business operations support systems." Without evidence showing that Applicant's use of BOSS is used as such an acronym, the Examining Attorney must rely on inference and conjecture. The argument appears to be that because Applicant provides telecommunications services via an OSS platform, Applicant must also be providing the complementary business support systems and that therefore BOSS is descriptive of Applicant's goods and services. This mental leap is not supported by the evidence of record in this matter and Applicant respectfully asserts that BOSS in its mark does *not* stand for "business operations support systems," and that consumers do *not* understand the term to have that meaning. However, in this Response, Applicant will do more than merely provide arguments in support of its position, specifically, Applicant submits objective evidence in the form of a declaration of Joachim Kniesel (see **Exhibit D**) [1], the managing partner of Applicant. This declaration sets forth, under penalty of perjury, that Applicant's use of "BOSS" is not as an acronym for "Business Operations Support Systems" and that consumers of Applicant's goods and services do not interpret the mark to have that underlying meaning. The Kniesel Declaration provides objective evidence in support of Applicant's position that Applicant's use of "BOSS" is not as an acronym for "Business Operations Support Systems." Sufficient evidence has not been put forth to support the assertion that BOSS in *Applicant's* mark has the asserted underlying meaning. The only evidence presented of *Applicant's* use of "BOSS" is a brochure setting out the features of the goods and services offered under the BOSS FILE TRANSFER MANAGER mark. However, a review of this document shows that nothing in this evidence supports the assertion that

“BOSS” as used in Applicant’s mark stands for “business operations support systems.” In fact, there is no evidence of record in this case supporting the assertion that “BOSS” as used in Applicant’s mark has the meaning asserted by the Examining Attorney.

The Examining Attorney makes reference to an article, included in a previous Office Action, which explains that OSS stands for “operations support systems,” and that *one* usage of such OSS is by telecommunication providers. As detailed above, that article references a complementary system, “business support systems” that, when used together with the OSS, is abbreviated as BOSS. Further evidence showing that BOSS may be used an acronym for “business operations support systems” by telecommunication companies is also submitted as evidence in this Office Action. However, none of the proffered evidence supports the assertion that *Applicant’s* use of BOSS stands for “business operations support systems.”

Applicant disputes that the Examining Attorney’s evidence shows that “BOSS” as used in Applicant’s mark has the asserted underlying meaning.

In fact, a careful review of the evidence cited to support the alleged descriptiveness actually supports *Applicant’s assertion* that in the field of computer and IT industries, BOSS is not universally recognized as “Business Operations Support Systems.” For example, the third party BOSS registrations initially cited in support of the likelihood of confusion refusal in the first Office Action issued in this case (which Applicant has since overcome) are registered in connection with software services in Classes 9 and/or 42. (See **Exhibit E**). The existence of these registrations for software products along with the absence of any disclaimer of BOSS demonstrate that not all “BOSS” marks used on software goods and services are descriptive and/or *necessarily* have the underlying meaning of “business operations software systems.” The Trademark Office would not have registered these other BOSS marks for goods and services in the computer and IT industries if the term “BOSS” in these fields is universally understood to be an acronym for “Business Operations Software Systems” and is therefore descriptive. Instead, these several BOSS-formative marks are registered in Classes 9 and 42. Consistent with the Trademark Office’s precedent, the BOSS element in Applicant’s mark should not necessarily be deemed descriptive.

In the first Office Action issued for this application, the Examining Attorney requested additional information about the goods and services. Specifically, the Examining Attorney asked whether the goods and/or services are used for, or in connection with, business operation support systems or operation support systems. Applicant submitted that its goods and services are used for operations support systems. By using the conjunction “or,” the Examining Attorney admitted that “business operations support systems” and “operations support systems” can be mutually exclusive. The Examining Attorney could have used “and” or “and/or,” but chose not to. Instead, “or” was used which indicated that not all operations support systems are business operations support systems. This supports Applicant’s position that while its goods and services are operations support systems they are *not* business operations support systems and therefore “BOSS” in its mark is not descriptive.

Based on the above, Applicant respectfully submits that a *prima facie* showing has not been made that the “BOSS” element in Applicant’s mark is descriptive. In view of this, the entire mark is not merely descriptive and Applicant therefore requests that this refusal be withdrawn.

In the event the Examining Attorney maintains the objections to the identification or the descriptiveness refusal, Applicant has filed simultaneously herewith a Notice of Appeal. It is the Applicant’s understanding that the Examining Attorney will have the opportunity to review the Applicant’s Request for Reconsideration prior to the institution of the Appeal.

CONCLUSION

In light of the above, Applicant believes that it has responded to all issues raised in the Office Action and respectfully requests that the application be passed to publication. However, should any questions arise with respect to the application or the issues addressed herein, please contact the undersigned.

[1] The Kniesel Declaration was submitted in a copending application for the mark BOSS PLATFORM, Ser. No. 79/129,816 where the issue of the understanding and meaning of BOSS was similarly presented so the Kniesel Declaration is probative of this issue in both the present application and the BOSS PLATFORM application.

EVIDENCE

Evidence in the nature of exhibits in support of Applicant's response. has been attached.

Original PDF file:

[evi_20487401-20150421172206505989_ . Exhibits_BOSS .pdf](#)

Converted PDF file(s) (17 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

[Evidence-17](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Scientific, photographic, cinematographic, optical, measuring, signaling and checking apparatus and instruments; apparatus and instruments for the remote control of industrial processes; electrical monitoring devices, namely, probes, analyzing devices, measurement equipment for quality assurance and quality control for transporting broadcast, satellite and telecommunications signals for electronic devices in the field of television and cable, satellite and terrestrial broadcasting and for broadcast networks; electrical alarm devices, namely devices to notify of computer operating conditions for devices in broadcasting companies and radio stations and head-ends; apparatus for recording, transmission or reproduction of sound and images; apparatus for data processing and computers, namely, interface devices for computers, and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media; data carriers with computer programs; computer programs and software included in this class for device controls systems, element managers and

network management systems and operation support systems; all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and multimedia and telecommunications networks

Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Scientific, photographic, cinematographic, optical, measuring, signaling and checking apparatus and instruments;~~ Electronic apparatus for the remote control of industrial processes; ~~apparatus and instruments for the remote control of industrial processes;~~ electrical monitoring devices, namely, probes, analyzing devices, measurement equipment for quality assurance and quality control for transporting broadcast, satellite and telecommunications signals for electronic devices in the field of television and cable, satellite and terrestrial broadcasting and for broadcast networks; electrical alarm devices, namely devices to notify of computer operating conditions for devices in broadcasting companies and radio stations and head-ends; apparatus for recording, transmission or reproduction of sound and images; apparatus for data processing equipment and computers, namely, interface devices in the nature of electronic display interfaces for computers and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media; ~~apparatus for data processing and computers, namely, interface devices for computers, and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media;~~ computer programs and software included in this class for device controls systems, element managers and network management systems and operation support systems for use in database management, use management, use as a spreadsheet, word processing; ~~data carriers with computer programs;~~ all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and multimedia and telecommunications networks.; ~~computer programs and software included in this class for device controls systems, element managers and network management systems and operation support systems; all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and multimedia and telecommunications networks~~

Class 009 for Electronic apparatus for the remote control of industrial processes; electrical monitoring devices, namely, probes, analyzing devices, measurement equipment for quality assurance and quality control for transporting broadcast, satellite and telecommunications signals for electronic devices in the field of television and cable, satellite and terrestrial broadcasting and for broadcast networks; electrical alarm devices, namely devices to notify of computer operating conditions for devices in broadcasting companies and radio stations and head-ends; apparatus for recording, transmission or reproduction of sound and images; apparatus for data processing equipment and computers, namely, interface devices in the nature of electronic display interfaces for computers and electronic logs, featuring status messages, commands and return message, failure and error messages recorded on computer media; computer programs and software included in this class for device controls systems, element managers and network management systems and operation support systems for use in database management, use management, use as a spreadsheet, word processing; all of the foregoing for use in the fields of television and cable, satellite and terrestrial broadcasting, and multimedia and telecommunications networks.

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 038 for Telecommunications services, namely, services delivery in the nature of end-to-

end management of networks, user management, services orchestration, scheduling, provisioning, fault management, inventory, activation, discovery, performance manager and reporting via Internet platforms and portals; transmission of data packages via networks, namely, transmission of media data via wide area networks; providing access to a global computer network; electronic transmission of messages and images
Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: ~~Telecommunications services, namely, services delivery in the nature of end-to-end management of networks, user management, services orchestration, scheduling, provisioning, fault management, inventory, activation, discovery, performance manager and reporting via Internet platforms and portals;~~ Telecommunications services, namely, services delivery in the nature of services orchestration, namely, providing electronic telecommunications connections, electronic transmission of messages and data, provisioning and reporting, namely, electronic bulletin board services via Internet platforms and portals; ~~transmission of data packages via networks, namely, transmission of media data via wide area networks;~~ providing OSS platforms for dynamic management of telecommunication and broadcasting networks; providing access to a global computer network; ~~electronic transmission of messages and images;~~ transmission of advertising programs via digital communications networks; electronic transmission of messages and images.

Class 038 for Telecommunications services, namely, services delivery in the nature of services orchestration, namely, providing electronic telecommunications connections, electronic transmission of messages and data, provisioning and reporting, namely, electronic bulletin board services via Internet platforms and portals; providing OSS platforms for dynamic management of telecommunication and broadcasting networks; providing access to a global computer network; transmission of advertising programs via digital communications networks; electronic transmission of messages and images.

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 042 for Scientific and technological services, namely, providing design services for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunications networks and research relating thereto; scientific and technological services, namely, technical support services in the nature of inventory, configuration management, activation, event managing, SLA Service Level Agreement, reporting, fault management and scheduling for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto; industrial analysis and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks; design and development of computer software, design of computer programs, implementation of computer programs in networks; configuration, technical controlling, in the nature of analysis, interpretation and tracking of information, technical configuration and technical monitoring of video, audio and data connections across transmission networks of all types
Original Filing Basis:

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

Proposed:

Tracked Text Description: Scientific and technological services, namely, providing design services for

television and cable, satellite and terrestrial broadcasting, multimedia and telecommunications networks and research relating thereto; ~~scientific and technological services, namely, technical support services in the nature of inventory, configuration management, activation, event managing, SLA Service Level Agreement, reporting, fault management and scheduling for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto;~~ scientific and technological services, namely, technical support services in the nature of configuration management of hardware and software for others, reporting on the performance, availability and errors of telecommunications systems of others, fault management, namely, tracing and identifying faults, carrying out sequences of diagnostic tests, correcting faults, reporting error conditions and localizing and tracing faults by examining and manipulating database information for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto; ~~industrial analysis and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks;~~ industrial analysis, namely, analysis of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks, and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks; design and development of computer software, design of computer programs, implementation of computer programs in networks; ~~configuration, technical controlling, in the nature of analysis, interpretation and tracking of information, technical configuration and technical monitoring of video, audio and data connections across transmission networks of all types;~~ configuration and technical controlling services, in the nature of analysis, interpretation and tracking of performance information, technical configuration and technical monitoring of video, audio and data connections across transmission networks of all types.

Class 042 for Scientific and technological services, namely, providing design services for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunications networks and research relating thereto; scientific and technological services, namely, technical support services in the nature of configuration management of hardware and software for others, reporting on the performance, availability and errors of telecommunications systems of others, fault management, namely, tracing and identifying faults, carrying out sequences of diagnostic tests, correcting faults, reporting error conditions and localizing and tracing faults by examining and manipulating database information for television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks and research relating thereto; industrial analysis, namely, analysis of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks, and research services in the field of television and cable, satellite and terrestrial broadcasting, multimedia and telecommunication networks; design and development of computer software, design of computer programs, implementation of computer programs in networks; configuration and technical controlling services, in the nature of analysis, interpretation and tracking of performance information, technical configuration and technical monitoring of video, audio and data connections across transmission networks of all types.

Filing Basis Section 66(a) , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Dayna M Frenkel/ Date: 04/21/2015

Signatory's Name: Dayna M Frenkel

Signatory's Position: Attorney of Record, Wisconsin Bar Member

Signatory's Phone Number: 414-297-5745

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

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

Serial Number: 79143266

Internet Transmission Date: Tue Apr 21 17:27:30 EDT 2015

TEAS Stamp: USPTO/RFR-204.87.40.1-201504211727304001

44-79143266-5301fbddee8d4c4c985efdf1b9a0

59e9cf88be48f71c8bc88b339a234e0adf6-N/A-

N/A-20150421172206505989



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Business support system

From Wikipedia, the free encyclopedia

Business Support Systems (BSS) are the components that a telecommunications service provider (or telco) uses to run its business operations towards customers.

Together with Operations Support Systems (OSS), they are used to support various end-to-end telecommunication services (e.g., telephone services). BSS and OSS have their own data and service responsibilities. The two systems together are often abbreviated OSS/BSS, BSS/OSS or simply B/OSS.

The acronym BSS is also used in a singular form to refer to all the Business Support Systems viewed as a whole system.

Contents

- 1 Role of BSS
 - 1.1 Product management
 - 1.2 Customer management
 - 1.3 Revenue management
 - 1.4 Order management
- 2 See also
- 3 External links

Role of BSS [\[edit\]](#)

BSS deals with the taking of orders, payment issues, revenues, etc. It supports four processes: product management, order management, revenue management and customer management.

Product management [\[edit\]](#)

Product management supports product development, the sales and management of products, offers and bundles to businesses and mass-market customers. Product management regularly includes offering cross-product discounts, appropriate pricing and managing how products relate to one another.

Customer management [\[edit\]](#)

Service providers require a single view of the customer and regularly need to support complex hierarchies across customer-facing applications (customer relationship management). Customer management also covers requirements for partner management and 24x7 web-based customer self-service. Customer management can also be thought of as full-fledged customer relationship management systems implemented to help customer care agents handle the customers in a better and more informed manner.

Revenue management [\[edit\]](#)

Revenue management focuses on billing, charging and settlement. It can handle any combination of OSS services, products and offers. BSS revenue management supports OSS order provisioning and often

Operations support system

From Wikipedia, the free encyclopedia

Operations support systems (OSS), or **operational support systems** in British usage,^[1] are computer systems used by telecommunications service providers to manage their networks (e.g., telephone networks). They support management functions such as network inventory, service provisioning, network configuration and fault management.

Together with business support systems (BSS), they are used to support various end-to-end telecommunication services. BSS and OSS have their own data and service responsibilities. The two systems together are often abbreviated OSS/BSS, BSS/OSS or simply B/OSS.

The acronym OSS is also used in a singular form to refer to all the Operations Support Systems viewed as a whole system.

Different subdivisions of OSS have been proposed by the TM Forum, industrial research labs or OSS vendors. In general, an OSS covers at least the following five functions:

- Network management systems
- Service delivery
- Service fulfillment, including the network inventory, activation and provisioning
- Service assurance
- Customer care

Contents

- 1 History
- 2 Architecture
- 3 See also
- 4 References
- 5 External links

History

Before about 1970, many OSS activities were performed by manual administrative processes. However, it became obvious that much of this activity could be replaced by computers. In the next 5 years or so, the telephone companies created a number of computer systems (or software applications) which automated much of this activity. This was one of the driving factors for the development of the Unix operating system and the C programming language. The Bell System purchased their own product line of PDP-11 computers from Digital Equipment Corporation for a variety of OSS applications. OSS systems used in the Bell System include AMATPS, CSOBS, EADAS, Remote Memory Administration System (RMAS), Switching

Control Center System (SCCS), Service Evaluation System (SES), Trunks Integrated Record Keeping System (TIRKS), and many more. OSS systems from this era are described in the Bell System Technical Journal, Bell Labs Record, and Telcordia Technologies (now part of Ericsson) SR-2275.

Many OSS systems were initially not linked to each other and often required manual intervention. For example, consider the case where a customer wants to order a new telephone service. The ordering system would take the customer's details and details of their order, but would not be able to configure the telephone exchange directly — this would be done by a switch management system. Details of the new service would need to be transferred from the order handling system to the switch management system — and this would normally be done by a technician re-keying the details from one screen into another — a process often referred to as "swivel chair integration". This was clearly another source of inefficiency, so the focus for the next few years was on creating automated interfaces between the OSS applications — OSS integration. Cheap and simple OSS integration remains a major goal of most telecom companies.

Architecture

A lot of the work on OSS has been centered on defining its architecture. Put simply, there are four key elements of OSS:

- Processes
 - the sequence of events
- Data
 - the information that is acted upon
- Applications
 - the components that implement processes to manage data
- Technology
 - how we implement the applications

During the 1990s, new OSS architecture definitions were done by the ITU Telecommunication Standardization Sector (ITU-T) in its Telecommunications Management Network (TMN) model. This established a 4-layer model of TMN applicable within an OSS:

- Business Management Level (BML)
- Service Management Level (SML)
- Network Management Level (NML)
- Element Management Level (EML)

A fifth level is mentioned at times being the elements themselves, though the standards speak of only four levels. This was a basis for later work. Network management was further defined by the ISO using the FCAPS model - Fault, Configuration, Accounting, Performance and Security. This basis was adopted by the ITU-T TMN standards as the Functional model for the technology base of the TMN standards M.3000 - M.3599 series. Although the FCAPS model was originally conceived and is applicable for an IT enterprise network, it was adopted for use in the public networks run by telecommunication service providers adhering to ITU-T TMN standards.

A big issue of network and service management is the ability to manage and control the network elements of the access and core networks. Historically, many efforts have been spent in standardization fora (ITU-T, 3GPP) in order to define standard protocol for network management, but with no success and practical results. On the other hand IETF SNMP protocol (Simple Network Management Protocol) has become the de facto standard for internet and telco management, at the EML-NML communication level.

From 2000 and beyond, with the growth of the new broadband and VoIP services, the management of home networks is also entering the scope of OSS and network management. DSL Forum TR-069 specification has defined the CPE WAN Management Protocol (CWMP), suitable for managing home networks devices and terminals at the EML-NML interface.

See also

- Business Support System
- COSMOS (Telecommunications)
- Hardware Information Navigational Tool
- Loop Maintenance Operations System
- OA&M
- Service Evaluation System
- Switching Control Center System

References

1. See Wikipedia article Operations research.

External links

- Video: What is OSS/BSS? (<http://www.youtube.com/watch?v=iMduQ96N1F8&feature=share&list=PLsn61Zheh8ih81E2p7edFBaM4eCsYFqEc>)
- TeleManagement Forum (<http://www.tmforum.org/>)
- OSS through Java initiative (<http://www.ossj.org/>)
- OSS News Review (<http://www.ossnewsreview.com/>)
- OSS Observer landing page of Analysys Mason (<http://www.analysismason.com/Research/OSS-Observer-redirect-landing-page/>)
- Pipeline Magazine (<http://www.pipelinepub.com/>)
- InsideTelephony OSS/BSS (<http://www.insidetelephony.com/telecom-oss-bss/>)
- Billing & OSS World (<http://www.billingworld.com/>)
- OSS Line (<http://www.ossline.com/>)
- Telecommunications OSS and BSS (<http://www.muratbalkan.net/>)
- What is OSS? (<http://www.telecomossbss.com/what-is-oss/>)

Retrieved from "http://en.wikipedia.org/w/index.php?title=Operations_support_system&oldid=642981423"

Categories: [Network management](#) | [Telecommunications systems](#)

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http://www.pccwsolutions.com/public/Industry%20Solutions%20(Communications%20%26%20Media/Business%20Operation%20Support%20System/ 10/16/2014 10:41:56 PM



Business/Operation Support System

Service scope

Business/Operation Support Systems (B/OSS) is a set of solutions that helps telecommunications providers monitor, control, analyze and manage services. The end result is power to transform and control business, while succeeding in an increasingly competitive market by meeting dynamic customer demand and creating profitable new models. As a key B/OSS function, Sales & Order Management capability and flexibility play a crucial role in the overall service fulfillment process. The evolution to next-generation networks introduces new operational requirements that impact significantly on a service provider's operational support systems. Changes involve multiple components, such as network equipment, servers and applications. New operational support systems need to support existing services, multiple network technologies and new IP-based services. They also need to support customer and services-centric operating models, while providing end-to-end quality of service.

As service providers migrate to next generation networks, PCCW Solutions can help them achieve high levels of performance by building operational support systems (OSS) and business support systems (BSS) that manage dynamic service delivery. We partner with world-class B/OSS solutions vendors and help clients simplify their service introduction, accelerate service delivery times and reduce operating costs and capital expenditure. The solutions cover the order-to-activate service provisioning process for all types of traditional and next-generation services, including voice, data, DSL, IP VPN, IPTV, mobile and VoIP. Equipped with domain knowledge, PCCW Solutions works with major service providers to meet detailed requirements

http://www.t-systems.com/ind_stories/telco-business-operations-support-systems-managing-business-and-customer-p
rocesses/762306 03/21/2014 06:43:43 PM



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Documents

White Paper Customer Relationship Management (CRM)

Consulting on fiber optic expansion

A business enabling platform and service management backbone

Seibel/Cradle customer relationship management

Telco Business & Operations Support Systems Managing business and customer processes

Telcoes supply their products to customers with a combination of **Business Support Systems (BSS)** and **Operate Support Systems (OSS)** to support all customer and back office processes.

The products and services that telcoes provide consist of a large number of components that millions of customers want to use simultaneously and in high quality. A DSL connection, a cell phone call from abroad, or Internet TV services: many individual services that providers must coordinate and manage. Growing numbers of products and requirements – along with ever shorter provisioning times – make service processes increasingly complex. That is why Telcoes rely on Business Support Systems (BSS) and Operate Support Systems (OSS) to keep all business processes running smoothly in the background and to manage customer relationships.

In a largely saturated and fiercely contested telecommunications market, good customer relationships are extremely important. Good customer service is impossible to provide without industry-specific customer relationship management systems. Customer relationship management (CRM) assists companies with marketing, sales, and service. Business Intelligence/enterprise information management (BI/EIM) solutions manage customer and usage data optimally and securely. T-Systems assists providers by supplying CRM systems and portal and BI/EIM solutions.

Back office and network management solutions for production and operation

T-Systems provides cross-advance OS systems that employees from areas such as network and systems planning or service management can access, thereby supporting a fast time to market. The OSO links all of the processes, systems and departments involved on a standardized basis to enable the telco to respond swiftly and efficiently to new customer wishes. With a system of this kind the entire process – from planning via provisioning to troubleshooting – can be handled on one platform, thereby optimizing operating costs. Centralized monitoring is available to ensure a high quality level.

Tags: [Business Intelligence](#), [Customer Relationship Management](#), [CRM](#), [Monitoring](#), [SOA](#), [Telecommunications](#)

How do Telco Business & Operations Support Systems benefit my business?

Atty. Dkt. No. 017298-0273

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: BOSS PLATFORM
Serial No.: 79/129,816
Filing Date: February 27, 2013
Applicant: Dimetis GmbH
Examiner: Ronald Fairbanks
Law Office 119

DECLARATION UNDER 37 C.F.R. § 2.20

I, Joachim Kniesel, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declare that:

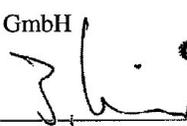
1. I am currently managing partner for the Applicant, Dimetis GmbH, and have been employed by the Applicant for more than ten years.
2. In my capacity as managing partner for Dimetis GmbH, I am competent and properly authorized to execute this Declaration on behalf of the Applicant, the facts contained herein being within my personal knowledge or taken from the records of Dimetis GmbH, to which I have access.
3. The Applicant's use of the term "BOSS" is not as an acronym for "Business Operation Support System" and I do not believe that consumers interpret Applicant's use of BOSS to mean "Business Operation Support System."

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true.

Date: 19. February 2015

Dimetis GmbH

By:



dimetis® Dimetis GmbH
laboratory for system diagnosis

Justus-von-Liebig-Straße 9
D-63128 Dreizenbach

Name: Joachim Kniesel

Title: Managing Director

Int. Cl.: 9

Prior U.S. Cl.: 38

United States Patent and Trademark Office **Reg. No. 1,890,886**
Registered Apr. 25, 1995

**TRADEMARK
PRINCIPAL REGISTER**

BOSS

OMNEX ENGINEERING & MANAGEMENT
INC. (MICHIGAN CORPORATION), DBA
OEM OMNEX
777 E. EISENHOWER, SUITE 315
ANN ARBOR, MI 48108

SON WITH CUSTOMER EXPECTATIONS, IN
CLASS 9 (U.S. CL. 38).
FIRST USE 4-0-1992; IN COMMERCE
4-0-1992.

SER. NO. 74-486,167, FILED 2-3-1994.

FOR: COMPUTER SOFTWARE FOR TRACK-
ING BUSINESS OPERATIONS IN COMPARI-

CONNIE M. JUDGE, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cl.: 38

United States Patent and Trademark Office **Reg. No. 1,890,886**
Registered Apr. 25, 1995

**TRADEMARK
PRINCIPAL REGISTER**

BOSS

OMNEX ENGINEERING & MANAGEMENT
INC. (MICHIGAN CORPORATION), DBA
OEM OMNEX
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ANN ARBOR, MI 48108

FOR: COMPUTER SOFTWARE FOR TRACK-
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CLASS 9 (U.S. CL. 38).
FIRST USE 4-0-1992; IN COMMERCE
4-0-1992.

SER. NO. 74-486,167, FILED 2-3-1994.

CONNIE M. JUDGE, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,093,989

United States Patent and Trademark Office

Registered Sep. 9, 1997

**TRADEMARK
PRINCIPAL REGISTER**

BOSS

BUSCHMAN COMPANY, THE (OHIO CORPORATION)
10045 INTERNATIONAL BOULEVARD
CINCINNATI, OH 45246

MANUALS APPLIED THEREWITH, IN CLASS
9 (U.S. CLS. 21, 23, 26, 36 AND 38).
FIRST USE 0-0-1983; IN COMMERCE
0-0-1983.

SER. NO. 74-576,173, FILED 9-20-1994.

FOR: COMPUTER HARDWARE AND SOFTWARE FOR CONTROLLING PACKAGE-HANDLING CONVEYOR SYSTEMS AND USE

MICHELLE MOONEY RITCHY, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 3,193,420

Registered Jan. 2, 2007

**TRADEMARK
PRINCIPAL REGISTER**

BOSS

PIPS TECHNOLOGY, INC. (TENNESSEE COR-
PORATION)
P.O. BOX 24117
KNOXVILLE, TN 379332117

FOR: SOFTWARE FOR USE IN PROCESSING
AUTOMATIC LICENSE PLATE RECOGNITION
(ALPR) DATA, IN PARTICULAR, FOR GEOGRA-
PHICAL INTERROGATION AND DATA MINING
ON LAW ENFORCEMENT COMPUTER SYSTEMS,
IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-30-2005; IN COMMERCE 6-30-2005.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-821,423, FILED 2-23-2006.

KAREN K. BUSH, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 3,289,592

Registered Sep. 11, 2007

**TRADEMARK
PRINCIPAL REGISTER**

BOSS

THE INTEGRA GROUP, INC. (MISSOURI CORPORATION)
16650 CHESTERFIELD GROVE ROAD, SUITE 110
CHESTERFIELD, MO 63005

FOR: COMPUTER SOFTWARE FOR TRACKING EQUIPMENT FEATURES, EQUIPMENT LOCATION, EQUIPMENT STATUS, EQUIPMENT OPERATIONAL ACTIVITY, CONTRACTS, EXPENSES, CONTACT MANAGEMENT, AND BILLING IN THE FIELD OF BARGE TRANSPORTATION; COMPUTER SOFTWARE FOR TRACKING ESTIMATING, BIDDING, COSTING, SCHEDULING, RECRUITING, SALES ACTIVITY, CONTACT MANAGEMENT, AND BILLING IN SERVICE INDUSTRIES, EXCLUDING MANUFACTURING INDUSTRIES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-20-2004; IN COMMERCE 7-20-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-041,584, FILED 11-10-2006.

PAULA MAHONEY, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,560,526

Registered Jan. 13, 2009

**SERVICE MARK
PRINCIPAL REGISTER**

BOSS

FIRSTWEST BROKERAGE SERVICES, INC.
(UTAH CORPORATION), DBA FIRSTWEST
BENEFIT SOLUTIONS
P.O. BOX 617
OREM, UT 840590617

FOR: PROVIDING ON-LINE NON-DOWNLOAD-
ABLE SOFTWARE IN THE FIELD OF EMPLOY-
MENT FOR USE IN HUMAN RESOURCE
MANAGEMENT SERVICES AND THE ADMINIS-
TRATION OF EMPLOYEE BENEFIT AND WELL-
NESS PROGRAMS, IN CLASS 42 (U.S. CLS. 100 AND
101).

FIRST USE 11-1-2003; IN COMMERCE 11-1-2003.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-484,885, FILED 5-28-2008.

JASON TURNER, EXAMINING ATTORNEY

United States of America
United States Patent and Trademark Office

BOSS

Reg. No. 4,033,369

Registered Oct. 4, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

BOMAG GMBH (FED REP GERMANY LIMITED LIABILITY COMPANY)
HELLERWALD
BOPPARD, FED REP GERMANY 56154

FOR: SAFETY SYSTEMS TO PREVENT MACHINES FROM A PARTIAL OR COMPLETE RUNNING OVER PERSONS, COMPOSED OF TRANSMITTERS AND RECEIVERS OF ELECTROMAGNETIC WAVES, UNITS FOR CONTROLLING THE DRIVE OF THE MACHINE, PROGRAMS FOR PERFORMING A SELF-TEST OF THE MACHINE, FOR USE WITH CONSTRUCTION MACHINES, NAMELY, FOR MULTI-PURPOSE COMPACTORS, TRENCH ROLLER, ROAD ROLLER, VIBRATORY PLATE COMPACTORS, PAVER, LANDFILL COMPACTORS, ROAD MILLERS, NAMELY, A SYSTEM FOR MONITORING A SAFETY DISTANCE BETWEEN PERSONS AND THE MACHINE; PARTS AND FITTINGS FOR SUCH SYSTEM, NAMELY, TRANSMITTERS AND RECEIVERS OF ELECTROMAGNETIC WAVES, REMOTE CONTROL UNITS, TRANSPONDERS, TRANSCIEVERS AND ELECTRICAL CONTROLLERS; ALL THE AFOREMENTIONED NOT FOR AUDIO COMPONENTS IN THE FIELD OF ENTERTAINMENT ELECTRONICS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 3-24-2010 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1056303 DATED 8-20-2010, EXPIRES 8-20-2020.

SER. NO. 79-089,214, FILED 8-20-2010.

MARK T. MULLEN, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

BOSS

Reg. No. 4,248,988

Registered Nov. 27, 2012

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

TACTICAL COMMUNICATIONS GROUP, LLC (DELAWARE LIMITED LIABILITY COMPANY)
2 HIGHWOOD DRIVE, BUILDING 2
TEWKSBURY, MA 01876

FOR: COMPUTER HARDWARE AND SOFTWARE FOR USE IN MILITARY TRAINING EXERCISES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-28-2002; IN COMMERCE 7-29-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-488,234, FILED 12-6-2011.

TASHIA BUNCH, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office