

Request for Reconsideration after Final Action

The table below presents the data as entered.

| Input Field | Entered |
|---|----------------|
| SERIAL NUMBER | 85263405 |
| LAW OFFICE ASSIGNED | LAW OFFICE 108 |
| MARK SECTION (no change) | |
| GOODS AND/OR SERVICES SECTION (009)(current) | |
| INTERNATIONAL CLASS | 009 |
| DESCRIPTION | |
| <p>Software for use in universal media transcoding for internet, mobile and broadcast video applications; computer hardware and software for use by cable, satellite, terrestrial broadcasters, telephone carriers and wireless telecommunications operators for use in video delivery, for use in video compression, and for use in video stream processing and band width expansion; computer hardware, namely, encoders, video and audio input processors, ethernet adapters, and embedded software for use in the compression and decompression of video and audio data; electronic circuit boards for the compression, decompression, multiplexing, recoding, playback, transmissions, reception, switching, and demultiplexing of digital, audio, video and data signals and parts thereof; computer hardware and software for use in capturing and digitizing video and audio content, for use in controlling professional videotape recorders and encoders, for use in editing digital ad content, for use in creating video-on-demand content, for use in operating embedded decoder cards, for use in automating and streamlining graphical user interface software, and for managing computer networks; electronic system, namely, computer hardware and software for use in receiving and decoding MPEG program streams via an IP interface for delivery to video and audio entertainment subscribers; electronic system, namely, computer hardware and software for use in transcoding and transmultiplexing of digital audio, video and electronic asset metadata; computer software for use in scheduling the recording of broadcast channels by video on demand service providers; electronic systems comprising computer hardware and peripherals for the reception, remultiplexing, descrambling, decoding, compression, multiplexing, scrambling, transmission and monitoring of standard and high definition digital video, audio and data signals and parts thereof; video input and output cards for use by telecommunications and broadcast companies for transmission of voice, data, graphics and video signals; optical transmitters and optical receivers; computer hardware and software for use in variable bitrate encoding and statistical multiplexing; amplifiers; preamplifiers; power supplies; computer hardware and software for use in monitoring the status of network management systems and video and audio services and systems; computer hardware and software for use in controlling video servers; video splitters and combiners; communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, and cable networks, and broadband networks; digital compression units for processing of digital music and video images; computer software for use in compression of digital music and video; computer hardware, software and modems for use in delivery of high speed broadband</p> | |

signals; equipment for use with broadband networks, namely, fiber optics, cable, satellite and wireless telecommunications networks, for use in providing access and transmitting signals, namely, headend controllers, monitors, compression devices, multiplexers, scramblers and modulators; optical, digital and cable transmitters using high speed broadband technology; headend controllers, computer hardware and computer software for the management and transmission of data over fiber optics, cable, satellite and wireless telecommunications networks; broadband network interfaces; computer hardware and software for managing various elements of a wireless, high speed, broadband communication network, and parts and manuals sold therewith as a unit

FILING BASIS

Section 1(b)

GOODS AND/OR SERVICES SECTION (009)(proposed)

INTERNATIONAL CLASS

009

TRACKED TEXT DESCRIPTION

Software for use in universal media transcoding for internet, mobile and broadcast video applications; computer hardware and software for use by cable, satellite, terrestrial broadcasters, telephone carriers and wireless telecommunications operators for use in video delivery, for use in video compression, and for use in video stream processing and band width expansion; computer hardware, namely, encoders, video and audio input processors, ethernet adapters, and embedded software for use in the compression and decompression of video and audio data; electronic circuit boards for the compression, decompression, multiplexing, recoding, playback, transmissions, reception, switching, and demultiplexing of digital, audio, video and data signals and parts thereof; computer hardware and software for use in capturing and digitizing video and audio content, for use in controlling professional videotape recorders and encoders, for use in editing digital ad content, for use in creating video-on-demand content, for use in operating embedded decoder cards, for use in automating and streamlining graphical user interface software, and for managing computer networks; electronic system, namely, computer hardware and software for use in receiving and decoding MPEG program streams via an IP interface for delivery to video and audio entertainment subscribers; electronic system, namely, computer hardware and software for use in transcoding and transmultiplexing of digital audio, video and electronic asset metadata; computer software for use in scheduling the recording of broadcast channels by video on demand service providers; electronic systems comprising computer hardware and peripherals for the reception, remultiplexing, descrambling, decoding, compression, multiplexing, scrambling, transmission and monitoring of standard and high definition digital video, audio and data signals and parts thereof; video input and output cards for use by telecommunications and broadcast companies for transmission of voice, data, graphics and video signals; optical transmitters and optical receivers; computer hardware and software for use in variable bitrate encoding and statistical multiplexing; amplifiers; preamplifiers; power supplies; computer hardware and software for use in monitoring the status of network management systems and video and audio services and systems; computer hardware and software for use in controlling video servers; video splitters and combiners; ~~communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, and cable networks, and broadband networks;~~ computer hardware, namely, communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, cable networks, and broadband networks; digital compression units for processing of digital music and video images; computer software for use in compression of digital music and video; computer hardware, software and modems for use in delivery of high speed broadband signals; equipment for use with broadband networks, namely, fiber optics, cable, satellite and wireless telecommunications networks, for use in providing access and transmitting signals, namely, headend controllers, monitors, compression devices, multiplexers, scramblers and modulators; optical, digital

and cable transmitters using high speed broadband technology; headend controllers, computer hardware and computer software for the management and transmission of data over fiber optics, cable, satellite and wireless telecommunications networks; broadband network interfaces; computer hardware and software for managing various elements of a wireless, high speed, broadband communication network, and parts and manuals sold therewith as a unit

FINAL DESCRIPTION

Software for use in universal media transcoding for internet, mobile and broadcast video applications; computer hardware and software for use by cable, satellite, terrestrial broadcasters, telephone carriers and wireless telecommunications operators for use in video delivery, for use in video compression, and for use in video stream processing and band width expansion; computer hardware, namely, encoders, video and audio input processors, ethernet adapters, and embedded software for use in the compression and decompression of video and audio data; electronic circuit boards for the compression, decompression, multiplexing, recoding, playback, transmissions, reception, switching, and demultiplexing of digital, audio, video and data signals and parts thereof; computer hardware and software for use in capturing and digitizing video and audio content, for use in controlling professional videotape recorders and encoders, for use in editing digital ad content, for use in creating video-on-demand content, for use in operating embedded decoder cards, for use in automating and streamlining graphical user interface software, and for managing computer networks; electronic system, namely, computer hardware and software for use in receiving and decoding MPEG program streams via an IP interface for delivery to video and audio entertainment subscribers; electronic system, namely, computer hardware and software for use in transcoding and transmultiplexing of digital audio, video and electronic asset metadata; computer software for use in scheduling the recording of broadcast channels by video on demand service providers; electronic systems comprising computer hardware and peripherals for the reception, remultiplexing, descrambling, decoding, compression, multiplexing, scrambling, transmission and monitoring of standard and high definition digital video, audio and data signals and parts thereof; video input and output cards for use by telecommunications and broadcast companies for transmission of voice, data, graphics and video signals; optical transmitters and optical receivers; computer hardware and software for use in variable bitrate encoding and statistical multiplexing; amplifiers; preamplifiers; power supplies; computer hardware and software for use in monitoring the status of network management systems and video and audio services and systems; computer hardware and software for use in controlling video servers; video splitters and combiners; computer hardware, namely, communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, cable networks, and broadband networks; digital compression units for processing of digital music and video images; computer software for use in compression of digital music and video; computer hardware, software and modems for use in delivery of high speed broadband signals; equipment for use with broadband networks, namely, fiber optics, cable, satellite and wireless telecommunications networks, for use in providing access and transmitting signals, namely, headend controllers, monitors, compression devices, mutliplexers, scramblers and modulators; optical, digital and cable transmitters using high speed broadband technology; headend controllers, computer hardware and computer software for the management and transmission of data over fiber optics, cable, satellite and wireless telecommunications networks; broadband network interfaces; computer hardware and software for managing various elements of a wireless, high speed, broadband communication network, and parts and manuals sold therewith as a unit

FILING BASIS

Section 1(b)

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

INTERNATIONAL CLASS

042

| | |
|---|--|
| DESCRIPTION | |
| Fiber optic and digital video system network design for others; integration of fiber optic and digital video systems; services to communication system providers and users, namely, designing fiber optic, cable, satellite, and wireless high speed, broadband communication systems for others | |
| FILING BASIS | Section 1(b) |
| GOODS AND/OR SERVICES SECTION (042)(proposed) | |
| INTERNATIONAL CLASS | 042 |
| TRACKED TEXT DESCRIPTION | |
| Fiber optic and digital video system network design for others; integration of fiber optic and digital video systems ; <u>integration of computer systems and networks namely, integration of fiber optic and digital video systems</u> ; services to communication system providers and users, namely, designing fiber optic, cable, satellite, and wireless high speed, broadband communication systems for others | |
| FINAL DESCRIPTION | |
| Fiber optic and digital video system network design for others; integration of computer systems and networks namely, integration of fiber optic and digital video systems; services to communication system providers and users, namely, designing fiber optic, cable, satellite, and wireless high speed, broadband communication systems for others | |
| FILING BASIS | Section 1(b) |
| SIGNATURE SECTION | |
| RESPONSE SIGNATURE | /djm/ |
| SIGNATORY'S NAME | Diane J. Mason |
| SIGNATORY'S POSITION | Attorney of record, California bar |
| SIGNATORY'S PHONE NUMBER | 415-913-4911 |
| DATE SIGNED | 05/30/2012 |
| AUTHORIZED SIGNATORY | YES |
| CONCURRENT APPEAL NOTICE FILED | NO |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Wed May 30 13:03:35 EDT 2012 |
| TEAS STAMP | USPTO/RFR-205.210.0.254-2 0120530130335056504-85263 405-490536d204b336c78c29c 6e8f4ba7859654-N/A-N/A-20 120529193606300384 |

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

Application serial no. **85263405** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 009 for Software for use in universal media transcoding for internet, mobile and broadcast video applications; computer hardware and software for use by cable, satellite, terrestrial broadcasters, telephone carriers and wireless telecommunications operators for use in video delivery, for use in video compression, and for use in video stream processing and band width expansion; computer hardware, namely, encoders, video and audio input processors, ethernet adapters, and embedded software for use in the compression and decompression of video and audio data; electronic circuit boards for the compression, decompression, multiplexing, recoding, playback, transmissions, reception, switching, and demultiplexing of digital, audio, video and data signals and parts thereof; computer hardware and software for use in capturing and digitizing video and audio content, for use in controlling professional videotape recorders and encoders, for use in editing digital ad content, for use in creating video-on-demand content, for use in operating embedded decoder cards, for use in automating and streamlining graphical user interface software, and for managing computer networks; electronic system, namely, computer hardware and software for use in receiving and decoding MPEG program streams via an IP interface for delivery to video and audio entertainment subscribers; electronic system, namely, computer hardware and software for use in transcoding and transmultiplexing of digital audio, video and electronic asset metadata; computer software for use in scheduling the recording of broadcast channels by video on demand service providers; electronic systems comprising computer hardware and peripherals for the reception, remultiplexing, descrambling, decoding, compression, multiplexing, scrambling, transmission and monitoring of standard and high definition digital video, audio and data signals and parts thereof; video input and output cards for use by telecommunications and broadcast companies for transmission of voice, data, graphics and video signals; optical transmitters and optical receivers; computer hardware and software for use in variable bitrate encoding and statistical multiplexing; amplifiers; preamplifiers; power supplies; computer hardware and software for use in monitoring the status of network management systems and video and audio services and systems; computer hardware and software for use in controlling video servers; video splitters and combiners; communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, and cable networks, and broadband networks; digital compression units for processing of digital music and video images; computer software for use in compression of digital music and video; computer hardware, software and modems for use in delivery of high speed broadband signals; equipment for use with broadband networks, namely, fiber optics, cable, satellite and wireless telecommunications networks, for use in providing access and transmitting signals, namely, headend controllers, monitors, compression devices, mutliplexers, scramblers and modulators; optical, digital and cable transmitters using high speed broadband technology; headend controllers, computer hardware and computer software for the management and transmission of data over fiber optics, cable, satellite and wireless telecommunications networks; broadband network interfaces; computer hardware and software for managing various elements of a wireless, high speed, broadband communication network, and parts and manuals sold therewith as a unit

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the

identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: Software for use in universal media transcoding for internet, mobile and broadcast video applications; computer hardware and software for use by cable, satellite, terrestrial broadcasters, telephone carriers and wireless telecommunications operators for use in video delivery, for use in video compression, and for use in video stream processing and band width expansion; computer hardware, namely, encoders, video and audio input processors, ethernet adapters, and embedded software for use in the compression and decompression of video and audio data; electronic circuit boards for the compression, decompression, multiplexing, recoding, playback, transmissions, reception, switching, and demultiplexing of digital, audio, video and data signals and parts thereof; computer hardware and software for use in capturing and digitizing video and audio content, for use in controlling professional videotape recorders and encoders, for use in editing digital ad content, for use in creating video-on-demand content, for use in operating embedded decoder cards, for use in automating and streamlining graphical user interface software, and for managing computer networks; electronic system, namely, computer hardware and software for use in receiving and decoding MPEG program streams via an IP interface for delivery to video and audio entertainment subscribers; electronic system, namely, computer hardware and software for use in transcoding and transmultiplexing of digital audio, video and electronic asset metadata; computer software for use in scheduling the recording of broadcast channels by video on demand service providers; electronic systems comprising computer hardware and peripherals for the reception, remultiplexing, descrambling, decoding, compression, multiplexing, scrambling, transmission and monitoring of standard and high definition digital video, audio and data signals and parts thereof; video input and output cards for use by telecommunications and broadcast companies for transmission of voice, data, graphics and video signals; optical transmitters and optical receivers; computer hardware and software for use in variable bitrate encoding and statistical multiplexing; amplifiers; preamplifiers; power supplies; computer hardware and software for use in monitoring the status of network management systems and video and audio services and systems; computer hardware and software for use in controlling video servers; video splitters and combiners; ~~communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, and cable networks, and broadband networks~~; computer hardware, namely, communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, cable networks, and broadband networks; digital compression units for processing of digital music and video images; computer software for use in compression of digital music and video; computer hardware, software and modems for use in delivery of high speed broadband signals; equipment for use with broadband networks, namely, fiber optics, cable, satellite and wireless telecommunications networks, for use in providing access and transmitting signals, namely, headend controllers, monitors, compression devices, mutliplexers, scramblers and modulators; optical, digital and cable transmitters using high speed broadband technology; headend controllers, computer hardware and computer software for the management and transmission of data over fiber optics, cable, satellite and wireless telecommunications networks; broadband network interfaces; computer hardware and software for managing various elements of a wireless, high speed, broadband communication network, and parts and manuals sold therewith as a unit

Class 009 for Software for use in universal media transcoding for internet, mobile and broadcast video applications; computer hardware and software for use by cable, satellite, terrestrial broadcasters, telephone carriers and wireless telecommunications operators for use in video delivery, for use in video compression, and for use in video stream processing and band width expansion; computer hardware, namely, encoders, video and audio input processors, ethernet adapters, and embedded software for use in the compression and decompression of video and audio data; electronic circuit boards for the compression, decompression, multiplexing, recoding, playback, transmissions, reception, switching, and demultiplexing of digital, audio, video and data signals and parts thereof; computer hardware and software for use in

capturing and digitizing video and audio content, for use in controlling professional videotape recorders and encoders, for use in editing digital ad content, for use in creating video-on-demand content, for use in operating embedded decoder cards, for use in automating and streamlining graphical user interface software, and for managing computer networks; electronic system, namely, computer hardware and software for use in receiving and decoding MPEG program streams via an IP interface for delivery to video and audio entertainment subscribers; electronic system, namely, computer hardware and software for use in transcoding and transmultiplexing of digital audio, video and electronic asset metadata; computer software for use in scheduling the recording of broadcast channels by video on demand service providers; electronic systems comprising computer hardware and peripherals for the reception, remultiplexing, descrambling, decoding, compression, multiplexing, scrambling, transmission and monitoring of standard and high definition digital video, audio and data signals and parts thereof; video input and output cards for use by telecommunications and broadcast companies for transmission of voice, data, graphics and video signals; optical transmitters and optical receivers; computer hardware and software for use in variable bitrate encoding and statistical multiplexing; amplifiers; preamplifiers; power supplies; computer hardware and software for use in monitoring the status of network management systems and video and audio services and systems; computer hardware and software for use in controlling video servers; video splitters and combiners; computer hardware, namely, communication access nodes for transport of voice, video and high-speed data in wide area networks, local area networks, cable networks, and broadband networks; digital compression units for processing of digital music and video images; computer software for use in compression of digital music and video; computer hardware, software and modems for use in delivery of high speed broadband signals; equipment for use with broadband networks, namely, fiber optics, cable, satellite and wireless telecommunications networks, for use in providing access and transmitting signals, namely, headend controllers, monitors, compression devices, mutliplexers, scramblers and modulators; optical, digital and cable transmitters using high speed broadband technology; headend controllers, computer hardware and computer software for the management and transmission of data over fiber optics, cable, satellite and wireless telecommunications networks; broadband network interfaces; computer hardware and software for managing various elements of a wireless, high speed, broadband communication network, and parts and manuals sold therewith as a unit

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

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

Current: Class 042 for Fiber optic and digital video system network design for others; integration of fiber optic and digital video systems; services to communication system providers and users, namely, designing fiber optic, cable, satellite, and wireless high speed, broadband communication systems for others

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: Fiber optic and digital video system network design for others; ~~integration of fiber optic and digital video systems~~; integration of computer systems and networks namely, integration of fiber optic and digital video systems; services to communication system providers and users, namely, designing fiber optic, cable, satellite, and wireless high speed, broadband communication systems for others

Class 042 for Fiber optic and digital video system network design for others; integration of computer systems and networks namely, integration of fiber optic and digital video systems; services to communication system providers and users, namely, designing fiber optic, cable, satellite, and wireless high speed, broadband communication systems for others

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /djm/ Date: 05/30/2012

Signatory's Name: Diane J. Mason

Signatory's Position: Attorney of record, California bar

Signatory's Phone Number: 415-913-4911

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 not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 85263405

Internet Transmission Date: Wed May 30 13:03:35 EDT 2012

TEAS Stamp: USPTO/RFR-205.210.0.254-2012053013033505

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