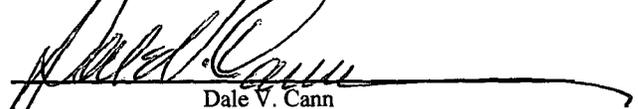


I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Assistant Commissioner for Trademarks, TTAB, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on **June 7, 2002**.

  
Dale V. Cann

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
TRADEMARK TRIAL & APPEAL BOARD**

Hewlett-Packard Company	§	Opposition No.: 121,759
	§	
Opposer	§	Trademark Application No. : 75/858,178
	§	
v.	§	
	§	Published: U. S. Official Gazette
HopOne Internet Corporation	§	September 26, 2000
	§	TM 94
Applicant	§	

**AMENDED NOTICE OF OPPOSITION**

Hewlett-Packard Company, a Delaware corporation located and doing business at 3000 Hanover Street, Palo Alto, California 94304 (“Opposer”), believes that it will be damaged by registration of the mark shown in Application Serial no. 75/858,178 in International Classes 38 and 42, and hereby opposes the same.

As grounds for opposition it is alleged that:

1. On November 26, 1999, HopOne Internet Corporation (“Applicant”) filed an application to register the mark HOPONE INTERNET CORP. and Design (“Applicant’s Mark”) as a trademark for intended use in connection with “providing multiple-user access to the global computer network” in International Class 38 and “computer services, namely hosting the websites of others; computer consultation; and server location services, namely, housing, monitoring, and managing the servers

of others for providing access to the global computer network” in International Class 42 (“Applicant’s Services”). Applicant’s Mark published for opposition in the September 26, 2000 issue of the *United States Official Gazette*. The prominent portion of Applicant’s Mark is the letters HP.

2. Upon information and belief, Applicant has not used Applicant’s Mark in connection with Applicant’s Services.
3. Opposer’s HP marks are famous throughout the world and Opposer’s HP marks were famous many years prior to November 26, 1999. Opposer has used the mark HP for decades. Opposer owns numerous registrations for the mark HP. In particular, Opposer is the owner of Registration No. 850,251 for the mark HP and Design for, among other things, “. . . technical periodicals, pamphlets and books . . . and product and system operating and service manuals . . .” This incontestable registration was filed November 25, 1966 and issued June 4, 1968.
4. Opposer owns Registration No. 614,803 for the mark HP and Design for “thermistor mounts.” This incontestable registration was filed November 12, 1954 and issued October 25, 1955.
5. Opposer owns Registration No. 862,308 for the mark HP and Design for, among other things, “electrical systems, instruments, components and apparatus.” This incontestable registration was filed November 30, 1966 and issued December 24, 1968.
6. Opposer owns Registration No. 1,251,648 for the mark HP and Design for, among other things, “newsletter and technical journals, pamphlets, books, catalogs . . .

product and system operating and service manuals . . . .” This incontestable registration was filed September 13, 1982 and issued September 20, 1983.

7. Opposer owns Registration No. 1,474,656 for the mark HP for “electrocardiograph sensor adhesive materials, transmission gels, electrolytes, cremes, lotions, pastes, and contact fluids.” This incontestable registration was filed May 26, 1987 and issued February 2, 1988.
8. Opposer owns Registration No. 1,733,457 for the mark HP for “business networking and business management consulting services; rental and leasing services for data processing equipment; consultation services in the field of computer, electronic, signaling, measuring, data processing, analytical, and medical products, custom design of measurement and computation services; rental and leasing services for computer, electric signaling, measuring, analytical and medical equipment; retail mail and telephone order services for data processing, calculating, medical and analytical products.” This incontestable registration was filed December 6, 1990 and issued November 17, 1992.
9. Opposer owns Registration No. 1,735,159 for the mark HP and Design for “business networking and business management consulting services; rental and leasing services for data processing equipment; consultation services in the field of computer, electronic, signaling, measuring, data processing, analytical, and medical products; custom design of measurement and computation services; rental and leasing services for computer, electronic, signaling, measuring, analytical and medical equipment; retail mail and telephone order services for data processing, calculating, medical and

analytical products.” This incontestable registration was filed January 10, 1991 and issued November 24, 1992.

10. Opposer owns Registration No. 1,683,247 for the mark HP and Design for “calibration, maintenance, installation and repair of electronic, data processing, medical and analytical equipment.” This incontestable registration was filed April 24, 1991 and issued April 14, 1992.
11. Opposer owns Registration No. 1,775,518 for the mark HP and Design for “seminars and training courses in the fields of science, engineering, computer system, health care and business; production of video and audio recordings for others.” This incontestable registration was filed August 5, 1991 and issued June 8, 1993.
12. Opposer owns Registration No. 1,840,215 for the mark HP for “toner cartridges” and, among other things, “house mark for computers, computer software, data processing, and data storage systems and parts therefor.” This incontestable registration was filed November 3, 1992 and issued June 21, 1994.
13. Opposer owns Registration No. 1,842,724 for the mark HP and Design for, among other things, “house mark for computers, computer software, data processing, and data storage systems and parts therefor; printers and parts therefor.” This incontestable registration was filed November 3, 1992 and issued July 5, 1994.
14. Opposer owns Registration No. 2,005,761 for the mark HP for “custom manufacturing and processing of reticles and photomasks for semiconductors.” This registration was filed May 30, 1995 and issued October 8, 1996.

15. Opposer owns Registration No. 2,011,590 for the mark HP and Design for “custom manufacturing and processing of reticles and photomasks for semiconductors.” This registration was filed May 30, 1995 and issued October 29, 1996.
16. Opposer owns Registration No. 2,017,918 for the mark HP and Design for “financial services, namely, purchase financing and lease financing services.” This registration was filed January 19, 1996 and issued November 19, 1996.
17. Opposer owns Registration No. 2,015,875 for the mark HP for “financial services, namely, purchase financing and lease financing services.” This registration was filed January 19, 1996 and issued November 12, 1996.
18. Opposer owns Registration No. 2,061,483 for the mark HP and Design for “chromatography chemicals; stationary and mobile phase chemical compositions for use with chromatography equipment; chemicals for use as packing and filtering materials for use with chromatography equipment.” This registration was filed July 1, 1996 and issued May 13, 1997.
19. Opposer owns Registration No. 2, 065,140 for the mark HP for “chromatography chemicals; stationary and mobile phase chemical compositions for use with chromatography equipment; chemicals for use as packing and filtering materials for use with chromatography equipment.” This registration was filed July 1, 1996 and issued May 27, 1997.
20. Opposer owns Registration No. 2,069,931 for the mark HP and Design for “laboratory relocation services, namely, moving laboratory furnishings and

equipment for others.” This registration was filed August 5, 1996 and issued June 10, 1997.

21. Opposer owns Registration No. 2,067,314 for the mark HP for “laboratory relocation services, namely, moving laboratory furnishings and equipment for others.” This registration was filed August 5, 1996 and issued June 3, 1997.
22. Opposer owns Registration No. 2,070,017 for the mark HP and Design for “computer disaster recovery planning.” This registration was filed September 3, 1996 and issued June 10, 1997.
23. Opposer owns Registration No. 2,070,019 for the mark HP for “computer disaster recovery planning.” This registration was filed September 5, 1996 and issued June 10, 1997.
24. Opposer owns Registration No. 2,339,761 for the mark HP WORLD for “printed matter, namely, newsletters, pamphlets, magazines, brochures, books, catalogs, reprints of articles and application notes, all on the subject of computers and printers; technical bulletins; product and system operating and service manuals.” This registration was filed March 23, 1998 and issued April 11, 2000.
25. Opposer owns Registration No. 2,275,713 for the mark HP WORLD for “exhibitions and trade shows in the field of computers and information technology.” This registration was filed March 23, 1998 and issued September 7, 1999.
26. Opposer owns Registration No. 2,404,023 for the mark HP for “scanners, cameras and copiers.” This registration was filed November 5, 1999 and issued November 14, 2000.

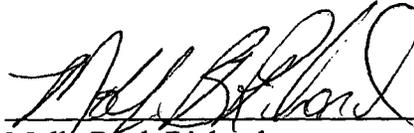
27. Opposer owns Registration No. 2,404,024 for the mark HP and Design for "scanners, cameras and copiers." This registration was filed November 5, 1999 and issued November 14, 2000.
28. Upon information and belief, Applicant did not use Applicant's Mark prior to the filing dates of the registrations described above.
29. Upon information and belief, Applicant did not use Applicant's Mark prior to the issue dates of the registrations described above.
30. Applicant's use of Applicant's Mark on or in connection with Applicant's Services is likely to cause confusion, mistake and deception as to the affiliation, connection or association of Applicant with Opposer, and as to the origin, sponsorship, or approval of Applicant's Services by Opposer. In particular, persons familiar with Opposer's goods and services are likely to purchase Applicant's Services believing that they emanate from, are associated with, or are certified or sponsored by Opposer.
31. Registration of Applicant's Mark would provide Applicant a prima facie exclusive right to use Applicant's Mark in connection with Applicant's Services, causing harm to Opposer.
32. Registration of Applicant's Mark would dilute the distinctive quality of Opposer's famous HP trademarks.

WHEREFORE, Opposer prays that this opposition be granted and that registration of Application Serial No. 74/858,178 be refused.

A duplicate copy of this Amended Notice of Opposition required under 37 C.F.R. § 2.6(a)(17) is enclosed herewith.

Dated this 7<sup>th</sup> day of June, 2002.

Respectfully submitted,



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Molly Buck Richard  
THOMPSON & KNIGHT LLP  
1700 Pacific Avenue, Suite 3300  
Dallas, Texas 75201-4693  
Telephone: (214) 969-1677  
Facsimile: (214) 969-1751  
Attorney for Opposer,  
HEWLETT-PACKARD COMPANY

502917 000037 DALLAS 1444162.1

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing **Amended Notice of Opposition** has been forwarded this 7<sup>th</sup> day of June, 2002 to:

Mr. Haralds Jass  
President & CEO  
HopOne Internet Corporation  
1010 Wisconsin Avenue NW, Suite 303  
Washington, D.C. 20007-3603



---

Molly Buck Richard

TTAB

# THOMPSON & KNIGHT

L.L.P.

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06-10-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #26

HOUSTON  
MONTERREY, MEXICO

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June 7, 2002

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

Re: Opposition No. 121,759  
Hewlett-Packard Company  
v. HopOne Internet Corporation  
Our File: 502917.000037

02 JUN 17 AM 8:23  
TRADEMARK TRIAL AND  
APPEAL BOARD

Sir:

Enclosed for filing in the above-identified matter is Opposer's Amended Notice of Opposition with certificate of service in duplicate.

Please note counsel for Opposer's address has changed to:

Thompson & Knight  
1700 Pacific Avenue, Suite 3300  
Dallas, Texas 75201-4693  
Telephone: (214) 969-1677  
Facsimile: (214) 969-1751

Sincerely,

Molly Buck Richard

MBR:dvc  
Enclosure  
c: Mr. Haralds Jass  
502917 000037 DALLAS 1444927.1