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TRADEMARK

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

Hexon Technology Pte Ltd.,

Opposer,

v.

Polymer Flip Chip Corporation,

Applicant.

) I hereby certify that this correspondence and
) all marked attachments are being deposited
) with the United States Postal Service as first-
) class mail in an envelope addressed to:
) Assistant Commissioner for Trademarks, 2900
) Crystal Drive, Arlington, VA 22202-3513, on

) 3/20/02
) (Date)
) [Signature]
) Stacey R. Halpern

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NOTICE OF OPPOSITION

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

ATTN: BOX TTAB FEE


03-29-2002
U.S. Patent & TMO/c/TM Mail RcptDt. #66

Dear Sir:

Opposer, Hexon Technology Pte Ltd., a Singapore corporation, believes that it is and will be damaged by registration of the mark shown in Application Serial No. 75/793,370, filed on September 7, 1999 by Polymer Flip Chip Corporation (hereinafter "Applicant"), and hereby opposes the same. A description of the Applicant's mark is as follows:

Mark: NCP
Goods: Integrated Circuit Assemblies and Interconnects Therefor
Class: 9
Filed: September 7, 1999
Alleged First Use: ITU
Published: October 30, 2001

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S.R.

As grounds for opposition, it is alleged that:

1. Opposer is a leading designer, manufacturer and distributor of advanced memory modules of the finest quality and economic value to its valued customers.
2. Opposer is the owner of Singapore Trademark Registration No. T99/06225C for the mark NCP for "semiconductor memory device and product, namely memory module," which registered on June 18, 1999. Opposer has used and is currently using the mark NCP in the United States in connection with "semiconductor memory device and product, namely memory module." Opposer also advertises and promotes its goods via an Internet website. Since at least as early as 1998, Opposer has used and is currently using the mark NCP in connection with "semiconductor memory device and product, namely memory module" in various countries throughout the world.
3. On information and belief, Applicant was aware of Opposer and Opposer's use and registration of the mark NCP at the time Applicant applied for registration of the mark NCP in connection with "integrated circuit assemblies and interconnects therefor" in the United States.
4. Opposer's use of the NCP mark has been valid and continuous since its dates of first use and has not been abandoned. Opposer has invested substantial amounts of time, money and effort in advertising and promoting the NCP mark, such that the mark is symbolic of extensive goodwill and consumer recognition of Opposer's goods sold in connection with the NCP mark.
5. In view of the fact that the U.S. Patent and Trademark Office ("PTO") Examining Attorney has indicated that if Applicant's mark matures into a registration, the Examining Attorney may refuse registration of Opposer's mark, it is alleged that Applicant's mark so resembles Opposer's mark previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.
6. On information and belief, Applicant has not yet used the mark NCP in interstate commerce.
7. If Opposer is permitted to obtain a registration for the mark NCP, it will conflict with Opposer's lawful and prima facie exclusive right to use its NCP mark nationwide on

Opposer's goods, which the PTO has initially determined are related or confusingly similar to Applicant's goods.

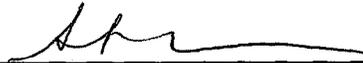
8. Opposer's NCP mark, by virtue of its substantial use, has acquired great value as an identification of Opposer, and Opposer's goods, and distinguishes them from the goods of others.
9. Opposer has been, and continues to be, damaged in that Opposer's application for the mark NCP is currently suspended pending the disposition of Applicant's application for the mark NCP. As a result of the potential refusal by the PTO to register Opposer's NCP mark and the suspension of Opposer's application, Opposer has been damaged and will continue to be damaged if Applicant's mark proceeds to registration.

WHEREFORE, Opposer prays that Application Serial No. 75/793,370 be refused and that no registration be issued thereon to Applicant, and this opposition be sustained in favor of Opposer. The required fee is attached hereto. Please charge Deposit Account No. 11-1410 for any additional fees which may be required, or credit any overpayment to this account.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/26/02

By: 

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