

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

In the Matter of Application Number: 76/499,795
Mark: LORDS OF EVERQUEST
Application Filed: March 24, 2003
Application Classes: 9, 41
Published in the Official Gazette at TM 170
On December 9, 2003


03-26-2004
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

VIVENDI UNIVERSAL GAMES
INC.,

Opposer,

v.

SONY COMPUTER ENTERTAINMENT
AMERICA INC.,

Applicant.

Opposition No. 91159480

APPLICANT'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM
OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT

Applicant Sony Computer Entertainment America Inc. ("SCEA") makes this Motion pursuant to Rule 12 of the Federal Rules of Civil Procedure and Rule 2.116 of the Trademark Rules of Practice to dismiss this action for failure to state a claim on which relief can be granted or, alternately, for a more definite statement as follows:

1. SCEA hereby moves to dismiss the Opposition for failure to state a claim on the grounds that Opposer Vivendi Universal Games is not the record owner of the registrations upon which it relies in the Opposition.

2. SCEA hereby more to dismiss the opposition on the grounds that there is no likelihood of confusion between the respective marks of the parties.
3. In the alternative, SCEA moves for a more definite statement on Vivendi's claim of common law rights in LORD OF DESTRUCTION which is only a portion of the mark DIABLO II: LORD OF DESTRUCTION.

Enclosed herewith in support of this Motion is a Memorandum of Law and the Declaration of Suzanne Williams with exhibits.

Respectfully submitted,

Dated: Foster City, California

March 27, 2004

By: 

Riley R. Russell
Jennifer Y. Liu
James P. Williams

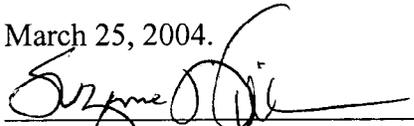
Attorneys for Applicant
Sony Computer Entertainment America Inc.

CERTIFICATE OF MAILING

“Express Mail” mailing label number EL 884936617 US

I hereby certify that this APPLICANT’S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT is being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on

March 25, 2004.

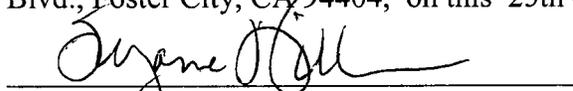

Suzanne Williams

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of APPLICANT’S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OR, IN THE ALTERNATIVE, FOR MORE DEFINITE STATEMENT were served upon:

Christopher S. Tuttle, Esq.
Kolisch Hartwell P.C.
520 S.W. Yamhill Street, Suite 200
Portland, Oregon 97204

by placing copies of the same in an envelope, properly sealed and addressed, with postage prepaid, and deposited in the United States Mail, located at 919 East Hillsdale Blvd., Foster City, CA 94404, on this 25th day of March, 2004.


Suzanne Williams

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MEMORANDUM IN SUPPORT OF APPLICANT'S MOTION
TO DISMISS FOR FAILURE TO STATE A CLAIM OR, IN
THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT

This memorandum of law is submitted on behalf of Applicant Sony Computer Entertainment America Inc. ("SCEA") in support of its Motion pursuant to Rule 12 of the Federal Rules of Civil Procedure and Rule 2.116 of the Trademark Rules of Practice to dismiss the above-identified opposition for failure to state a claim on which relief can be granted or, in the alternative, for a more definite statement.

SCEA's Motion to Dismiss responds to two fundamental deficiencies in the Notice of Opposition. First, Opposer Vivendi Universal ("Vivendi") claims registration

rights under the U.S. Trademark Act for registrations that are actually owned by a different legal entity. Because Vivendi is not the record owner of these registrations, it cannot state a claim for damage under these registrations, and the opposition with respect to these registrations should be dismissed. Second, Vivendi claims a likelihood of confusion on the Trademark Register based on the citation of only four registered or applied-for marks featuring the common prefix LORD OF or LORDS OF for video and computer games and related goods and services. In actuality, there are twenty such marks for the aforesaid goods and services including multiple applications for the well-known LORD OF THE RINGS in various forms. When considered in its full and proper context, the LORD OF/LORDS OF prefix is so weak as an indicator of origin for the aforesaid goods and services that a claim of likelihood of confusion based on the commonality of the prefix alone must fail. Therefore, the opposition should be dismissed in its entirety.¹

The record consists of (i) the file history of App. No. 76/499,795, the subject of this proceeding, which pursuant to Section 704.03 of the Trademark Board Manual of Procedure is made a part of the record without any action by SCEA; (ii) the enclosed Declaration of Suzanne Williams (“Williams Dec.”) with the following exhibits: (a) current status and title copies of the three registrations cited in the Notice of Opposition²; (b) printouts from the PTO website www.uspto.gov identifying all registered and applied

¹ Because the time for filing an Answer is tolled by the filing of a Motion to Dismiss (see Hollowform v. Delma Aeh, 180 USPQ 284 (TTAB 1973), aff’d, 515 F 2d 1174 (CCPA 1975), Applicant is awaiting decision on this Motion and notification from the Board prior to filing an Answer to the Notice of Opposition.

² It is appropriate to consider the correct status and title of these registrations because the Notice of Opposition refers to Vivendi’s ownership and relies on it (¶¶ 3,5,7).

for marks featuring the prefix LORD OF or LORDS OF (“LORD OF/LORDS OF prefix marks”) for video and computer games and related goods and services; (c) current status and title copies of SCEA’s EVERQUEST registrations³; (d) listings of LORD OF/LORDS OF video and computer games currently being offered for sale on the public website www.ebay.com⁴; and (e) a package showing the common law use of Vivendi’s alleged LORD OF DESTRUCTION mark. The Board’s consideration of these exhibits and the resulting conversion to the Rule 56 procedure is highly likely to facilitate the disposition of this action. Moreover, these exhibits will enable a rational determination of the summary judgment action. Therefore, SCEA urges the consideration of the attached exhibits and the conversion of this Motion under Rule 12(b)(6) to the Rule 56 procedure.

ARGUMENT

1. THE OPPOSITION SHOULD BE DISMISSED FOR FAILURE TO STATE A CLAIM IN WHICH RELIEF CAN BE GRANTED

A. Vivendi Cannot Claim Rights in U.S. Trademark Registrations Which Are Owned By A Different Legal Entity

In the Notice of Opposition, Vivendi asserts ownership of U.S. Registration No. 2,640,728 for the mark LORD OF DESTRUCTION. As evidenced by Exhibit A to the Williams Declaration, the record owner of the registration is an entirely different legal entity, Davidson & Associates, Inc., a corporation organized and existing under the laws

³ It is appropriate to consider the application and registration printouts from the PTO database and SCEA’s registrations because Vivendi relies on the implied absence of such information to frame its “likelihood of confusion” claim. (¶ 10).

⁴ It is appropriate to consider the current listings from www.ebay.com as they provide further evidence of the dilution of the LORD OF/LORDS OF prefix.

of California. Vivendi also asserts ownership of U.S. Registration Nos. 2,216,228 and 2,337,435 for the marks LORDS OF THE REALM and LORDS OF MAGIC respectively. As evidenced by Exhibits B and C to the Williams Declaration, the record owner is also a different legal entity, Sierra Entertainment, Inc., a corporation organized and existing under the laws of Delaware.

Even assuming for the purpose of this Motion only that Davidson & Associates, Inc. and Sierra Entertainment, Inc. are wholly-owned subsidiaries of Opposer Vivendi, Vivendi is not the record owner of these registrations and may not claim any rights under these registrations in this proceeding. Fuld Brothers, Inc. v. Carpet Technical Service Institute, Inc., 174 U.S. PQ 473, 475-76 (TTAB 1972)(rejecting parent company's attempt to claim rights under subsidiary's registrations)("...only the registrant can rely upon the prima facie presumptions afforded a registration under Section 7(b).")

Because Vivendi cannot claim damage based on registrations which it does not own, Vivendi has failed to state a claim with respect to the above-identified registrations for LORD OF DESTRUCTION, LORDS OF THE REALM and LORDS OF MAGIC, and the opposition with respect to these registrations should be dismissed.

B. The Crowded Field of LORD OF/LORDS OF-Prefix Marks Precludes a Finding of Likelihood of Confusion When Other Distinguishing Elements Are Present

The PTO database shows the following twenty registrations and applications for marks featuring the LORD OF/LORDS OF prefix for video and computer games and related goods and services (Williams Dec. ¶ 5, Exhibit D):

MARK	REG./APP. NO	REG./APP. DATE	GOODS/SERVICES
LORDS OF EVERQUEST	76/499,795	March 24, 2003	9: Computer game software and video game software 41: Operating a real time game for others over global and local area computer networks
LORDS OF STEEL	78/214,258	February 13, 2003	9: Computer video game played online via the internet and locally
THE LORD OF THE RING THE RETURN OF THE KING	76/483,142	January 17, 2003	9: Apparatus for computer and video games, computer game software and related goods, Apparatus for computer and video games, computer game software, computer game discs, video game software, video game discs, video game cartridges, interactive computer video games, interactive video game software, video game cartridges featuring fantasy games and related goods.

MARK	REG./APP. NO	REG./APP. DATE	GOODS/SERVICES
THE LORD OF THE RINGS THE TWO TOWERS	76/482,239	January 14, 2003	9: Computer game software and related goods
LORD OF DESTRUCTION	2,640,728	October 22, 2002	9: Computer game software and related goods
THE LORD OF THE RINGS	76/429,763	July 9, 2002	41: Entertainment services, namely, providing news and information in the field of entertainment relating to video games, computer games and related services.
THE LORD OF THE RINGS	76/429,762	July 9, 2002	9: Computer game software and related goods
LORDS OF THE RISING SUN	78/112,854	March 5, 2002	9: Computer game software, namely, computer and video game software; computer game software that may be downloaded from a global computer network; video game software for tape and DVD .
LORD OF THE GAMES (STYLIZED)	78/092,374	November 8, 2001	28: Electronic amusement apparatus such as electronic game equipment for playing video games and related goods.

MARK	REG./APP. NO	REG./APP. DATE	GOODS/SERVICES
THE LORD OF THE RINGS (STYLIZED)	76/331,064	October 29, 2001	9: Computer game programs and downloadable online interactive computer game programs and related goods.
THE LORD OF THE RINGS THE FELLOWSHIP OF THE RING	76/330,584	October 26, 2001	9: Computer game programs and downloadable online interactive computer game programs and related goods.
LORD OF D.	76/281,161	July 6, 2001	28: Stand alone video game machines; hand-held units for playing electronic games and related goods.
LORD OF THE LAMP	76/251,613	May 4, 2001	28: Stand alone video game machines; hand-held units for playing electronic games and related goods.
LORD OF ZEMIA	76/252,563	May 4, 2001	28: Stand alone video game machines; hand-held units for playing electronic games and related goods.
LORD OF THE RINGS	76/096,364	July 25, 2000	28: Action skill games; equipment sold as a unit for playing action type target games and related goods.
LORDS OF MAGIC	2,337,435	April 4, 2000	9: Computer game software and instruction manuals sold therewith.

MARK	REG./APP. NO	REG./APP. DATE	GOODS/SERVICES
LORDS OF THE GALAXY	75/507,052	June 13, 1998	9: Computer game software and instruction manuals sold therewith.
LORDS OF THE REALM	2,216,228	January 5, 1999	9: Computer game programs and instruction manuals sold as a unit.
LORDS OF THUNDER	1,866,489	December 6, 1994	28: Video game cassettes, video game cartridges, video game discs and video game programs.
LORDS OF THE RISING SUN	1,833,414	April 26, 1994	28: Laser optical discs featuring games.

In addition to the LORD OF/LORDS OF marks appearing on the Trademark Register mentioned above, a survey of current sale items on the public website www.ebay.com reveals the following common law listings (Williams Dec. ¶¶ 7-10, Exhibits E through H):

MARK	GOODS/SERVICES
LORDS OF THUNDER	video game
LORDS OF CONQUEST	computer game
LORD OF THE DARKNESS	video game
LORD OF THE SWORD	video game

As evidenced by the above, consumers are accustomed to seeing multiple uses of the prefix LORD OF or LORDS OF in connection with video and computer games and related goods and services. Accordingly, they are not likely to rely on the presence of the LORD OF/LORDS OF prefix by itself as an indication of origin when it is combined with other elements. They will instead look to those other elements within the mark to distinguish the goods and services and where such distinguishing elements are present, confusion is unlikely. See, e.g., Interstate Brands Corp. v. Celestial Seasoning, Inc., 576 F. 2d 928 (C.C.P.A. 1978) (“RED ZINGER” not confusingly similar to “ZINGERS”); Ferro Corp v. Ronco Laboratories, Inc., 148 U.S.P.Q. 497 (C.C.P.A. 1960) (“FERRO-GUARD” not confusingly similar to “FERRO,” per se, or to other marks containing the term “ferro”); In re Hamilton Bank, 222 U.S.P.Q. 174 (T.T.A.B. 1989) (KEY & Design” not confusingly similar to “Bankey & Design,” “KEYCHECK,” “KEY-CARD BANK,” “KEY BANKER” or “CB KEY”); Plus Products v. Natural Organics, Inc., 204 U.S.P.Q. 773 (C.C.P.A. 1978) (“NATURE’S PLUS” not confusingly similar to “PLUS”).

In the case of the marks claimed by Vivendi, the distinguishing elements are the ordinary dictionary words DESTRUCTION, REALM and MAGIC (Williams Dec. ¶¶ 11-13, Exhibits I through K). In the case of Applicant’s LORDS OF EVERQUEST mark, the distinguishing element is the coined word EVERQUEST which is a unitary mark combining the words “Ever” and “Quest” and having no particular meaning as a combination (Williams Dec. ¶ 14, Exhibit L). EVERQUEST is also the subject of U.S. Registration Nos. 2,137,911, 2507594 and 2,562,334 for computer and video games and

related services. Copies of these registrations are attached as Exhibits M through O to the Williams Declaration.

EVERQUEST does not look or sound like DESTRUCTION, REALM or MAGIC, nor does it possess the same meaning.⁴ Consumers will look to these distinguishing elements of the respective marks, and will not be confused into thinking that the producer of the EVERQUEST games is the same as the producer of other video and computer games whose registered or applied-for marks make no reference to EVERQUEST.

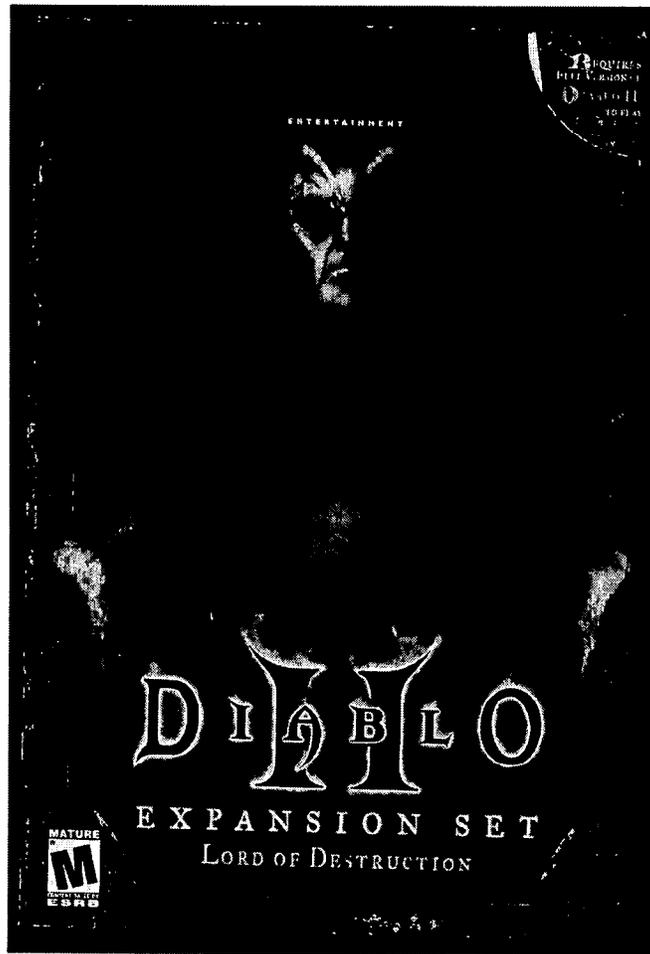
The PTO has recognized the inherent weakness of the LORD OF/LORDS OF prefix for video and computer games and that any addition to the mark will dispel any likelihood of confusion. This is reflected by the fact that Vivendi's own alleged marks LORDS OF THE REALM and LORDS OF MAGIC were allowed to be registered despite the existence of a then-active registration for LORDS OF THUNDER for video games. Furthermore, the PTO has shown a continuing recognition of the weakness of the LORD OF/LORDS OF prefix for video and computer games by the recent passing to publication of the marks THE LORD OF THE RINGS THE RETURN OF THE KING, LORD OF THE LAMP, THE LORD OF THE RINGS THE TWO TOWERS, THE LORD OF THE RINGS THE FELLOWSHIP OF THE RINGS, LORD OF ZEMIA, THE LORD OF THE RINGS, LORD OF D, and LORDS OF THE RISING SUN.

⁴ This is also true of the distinguishing words for the other trademark owners' LORD OF/LORDS OF registrations, applications and common law listings such as RINGS, RISING SUN, GAMES, D., LAMP, THUNDER, CONQUEST, DARKNESS and SWORD.

In sum, not only does the distinguishing element in Applicant's mark EVERQUEST differ from the distinguishing elements in Opposer's alleged marks in look, sound and meaning, the common element of both parties' marks, the LORD OF/LORDS OF prefix, is extraordinarily weak when applied to the identified goods and services. Therefore, there can be no likelihood of confusion between the respective marks of the parties. For the reasons stated above, Vivendi has failed to state a claim on which relief can be granted on the central issue of likelihood of confusion, and the opposition should be dismissed.

2. IN THE ALTERNATIVE, VIVENDI SHOULD BE REQUIRED TO SUBMIT A MORE DEFINITE STATEMENT

Even if Applicant's motion to dismiss the opposition is not granted, the Board should grant Applicant's alternate motion for a more definite statement because Vivendi is alleging common law rights in only a portion of one of its alleged common law marks. Assuming for the purpose of this Motion only that Vivendi has standing to assert common law rights in any of the marks identified in the Notice of Opposition, it cannot assert such rights in LORD OF DESTRUCTION by itself because this phrase is only a subsidiary element of the larger, composite mark DIABLO II: LORD OF DESTRUCTION. The mark as it appears on packaging which is currently being sold in the marketplace (Williams Dec. ¶ 18, Exhibit P) is shown below:



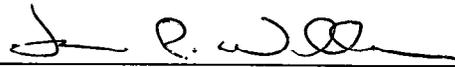
By deleting the dominant DIABLO II portion of this mark in its citations in the Notice of Opposition, Vivendi hopes to strengthen its claim of likelihood of confusion based on the fact that the remainder of the mark shows LORD OF being used as a prefix. Vivendi should not be allowed to avoid a dispositive motion on this alleged mark by this improper dissection of a composite mark. The Board should order Vivendi to amend the Notice of Opposition to provide full information as to the exact nature of its alleged common law mark.

CONCLUSION

For the reasons stated above, the Board should dismiss the opposition for failure to state a claim on the grounds that (i) Vivendi is not the owner of the registrations on which it relies in the Notice of Opposition; and (ii) there is no likelihood of confusion between the respective marks of the parties. In the alternative, the Board should grant Applicant's alternate motion for a more definite statement on Vivendi's alleged LORD OF DESTRUCTION common law mark. Opposer should not be allowed to evade a motion to dismiss its common law claims by dissecting its marks to include only those parts which may be helpful to its case. The Board should order Vivendi to provide a more definite statement as to the exact nature of its alleged common law mark.

Dated: Foster City, California

March ~~24~~²⁵, 2004

By: 

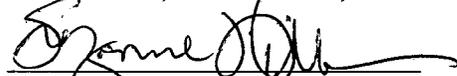
Riley R. Russell
Jennifer Y. Liu
James P. Williams

Attorneys for Applicant
Sony Computer Entertainment America Inc.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number EL 884936617 US

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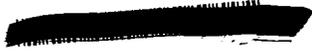
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DECLARATION OF SUZANNE WILLIAMS IN SUPPORT OF APPLICANT'S
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OR, IN THE
ALTERNATIVE, FOR A MORE DEFINITE STATEMENT

I, Suzanne Williams, declare and state:

1. I am a paralegal in the Legal Department of Sony Computer Entertainment America Inc. (SCEA) I am familiar with the facts and proceedings herein. I submit this declaration in support of Applicant's Motion to Dismiss for Failure to State a Claim or, in the Alternative, for a More Definite Statement.

2. Attached hereto as Exhibit A are two true and correct status and title copies (one original and one photocopy) of U.S. Registration No. 2,640,728 for LORD OF DESTRUCTION, registered on October 22, 2002 and owned by Davidson & Associates, Inc.
3. Attached hereto as Exhibit B are two true and correct status and title copies (one original and one photocopy) of U.S. Registration No. 2,216,228 for LORDS OF THE REALM, registered on January 5, 1999 and owned by Sierra Entertainment, Inc.
4. Attached hereto as Exhibit C are two true and correct status and title copies (one original and one photocopy) of U.S. Registration No. 2,337,435 for LORDS OF MAGIC, registered on October 13, 1998 and owned by Sierra Entertainment, Inc.
5. Attached hereto as Exhibit D are true and correct copies of trademark applications and registrations retrieved from a search I conducted on March 12, 2004, in the database of the United States Patent and Trademark Office which is publicly available at www.uspto.gov.
6. The search was conducted in the Federal trademark database using the terms LORD OF and LORDS OF, in International Classes 9, 28 and 41, for all federally registered and pending trademarks and applications.
7. Attached hereto as Exhibit E is a true and correct copy of a current advertisement for a LORDS OF THUNDER video game, offered for sale on the public website www.ebay.com.

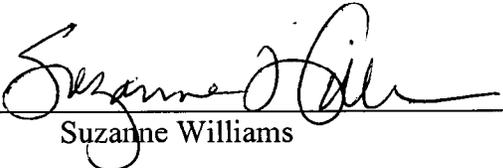
8. Attached hereto as Exhibit F is a true and correct copy of a current advertisement for a LORDS OF CONQUEST computer game, offered for sale on the public website www.ebay.com.
9. Attached hereto as Exhibit G is a true and correct copy of a current advertisement for a LORD OF THE DARKNESS video game, offered for sale on the public website www.ebay.com.
10. Attached hereto as Exhibit H is a true and correct copy of a current advertisement for a LORD OF THE SWORD video game, offered for sale on the public website www.ebay.com.
11. Attached hereto as Exhibit I is a relevant excerpt from Webster's II New Riverside Dictionary (1996 Houghton Mifflin Company) which defines DESTRUCTION as "1. the act of destroying or the state of being destroyed; 2. a cause or means of destroying."
12. Attached hereto as Exhibit J is a relevant excerpt from Webster's II New Riverside Dictionary (1996 Houghton Mifflin Company) which defines REALM as "1. A kingdom; 2. A field or sphere: domain."
13. Attached hereto as Exhibit K is a relevant excerpt from Webster's II New Riverside Dictionary (1996 Houghton Mifflin Company) which defines MAGIC as "1. The art that purports to control or forecast natural events or forces by invoking the supernatural; 2. Exercise of sleight of hand or conjuring for entertainment; 3. A mysterious quality of enchantment."
14. Attached hereto as Exhibit L are relevant excerpts from Webster's II New Riverside Dictionary (1996 Houghton Mifflin Company) which defines EVER as

“At all times: always <ever attentive>; 2. At any time <Have you ever traveled abroad?>; 3. In any possible way or case. “QUEST is defined as “1. A seeking or inquiring: search; 2. An adventurous pursuit undertaken by a knight in medieval romance.” There is no definition for the combination EVERQUEST.

15. Attached hereto as Exhibit M are two true and correct status and title copies (one original and one photocopy) of U.S. Registration No. 2,137,911 for EVERQUEST, registered on February 17, 1998 and owned by Sony Computer Entertainment America Inc.
16. Attached hereto as Exhibit N are two true and correct status and title copies (one original and one photocopy) of U.S. Registration No. 2,507,594 for EVERQUEST, registered on November 13, 2001 and owned by Sony Computer Entertainment America Inc.
17. Attached hereto as Exhibit O are two true and correct status and title copies (one original and one photocopy) of U.S. Registration No. 2,562,334 for EVERQUEST: THE RUINS OF KUNARK, registered on April 16, 2002 and owned by Sony Computer Entertainment America Inc.
18. Attached hereto as Exhibit P is an empty package for the video game titled “DIABLO II: LORDS OF DESTRUCTION” which I purchased from a video store in San Mateo County on March 12, 2004. The trademark owner is identified on the package as “Blizzard Entertainment.”
19. Attached hereto as Exhibit Q is copy of the sales receipt for my purchase of “DIABLO II: LORDS OF DESTRUCTION”. The receipt shows the game title as “DIABLO 2”.

20. Attached hereto as Exhibit R is a printout of excerpts from the DIABLO II website which identifies the owner of DIABLO and BLIZZARD ENTERTAINMENT marks as Davidson & Associates, Inc. LORD OF DESTRUCTION is not identified as a trademark.

I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration is made this 24 day of March 2004.

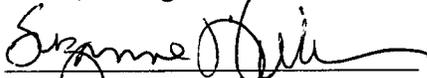


Suzanne Williams

CERTIFICATE OF MAILING

“Express Mail” mailing label number EL 884936617 US

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Suzanne Williams

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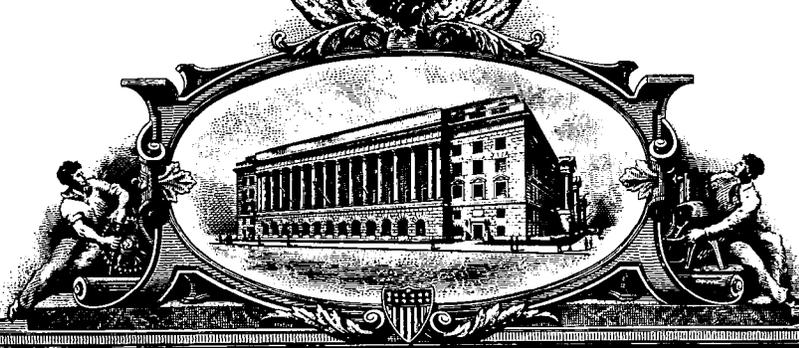
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Kolisch Hartwell P.C.
520 S.W. Yamhill Street, Suite 200
Portland, Oregon 97204

by placing copies of the same in an envelope, properly sealed and addressed, with postage prepaid, and deposited in the United States Mail, located at 919 East Hillsdale Blvd., Foster City, CA 94404, on this 25th day of March, 2004.


Suzanne Williams



1143117



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

**UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office**

March 11, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,640,728 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *October 22, 2002*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***



**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**

**P. R. GRANT
Certifying Officer**

Int. Cl.: 9

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

Reg. No. 2,640,728

United States Patent and Trademark Office

Registered Oct. 22, 2002

**TRADEMARK
PRINCIPAL REGISTER**

LORD OF DESTRUCTION

**DAVIDSON & ASSOCIATES, INC. (CALIFORNIA
CORPORATION)
19840 PIONEER AVENUE
TORRANCE, CA 90503**

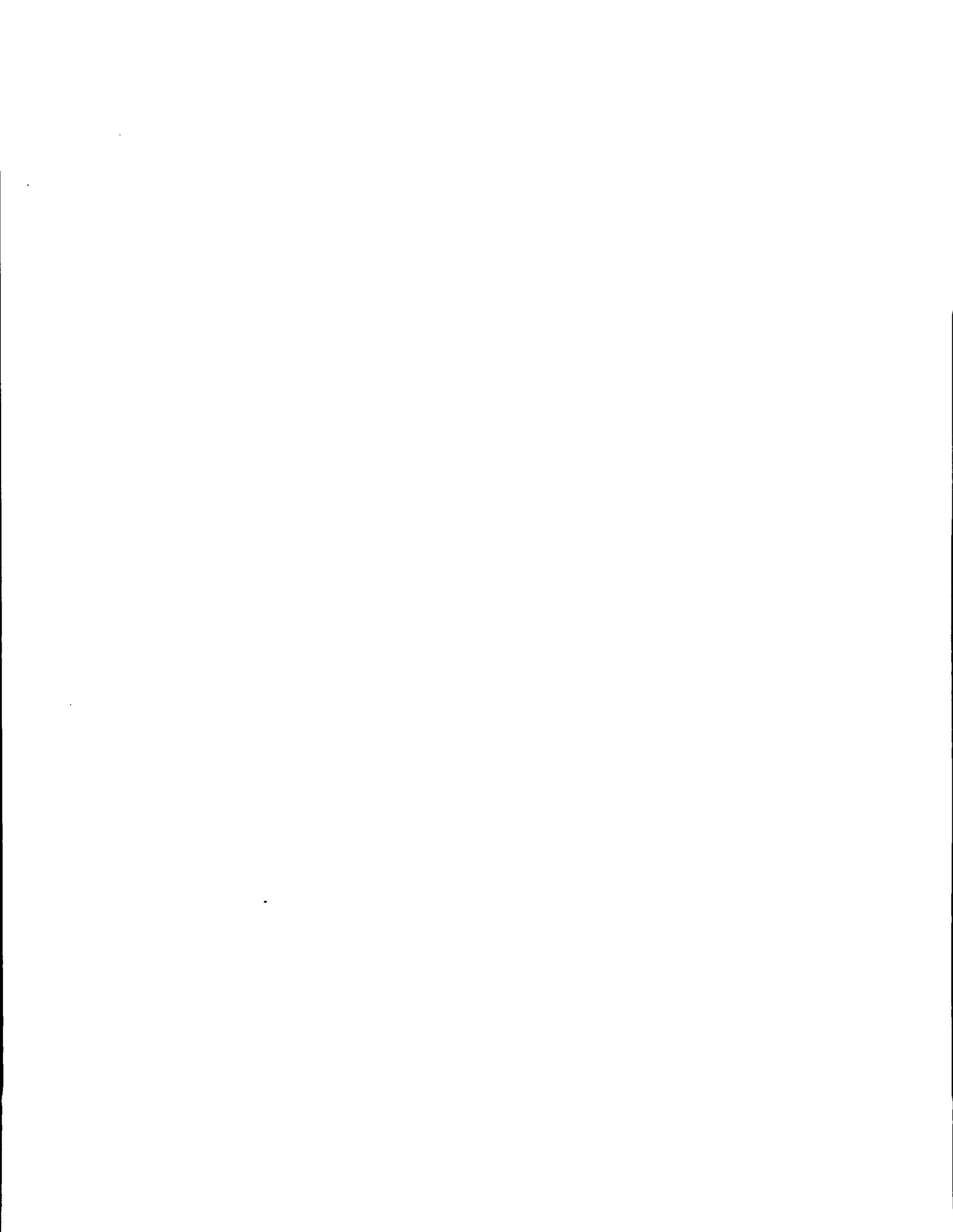
**FOR: PRE-RECORDED VIDEO TAPES FEATUR-
ING ACTION MOTION PICTURES AND TELEVI-
SION PROGRAMS; PRE-RECORDED AUDIO
CASSETTE TAPES, DVDS AND CD ROMS FEATUR-
ING MUSICAL SCORES AND DIALOG; COMPU-**

**TER GAME SOFTWARE, IN CLASS 9 (U.S. CLS. 21,
23, 26, 36 AND 38).**

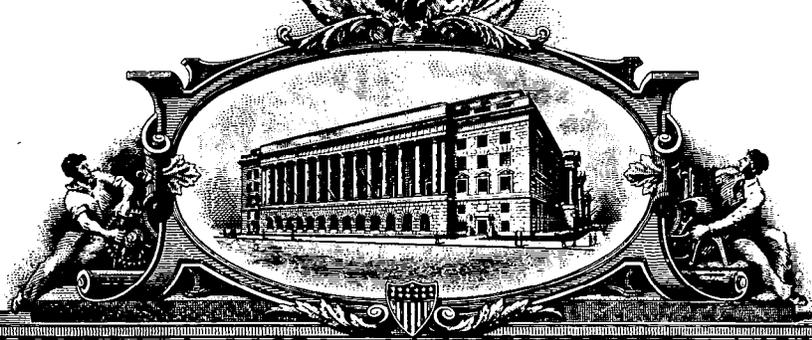
FIRST USE 1-18-2001; IN COMMERCE 1-18-2001.

SN 76-209,162, FILED 2-12-2001.

ANNE ENDIEVERI, EXAMINING ATTORNEY



1143117



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 11, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,216,228 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *January 05, 1999*

SAID RECORDS SHOW TITLE TO BE IN:

SIERRA ENTERTAINMENT, INC.

A DE CORP



**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**

**P. R. GRANT
Certifying Officer**

Int. Cl.: 9

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

Reg. No. 2,216,228

United States Patent and Trademark Office

Registered Jan. 5, 1999

**TRADEMARK
PRINCIPAL REGISTER**

LORDS OF THE REALM

**SIERRA ON-LINE, INC. (DELAWARE CORPO-
RATION)
SUITE 300
3380 146TH PLACE SE
BELLEVUE, WA 98007**

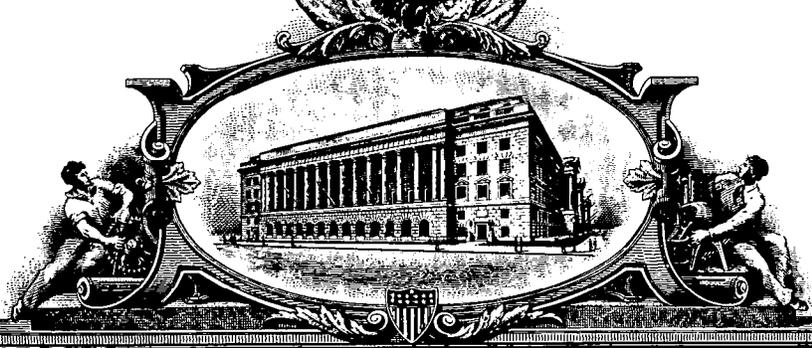
**FIRST USE 9-13-1994; IN COMMERCE
9-13-1994.**

SER. NO. 75-378,149, FILED 10-23-1997.

**FOR: COMPUTER GAME PROGRAMS AND
INSTRUCTION MANUALS SOLD AS A UNIT,
IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).**

KATHY DE JONGE, EXAMINING ATTORNEY

1143117



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

March 12, 2004

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,337,435 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *April 04, 2000*

SAID RECORDS SHOW TITLE TO BE IN:

SIERRA ENTERTAINMENT, INC.

A DELAWARE CORPORATION

**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**



**P. SWAIN
Certifying Officer**

Int. Cl.: 9

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

Reg. No. 2,337,435

United States Patent and Trademark Office

Registered Apr. 4, 2000

**TRADEMARK
PRINCIPAL REGISTER**

LORDS OF MAGIC

SIERRA ON-LINE, INC. (DELAWARE CORPORATION)
3380 - 146TH PLACE S.E., SUITE 300
BELLEVUE, WA 98007

FIRST USE 12-3-1997; IN COMMERCE
12-3-1997.

SER. NO. 75-511,512, FILED 7-1-1998.

FOR: COMPUTER GAME SOFTWARE AND
INSTRUCTION MANUALS SOLD THERE-
WITH, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND
38).

ESTHER BELENKER, EXAMINING ATTOR-
NEY



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Typed Drawing

Word Mark	LORDS OF EVERQUEST
Goods and Services	IC 009. US 021 023 026 036 038. G & S: COMPUTER GAME SOFTWARE AND VIDEO GAME SOFTWARE
	IC 041. US 100 101 107. G & S: OPERATING A REAL TIME GAME FOR OTHERS OVER GLOBAL AND LOCAL AREA COMPUTER NETWORKS
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76499795
Filing Date	March 24, 2003
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	September 30, 2003
Owner	(APPLICANT) Sony Computer Entertainment America Inc. CORPORATION DELAWARE 919 East Hillsdale Boulevard Foster City CALIFORNIA 94404
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Serial Number: 76499795

Registration Number: (NOT AVAILABLE)

Mark (words only): LORDS OF EVERQUEST

Standard Character claim: No

Current Status: An opposition is now pending at the Trademark Trial and Appeal Board.

Date of Status: 2004-02-18

Filing Date: 2003-03-24

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

Attorney Assigned:
RICHARDS LESLIE L Employee Location

Current Location: 845 -TTAB

Date In Location: 2004-02-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sony Computer Entertainment America Inc.

Address:
Sony Computer Entertainment America Inc.
919 East Hillsdale Boulevard
Foster City, CA 94404
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

COMPUTER GAME SOFTWARE AND VIDEO GAME SOFTWARE
International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

OPERATING A REAL TIME GAME FOR OTHERS OVER GLOBAL AND LOCAL AREA
COMPUTER NETWORKS

International Class: 041

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-18 - Opposition instituted for Proceeding

2003-10-22 - Extension of time to oppose - Filed

2003-09-30 - Published for opposition

2003-09-10 - Notice of publication

2003-07-25 - Approved for Pub - Principal Register (Initial exam)

2003-07-11 - Examiner's amendment mailed

2003-07-08 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

JAMES P. WILLIAMS

SONY COMPUTER ENTERTAINMENT AMERICA

919 E. HILLSDALE BOULEVARD

FOSTER CITY, CA 94404

Phone Number: (650) 655-8137

Fax Number: 650 655 8001



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Typed Drawing

Word Mark LORDS OF STEEL
Goods and Services IC 009. US 021 023 026 036 038. G & S: COMPUTER VIDEO GAME PLAYED ONLINE VIA THE INTERNET AND LOCALLY
Mark Drawing Code (1) TYPED DRAWING
Serial Number 78214258
Filing Date February 13, 2003
Current Filing Basis 1B
Original Filing Basis 1B
Owner (APPLICANT) Sparrow Enterprises, Inc. CORPORATION FLORIDA 10014 N. Dale Mabry Highway, Suite 101 Tampa FLORIDA 33618
Attorney of Record Julianne B. Bochinski
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Serial Number: 78214258

Registration Number: (NOT AVAILABLE)

Mark (words only): LORDS OF STEEL

Standard Character claim: No

Current Status: A non-final action has been mailed. This is a letter from the examining attorney requesting additional information and/or making an initial refusal. However, no final determination as to the registrability of the mark has been made.

Date of Status: 2003-07-29

Filing Date: 2003-02-13

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

Attorney Assigned:
BENMAMAN ALICE MEDINA Employee Location

Current Location: M7D -TMO LAW OFFICE 116 - DOCKET CLERK

Date In Location: 2003-08-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sparrow Enterprises, Inc.

Address:

Sparrow Enterprises, Inc.
10014 N. Dale Mabry Highway, Suite 101
Tampa, FL 33618
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

Phone Number: (203) 226-8833

Fax Number: (203) 226-3364

GOODS AND/OR SERVICES

COMPUTER VIDEO GAME PLAYED ONLINE VIA THE INTERNET AND LOCALLY

International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-07-29 - Non-final action mailed

2003-07-22 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Julianne B. Bochinski (Attorney of record)

Julianne B. Bochinski
American Trademark & Law Office
P.O. Box 2723
Westport CT USA 06880

Phone Number: (203) 226-8833

Fax Number: (203) 226-3364



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Typed Drawing

**Word
Mark**

THE LORD OF THE RINGS THE RETURN OF THE KING

**Goods and
Services**

IC 009. US 021 023 026 036 038. G & S: Apparatus for computer and video games adapted for use with TV only, namely, computer game joysticks; calculators; cameras, namely, 35-mm cameras, digital cameras, disposable cameras, photographic cameras, and video cameras; carrying cases for audio cassettes, video cassettes, compact discs, video discs, computer game software, computer game discs, video game software, video game discs, video game cartridges, and CD players; compact discs featuring fantasy games, fantasy films, and music, computer game programs, computer game software; computer game software featuring fantasy games, fantasy films, and music; computer hardware; computer peripherals; downloadable online interactive computer game programs having single and multi-player capability; DVD players; headphones; interactive computer game software and instructional materials packaged as a unit; interactive computer video games and instructional materials packaged as a unit; interactive multimedia computer game programs; interactive video game software and instructional materials packaged as a unit; prepaid magnetically encoded telephone calling cards; prepaid magnetically encoded transportation cards; magnetically-encoded credit cards; decorative magnets; mousepads; pre-recorded audio cassettes featuring fantasy games, fantasy films, and music; pre-recorded CD-ROMs featuring fantasy games, fantasy films, and music; pre-recorded computer game discs featuring fantasy games, fantasy films, and music; pre-recorded DVD discs featuring fantasy games, fantasy films, and music; pre-recorded laser discs featuring fantasy games, fantasy films, and music; pre-recorded phonograph records with music for fantasy films; pre-recorded video tapes, CD-ROMs, DVDs and compact discs featuring animated cartoons, fantasy films, and music; pre-recorded video game cartridges; sunglasses; video discs featuring fantasy games, fantasy films, and music. video game cartridges featuring fantasy games, fantasy films, and music; video game discs featuring fantasy games, fantasy films, and music; video game machines for use with television sets; and video game software featuring fantasy games, fantasy films, and music

Mark

Drawing Code (1) TYPED DRAWING

Serial Number 76483142

Filing Date January 17, 2003

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition November 25, 2003

Owner (APPLICANT) The Saul Zaentz Company DBA Tolkien Enterprises CORPORATION
DELAWARE 2600 Tenth Street Berkeley CALIFORNIA 94710

Attorney of Record Carole F. Barrett

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 76483142

Registration Number: (NOT AVAILABLE)

Mark (words only): THE LORD OF THE RINGS THE RETURN OF THE KING

Standard Character claim: No

Current Status: Opposition period completed, a Notice of Allowance has been issued.

Date of Status: 2004-02-17

Filing Date: 2003-01-17

The Notice of Allowance Date is: 2004-02-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
MCBRIDE THEODORE M Employee Location

Current Location: 710 -Divisional Unit

Date In Location: 2004-02-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. The Saul Zaentz Company

Address:

The Saul Zaentz Company
2600 Tenth Street
Berkeley, CA 94710
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

Apparatus for computer and video games adapted for use with TV only, namely, computer game joysticks; calculators; cameras, namely, 35-mm cameras, digital cameras, disposable cameras, photographic cameras, and video cameras; carrying cases for audio cassettes, video cassettes, compact discs, video discs, computer game software, computer game discs, video game software, video game discs, video game cartridges, and CD players; compact discs featuring fantasy games, fantasy films, and music, computer game programs, computer game software; computer game software featuring fantasy games, fantasy films, and music; computer hardware; computer peripherals; downloadable online interactive computer game programs having single and multi-player capability; DVD players; headphones; interactive computer game software and instructional materials packaged as a unit; interactive computer video games and instructional materials packaged as a unit; interactive multimedia computer game programs; interactive video game software and instructional materials packaged as a unit; prepaid magnetically encoded telephone calling cards; prepaid magnetically encoded transportation cards; magnetically-encoded credit cards; decorative magnets; mousepads; pre-recorded audio cassettes featuring fantasy games, fantasy films, and music; pre-recorded CD-ROMs featuring fantasy games, fantasy films, and music; pre-recorded computer game discs featuring fantasy games, fantasy films, and music; pre-recorded DVD discs featuring fantasy games, fantasy films, and music; pre-recorded laser discs featuring fantasy games, fantasy films, and music; pre-recorded phonograph records with music for fantasy films; pre-recorded video tapes, CD-ROMs, DVDs and compact discs featuring animated cartoons, fantasy films, and music; pre-recorded video game cartridges; sunglasses; video discs featuring fantasy games, fantasy films, and music; video game cartridges featuring fantasy games, fantasy films, and music; video game discs featuring fantasy games, fantasy films, and music; video game machines for use with television sets; and video game software featuring fantasy games, fantasy films, and music

International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-17 - Notice of allowance - mailed

2003-11-25 - Published for opposition

2003-11-05 - Notice of publication

2003-09-30 - Approved for Pub - Principal Register (Initial exam)

2003-08-20 - Communication received from applicant

2003-08-20 - PAPER RECEIVED

2003-06-27 - Non-final action mailed

2003-06-27 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Carole F. Barrett (Attorney of record)

CAROLE F. BARRETT
HOWARD, RICE, NEMEROVSKI, CANADY
THREE EMBARCADERO CENTER, SEVENTH FLOOR
SAN FRANCISCO, CA 94111

Phone Number: (415) 434.1600

Fax Number: 415.217.5910



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**Goods and
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Mark

Drawing Code (1) TYPED DRAWING

Serial Number 76482239

Filing Date January 14, 2003

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition November 11, 2003

Owner (APPLICANT) The Saul Zaentz Company DBA Tolkien Enterprises CORPORATION
DELAWARE 2600 Tenth Street Berkeley CALIFORNIA 94710

Attorney of Record Carole F. Barrett

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 76482239

Registration Number: (NOT AVAILABLE)

Mark (words only): THE LORD OF THE RINGS THE TWO TOWERS

Standard Character claim: No

Current Status: Opposition period completed, a Notice of Allowance has been issued.

Date of Status: 2004-02-03

Filing Date: 2003-01-14

The Notice of Allowance Date is: 2004-02-03

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
MCBRIDE THEODORE M Employee Location

Current Location: 710 -Divisional Unit

Date In Location: 2004-02-03

.LAST APPLICANT(S)/OWNER(S) OF RECORD

1. The Saul Zaentz Company

Address:

The Saul Zaentz Company
2600 Tenth Street
Berkeley, CA 94710
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

Apparatus for computer and video games adapted for use with TV only, namely, computer game joysticks; calculators; cameras, namely, 35-mm cameras, digital cameras, disposable cameras, photographic cameras, and video cameras; carrying cases for audio cassettes, video cassettes, compact discs, video discs, computer game software, computer game discs, video game software, video game discs, video game cartridges, and CD players; compact discs featuring fantasy games, fantasy films, and music, computer game programs, computer game software; computer game software featuring fantasy games, fantasy films, and music; computer hardware; computer peripherals; downloadable online interactive computer game programs having single and multi-player capability; DVD players; headphones; interactive computer game software and instructional materials packaged as a unit; interactive computer video games and instructional materials packaged as a unit; interactive multimedia computer game programs; interactive video game software and instructional materials packaged as a unit; prepaid magnetically encoded telephone calling cards; prepaid magnetically encoded transportation cards; magnetically-encoded credit cards; decorative magnets; mousepads; pre-recorded audio cassettes featuring fantasy games, fantasy films, and music; pre-recorded CD-ROMs featuring fantasy games, fantasy films, and music; pre-recorded computer game discs featuring fantasy games, fantasy films, and music; pre-recorded DVD discs featuring fantasy games, fantasy films, and music; pre-recorded laser discs featuring fantasy games, fantasy films, and music; pre-recorded phonograph records with music for fantasy films; pre-recorded video tapes, CD-ROMs, DVDs and compact discs featuring animated cartoons, fantasy films, and music; pre-recorded video game cartridges; sunglasses; video discs featuring fantasy games, fantasy films, and music; video game cartridges featuring fantasy games, fantasy films, and music; video game discs featuring fantasy games, fantasy films, and music; video game machines for use with television sets; and video game software featuring fantasy games, fantasy films, and music

International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-03 - Notice of allowance - mailed

2003-11-11 - Published for opposition

2003-10-22 - Notice of publication

2003-09-22 - Approved for Pub - Principal Register (Initial exam)

2003-08-20 - Communication received from applicant

2003-08-20 - PAPER RECEIVED

2003-06-27 - Non-final action mailed

2003-06-26 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Carole F. Barrett (Attorney of record)

CAROLE F. BARRETT
HOWARD RICE NEMEROVSKI CANADY
3 EMBARCADERO CTR FL 7
SAN FRANCISCO CA 94111-4065

Phone Number: (415) 434.1600

Fax Number: 415.217.5910



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Typed Drawing

Word Mark LORD OF DESTRUCTION

Goods and Services IC 009. US 021 023 026 036 038. G & S: PRE-RECORDED VIDEO TAPES FEATURING ACTION MOTION PICTURES AND TELEVISION PROGRAMS; PRE-RECORDED AUDIO CASSETTE TAPES, DVDS AND CD ROMS FEATURING MUSICAL SCORES AND DIALOG; COMPUTER GAME SOFTWARE. FIRST USE: 20010118. FIRST USE IN COMMERCE: 20010118

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76209162

Filing Date February 12, 2001

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition September 4, 2001

Registration Number 2640728

Registration Date October 22, 2002

Owner (REGISTRANT) Davidson & Associates, Inc. CORPORATION CALIFORNIA 19840 Pioneer Avenue Torrance CALIFORNIA 90503

Attorney of Record Rod Rigole

Type of Mark TRADEMARK

Register PRINCIPAL
**Live/Dead
Indicator** LIVE

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Serial Number: 76209162

Registration Number: 2640728

Mark (words only): LORD OF DESTRUCTION

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-10-22

Filing Date: 2001-02-12

Transformed into a National Application: No

Registration Date: 2002-10-22

Register: Principal

Law Office Assigned: TMEG Law Office 109

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 2002-11-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Davidson & Associates, Inc.

Address:

Davidson & Associates, Inc.
19840 Pioneer Avenue
Torrance, CA 90503
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

PRE-RECORDED VIDEO TAPES FEATURING ACTION MOTION PICTURES AND TELEVISION PROGRAMS; PRE-RECORDED AUDIO CASSETTE TAPES, DVDS AND CD ROMS FEATURING

MUSICAL SCORES AND DIALOG; COMPUTER GAME SOFTWARE**International Class:** 009**First Use Date:** 2001-01-18**First Use in Commerce Date:** 2001-01-18**Basis:** 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2002-10-22 - Registered - Principal Register

2002-05-31 - Allowed for Registration - Principal Register (SOU accepted)

2002-05-29 - Statement of use processing complete

2002-05-22 - Amendment to Use filed

2002-05-22 - TEAS Statement of Use Received

2001-11-27 - Notice of allowance - mailed

2001-09-04 - Published for opposition

2001-08-15 - Notice of publication

2001-06-15 - Approved for Pub - Principal Register (Initial exam)

2001-06-13 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Rod Rigole (Attorney of record)

ROD RIGOLE
19840 PIONEER AVE
TORRANCE CA 90503-1660
United States**Phone Number:** (310) 793-0600**Fax Number:** (310) 793-0735



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Typed Drawing

Word Mark THE LORD OF THE RINGS

Goods and Services IC 041. US 100 101 107. G & S: Entertainment services, namely, providing news and information in the field of entertainment relating to motion picture films, computer games, and video games via global and local area networks; entertainment services, namely, providing an on-line computer game; providing a computer game that may be accessed network-wide by network users

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76429763

Filing Date July 9, 2002

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition July 15, 2003

Owner (APPLICANT) Saul Zaentz Company, The DBA Tolkien Enterprises CORPORATION DELAWARE 2600 Tenth Street Berkeley CALIFORNIA 94710

Attorney of Record Carole F. Barrett, Esq.

Prior Registrations 1553027

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 76429763

Registration Number: (NOT AVAILABLE)

Mark (words only): THE LORD OF THE RINGS

Standard Character claim: No

Current Status: Opposition period completed, a Notice of Allowance has been issued.

Date of Status: 2003-10-07

Filing Date: 2002-07-09

The Notice of Allowance Date is: 2003-10-07

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

Attorney Assigned:
THOMPSON LAVERNE Employee Location

Current Location: 710 -Divisional Unit

Date In Location: 2003-10-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Saul Zaentz Company, The

Address:

Saul Zaentz Company, The
2600 Tenth Street
Berkeley, CA 94710
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

Entertainment services, namely, providing news and information in the field of entertainment relating to motion picture films, computer games, and video games via global and local area networks; entertainment services, namely, providing an on-line computer game; providing a computer game that may be accessed network-wide by network users

International Class: 041

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1553027

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-10-07 - Notice of allowance - mailed

2003-07-15 - Published for opposition

2003-06-25 - Notice of publication

2003-01-17 - Approved for Pub - Principal Register (Initial exam)

2003-01-07 - Examiner's amendment mailed

2002-12-23 - Case file assigned to examining attorney

2002-12-12 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Carole F. Barrett, Esq. (Attorney of record)

CAROLE F. BARRETT, ESQ.
HOWARD, RICE, NEMEROVSKI, CANADY, FALK
THREE EMBARCADERO CENTER, SEVENTH FLOOR
SAN FRANCISCO, CA 94111-4065

Phone Number: (415) 434.1600

Fax Number: 415.217.5910



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Typed Drawing

Word Mark THE LORD OF THE RINGS

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer game software and instruction manuals sold as a unit; video game software and instruction manuals sold as a unit; interactive multimedia computer game software; interactive multimedia video game software; downloadable computer game software; downloadable video game software; pre-recorded audio and pre-recorded video tapes featuring fantasy games, fantasy films and music; pre-recorded CD-ROMs featuring fantasy games, fantasy films and music

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76429762

Filing Date July 9, 2002

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition March 25, 2003

Owner (APPLICANT) Saul Zaentz Company, The DBA Tolkien Enterprises CORPORATION DELAWARE 2600 Tenth Street Berkeley CALIFORNIA 94710

Attorney of Record Carole F. Barrett, Esq.

Prior Registrations 1553027

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead LIVE

Indicator

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Serial Number: 76429762

Registration Number: (NOT AVAILABLE)

Mark (words only): THE LORD OF THE RINGS

Standard Character claim: No

Current Status: A request for the first extension of time to file a statement of use has been granted.

Date of Status: 2003-12-01

Filing Date: 2002-07-09

The Notice of Allowance Date is: 2003-06-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

Attorney Assigned:
THOMPSON LAVERNE Employee Location

Current Location: 710 -Divisional Unit

Date In Location: 2003-12-05

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Saul Zaentz Company, The

Address:

Saul Zaentz Company, The
2600 Tenth Street
Berkeley, CA 94710
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

Computer game software and instruction manuals sold as a unit; video game software and instruction manuals sold as a unit; interactive multimedia computer game software; interactive multimedia video game software; downloadable computer game software; downloadable video game software; pre-recorded audio and pre-recorded video tapes featuring fantasy games, fantasy films and music; pre-recorded CD-ROMs featuring fantasy games, fantasy films and music

International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1553027

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-01 - Extension 1 granted

2003-11-18 - Extension 1 filed

2003-11-18 - TEAS Extension Received

2003-06-17 - Notice of allowance - mailed

2003-03-25 - Published for opposition

2003-03-05 - Notice of publication

2002-12-23 - Approved for Pub - Principal Register (Initial exam)

2002-12-18 - Examiner's amendment mailed

2002-11-25 - Case file assigned to examining attorney

2002-11-14 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Carole F. Barrett, Esq. (Attorney of record)

CAROLE F. BARRETT, ESQ.

HOWARD, RICE, NEMEROVSKI, CANADY, FALK
THREE EMBARCADERO CENTER, SEVENTH FLOOR
SAN FRANCISCO, CA 94111-4065

Phone Number: (415) 434.1600

Fax Number: 415.217.5910



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Typed Drawing

Word Mark LORDS OF THE RISING SUN

Goods and Services IC 009. US 021 023 026 036 038. G & S: IC 009. US 021 023 026 036 038. G & S: Computer game software, namely, computer and video game software on CD, CD-ROM, DVD, cartridges, disks and home consoles; computer software featuring card games and board games; computer game software that may be downloaded form a global computer network; video game software for tape and DVD

Mark Drawing Code (1) TYPED DRAWING

Serial Number 78112854

Filing Date March 5, 2002

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition October 8, 2002

Owner (APPLICANT) Cinemaware, Inc. CORPORATION CALIFORNIA 361 Beach Road Burlingame CALIFORNIA 94010

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 78112854

Registration Number: (NOT AVAILABLE)

Mark (words only): LORDS OF THE RISING SUN

Standard Character claim: No

Current Status: A request for the second extension of time to file a statement of use has been granted.

Date of Status: 2004-01-29

Filing Date: 2002-03-05

The Notice of Allowance Date is: 2002-12-31

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 112

Attorney Assigned:
WATERS PEREZ KATHRYN Employee Location

Current Location: 701 -Intent To Use Unit

Date In Location: 2004-01-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Cinemaware, Inc.

Address:

Cinemaware, Inc.
361 Beach Road
Burlingame, CA 94010
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: 650-342-2093

Fax Number: 707-221-4043

GOODS AND/OR SERVICES

IC 009. US 021 023 026 036 038. G & S: Computer game software, namely, computer and video game software on CD, CD-ROM, DVD, cartridges, disks and home consoles; computer software featuring card games and board games; computer game software that may be downloaded form a global computer network; video game software for tape and DVD

International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-01-29 - Extension 2 granted

2003-12-19 - Extension 2 filed

2003-12-23 - PAPER RECEIVED

2003-07-29 - Extension 1 granted

2003-06-30 - Extension 1 filed

2003-07-07 - PAPER RECEIVED

2002-12-31 - Notice of allowance - mailed

2002-10-08 - Published for opposition

2002-09-18 - Notice of publication

2002-07-23 - Approved for Pub - Principal Register (Initial exam)

2002-06-26 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Cinemaware, Inc.

361 Beach Road
Burlingame CA 94010

Phone Number: 650-342-2093
Fax Number: 707-221-4043



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**Word
Mark**

LORD OF THE GAMES

**Goods and
Services**

IC 028. US 022 023 038 050. G & S: Wares: 1) Electronic amusement apparatus such as electronic game equipment for playing video games; player operated controllers, steering wheels and joysticks for electronic video game machines and computers; toy guns interactive with video game display; video game components; expansion memory cards for electronic game equipment for playing video games; attachments to electronic controllers and joysticks for video game machines and computers to import sensory feedback; peripheral devices for use with video game machines and computers; attachments to computer game equipment containing memory devices for hand-held video game machines with memory for storing game programs; cables for interactive play between hand-held video game devices; accessories for hand-held video game devices; namely lights, adapters, battery packs, flashing link cables, carrying cases; karioke machine attachments, namely microphones and headsets. 2) Electronic game programs, software, cartridges, video game cartridges and video game software; karioke game machines. Services: Importing, exporting, consultation and advising in relationship to retail promotion and merchandising; performing market research and analysis; inventory control; provision, installation and maintenance of in-store signs, mobiles, counter cards, window banners, shelving, displays, racks, floor and counter organizers, drawer units, display cabinets and carousels, video tapes, demonstration video games and accessories, education of others with respect to promotion and merchandising techniques.

**Mark
Drawing
Code**

(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 78092374
Filing Date November 8, 2001
Current Filing Basis 1B
Original Filing Basis 1B
Owner (APPLICANT) McMeekin Boldt, Karen INDIVIDUAL CANADA 366 Centre Street
North Brampton ONTARIO L6V 3L5
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Serial Number: 78092374

Registration Number: (NOT AVAILABLE)

Mark



(words only): LORD OF THE GAMES

Standard Character claim: No

Current Status: A non-final action has been mailed. This is a letter from the examining attorney requesting additional information and/or making an initial refusal. However, no final determination as to the registrability of the mark has been made.

Date of Status: 2004-03-08

Filing Date: 2001-11-08

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 112

Attorney Assigned:
JOYNER CHARLES G Employee Location

Current Location: 40S -SCANNING ON DEMAND

Date In Location: 2004-03-10

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. McMeekin Boldt, Karen

Address:

McMeekin Boldt, Karen
366 Centre Street North
Brampton, ON L6V 3L5
Canada

Legal Entity Type: Individual
Country of Citizenship: Canada
Phone Number: 905-451-4531
Fax Number: 905-874-1372

GOODS AND/OR SERVICES

Wares: 1) Electronic amusement apparatus such as electronic game equipment for playing video games; player operated controllers, steering wheels and joysticks for electronic video game machines and computers; toy guns interactive with video game display; video game components; expansion memory cards for electronic game equipment for playing video games; attachments to electronic controllers and joysticks for video game machines and computers to import sensory feedback; peripheral devices for use with video game machines and computers; attachments to computer game equipment containing memory devices for hand-held video game machines with memory for storing game programs; cables for interactive play between hand-held video game devices; accessories for hand-held video game devices; namely lights, adapters, battery packs, flashing link cables, carrying cases; karioke machine attachments, namely microphones and headsets. 2) Electronic game programs, software, cartridges, video game cartridges and video game software; karioke game machines. Services: Importing, exporting, consultation and advising in relationship to retail promotion and merchandising; performing market research and analysis; inventory control; provision, installation and maintenance of in-store signs, mobiles, counter cards, window banners, shelving, displays, racks, floor and counter organizers, drawer units, display cabinets and carousels, video tapes, demonstration video games and accessories, education of others with respect to promotion and merchandising techniques.

International Class: 028

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-10 - Case File in TICRS

2004-03-08 - Non-final action mailed

2004-02-27 - Report petition to revive - granted

2004-01-21 - TEAS Change of Correspondence Received

2003-10-01 - Petition to revive - Received

2003-10-01 - PAPER RECEIVED

2002-12-24 - Abandonment - Failure to respond

2002-05-06 - Non-final action mailed

2002-02-08 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Karen McMeekin Boldt
366 Centre St. N.
Brampton Ontario L6V 3L5 Canada

Phone Number: 905-451-4531

Fax Number: 905-874-1372

Domestic Representative

Francis Chantiam

Phone Number: 973-772-8510

Fax Number: 973-772-8060



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THE
LORD
OF THE
RINGS

Word Mark THE LORD OF THE RINGS

Goods and Services

IC 009. US 021 023 026 036 038. G & S: computer game programs and downloadable online interactive computer game programs having single and multi-player capability

IC 016. US 002 005 022 023 029 037 038 050. G & S: printed matter namely, photographs; art prints; sticker books; postcards; note cards; wrapping paper; instructional and teaching materials, namely, rulers, paperweights, and holders for office supplies, pens, pencils and paperclips

IC 025. US 022 039. G & S: clothing, namely sweatshirts, footwear

IC 028. US 022 023 038 050. G & S: toy action figures and accessories therefor; action skill games; equipment sold as a unit for playing board games; equipment sold as a unit for playing action type target games; equipment sold as unit for playing hand held electronic games; electronic toys, namely, electronic action toys; dolls and accessories therefor; collectible marbles and accessories; electronic and non-electronic plush toys; mechanical action toys; cases for action figures; hand held unit for playing electronic games; puppets; role playing game equipment in the nature of game book manuals; soft sculpture toys; toy weapons, namely knives, maces, axes, arcade games; electronic educational games machines for children; equipment sold as a unit for playing a memory game; LCD game machines; positionable toy figures; talking toys; toy watches; transforming robotic toys

IC 041. US 100 101 107. G & S: entertainment services in the field of interactive multi-player games namely, providing computer game programs via online electronic communications and global computer networks

Mark

Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 261713

Serial Number 76331064

Filing Date October 29, 2001

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition September 24, 2002

Owner (APPLICANT) Saul Zaentz Company, The DBA Tolkien Enterprises CORPORATION DELAWARE 2600 Tenth Street Berkeley CALIFORNIA 94710

Attorney of Record Scott D. Minden, Esq.

Prior Registrations 1553027

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 76331064

Registration Number: (NOT AVAILABLE)

Mark



(words only): THE LORD OF THE RINGS

Standard Character claim: No

Current Status: Opposition period completed, a Notice of Allowance has been issued.

Date of Status: 2002-12-17

Filing Date: 2001-10-29

The Notice of Allowance Date is: 2002-12-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

Attorney Assigned:
THOMPSON LAVERNE Employee Location

Current Location: 701 -Intent To Use Unit

Date In Location: 2003-07-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Saul Zaentz Company, The

Address:

Saul Zaentz Company, The
2600 Tenth Street
Berkeley, CA 94710
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

computer game programs and downloadable online interactive computer game programs having single and multi-player capability

International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

printed matter namely, photographs; art prints; sticker books; postcards; note cards; wrapping paper; instructional and teaching materials, namely, rulers, paperweights, and holders for office supplies, pens, pencils and paperclips

International Class: 016

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

clothing, namely sweatshirts, footwear

International Class: 025

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

toy action figures and accessories therefor; action skill games; equipment sold as a unit for playing board games; equipment sold as a unit for playing action type target games; equipment sold as unit for playing hand held electronic games; electronic toys, namely, electronic action toys; dolls and accessories therefor; collectible marbles and accessories; electronic and non-electronic plush toys; mechanical action toys; cases for action figures; hand held unit for playing electronic games; puppets; role playing game equipment in the nature of game book manuals; soft sculpture toys; toy weapons, namely knives, maces, axes, arcade games; electronic educational games machines for children; equipment sold as a unit for playing a memory game; LCD game machines; positionable toy figures; talking toys; toy watches; transforming robotic toys

International Class: 028

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

entertainment services in the field of interactive multi-player games namely, providing computer game programs via online electronic communications and global computer networks

International Class: 041

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1553027

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-11-18 - TEAS Extension Received

2003-05-06 - PAPER RECEIVED

2003-04-25 - Divisional processing completed

2003-04-01 - Divisional request received

2003-04-01 - PAPER RECEIVED

2002-12-17 - Notice of allowance - mailed

2002-09-24 - Published for opposition

2002-09-04 - Notice of publication

2002-06-16 - Approved for Pub - Principal Register (Initial exam)

2002-06-10 - Examiner's amendment mailed

2002-02-12 - Non-final action mailed

2002-01-29 - Case file assigned to examining attorney

2002-01-22 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Scott D. Minden, Esq. (Attorney of record)

SCOTT D. MINDEN
HOWARD, RICE, NEMEROVSKI
CANADY, FALK & RABKIN
THREE EMBARCADERO CENTER, 7TH FLOOR
SAN FRANCISCO, CALIFORNIA, 94111
Phone Number: (415) 434-1600



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THE LORD OF THE RINGS

THE FELLOWSHIP OF THE RING

Word Mark THE LORD OF THE RINGS THE FELLOWSHIP OF THE RING

Goods and Services IC 009. US 021 023 026 036 038. G & S: computer game programs and downloadable online interactive computer game programs having single and multi-player capability

IC 016. US 002 005 022 023 029 037 038 050. G & S: printed matter namely, posters; wall charts; photographs; stationery; art prints; calendars; playing cards; trading cards; bookmarks; sticker books; stickers; postcards; writing paper; note books; note pads; note cards; folders; series of fantasy books and magazines; wrapping paper; instructional and teaching materials, namely, pencils, pens, rulers, erasers, paperweights, and holders for office supplies, pens, pencils and paperclips

IC 025. US 022 039. G & S: clothing, namely t-shirts and sweatshirts, costumes, footwear and headwear

IC 028. US 022 023 038 050. G & S: toy action figures and accessories therefor; toy figures; card games; equipment sold as a unit for playing card games; puzzles, except crossword puzzles; chess sets; role-playing games and accessories; action skill games; board games; equipment sold as a unit for playing board games; equipment sold as a unit for playing action type target games; equipment sold as unit for playing hand held electronic games; collectible toy figures; electronic toys, namely, electronic action toys; dolls and accessories therefor; collectible marbles and accessories; electronic and non-electronic plush toys; mechanical action toys; toy boxes; cases for action figures; hand held unit for playing electronic games; costume masks; puppets; role playing game equipment in the nature of game book manuals; soft sculpture toys; toy weapons,

namely toy swords, knives, maces, axes, daggers, or bows and arrows; arcade games; electronic educational games machines for children; equipment sold as a unit for playing a memory game; fantasy character toys; LCD game machines; positionable toy figures; talking toys; toy watches; transforming robotic toys; and Christmas tree ornaments

IC 041. US 100 101 107. G & S: entertainment services in the field of interactive multi-player games namely, providing computer game programs via online electronic communications and global computer networks

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 261713

Serial Number 76330584

Filing Date October 26, 2001

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition September 24, 2002

Owner (APPLICANT) Saul Zaentz Company, The DBA Tolkien Enterprises CORPORATION
DELAWARE 2600 Tenth Street Berkeley CALIFORNIA 94710

Attorney of Record CAROLE F BARRETT

Prior Registrations 1553027

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 76330584

Registration Number: (NOT AVAILABLE)

Mark

**THE
LORD OF THE RINGS
THE FELLOWSHIP OF THE RING**

(words only): THE LORD OF THE RINGS THE FELLOWSHIP OF THE RING

Standard Character claim: No

Current Status: A request for the second extension of time to file a statement of use has been granted.

Date of Status: 2003-11-28

Filing Date: 2001-10-26

The Notice of Allowance Date is: 2002-12-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

**Attorney Assigned:
THOMPSON LAVERNE Employee Location**

Current Location: 700 -Intent To Use Section

Date In Location: 2003-12-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Saul Zaentz Company, The

Address:

Saul Zaentz Company, The
2600 Tenth Street
Berkeley, CA 94710
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

computer game programs and downloadable online interactive computer game programs having single and multi-player capability

International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

printed matter namely, posters; wall charts; photographs; stationery; art prints; calendars; playing cards; trading cards; bookmarks; sticker books; stickers; postcards; writing paper; note books; note pads; note cards; folders; series of fantasy books and magazines; wrapping paper; instructional and teaching materials, namely, pencils, pens, rulers, erasers, paperweights, and holders for office supplies, pens, pencils and paperclips

International Class: 016

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

clothing, namely t-shirts and sweatshirts, costumes, footwear and headwear

International Class: 025

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

toy action figures and accessories therefor; toy figures; card games; equipment sold as a unit for playing card games; puzzles, except crossword puzzles; chess sets; role-playing games and accessories; action skill games; board games; equipment sold as a unit for playing board games; equipment sold as a unit for playing action type target games; equipment sold as unit for playing hand held electronic games; collectible toy figures; electronic toys, namely, electronic action toys; dolls and accessories therefor; collectible marbles and accessories; electronic and non-electronic plush toys; mechanical action toys; toy boxes; cases for action figures; hand held unit for playing electronic games; costume masks; puppets; role playing game equipment in the nature of game book manuals; soft sculpture toys; toy weapons, namely toy swords, knives, maces, axes, daggers, or bows and arrows; arcade games; electronic educational games machines for children; equipment sold as a unit for playing a memory game; fantasy character toys; LCD game machines; positionable toy figures; talking toys; toy watches; transforming robotic toys; and Christmas tree ornaments

International Class: 028

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

entertainment services in the field of interactive multi-player games namely, providing computer game programs via online electronic communications and global computer networks

International Class: 041

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1553027

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-11-28 - Extension 2 granted

2003-11-18 - Extension 2 filed

2003-11-18 - TEAS Extension Received

2003-06-15 - Extension 1 granted

2003-05-01 - Extension 1 filed

2003-05-08 - PAPER RECEIVED

2002-12-17 - Notice of allowance - mailed

2002-09-24 - Published for opposition

2002-09-04 - Notice of publication

2002-06-28 - Approved for Pub - Principal Register (Initial exam)

2002-06-18 - Examiner's amendment mailed

2002-02-05 - Non-final action mailed

2002-01-25 - Case file assigned to examining attorney

2002-01-18 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

CAROLE F BARRETT (Attorney of record)

CAROLE F BARRETT
HOWARD RICE NEMEROVSKI CANADY ET AL
3 EMBARCADERO CTR 7TH FLOOR
SAN FRANCISCO CA 94111-4024

Phone Number: 415.434.1600

Fax Number: 415.217.5910



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Typed Drawing

Word Mark LORD OF D.

Goods and Services IC 028. US 022 023 038 050. G & S: Stand-alone video game machines; hand-held units for playing electronic games; board games and instructional manuals sold as a unit therewith; card games; dice; promotional game materials; game equipment, namely, chips; toys, namely action figures; dolls and playsets therefor

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76281161

Filing Date July 6, 2001

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition October 30, 2001

Owner (APPLICANT) KONAMI CORPORATION CORPORATION JAPAN 4-3-1 Toranomom Minato-ku, Tokyo JAPAN

Attorney of Record Norman F. Oblon

Type of Mark Register TRADEMARK PRINCIPAL

Live/Dead Indicator LIVE

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This page was generated by the TARR system on 2004-03-11 17:37:50 ET

Serial Number: 76281161

Registration Number: (NOT AVAILABLE)

Mark (words only): LORD OF D.

Standard Character claim: No

Current Status: A request for the fourth extension of time to file a statement of use has been granted.

Date of Status: 2004-02-06

Filing Date: 2001-07-06

The Notice of Allowance Date is: 2002-01-22

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
GRIFFIN JAMES Employee Location

Current Location: 701 -Intent To Use Unit

Date In Location: 2004-02-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. KONAMI CORPORATION

Address:
KONAMI CORPORATION
4-3-1 Toranomom
Minato-ku, Tokyo
Japan
Legal Entity Type: Corporation
State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

Stand-alone video game machines; hand-held units for playing electronic games; board games and instructional manuals sold as a unit therewith; card games; dice; promotional game materials; game equipment, namely, chips; toys, namely action figures; dolls and playsets therefor

International Class: 028

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-06 - Extension 4 granted

2004-01-12 - Extension 4 filed

2004-01-12 - PAPER RECEIVED

2003-07-15 - Extension 3 granted

2003-07-15 - Extension 3 filed

2003-07-15 - PAPER RECEIVED

2003-04-10 - Extension 2 granted

2003-01-15 - Extension 2 filed

2003-01-15 - PAPER RECEIVED

2002-11-29 - PAPER RECEIVED

2002-07-31 - Extension 1 granted

2002-06-28 - Extension 1 filed

2002-06-28 - PAPER RECEIVED

2002-01-22 - Notice of allowance - mailed

2001-10-30 - Published for opposition

2001-10-10 - Notice of publication

2001-09-05 - Approved for Pub - Principal Register (Initial exam)

2001-09-05 - Case file assigned to examining attorney

2001-08-29 - Case file assigned to examining attorney

2001-08-22 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Norman F. Oblon (Attorney of record)

NORMAN F. OBLON
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT
1940 DUKE ST
ALEXANDRIA VA 22314

Domestic Representative

OBLON, SPIVAK, McCLELLAND, MAIER & NEUST
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Typed Drawing

Word Mark LORD OF THE LAMP

Goods and Services IC 028. US 022 023 038 050. G & S: Stand-alone video game machines; hand-held units for playing electronic games; board games and instructional manuals sold as a unit therewith; card games; dice; promotional game materials; game equipment, namely, chips; toys, namely, action figures, dolls and playsets therefor

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76251613

Filing Date May 4, 2001

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition September 25, 2001

Owner (APPLICANT) KONAMI CORPORATION CORPORATION JAPAN 4-3-1 Toranomom Minato-ku Tokyo JAPAN

Attorney of Record Jeffrey H. Kaufman

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 76251613

Registration Number: (NOT AVAILABLE)

Mark (words only): LORD OF THE LAMP

Standard Character claim: No

Current Status: A request for the fourth extension of time to file a statement of use has been granted.

Date of Status: 2004-01-22

Filing Date: 2001-05-04

The Notice of Allowance Date is: 2001-12-18

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
GARDINER JOHN D Employee Location

Current Location: 700 -Intent To Use Section

Date In Location: 2004-02-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. KONAMI CORPORAT ON

Address:
KONAMI CORPORATION
4-3-1 Toranomom Minato-ku
Tokyo
Japan
Legal Entity Type: Corporation
State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

Stand-alone video game machines; hand-held units for playing electronic games; board games and instructional manuals sold as a unit therewith; card games; dice; promotional game materials; game equipment, namely, chips; toys, namely, action figures, dolls and playsets therefor

International Class: 028

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-01-22 - Extension 4 granted

2003-12-16 - Extension 4 filed

2003-12-16 - PAPER RECEIVED

2003-09-03 - Extension 3 granted

2003-06-18 - Extension 3 filed

2003-06-18 - PAPER RECEIVED

2003-03-03 - Extension 2 granted

2002-12-12 - Extension 2 filed

2002-11-29 - PAPER RECEIVED

2002-12-12 - PAPER RECEIVED

2002-07-26 - Extension 1 granted

2002-06-04 - Extension 1 filed

2001-12-18 - Notice of allowance - mailed

2001-09-25 - Published for opposition

2001-09-05 - Notice of publication

2001-07-26 - Approved for Pub - Principal Register (Initial exam)

2001-07-15 - Applicant amendment prior to exam entered

2001-07-03 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Jeffrey H. Kaufman (Attorney of record)

JEFFREY H. KAUFMAN
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT
1940 DUKE ST
ALEXANDRIA VA 22314

Domestic Representative

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Typed Drawing

Word Mark LORD OF ZEMIA

Goods and Services IC 028. US 022 023 038 050. G & S: Stand-alone video game machines; hand-held units for playing electronic games; board games and instructional manuals sold as a unit therewith; card games; dice; promotional game materials; game equipment, namely, chips; toys, namely, action figures, dolls and playsets therefor

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76252563

Filing Date May 4, 2001

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition July 2, 2002

Owner (APPLICANT) KONAMI CORPORATION CORPORATION JAPAN 4-3-1 Toranomon Minato-ku Tokyo JAPAN

Attorney of Record Jeffrey H. Kaufman

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Serial Number: 76252563

Registration Number: (NOT AVAILABLE)

Mark (words only): LORD OF ZEMIA

Standard Character claim: No

Current Status: A request for the second extension of time to file a statement of use has been granted.

Date of Status: 2003-10-07

Filing Date: 2001-05-04

The Notice of Allowance Date is: 2002-09-24

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
GRIFFIN JAMES Employee Location

Current Location: 710 -Divisional Unit

Date In Location: 2003-10-31

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. KONAMI CORPORATION

Address:
KONAMI CORPORATION
4-3-1 Toranomom Minato-ku
Tokyo
Japan
Legal Entity Type: Corporation
State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

Stand-alone video game machines; hand-held units for playing electronic games; board games and instructional manuals sold as a unit therewith; card games; dice; promotional game materials; game equipment, namely, chips; toys, namely, action figures, dolls and playsets therefor

International Class: 028

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-04 - PAPER RECEIVED

2003-10-07 - Extension 2 granted

2003-09-11 - Extension 2 filed

2003-09-11 - PAPER RECEIVED

2003-05-21 - Extension 1 granted

2003-03-21 - Extension 1 filed

2003-03-21 - PAPER RECEIVED

2002-11-29 - PAPER RECEIVED

2002-09-24 - Notice of allowance - mailed

2002-07-02 - Published for opposition

2002-06-12 - Notice of publication

2002-03-15 - Approved for Pub - Principal Register (Initial exam)

2002-03-15 - Case file assigned to examining attorney

2002-01-24 - Communication received from applicant

2001-07-26 - Non-final action mailed

2001-07-15 - Applicant amendment prior to exam entered

2001-07-11 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Jeffrey H. Kaufman (Attorney of record)

JEFFREY H. KAUFMAN
OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT
1940 DUKE ST
ALEXANDRIA VA 22314

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Typed Drawing

Word Mark LORD OF THE RINGS

Goods and Services IC 028. US 022 023 038 050. G & S: action skill games; equipment sold as a unit for playing action type target games; equipment sold as a unit for playing hand held electronic games; electronic toys, namely electronic action toys; collectible marbles and accessories; electronic and nonelectronic plush toys; mechanical action toys; toy boxes; cases for action figures; hand held unit for playing electronic games; costume masks; puppets; role playing game equipment in the nature of game book manuals; soft sculpture toys; toy swords; arcade games; electronic educational game machines for children; equipment sold as a unit for playing a memory game; LCD game machines; talking toys; toy watches; transforming robotic toys; and Christmas tree ornaments, bows and arrows

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76096364

Filing Date July 25, 2000

Current Filing Basis 1B

Original Filing Basis 1B

Published for Opposition December 18, 2001

Owner (APPLICANT) Saul Zaentz Company, The CORPORATION DELAWARE 2600 Tenth Street Berkeley CALIFORNIA 94710

Attorney of Record Susan L. Heller

Prior Registrations 1553027
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Serial Number: 76096364

Registration Number: (NOT AVAILABLE)

Mark (words only): LORD OF THE RINGS

Standard Character claim: No

Current Status: A request for the fourth extension of time to file a statement of use has been granted.

Date of Status: 2004-02-24

Filing Date: 2000-07-25

The Notice of Allowance Date is: 2002-03-12

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

Attorney Assigned:
THOMPSON LAVERNE Employee Location

Current Location: 701 -Intent To Use Unit

Date In Location: 2004-03-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Saul Zaentz Company, The

Address:

Saul Zaentz Company, The
2600 Tenth Street
Berkeley, CA 94710
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

action skill games; equipment sold as a unit for playing action type target games; equipment sold as a unit for playing hand held electronic games; electronic toys, namely electronic action toys; collectible marbles and accessories; electronic and nonelectronic plush toys; mechanical action toys; toy boxes; cases for action figures; hand held unit for playing electronic games; costume masks; puppets; role playing game equipment in the nature of game book manuals; soft sculpture toys; toy swords; arcade games; electronic educational game machines for children; equipment sold as a unit for playing a memory game; LCD game machines; talking toys; toy watches; transforming robotic toys; and Christmas tree ornaments, bows and arrows

International Class: 028

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

Prior Registration Number(s):

1553027

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-24 - Extension 4 granted

2004-02-10 - Extension 4 filed

2004-02-10 - TEAS Extension Received

2003-10-14 - Extension 3 granted

2003-08-15 - Extension 3 filed

2003-08-20 - PAPER RECEIVED

2003-05-19 - Extension 2 granted

2003-02-28 - Extension 2 filed

2003-03-03 - PAPER RECEIVED

2002-09-20 - Extension 1 granted

2002-08-21 - Extension 1 filed

2002-08-26 - PAPER RECEIVED

2002-03-18 - Divisional processing completed
2001-08-09 - Divisional request received
2002-03-12 - Notice of allowance - mailed
2001-12-18 - Published for opposition
2001-11-28 - Notice of publication
2001-09-28 - Approved for Pub - Principal Register (Initial exam)
2001-09-28 - Examiner's amendment mailed
2001-09-04 - Examiner's amendment mailed
2001-03-27 - Non-final action mailed
2001-02-26 - Non-final action mailed
2001-02-13 - Case file assigned to examining attorney
2001-02-08 - Case file assigned to examining attorney
2001-01-29 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Susan L. Heller (Attorney of record)

SUSAN L. HELLER
HOWARD, RICE, NEMEROVSKI, ET AL.
THREE EMBARCADERO CENTER, 7TH FLOOR
SAN FRANCISCO, CALIFORNIA, 94111



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Typed Drawing

Word Mark	LORDS OF MAGIC
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Computer game software and instruction manuals sold therewith. FIRST USE: 19971203. FIRST USE IN COMMERCE: 19971203
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75511512
Filing Date	July 1, 1998
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	January 11, 2000
Registration Number	2337435
Registration Date	April 4, 2000
Owner	(REGISTRANT) Sierra On-Line, Inc. CORPORATION DELAWARE 3380 - 146th Place S.E., Suite 300 Bellevue WASHINGTON 98007
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	THOM DIRKSEN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead	

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Serial Number: 75511512 Assignment Information

Registration Number: 2337435 Assignment Information

Mark (words only): LORDS OF MAGIC

Standard Character claim: No

Current Status: Registered.

Date of Status: 2000-04-04

Filing Date: 1998-07-01

Transformed into a National Application: No

Registration Date: 2000-04-04

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 2000-05-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sierra On-Line, Inc.

Address:

Sierra On-Line, Inc.
3380 - 146th Place S.E., Suite 300
Bellevue, WA 98007
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

Computer game software and instruction manuals sold therewith
International Class: 009

First Use Date: 1997-12-03

First Use in Commerce Date: 1997-12-03

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-07-24 - TEAS Change of Correspondence Received

2000-04-04 - Registered - Principal Register

2000-01-11 - Published for opposition

1999-12-10 - Notice of publication

1999-10-20 - Approved for Pub - Principal Register (Initial exam)

1999-08-03 - Communication received from applicant

1999-02-04 - Non-final action mailed

CONTACT INFORMATION

Correspondent (Owner)

THOM DIRKSEN (Attorney of record)

Rod A. Rigole

Vivendi Universal Games, Inc.

10th Floor

6080 Center Drive

Los Angeles CA 90045

Phone Number: 310.431.4334

Fax Number: 310.431.2334



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Typed Drawing

Word Mark LORDS OF THE GALAXY
Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer game software and instruction manuals sold therewith
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75507052
Filing Date June 23, 1998
Current Filing Basis 1B
Original Filing Basis 1B
Owner (APPLICANT) Sierra On-Line, Inc. CORPORATION DELAWARE 3380 - 146th Place S.E. Bellevue WASHINGTON 98007
Attorney of Record THOM DIRKSEN
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Serial Number: 75507052

Registration Number: (NOT AVAILABLE)

Mark (words only): LORDS OF THE GALAXY

Standard Character claim: No

Current Status: Further action on the application has been suspended.

Date of Status: 2003-05-21

Filing Date: 1998-06-23

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
RAUEN JAMES A Employee Location

Current Location: L3D -TMEG Law Office 103 - Docket Clerk

Date In Location: 2004-03-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sierra On-Line, Inc.

Address:

Sierra On-Line, Inc.
3380 - 146th Place S.E.
Bellevue, WA 98007
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

Computer game software and instruction manuals sold therewith
International Class: 009

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-02 - Case File in TICRS

1999-02-25 - Letter of suspension mailed

1999-02-24 - Case file assigned to examining attorney

1999-01-27 - Case file assigned to examining attorney

1999-01-25 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

THOM DIRKSEN (Attorney of record)

THOM DIRKSEN
SIERRA ON LINE INC
3380 146TH PL SE STE 300
BELLEVUE WA 98007



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Typed Drawing

Word Mark	LORDS OF THE REALM
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Computer game programs and instruction manuals sold as a unit. FIRST USE: 19940913. FIRST USE IN COMMERCE: 19940913
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75378149
Filing Date	October 23, 1997
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	October 13, 1998
Registration Number	2216228
Registration Date	January 5, 1999
Owner	(REGISTRANT) Sierra On-Line, Inc. CORPORATION DELAWARE Suite 300 3380 146th Place SE Bellevue WASHINGTON 98007
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	HEIDI L SACHS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead	

Indicator LIVE

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Serial Number: 75378149 Assignment Information

Registration Number: 2216228 Assignment Information

Mark (words only): LORDS OF THE REALM

Standard Character claim: No

Current Status: Registered.

Date of Status: 1999-01-05

Filing Date: 1997-10-23

Transformed into a National Application: No

Registration Date: 1999-01-05

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 1999-01-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Sierra On-Line, Inc.

Address:

Sierra On-Line, Inc.
Suite 300 3380 146th Place SE
Bellevue, WA 98007
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

Computer game programs and instruction manuals sold as a unit

International Class: 009

First Use Date: 1994-09-13

First Use in Commerce Date: 1994-09-13

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-08-07 - TEAS Change of Correspondence Received

1999-01-05 - Registered - Principal Register

1998-10-13 - Published for opposition

1998-09-11 - Notice of publication

1998-07-28 - Approved for Pub - Principal Register (Initial exam)

CONTACT INFORMATION

Correspondent (Owner)

HEIDI L SACHS (Attorney of record)

Rod A. Rigole

Vivendi Universal Games, Inc.

10th Floor

6080 Center Drive

Los Angeles CA 90085

Phone Number: 310.431.4334

Fax Number: 310.431.2224



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Typed Drawing

Word Mark	LORDS OF THUNDER
Goods and Services	(CANCELLED) IC 028. US 022. G & S: video game cassettes, video game cartridges, video game discs and video game programs. FIRST USE: 19930300. FIRST USE IN COMMERCE: 19930300
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74328408
Filing Date	November 5, 1992
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	April 6, 1993
Registration Number	1866489
Registration Date	December 6, 1994
Owner	(REGISTRANT) Kabushiki Kaisha HUDSON CORPORATION JAPAN 7-26, Hiragishisanjo Toyohira-Ku, Sapporo-Shi JAPAN
Attorney of Record	Mark S. Sommers
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD

**Cancellation
Date** December 15, 2001

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This page was generated by the TARR system on 2004-03-11 19:03:32 ET

Serial Number: 74328408

Registration Number: 1866489

Mark (words only): LORDS OF THUNDER

Standard Character claim: No

Current Status: Registration canceled under Section 8.

Date of Status: 2001-12-15

Filing Date: 1992-11-05

Transformed into a National Application: No

Registration Date: 1994-12-06

Register: Principal

Law Office Assigned: TMEO Law Office # 05

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 1995-02-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Kabushiki Kaisha HUDSON

Address:

Kabushiki Kaisha HUDSON

7-26, Hiragishisanjo

Toyohira-Ku, Sapporo-Shi

Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

video game cassettes, video game cartridges, video game discs and video game programs

International Class: 028

First Use Date: 1993-03-00

First Use in Commerce Date: 1993-03-00

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2001-12-15 - Canceled Section 8 (6-year)
- 1994-12-06 - Registered - Principal Register
- 1994-08-16 - Allowed for Registration - Principal Register (SOU accepted)
- 1994-07-15 - Communication received from applicant
- 1994-02-02 - Non-final action mailed
- 1994-01-07 - Case file assigned to examining attorney
- 1993-12-27 - Case file assigned to examining attorney
- 1993-12-20 - Statement of use processing complete
- 1993-12-20 - Extension 1 granted
- 1993-11-02 - Amendment to Use filed
- 1993-11-02 - Extension 1 filed
- 1993-06-29 - Notice of allowance - mailed
- 1993-04-06 - Published for opposition
- 1993-03-05 - Notice of publication
- 1993-02-04 - Approved for Pub - Principal Register (Initial exam)
- 1993-01-29 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

Mark S. Sommers (Attorney of record)

MARK S. SOMMERS
FINNEGAN, HENDERSON, FARABOW, ET AL.
1300 I STREET, N.W.
WASHINGTON, DC 20005-3315
United States

Domestic Representative

Finnegan, Henderson, Farabow, et al.



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Typed Drawing

Word Mark	LORDS OF THE RISING SUN
Goods and Services	(CANCELLED) IC 028. US 021 022 036. G & S: laser optical discs featuring games. FIRST USE: 19920900. FIRST USE IN COMMERCE: 19920900
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74304960
Filing Date	August 17, 1992
Current Filing Basis	1A
Original Filing Basis	1B
Published for Opposition	February 16, 1993
Registration Number	1833414
Registration Date	April 26, 1994
Owner	(REGISTRANT) PHILIPS INTERACTIVE MEDIA OF AMERICA CORPORATION DELAWARE 11111 Santa Monica Boulevard Los Angeles CALIFORNIA 90025
Assignment Recorded	ASSIGNMENT RECORDED
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Cancellation Date	May 9, 2001

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Serial Number: 74304960 Assignment Information

Registration Number: 1833414 Assignment Information

Mark (words only): LORDS OF THE RISING SUN

Standard Character claim: No

Current Status: Registration canceled under Section 8.

Date of Status: 2001-05-09

Filing Date: 1992-08-17

Transformed into a National Application: No

Registration Date: 1994-04-26

Register: Principal

Law Office Assigned: TMEO Law Office # 04

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -Warehouse (Newington)

Date In Location: 1994-05-12

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PHILIPS INTERACTIVE MEDIA OF AMERICA

Address:

PHILIPS INTERACTIVE MEDIA OF AMERICA
11111 Santa Monica Boulevard
Los Angeles, CA 90025
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

laser optical discs featuring games

International Class: 028

First Use Date: 1992-09-00

First Use in Commerce Date: 1992-09-00

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2001-05-09 - Canceled Section 8 (6-year)

1994-04-26 - Registered - Principal Register

1994-02-18 - Allowed for Registration - Principal Register (SOU accepted)

1994-01-03 - Case file assigned to examining attorney

1993-12-15 - Statement of use processing complete

1993-12-15 - Extension 1 granted

1993-10-05 - Amendment to Use filed

1993-10-05 - Extension 1 filed

1993-05-11 - Notice of allowance - mailed

1993-02-16 - Published for opposition

1993-01-15 - Notice of publication

1992-12-01 - Approved for Pub - Principal Register (Initial exam)

1992-11-16 - Examiner's amendment mailed

1992-10-20 - Previous allowance count withdrawn

1992-10-19 - Approved for Pub - Principal Register (Initial exam)

1992-10-19 - Case file assigned to examining attorney

1992-10-16 - Case file assigned to examining attorney

CONTACT INFORMATION

Correspondent (Owner)

NORTH AMERICAN PHILIPS CORPORATION
580 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591
United States



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Lords of Thunder Turbo Duo Game Grafx 16 NEW! GREAT!!!

Item number: 3086350643

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Time left: **5 days 7 hours**
7-day listing
Ends Mar-27-04
18:21:38 PST

Start time: Mar-20-04 18:21:38 PST

Item location: United States
United States

Ships to: United States only

[↓ Shipping and payment details](#)

Seller information

prov.356 (4)

Feedback Score: 4

Positive Feedback: 100%
Member since Jul-24-02 in
United States

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Description

This auction is for a brand new shrinkwrapped Lords of Thunder for use with the Turbo Duo system or a Turbo Grafx 16 + CD player + Super System 3 card.

LORDS OF THUNDER

"The peaceful country of Mistral is facing grave danger. Evil beings have entered the Six Lands of Mistral to restore their Dark One, Zaggart, imprisoned log ago by the Holy God, Pharina, and the Legendary Hero, Dyu. You are Landis, the only warrior descendant of Dyu, and you have risen to fight against them. Wearing magic armor inherited from Dyu, you are about to single-handedly battle hordes of evil enemies in order to stop Zaggart. The future of Mistral depends on you!"

Below is a stock photo of the item you will be receiving. Buyer pays \$3.00 s/h. Click [here](#) to check out my other auctions for more great Turbo stuff, including a RARE promo video for Lords of Thunder, a Duo Force magazine devoted to Lords of Thunder, and accessories for TG16 and the Duo!

After I have made a shipment, I cannot take responsibility for lost or damaged items. If you want

insurance for your item you must let me know and include the cost of insurance with your payment. INTERNATIONAL CUSTOMERS PLEASE E-MAIL ME BEFORE YOU BID TO WORK OUT SHIPPING ARRANGEMENTS! All stated prices are for shipping inside the USA only! Winning bidder may pay by check or money order, but personal checks will be held in the bank 10 days before product ships to cut down on the amount of bounced checks I receive. Attention PayPal users ONLY: Payment with Paypal MUST include payment of 1.85 for insurance and delivery confirmation in order to meet PayPal's delivery guidelines. If you prefer not to incur this additional cost, we offer several other methods of payment that do not require it.



00018

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Shipping and handling: **US \$3.00** (within United States)
Buyer pays for all shipping costs

Shipping insurance: **US \$1.85** (Required)

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Payment methods accepted



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Lords of Thunder Turbo Duo Game Grafx 16 NEW! GREAT!!!

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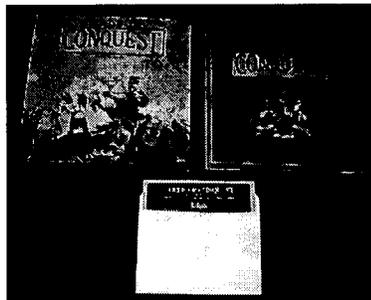
Listed in category: [Video Games](#) > [Vintage Games](#)

Lords of Conquest Apple Computer Complete!

Item number: 3085867584

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Starting bid: **US \$9.99**

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Time left: **2 days 23 hours**
7-day listing
Ends Mar-25-04
13:20:28 PST
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Start time: Mar-18-04 13:20:28 PST

History: [0 bids](#)

Item location: USA
United States

Ships to: Worldwide

[↓ Shipping and payment details](#)

Seller information

[raidovermoscow](#) (3846 ★)

Feedback Score: 3846

Positive Feedback: 99.2%

Member since Mar-04-03 in United States

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Description

Lords of Conquest Boxed Complete with Disk, and Instructions for the Apple Computer. Game is guaranteed working. Winning bidder pays \$4.99 shipping and handling to anywhere in the USA. Shipping for each additional item won from my auctions is \$1.99. Shipping to Canada is \$5.99. International shipping is \$10.99. Winning bidder pays by US cash, money order, or credit card via [AuctionPayments](#) . Payments made by [AuctionPayments](#) are shipped on Monday mornings. I DO NOT accept paypal payments directly. You can pay using your paypal account via [Payko](#). Optional online tracking number is highly recommended at an additional \$.99 for US bidders.

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- Other online payment services
- See item description for payment methods accepted

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Lords of Conquest Apple Computer Complete!

Starting bid: US \$9.99

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Listed in category: [Video Games](#) > [Games](#)

LORD OF THE DARKNESS SNES game Cartridge

Item number: 3085923154

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Starting bid: **US \$6.50**

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Time left: **3 days 6 hours**
7-day listing
Ends Mar-25-04
17:45:09 PST
[Add to Calendar](#)

Start time: Mar-18-04 17:45:09 PST

History: [0 bids](#)

Item location: Sugarloaf AR
United States /Oklahoma
City

Ships to: Worldwide

[↓ Shipping and payment details](#)

Seller information

[starttrekpammy](#) (6295 ★) **Power Seller**

Feedback Score: 6295
Positive Feedback: 99.8%
Member since May-15-00 in United States

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Buyer Protection Offered
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Description

LORD OF THE DARKNESS SNES game Cartridge

Description

This is a previewed Super Nintendo Game Cartridge(SNES).. Game Only.. NO box.. NO instructions..

Game has been CLEANED and ready to play!!!

Payment and Shipping Info

<p>Shipping cost will be \$2.50 for Media Mail shipping. Each additional item... \$1.00.. so please check my other auctions to save on shipping.... International rates will vary.</p> <p>I will accept money orders, personal checks, however, personal checks will require a 10 day holding period. I will also accept PayPal. Payment must be received within 10 days from date of auction end.</p> <p>Thanks for looking and good luck bidding.</p>	

auction works

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Shipping and payment details

Shipping and handling: **US \$2.50** (within United States)
Buyer pays for all shipping costs

Shipping insurance: Not offered

Sales tax: 8.000% (only in AR)

Will ship worldwide.

Seller's payment instructions & return policy:

I accept paypal....(pam@rainy-day-entertainment.com).. or you can mail cash, check(requires a 10 day hold) or money order to

Rainy Day Entertainment 1736 B West Center Greenwood ar
72936

Payment methods accepted

 This seller, starttrekpammy, **prefers PayPal.**

eBay recommended services

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• **PayPal*** (    )

- Personal check
- Money order/Cashiers check
- See item description for payment methods accepted

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LORD OF THE DARKNESS SNES game Cartridge

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Your maximum bid: **US \$** (Enter **US \$6.50** or more)

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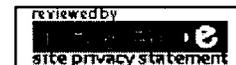
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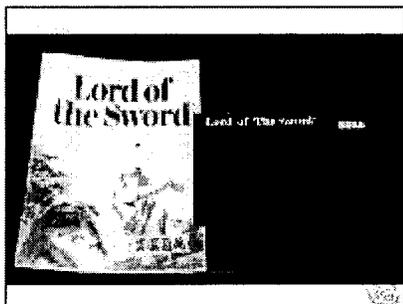
Listed in category: [Video Games](#) > [Vintage Games](#).

SEGA MASTER SYSTEM GAME LORD OF THE SWORD w/inst

Item number: 3086145185

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Starting bid: **US \$0.99**

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Time left: **4 days 6 hours**
7-day listing
Ends Mar-26-04 17:50:16 PST
[Add to Calendar](#)

Start time: Mar-19-04 17:50:16 PST

History: [0 bids](#)

Item location: Wheeling, WV United States /Pittsburgh

Ships to: **Worldwide**

[↓ Shipping and payment details](#)

Seller information

fds714 (1731 ★)

Feedback Score: 1731
Positive Feedback: 99.5%
Member since May-04-98 in United States

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Description

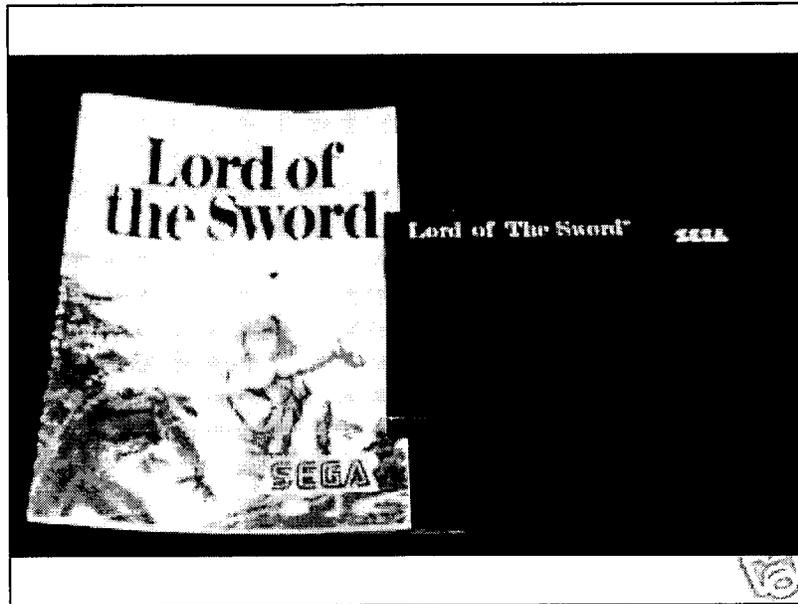
I am listing 14 Sega Master System games I no longer play with. They all work & have no loose parts rattling around in the cartridges. I don,t have any boxes but most have inst as shown in photos. These are great for gamers or collectors that have a box that needs to be filled. Postage is \$2 for the 1st game & \$1 for each additional game.

CLICK ONTO SELLERS OTHER AUCTIONS ABOVE TO SEE THEM ALL...

On Mar-20-04 at 01:54:43 PST, seller added the following information:

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New Riverside
Dictionary

REVISED EDITION



Houghton Mifflin Company

Boston • New York

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ISBN 0-395-74288-9

Printed in the United States of America

10

-sired, -sir-ing. 1. To hope
tly : crave. 2. To ask for : re-
ACHE, CRAVE, HANKER,
ARN —*n.* 1. A strong wish or
2. A request or petition. 3.
ed. 4. Sexual appetite : pas-
n.
r'əs) *adj.* Desiring.
sist') *v.* To cease doing some-

.. A piece of furniture usu.
ompartments and a level top
A table, counter, or booth
services are performed. 3. A
large organization in charge
ration.

ōp') *adj.* 1. Designed for use
ll enough to fit conveniently
workspace.

thing *n.* *Computer Sci.* The
ction of publications, such
using microcomputers with
ty.

-lit) *adj.* 1. Having no inhab-
2. Made uninhabitable or
al : dreary. 4. Forlorn : for-
-**lat-ed, -lat-ing.** To make
-late-ly *adv.*

ēs'ə-lā'shən) *n.* 1. The act of
ie state of being desolate :
wasteland. 4. Loneliness or

) *n.* 1. Complete absence of
ng destroying all hope. —*v.*
urpose or hope.

āch') *n.* & *v. var.* of DIS-

s'pə-rā'dō, -rā') *n., pl. -does*
dangerous outlaw or crimi-

'pər-it, -prīt) *adj.* 1. Rash or
spair. 2. Almost hopeless :
vering : intense.

(dēs'pə-rā'shən) *n.* 1. The
perate. 2. Rashness arising

ēs'pī-kə-bəl, dī-spīk'ə-) *adj.*
or contempt : vile. —**des'-**

) *v. -spised, -spis-ing.* 1. To
or contempt : disdain. 2. To
or worthless. ★ *syns:* AB-
DISDAIN, SCORN

) *prep.* In spite of : notwith-

) *v.* To strip of property or
ce : pillage. —**de-spoil'er** *n.*
n.

(dī-spō'lē-ā'shən) *n.* The act
he state of being despoiled.

nd') *v.* To become discour-
: of despondency.

(dī-spōn'dən-sē) *n.* Depres-
n loss of hope. —**de-spon'-**

n. 1. An absolute ruler. 2.
ields power oppressively.

—**des-pot'ic** (dī-spōt'ik) *adj.* —**des-pot'i-**
cally *adv.* —**des'pot-ism** *n.*

des-sert (dī-zūrt') *n.* A usu. sweet food, as
pastry, served as the final course of a meal.

des-ti-na-tion (dēs'tə-nā'shən) *n.* 1. The
place to which someone is going or some-
thing is sent. 2. The purpose for which some-
thing is created or intended.

des-tine (dēs'tīn) *v. -tined, -tin-ing.* 1. To
determine in advance : preordain. 2. To as-
sign for a specific end, use, or purpose. 3. To
be bound for a specified destination.

des-ti-ny (dēs'tə-nē) *n., pl. -nies.* 1. The in-
evitable lot to which a person or thing is des-
tined : fate. 2. A predetermined or inevitable
course of events.

des-ti-tute (dēs'tī-tōot', -tyōot') *adj.* 1. Ut-
terly devoid. 2. Utterly impoverished : indi-
gent. —**des'ti-tu'tion** *n.*

de-stry (dī-stroi') *v.* 1. To ruin thoroughly :
spoil. 2. To tear down or break up : raze. 3.
To kill.

de-stry-er (dī-stroi'ər) *n.* 1. One that de-
stroys. 2. A small, highly maneuverable war-
ship.

de-struct (dī-strūkt') *n.* The deliberate de-
struction of a space vehicle, missile, or rocket
after launching.

de-struct-i-ble (dī-strūkt'ə-bəl) *adj.* Capable
of being destroyed.

de-struction (dī-strūkt'shən) *n.* 1. The act of
destroying or the state of being destroyed. 2.
A cause or means of destroying. —**de-struc'-**
tive *adj.* —**de-struc'tively** *adv.* —**de-struc'-**
tive-ness *n.*

des-ue-tude (dēs'wi-tōod', -tyōod') *n.* A state
of disuse.

des-ul-to-ry (dēs'əl-tōr'ē, -tōr'ē) *adj.* 1.
Marked by lack of continuity : disconnected.
2. Aimless.

de-tach (dī-tāch') *v.* 1. To disconnect : sepa-
rate. 2. To extricate oneself : withdraw.
★ *syns:* DISCONNECT, DISENGAGE, UN-
COUPLE, UNFASTEN —**de-tach'a-ble** *adj.*

de-tached (dī-tācht') *adj.* 1. Standing apart :
separate. 2. Not emotionally involved : indif-
ferent. 3. Impartial.

de-tach-ment (dī-tāch'mənt) *n.* 1. a. The act
or process of separating. b. The state of being
separate. 2. Indifference : aloofness. 3. Impar-
tiality. 4. a. The dispatch of military person-
nel or equipment from a larger unit for spe-
cial duty. b. A permanent military unit, usu.
smaller than a platoon, organized for special
duties.

de-tail (dī-tāl', dē'tāl') *n.* 1. An individual
part : particular. 2. Particulars considered
separately and in relation to a whole. 3. Mili-
tary personnel selected for a particular duty.
—*v.* 1. To report in detail. 2. To name or state
explicitly. 3. To select and dispatch for a par-
ticular duty.

de-tain (dī-tān') *v.* 1. To hold back : delay. 2.
To hold in custody : confine.

de-TECT (dī-tēkt') *v.* To find out or discover
the nature, existence, or fact of. —**de-TECT'a-**

ble, de-TECT'i-ble *adj.* —**de-TECT'ion** *n.* —**de-**
TECT'or *n.*

de-TECT-ive (dī-tēk'tiv) *n.* A person, often a
police officer, whose work is investigating
and trying to solve crimes.

de-tent (dī-tēnt') *n.* A pawl.

dé-tente (dā-tānt', -tānt') *n.* A relaxation or
reduction of tension, as between nations.

de-ten-tion (dī-tēn'shən) *n.* 1. The act of de-
taining or state of being detained. 2. A period
of temporary custody that precedes disposi-
tion by a court. 3. A forced delay.

de-ter (dī-tūr') *v. -tered, -ter-ring.* To dis-
courage or prevent from acting, as by intimi-
dation. —**de-ter'ment** *n.*

de-ter-gent (dī-tūr'jənt) *n.* Any of various
usu. synthetic cleaning agents that are chemi-
cally different from soap.

de-te-ri-o-rate (dī-tūr'ē-ə-rāt') *v. -rat-ed, -rat-*
ing. To worsen : degenerate.

de-ter-mi-nant (dī-tūr'mə-nənt) *n.* Some-
thing that influences or determines.

de-ter-mi-nate (dī-tūr'mə-nīt) *adj.* 1. Pre-
cisely defined. 2. Conclusively settled.

de-ter-mine (dī-tūr'mīn) *v. -min-ed, -min-*
ing. 1. To decide or settle authoritatively or
conclusively. 2. To limit in scope or extent :
fix the limits of. 3. To be the determinant of
: regulate <Need will *determine* expendi-
tures.> 4. To reach a decision, as after con-
sideration or calculation. 5. To ascertain the
extent, position, quality, or nature of some-
thing. ★ *syns:* BOUND, DELIMIT, DEMAR-
CATE, LIMIT —**de-ter'mi-na-ble** *adj.* —**de-**
ter'mi-na-bly *adv.* —**de-ter'mi-na'tion** *n.*

de-ter-mined (dī-tūr'mīnd) *adj.* 1. Firm :
resolute. 2. Decided or resolved. —**de-ter-**
min-ed-ly *adv.*

de-ter-rent (dī-tūr'ənt, -tūr'-) *n.* Something
that deters. —*adj.* Serving to deter. —**de-ter-**
rence *n.*

de-test (dī-tēst') *v.* To dislike strongly : ab-
hor. —**de-test'a-ble** *adj.* —**de-test'a-bly** *adv.*
—**de'tes-ta'tion** *n.*

de-throne (dē-thrōn') *v. -thron-ed, -thron-*
ing. To depose (e.g., a king).

det-o-nate (dēt'n-āt') *v. -nat-ed, -nat-ing.* To
explode violently.

det-o-na-tor (dēt'n-ā'tər) *n.* A device, as a
fuse or percussion cap, used to detonate an
explosive.

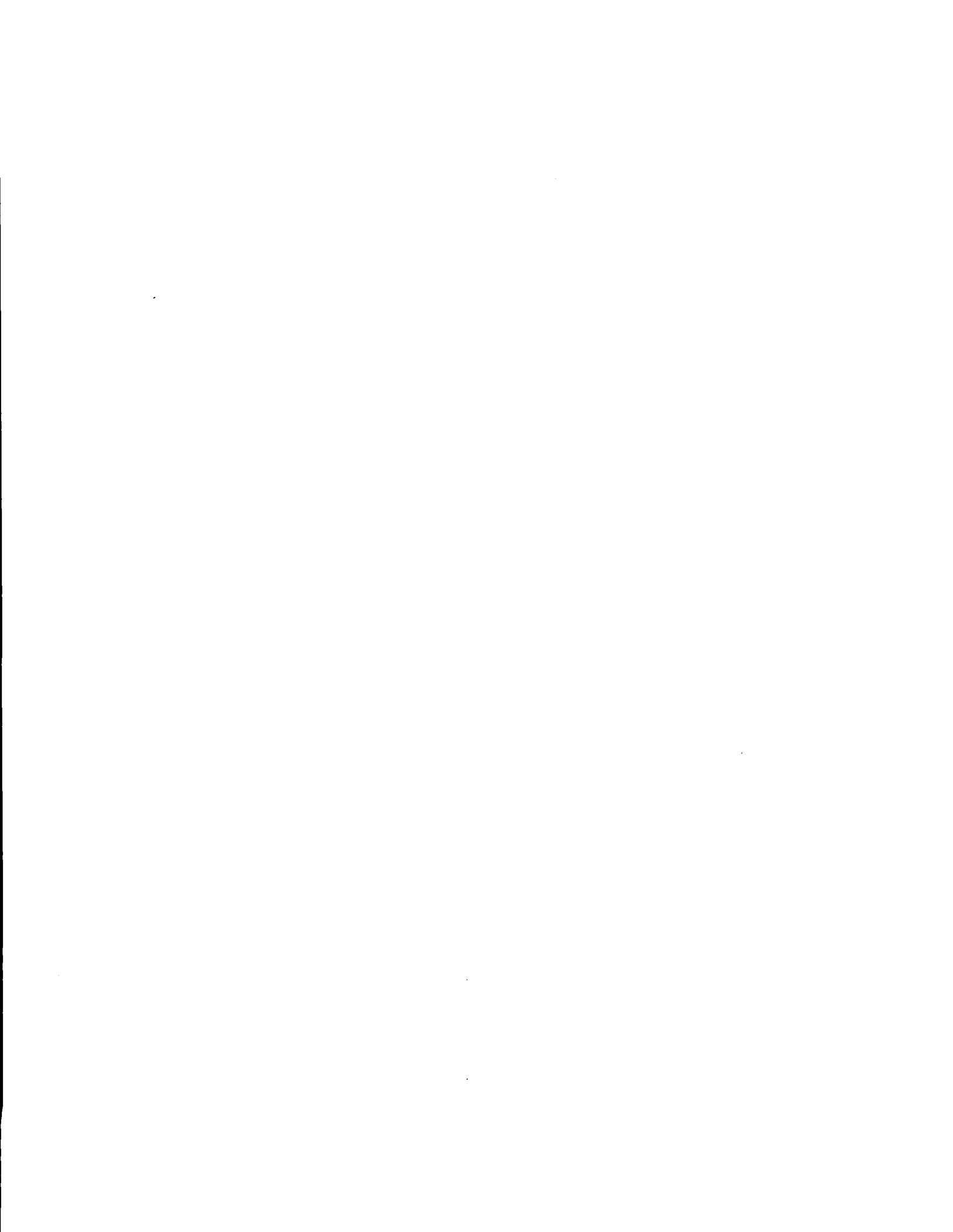
de-tour (dē'tōor', dī-tōor') *n.* 1. A road used
temporarily instead of a main road. 2. A de-
viation from a direct course of action. —*v.* To
take or cause to take a detour.

de-tox (dē-tōks') *Informal. v.* To detoxify.
—*n.* (dē'tōks'). A place where patients are
detoxified.

de-tox-i-fy (dē-tōk'sə-fi') *v. -fied, -fy-ing.* 1.
To remove poison or the effects of a poison
from. 2. To treat (a person) for alcohol or drug
dependence. —**de-tox'i-fi-ca'tion** *n.*

de-tract (dī-trākt') *v.* 1. To take away : di-
minish. 2. To distract. —**de-trac'tion** *n.*
—**de-trac'tive** *adj.* —**de-trac'tor** *n.*

de-train (dē-trān') *v.* To leave or cause to
leave a railroad train.



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REVISED EDITION



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astic. —*n.* 1. The act of raving. 2. Extravagantly enthusiastic reaction.

v. **-eled, -eling** also **elled, -eling** separate the fibers or strands of a material. 2. To complicate : complicate. 2. A loose thread.

rav'el-er *n.*

rav'el-ling (rāv'ə-ling) *n.* A material made from woven material.

raven *n.* A large bird, *Corvus corax*, with a hoarse croaking cry. —*adj.* *sy.*

rav'nous *adj.* 1. Extremely hungry. 3. Greedy. ★ *syns:* FAMISHED, STARVING

ravine (*v*) *n.* A steep, narrow cut in the earth.

re'c'el-lē, rā'vē- *pl.n.* Small castles called with meat or cheese.

re'c'el-lē *v.* 1. To seize and carry off. 2. To overwhelm with force. 3. To overwhelm with force.

re'c'el-ment *n.*

re'c'el-shing *adj.* Alluring.

re'c'el-ty *adj.* 1. Uncooked. 2. a. Not refined. b. Not coated or treated <raw recruits> 4. Refreshing. 5. Inflamed : sore. 6. Damp. 7. Unfair <a raw deal> 8. Coarse : vulgar. —*adv.* —**raw'ness** *n.*

re'c'el-tion (*v*) *adj.* Having a lean appearance.

re'c'el-ty *n.* 1. The untanned hide of a deer or thong made of rawhide. 2. A thin line or narrow beam of light. 3. A small amount. 4. A straight line extending from a center. 5. A daisy petal.

re'c'el-ty *n.* A marine fish of the order Rapidae, having a horizontally flattened body and a narrow tail.

re'c'el-ty *n.* 1. A synthetic textile fiber. 2. A cellulose solution. 3. A fabric knit or woven.

re'c'el-ty *n.* 1. An implement with a sharp edge used esp. for shaving.

re'c'el-ty *v.* To taunt with loud, scornful remarks.

RUBIDIUM. In reference to.

RHENIUM. *n.* A chemical element.

reach *v.* 1. To stretch out (a body part). 2. To try to grasp by stretching. 3. To arrive at. 4. To succeed in dealing with. 5. To extend (to). 6. To aggregate. —*n.* 1. The act of reaching or thrusting out. 2. The distance a thing can reach. 3. An unbroken range. 4. The range of one's understanding.

re'ach *v.* 1. To stretch out (a body part). 2. To try to grasp by stretching. 3. To arrive at. 4. To succeed in dealing with. 5. To extend (to). 6. To aggregate. —*n.* 1. The act of reaching or thrusting out. 2. The distance a thing can reach. 3. An unbroken range. 4. The range of one's understanding.

re'act (rē-ākt') *v.* 1. To act in response to a stimulus. 2. To act in opposition. 3. *Chem.* To undergo chemical change. —**re-ac'tant** *n.* —**re-ac'tive** *adj.*

re-ac'tance (rē-āk'təns) *n.* Opposition to alternating electric current flow caused in a circuit by inductance and capacitance.

re-ac'tion (rē-āk'shən) *n.* 1. A response to a stimulus or the condition resulting from such a response. 2. A contrary or opposing action. 3. A political tendency to oppose progress or favor a return to former conditions. 4. A chemical transformation or change. 5. *Physics.* A nuclear reaction.

re-ac'tion-ary (rē-āk'shə-nēr'ē) *adj.* Opposing progress or favoring a return to former conditions. —**re-ac'tion-ar'y** *n.*

re-ac'tor (rē-āk'tər) *n.* 1. One that reacts. 2. A nuclear reactor.

read (rēd) *v.* **read** (rēd), **read-ing**. 1. To look through and take in the meaning of (written or printed words or symbols). 2. To speak aloud the words of (written or printed material). 3. To interpret the meaning of <reading the clues> 4. To determine the thoughts or intent of <read someone's mind> 5. To predict or foretell. 6. To receive or comprehend (e.g. a radio message). 7. To study <read philosophy> 8. To learn by reading. 9. To indicate or register <The speedometer read 60.> 10. To have a certain wording or literary quality <How does the title read?> 11. *Computer Sci.* To obtain (information) from a storage medium, such as a magnetic disk. —**read'a-bil'i-ty, read'a-ble-ness** *n.*

read-ing (rēd'ing) *n.* 1. Written or printed matter. 2. A public recitation of written material. 3. An interpretation. 4. A specific form or variation of a text. 5. Information indicated, as by a gauge.

read-on-ly mem'ory (rēd'ŏn'lē) *n.* A computer memory that allows access to stored data but prevents modification of the data.

read-out also **read-out** (rēd'out) *n.* *Computer Sci.* A presentation of data from storage or calculations.

read-y (rēd'ē) *adj.* **-ier, -iest**. 1. Prepared or available for service or action. 2. Mentally disposed : willing. 3. Prompt in understanding or reacting <a ready wit> —*v.* **-ied, -ying.** To cause to be ready. —**read'i-ly** *adv.* —**read'i-ness** *n.*

read-y-made (rēd'ē-mād') *adj.* Already made or prepared <ready-made pie crust>

re-a-gent (rē-ā'jənt) *n.* A substance used in a chemical reaction to detect, measure, or yield other substances.

re-al¹ (rē'al, rēl) *adj.* 1. Not imaginary or pretended : actual. 2. Authentic or genuine <real gold> 3. Essential : basic. 4. Serious : substantial. 5. *Law.* Of or constituting fixed or stationary property, as buildings or land. ★ *syns:* SUBSTANTIAL, SUBSTANTIVE, TANGIBLE —*adv.* *Informal.* Very.

re-al² (rā-āl') *n.* —See table at CURRENCY.

real estate *n.* Land owned as property, along with its natural resources and permanent buildings.

re-al-ism (rē'al-iz'əm) *n.* 1. Concern with factual truth and things as they really are : practicality. 2. Artistic representation intended as an unidealized portrayal of objective reality. —**re'al-ist** *n.* —**re'al-is'tic** *adj.* —**re'al-is'ti-cal-ly** *adv.*

re-al-i-ty (rē-āl'i-tē) *n., pl. -ties*. 1. The quality or state of being actual or true. 2. One that is real. 3. The totality of all existing things.

re-al-ize (rē'al-iz'ē) *v.* **-ized, -iz-ing**. 1. To comprehend fully or correctly. 2. To make real : fulfill <realized her potential> 3. To obtain or achieve <realize a profit> —**re'al-iz'a-ble** *adj.* —**re'al-iz-a'tion** *n.*

re-al-ly (rē'al-lē, rē'lē) *adv.* 1. In actual fact. 2. Truly. 3. Indeed.

realm (rēlm) *n.* 1. A kingdom. 2. A field or sphere : domain.

re'ab-sorb' *v.*

re'ab-sorp'tion *n.*

re'ac-cept' *v.*

re'ac-com'mo-date' *v.*

re'ac-com'pany *v.*

re'ac-cuse' *v.*

re'ac-quire' *v.*

re'a-dapt' *v.*

re'ad-dress' *v.*

re'ad-journ' *v.*

re'ad-journ'ment *n.*

re'ad-mis'sion *n.*

re'ad-mit' *v.*

re'ad-mit'tance *n.*

re'a-dopt' *v.*

re'ad-vance' *v.*

re'an-i-mate' *v.*

re'an-i-ma'tion *n.*

re'an-nex' *v.*

re'a-noint' *v.*

re'ap-pear' *v.*

re'ap-pear'ance *n.*

re'ap-ply' *v.*

re'ap-point' *v.*

re'ap-point'ment *n.*

re-ar-gue *v.*

re'as-cend' *v.*

re'as-cent' *n.*

re'as-sem'ble *v.*

re'as-sem'bly *n.*

re'as-assert' *v.*

re'as-assertion *n.*

re'as-sign' *v.*

re'as-sim'i-late' *v.*

re'as-so-ci-ate' *v.*

re'as-sume' *v.*

re'as-ump'tion *n.*

re'at-tach' *v.*

re'at-tack' *v.*

re'at-tain' *v.*

re'at-tempt' *v.*

re'a-vow' *v.*

re'a-wake' *v.*

re'a-wak'en *v.*

re-bill' *v.*

re-boil' *v.*

re-bur'y *v.*

re-car'ry *v.*

re'cel'ebrate' *v.*

re'chal'lenge *v.*

re-char'ter *v.*

re-check' *v.*

re-chris'ten *v.*

re-cir'cle *v.*

re-cir'cu-late' *v.*

re-clean' *v.*

re-clothe' *v.*

re-coin' *v.*

re-coin'age *n.*

re-col'o-nize' *v.*

re-col'or *v.*

re-com-bine' *v.*

re-com-mence' *v.*

re-com-mis'sion *n.*

re-com-mit' *v.*

re-com-mit'ment *n.*

re-condense' *v.*

re-con-duct' *v.*

re-con-quer *v.*

re-con-quest *n.*

re-con-se-crate' *v.*

re-con-sol'i-date' *v.*

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Boston • New York

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ISBN 0-395-74288-9

Printed in the United States of America

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mad-house (măd'hous') *n.* 1. Formerly, an insane asylum. 2. *Informal.* A place of great confusion and disorder.

Madison Avenue *n.* The American advertising industry.

ma-dras (măd'rəs, mə-drăs', -drăs') *n.* A fine-textured cotton cloth usu. having a striped or plaid design.

mad-ri-gal (măd'ri-gəl) *n.* A musical composition for 2 or more unaccompanied voices that was developed during the early Renaissance.

mael-strom (mäl'strəm) *n.* 1. An extraordinarily violent whirlpool. 2. A situation resembling a maelstrom in turmoil <a *maelstrom* of scandal>

maes-tro (mīs'trō) *n., pl. -tros or -tri* (-trē). A master in an art, esp. a famous conductor or composer of music.

Ma-fi-a (mä'fē-ə) *n.* 1. A secret terrorist organization in Sicily. 2. An alleged international criminal organization.

Ma-fi-o-so (mä'fē-ō'sō) *n., pl. -si* (-sē). A member of the Mafia.

mag-a-zine (măg'ə-zēn', măg'ə-zēn') *n.* 1. A place for storage, esp. of ammunition. 2. A periodical containing written matter, as articles, and usu. illustrations and advertising. 3. a. A compartment for holding the cartridges in a firearm. b. A compartment in a camera for holding rolls or cartridges of film.

▲ **word history:** The use of *magazine* to mean "a periodical publication" is a specialized development of the original, more general meaning "storehouse." *Magazine* was at one time used in book titles to mean a storehouse of information on a special topic, equivalent to the use of *encyclopedia* today. The word was also used in titles of periodical publications that contained a storehouse of miscellaneous literary works, articles on various topics, and other features. From the latter use the word *magazine* became a generic term for all such publications.

ma-gen-ta (mə-jěn'tə) *n.* A vivid purplish red.

mag-got (măg'ət) *n.* The legless soft-bodied larva of any of various insects of the order Diptera, often found in decaying matter. —**mag'got-y** *adj.*

Ma-gi (mä'ji') *pl.n.* The 3 wise men of the East who traveled to Bethlehem to worship the infant Jesus.

mag-ic (mäj'ik) *n.* 1. The art that purports to control or forecast natural events or forces by invoking the supernatural. 2. Exercise of sleight of hand or conjuring for entertainment. 3. A mysterious quality of enchantment <the *magic* of exotic lands> ★ **syns:** CONJURATION, SORCERY, WITCHCRAFT, WITCHING, WIZARDRY —**mag'ic, mag'i-cal** *adj.* —**mag'i-cal-ly** *adv.* —**ma-gi'cian** (mə-jish'an) *n.*

mag-is-te-ri-al (mäj'i-stir'ē-əl) *adj.* 1. Of, relating to, or typical of a master or teacher : authoritative. 2. Overbearing : dogmatic. 3.

Of or relating to a magistrate or his or her official functions.

mag-is-trate (mäj'i-străt', -strīt) *n.* 1. A civil officer empowered to administer and enforce law. 2. A minor official with limited judicial authority, as a justice of the peace.

mag-ma (măg'mə, măg'-) *n., pl. -ma-ta* (-mä'tə) or **-mas.** *Geol.* Molten matter beneath the earth's crust that often cools and hardens to form igneous rock.

mag-nan-i-mous (măg-năn'ə-məs) *adj.* Noble of heart and mind, esp. generous in forgiving. —**mag'na-nim'i-ty** (-nə-nim'i-tē) *n.* —**mag-nan'i-mous-ly** *adv.* —**mag-nan'i-mous-ness** *n.*

mag-nate (măg'năt') *n.* A person of influence or power, esp. in business or industry : tycoon <an oil *magnate*>

mag-ne-sia (măg-nē'zhə, -shə) *n.* A white, powdery compound that is an oxide of magnesium and is used esp. as a laxative.

mag-ne-si-um (măg-nē'zē-əm, -zhəm) *n.* **Symbol Mg** A light, moderately hard, silvery metallic element.

mag-net (măg'nīt) *n.* 1. An object that is surrounded by a magnetic field and attracts iron or steel. 2. An electromagnet. 3. One that exerts attraction. —**mag'net-ism** *n.*

mag-net-ic (măg-nēr'ik) *adj.* 1. Of or pertaining to magnets or magnetism. 2. Having the properties of a magnet. 3. Capable of being magnetized. 4. Having an unusual ability or power to attract <a *magnetic* personality> —**mag-net'i-cal-ly** *adv.*

magnetic disk *n.* **Computer Sci.** 1. A memory device covered with a magnetic coating on which information is stored by magnetization of microscopically small needles. 2. A floppy disk. 3. A hard disk.

magnetic equator *n.* A line joining all points on the earth's surface where a magnetic needle balances horizontally without dipping.

magnetic field *n.* A detectable force that exists at every point in the region around a magnet or electric current.

magnetic north *n.* The direction of the earth's magnetic field to which the N-seeking pole of a magnetic needle points when free from local magnetic influence.

magnetic recording *n.* The recording of a signal, as sound or television images, on a magnetizable surface for storage and subsequent retrieval.

magnetic resonance im-ag-ing (im'i-jing) *n.* The use of nuclear magnetic resonance to produce images of atoms and molecules in solids, esp. human tissues and organs.

magnetic tape *n.* A plastic tape having a magnetizable coating for use in magnetic recording.

mag-net-ite (măg'nī-tit') *n.* A mineral form of black iron oxide that is an important iron ore.

mag-net-ize (măg'nī-tiz') *v. -ized, -iz-ing.* 1. To make magnetic. 2. To attract, charm, or

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ISBN 0-395-74288-9

Printed in the United States of America

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thority of the gospel and salvation by faith in Christ. 3. Zealous in preaching or proselytizing. —**e'van-gel'i-cal-ism** *n.* —**e'van-gel'i-cal-ly** *adv.*

e-van-gel-ism (i-văn'jə-liz'əm) *n.* 1. Zealous preaching and spreading of the gospel. 2. Zeal for a cause.

e-van-gel-ist (i-văn'jə-list) *n.* 1. *often Evangelist.* An author of one of the four New Testament Gospels. 2. A zealous Protestant preacher or missionary. —**e-van-gel-is'tic** *adj.* —**e-van-gel-is'ti-cal-ly** *adv.*

e-van-gel-ize (i-văn'jə-liz') *v.* -ized, -izing. 1. To preach the gospel (to). 2. To convert to Christianity.

e-vap-o-rate (i-văp'ə-răt') *v.* -rat-ed, -rat-ing. 1. To change into vapor. 2. To concentrate (e.g., milk) by removing moisture. 3. To disappear; vanish. —**e-vap'o-ra'tion** *n.* —**e-vap'o-ra'tive** *adj.* —**e-vap'o-ra'tor** *n.*

e-va-sion (i-vă'zhən) *n.* An act or means of evading.

e-va-sive (i-vă'siv) *adj.* 1. Marked by evasion <evasive action> 2. Intentionally vague; equivocal. —**e-va'sive-ly** *adv.* —**e-va'sive-ness** *n.*

e-ve (ēv) *n.* 1. The evening or day preceding a special day. 2. The period just before a certain event. 3. Evening.

Eve (ēv). In the Bible, the first woman and the wife of Adam.

e-ven (ē'vən) *adj.* 1. Having a horizontal surface; flat <an even road> 2. Having no irregularities; smooth. 3. On the same plane or line; level. 4. Equally matched; balanced <an even contest> 5. Equal in amount or extent. 6. Neither owing nor being owed. 7. Fully revenged <getting even> 8. Exactly divisible by 2. 9. Exact <an even dozen> —*adv.* 1. To a higher extent or degree. —Used as an intensive <an even worse insult> 2. At that time; just. 3. Notwithstanding <Even with his bad knee, he walks quickly.> 4. Indeed. —Used as an intensive <looked sad, even depressed> —*v.* To make or become even. —**e'ven-ly** *adv.* —**e'ven-ness** *n.*

e-ven-hand-ed (ē'vən-hăn'dīd) *adj.* Fair; impartial. —**e'ven-hand'ed-ly** *adv.* —**e'ven-hand'ed-ness** *n.*

e-ven-ing (ēv'nīng) *n.* Late afternoon and early night.

evening star *n.* A bright planet, esp. Venus, seen in the W shortly after sunset.

e-ven-song (ē'vən-sōng', -sōng') *n.* 1. A vesper service. 2. Evening prayer.

e-vent (i-vēnt') *n.* 1. An occurrence, esp. a significant one <a literary event> 2. An item in a sports program. 3. A final result; outcome. —**e-vent'ful** *adj.* —**e-vent'ful-ly** *adv.* —**e-vent'ful-ness** *n.*

e-ven-tide (ē'vən-tid') *n.* Evening.

e-ven-tu-al (i-vēn'chōō-əl) *adj.* Happening or expected to happen at an unspecified future time; ultimate <his eventual return> —**e-ven'tu-al-ly** *adv.*

e-ven-tu-al-i-ty (i-vēn'chōō-ăl'i-tē) *n., pl.*

-ties. Something that may take place; possibility.

e-ven-tu-ate (i-vēn'chōō-ăt') *v.* -at-ed, -at-ing. To result eventually.

e-ven-er (ēv'ər) *adv.* 1. At all times; always <ever attentive> 2. At any time <Have you ever traveled abroad?> 3. In any possible way or case.

e-ven-er-glade (ēv'ər-glād') *n.* A tract of low, swampy land.

e-ven-er-green (ēv'ər-grēn') *adj.* Having green foliage throughout the year. —*n.* An evergreen tree or plant.

e-ven-er-last-ing (ēv'ər-lās'tīng) *adj.* Lasting forever or for a long time; eternal. —*n.* 1. Eternity. 2. A plant, esp. a strawflower, that keeps its form and color long after it is dry. —**e-ven-er-last'ing-ly** *adv.*

e-ven-er-more (ēv'ər-mōr', -mōr') *adv.* Archaic. Forever.

e-ven-ry (ēv'rē) *adj.* 1. Each with no exception <every day of the week> 2. Each of a particular succession of objects or intervals <every 3 hours> 3. All possible; utmost <given every opportunity>

e-ven-ry-bod-y (ēv'rē-bōd'ē) *pron.* Every person; everyone.

e-ven-ry-day (ēv'rē-dā') *adj.* 1. Suitable for routine occasions. 2. Common; ordinary.

e-ven-ry-one (ēv'rē-wūn') *pron.* Every person; everybody.

e-ven-ry-place (ēv'rē-plās') *adv.* Everywhere.

e-ven-ry-thing (ēv'rē-thīng') *pron.* All factors or things that exist or are pertinent.

e-ven-ry-where (ēv'rē-hwār', -wār') *adv.* In all places.

e-vict (i-vikt') *v.* To put (e.g., a tenant) out by legal process. —**e-vic'tion** *n.* —**e-vic'tor** *n.*

e-vid-ence (ēv'i-dəns) *n.* 1. Facts or signs on which a conclusion can be based <fossil evidence of climatic change> 2. An indication. —*v.* -denced, -denc-ing. To indicate clearly. —**in evidence.** Clearly present; evident.

e-vid-ent (ēv'i-dənt) *adj.* Easily seen or understood; obvious. —**e-vid'ent-ly** *adv.*

e-vil (ē'vəl) *adj.* 1. Morally wrong or bad; wicked. 2. Causing harm; injurious. —*n.* 1. Something morally bad; wickedness. 2. A cause of suffering or injury <social evils> —**e-vil-ly** *adv.* —**e-vil-ness** *n.*

▲ **word history:** The word *evil* is ult. related to the words *up* and *over* and to the prefix *hypo-*, "under, beneath." The basic sense of *evil*, which is now lost, was therefore probably "exceeding proper bounds" or "overreaching," and the word did not signify merely the absence of good.

e-vil-do-er (ē'vəl-dōō'ər) *n.* A perpetrator of evil. —**e-vil-do'ing** *n.*

e-vil-mind-ed (ē'vəl-mīn'dīd) *adj.* Having evil thoughts or intentions. —**e-vil-mind'ed-ly** *adv.* —**e-vil-mind'ed-ness** *n.*

e-vince (i-vīns') *v.* evinced, e-vinc-ing. To demonstrate; manifest.

e-vis-er-ate (i-vīs'ə-răt') *v.* -at-ed, -at-ing. 1. To remove the entrails of. 2. To remove a critical or vital part of. —**e-vis'cer-a'tion** *n.*

-til) *n.* *Statistics.* The *xy* distribution containing total sample.

, *pl.* -tos. 1. A page size sheet, orig. obtained by quarters. 2. A book made

clear, hard, transparent abundantly as a component sandstone or as various

sit') *n.* A metamorphic crystallization of quartz

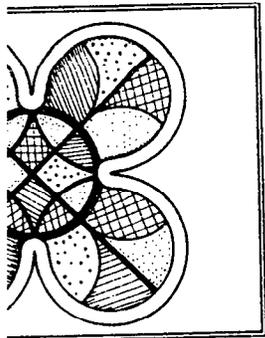
sār') *n.* A starlike object ves and visible radiation great speed and energy. sh) *v.* 1. *Law.* To set aside licial action. 2. To crush

kwā'zē, -sē) *adj.* Having ing : resembling <a quasi

ject (kwā'zī-stēl'ər, -sī, isar.

ā', kwō-trān') *n.* A stanza of 4 lines.

r-foil', kāt'rā-) *n.* A styl- of a 4-petaled flower or a



atrefoil

v. 1. To tremble, as from ss. 2. To speak in a tremu- ver *n.*

arf. *adj.* -si-er, -si-est. Nause- ss *n.*

ē-kwā') *n.* A native of Que- speaking one.

l. The wife or widow of a who is a monarch. 3. A is pre-eminent in a given

The chess piece with the laying card that has the fig- it. 6. A fertile female in a spects, as bees, usu. the only the colony. —queen'li- y *adj.*

. The mother of a reigning

n'siz') *adj.* 1. Of, for, or be-

ing a bed approx. 60 in. by 80 in. <a queen- size mattress> 2. Extra large.

queer (kwīr) *adj.* 1. Different from the normal or expected : strange. 2. Eccentric : odd. 3. Suspicious. —*v. Slang.* 1. To thwart or ruin. 2. To put in a bad position.

quell (kwēl) *v.* 1. To suppress forcibly : put down. 2. To pacify : quiet.

quench (kwēnch) *v.* 1. To put out (e.g., a fire) : extinguish. 2. To squelch : dampen <couldn't quench our spirits> 3. To satisfy : slake. 4. To cool (metal) by immersing in liquid. —**quench'able** *adj.*

que-nelle (kə-nēl') *n.* A forcemeat dumpling poached in stock or water.

quer-u-lous (kwēr'ə-ləs, kwēr'yə-) *adj.* 1. Constantly complaining or fretting : peevish. 2. Uttering or expressing complaints or criticism. —**quer'u-lous-ness** *n.*

que-ry (kwīr'ē) *n., pl.* -ries. 1. A request for information : question. 2. A doubt. 3. A question mark. —**que'ry** *v.*

quest (kwēst) *n.* 1. A seeking or inquiring : search. 2. An adventurous pursuit undertaken by a knight in medieval romance.

ques-tion (kwēs'chən) *n.* 1. An expression of inquiry requiring or inviting an answer. 2. A point or subject open to debate. 3. An unresolved matter : problem. 4. A proposition brought up for consideration, as by an assembly. 5. Uncertainty : doubt. 6. Possibility : chance <no question of turning back now> —*v.* 1. To put a question to. 2. To interrogate, as a suspect or witness. 3. To dispute.

ques-tion-a-ble (kwēs'chə-nə-bəl) *adj.* 1. Open to question or doubt : problematical. 2. Of dubious morality or respectability. —**ques'tion-a-bly** *adv.*

question mark *n.* A punctuation symbol (?) placed at the end of a sentence to indicate a question.

ques-tion-naire (kwēs'chə-nār') *n.* A set of related questions, esp. one designed to gather statistical information from a sample population, as for a survey.

quet-zal (kēt-sāl') *n., pl.* -zals or -zales (-sā'lās). 1. A bird, *Pharomacrus mocino*, of Central America, having bronze-green and red plumage and long flowing tail feathers in the male. 2. —See table at CURRENCY.

queue (kyōō) *n.* 1. A line, as of people or vehicles, waiting a turn. 2. *Computer Sci.* A sequence of stored data or programs awaiting processing. —*v.* **queued**, **queu-ing.** To form or wait in a line <queued up at the post office>

quib-ble (kwīb'əl) *v.* -bled, -bling. To raise trivial objections, esp. over minor matters. —**quib'ble** *n.* —**quib'bler** *n.*

quiche (kēsh) *n.* Unsweetened custard baked in a pastry shell often with other ingredients, as vegetables or seafood.

▲ **word history:** A quiche may seem to be a quintessentially French dish, but the word *quiche* is actually a Gallicized German word. Quiche was orig. a specialty of Lorraine, a re-

gion in NE France bordering on Germany. The region was claimed by both countries at various times, and both French and German are spoken there. The word *quiche* is a borrowing of Alsatian German *küche*, a diminutive of *kuche*, "cake." The form *quiche* is a French spelling of the German word.

quick (kwīk) *adj.* 1. Moving or performing with speed and agility. 2. Occurring or accomplished in a short time. 3. Thinking, understanding, or responding rapidly and easily. 4. Tending to react hastily or impulsively.

—*n.* 1. Raw or sensitive exposed flesh, as under the fingernails. 2. The most sensitive aspect of one's emotions. 3. The living <the quick and the dead> —**quick'ly** *adv.*

—**quick'ness** *n.*

quick-en (kwīk'ən) *v.* 1. To make or become more rapid : accelerate. 2. To vitalize. 3. To stimulate : stir.

quick-freeze (kwīk'frēz') *v.* To freeze (food) by a process sufficiently rapid to retain flavor and nutritional value.

quick-lime (kwīk'lim') *n.* CALCIUM OXIDE.

quick-sand (kwīk'sānd') *n.* A soft, shifting mass of loose sand mixed with water that yields easily to pressure and in which a heavy object tends to sink.

quick-sil-ver (kwīk'sil'vər) *n.* The element mercury. —*adj.* Unpredictable.

▲ **word history:** The name *quicksilver* for the element mercury is a translation of Latin *argentum vivum*, literally "living silver." Mercury was so called because it is a silvery colored metal that is liquid at ordinary temperatures. In *quicksilver* the word *quick* preserves its original but now archaic sense "living, alive."

quick-step (kwīk'stēp') *n.* A march, esp. to accompany military quick time.

quick-tem-pered (kwīk'tēm'pərd) *adj.* Easily aroused to anger.

quick time *n.* A military marching pace of 120 steps per minute.

quick-wit-ted (kwīk'wit'id) *adj.* Quick to think and act : mentally alert.

quid¹ (kwīd) *n.* A cut of something to be chewed, esp. a plug of tobacco.

quid² (kwīd) *n., pl.* **quid** or **quids.** *esp. Brit.* A pound sterling.

quid pro quo (kwīd' prō kwō') *n.* An equal exchange or substitution.

qui-es-cent (kwī-ēs'ənt, kwē-) *adj.* Inactive : still. —**qui-es'cence** *n.*

qui-et (kwī'it) *adj.* 1. Making little or no sound : silent. 2. Free of noise : hushed. 3. Calm and unmoving : still. 4. Free of agitation and turmoil. 5. Restful : soothing. 6. Marked by tranquillity. 7. Not showy or obtrusive. —*n.* The state or quality of being quiet. —*v.* To make or become quiet. —**qui-et-ly** *adv.*

qui-e-tude (kwī'i-tōōd', -tyōōd') *n.* Quiet tranquillity.

qui-e-tus (kwī-ē'təs) *n.* 1. Death. 2. A final discharge, as of an obligation.

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Registered Feb. 17, 1998

**TRADEMARK
PRINCIPAL REGISTER**

EVERQUEST

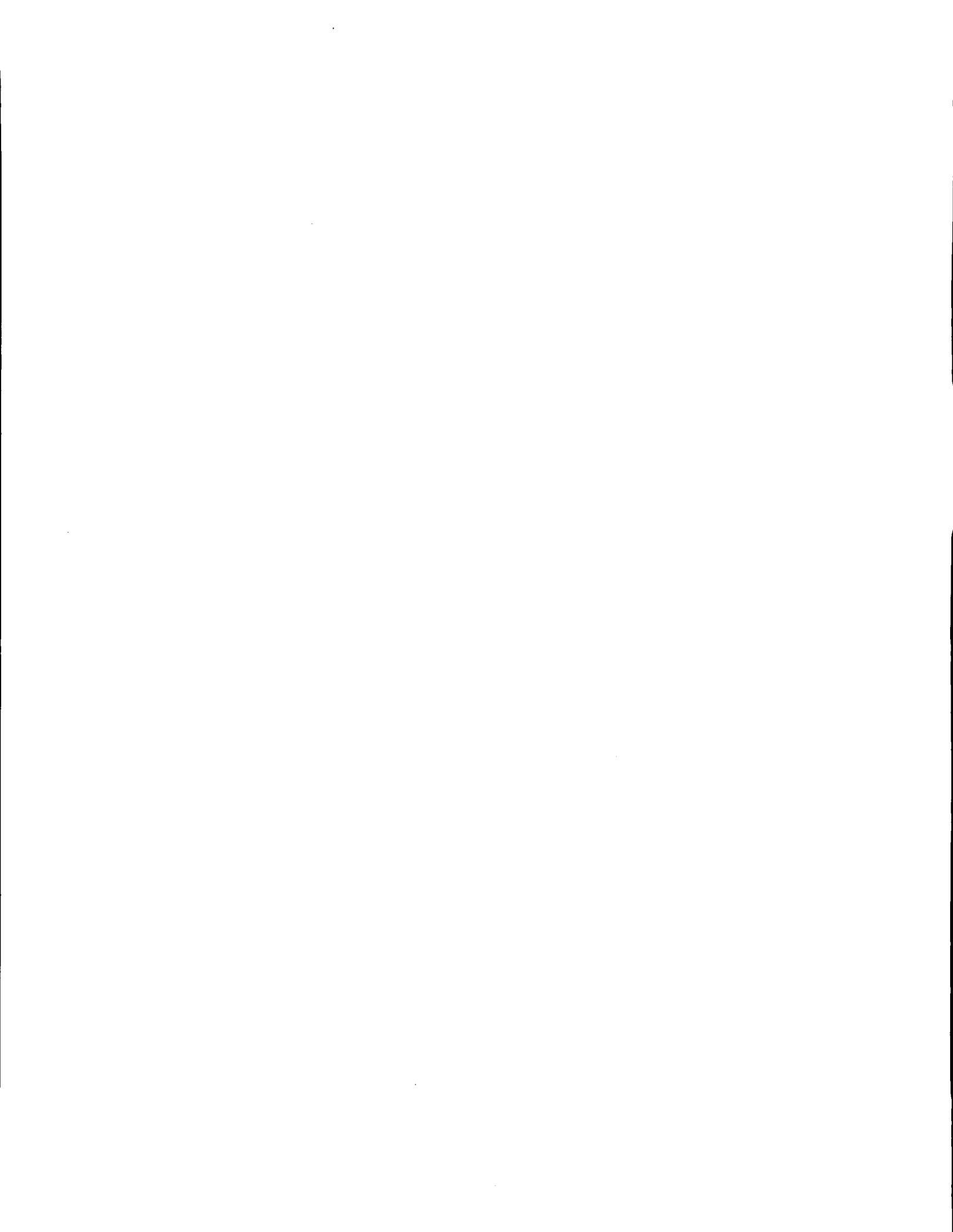
SONY INTERACTIVE ENTERTAINMENT INC.
(DELAWARE CORPORATION)
550 MADISON AVENUE, 12TH FLOOR
NEW YORK, NY 10022

FIRST USE 6-16-1997; IN COMMERCE
6-16-1997.

SN 75-133,750, FILED 7-15-1996.

FOR: COMPUTER AND VIDEO GAME SOFTWARE, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

CRAIG D. TAYLOR, EXAMINING ATTORNEY



114427



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United States Patent and Trademark Office**

March 12, 2004

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M. Lee

**M. LEE
Certifying Officer**

Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,507,594

Registered Nov. 13, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

EVERQUEST

SONY COMPUTER ENTERTAINMENT AMERI-
CA INC. (DELAWARE CORPORATION)
919 E. HILLSDALE BOULEVARD
FOSTER CITY, CA 94404

FOR: OPERATING A REAL TIME, ROLE PLAY-
ING GAME FOR OTHERS OVER GLOBAL AND
LOCAL AREA COMPUTER NETWORKS, IN CLASS
41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 3-16-1999; IN COMMERCE 3-16-1999.

OWNER OF U.S. REG. NO. 2,137,911.

SN 75-666,108, FILED 3-23-1999.

LAVERNE THOMPSON, EXAMINING ATTORNEY



114427



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REGISTERED FOR A TERM OF 10 YEARS FROM *April 16, 2002*
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M. Lee

M. LEE
Certifying Officer

Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

Reg. No. 2,562,334

United States Patent and Trademark Office

Registered Apr. 16, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

EVERQUEST: THE RUINS OF KUNARK

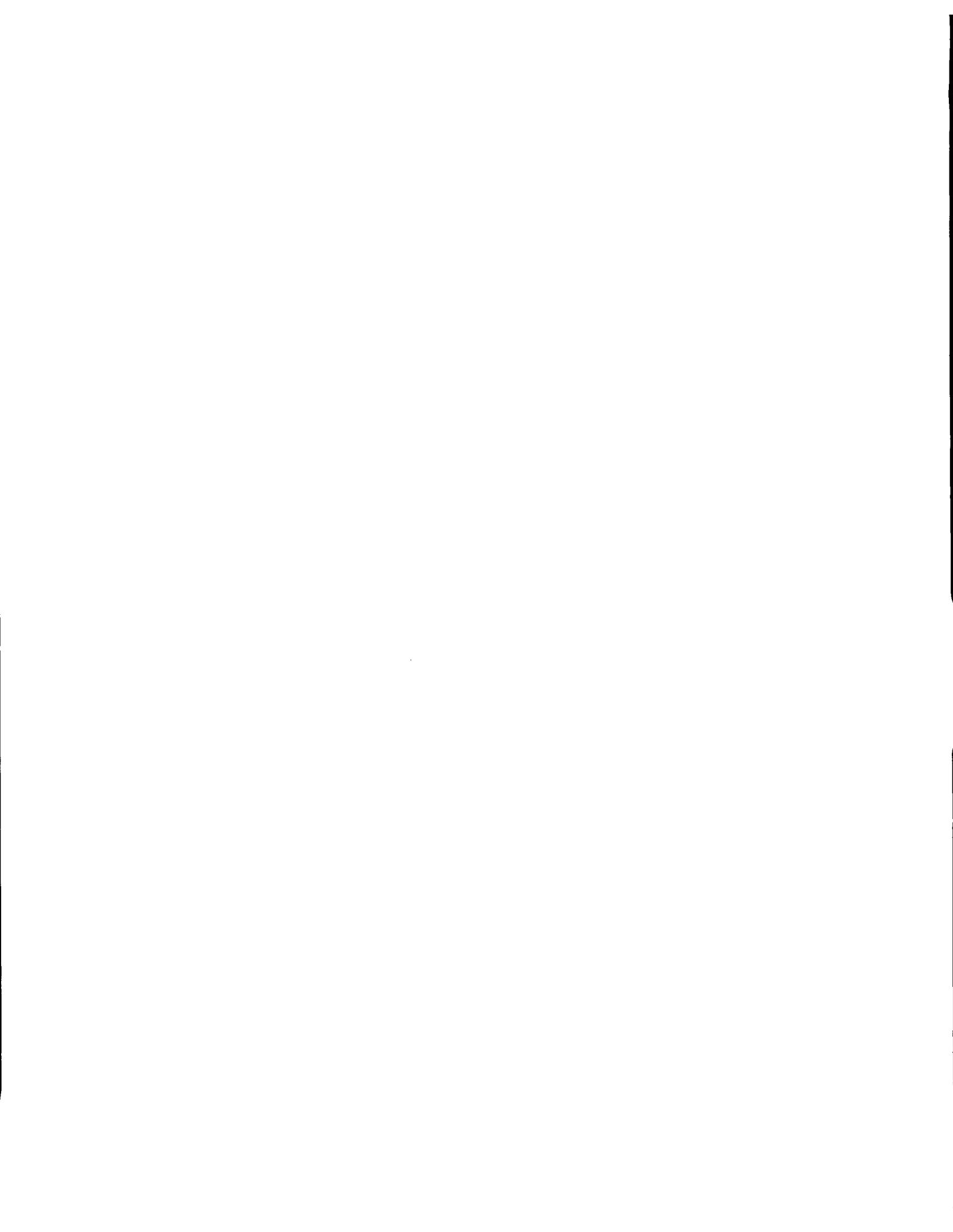
SONY COMPUTER ENTERTAINMENT AMERI-
CA INC. (DELAWARE CORPORATION)
919 E. HILLSDALE BOULEVARD
FOSTER CITY, CA 94404

FIRST USE 4-24-2000; IN COMMERCE 4-24-2000.

SN 75-879,771, FILED 12-22-1999.

FOR: OPERATING A REAL TIME, ROLE PLAY-
ING GAME FOR OTHERS OVER GLOBAL AND
LOCAL AREA COMPUTER NETWORKS , IN CLASS
41 (U.S. CLS. 100, 101 AND 107).

CAROLYN GRAY, EXAMINING ATTORNEY



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TO PLAY

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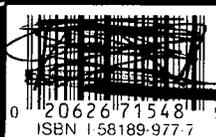
ENTERTAINMENT

MATURE
M
CONTENT RATED BY
ESRB

DIABLO

EXPANSION SET

LORD OF DESTRUCTION



0 20626 71548 5
ISBN 1 58189 977 7

PC: Single-Player System Requirements

Windows: 2000/XP/ME/98/95 and NT 4.0 SP5
Processor: 400MHz Pentium III or AMD K7
Memory: 64MB RAM
Hard Drive: 1GB free space
Sound: DirectX 7.0 compatible
Mouse: Microsoft Mouse or compatible

Additional Multiplayer System Requirements and Options

2.0 Kbps and up modem, 16MB free space, 16MB free space

Optional 3-D Acceleration

DirectX 7.0 compatible 3-D accelerator

Macintosh: Single-Player System Requirements

Operating System: Mac OS 9.0.4 or later
Processor: 400MHz PowerPC G4
Memory: 64MB RAM
Hard Drive: 1GB free space
Sound: Mac OS 9.0.4 compatible
Mouse: Apple Mouse or compatible

Additional Multiplayer System Requirements and Options

2.0 Kbps and up modem, 16MB free space, 16MB free space

Enhanced Graphics Support

DirectX 7.0 compatible 3-D accelerator

EB GAMES
417 Hillsdale Shopping Center
San Mateo, CA 94403-3428
(650) 286-1302

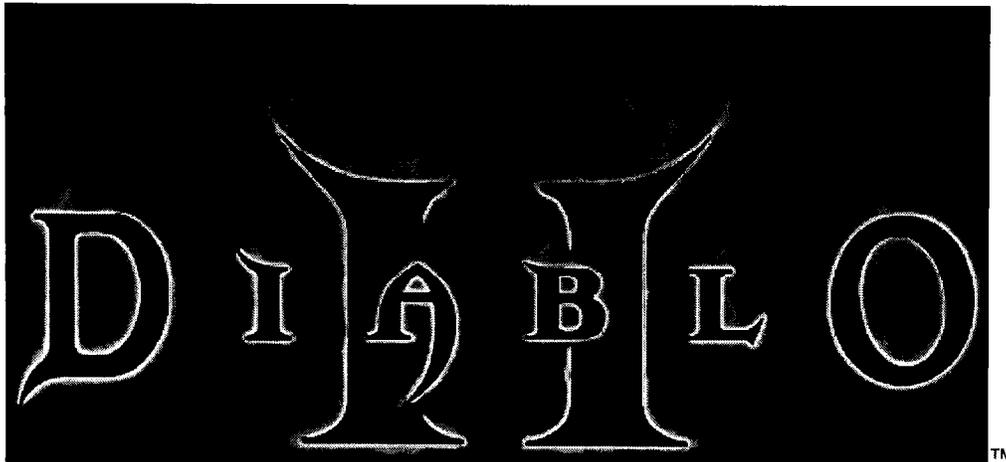
03/12/04 13:20 00736/02 - 3825
SALE 43853 Sandika

DIABLO 2 EXP WCD	19.99
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	SUBTOTAL 19.99
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Sony Computer Entertainment America Inc.
919 East Hillsdale Blvd., 2nd Floor
Foster City, California 94404-2175
650 655 8000
650 655 8001 Fax

ttab



03-26-2004

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

VIA EXPRESS MAIL
EL 884936617 US

March 25, 2004

BOX TTAB
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

RE: Proceeding Number: 91159480
In the Matter of Application Number: 76/499,795
Mark: LORDS OF EVERQUEST
Application Filed: March 24, 2003
Application Classes: 9, 41
Published in the Official Gazette at TM 170
On December 9, 2003

Dear Sir/Madam:

Enclosed please find the originals of the following:

1. Applicant's Motion to Dismiss For Failure to Make a Claim or, in the Alternative, for a More Definite Statement;
2. Memorandum in Support of Applicant's Motion to Dismiss For Failure to Make a Claim or, in the Alternative, for a More Definite Statement.
3. Declaration of Suzanne Williams in Support of Applicant's Motion to Dismiss For Failure to Make a Claim or, in the Alternative, for a More Definite Statement.

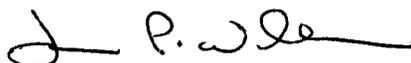
These documents are being filed in response to the opposition to the registration of Application No. 76499,795 for "Lords of Everquest" which has been filed by Opposer Vivendi Universal

BOX TTAB
March 25, 2004

Games, Inc. A duplicate copy has been served upon Christopher Tuttle, attorney for Opposer.
Also enclosed is a return postcard.

Please feel free to contact me directly at (650) 655-8137 if you need any further information
concerning this mark.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. P. Williams". The signature is fluid and cursive, with a long horizontal stroke at the end.

James P. Williams
Director, Legal & Business Affairs
Sony Computer Entertainment America Inc.

cc: Christopher S. Tuttle, Esq.

Enclosure