

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

Microsoft Corporation

Opposition No. 91161002  
Serial No. 76310036

v.

SoftCamp Co. Ltd.



07-12-04  
U.S. Patent & TMO/TM Mail Rcpt Dt. #78

San Jose, California  
July 6, 2004

I hereby certify that this Notice is being deposited with the United States Postal Service as First Class Mail to Trademark Trial and Appeal Board, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514

*Marlene A. Puza*

Typed or printed name of person mailing paper or fee

Signature of person mailing paper

**NOTICE OF NON-COUNSEL OF  
RECORD**

Dear Sir:

Please find enclosed a copy of a Notice of Opposition to the registration in the above-referenced matter. Please take notice that Peninsula IP Group is not counsel of record in this matter. Accordingly, please delete our name from the certificate of service and referenced pleadings in this case.

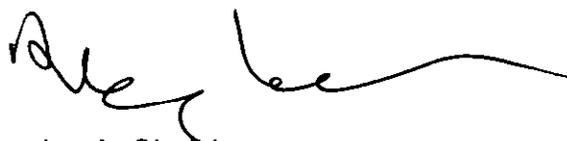
**NOTICE OF NON-PARTY OF RECORD**

**July 6, 2004**

A copy of this Notice has been sent to William O. Ferron, Jr., Seed IP Law Group PLLC, as noted as Attorneys for Opposer, Microsoft Corporation.

Respectfully submitted

**PENINSULA IP GROUP**  
A Professional Law Corporation



Douglas A. Chaikin  
Reg. No. 29,140  
2290 North First Street, Suite 101  
San Jose, California 95131  
Tel: (408) 965-4001

UNITED STATES DEPARTMENT OF  
COMMERCE  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: June 23, 2004

Opposition No 91161002  
Serial No. 76310036



07-12-04

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

DOUGLAS A. CHAIKIN  
PENINSULA IP GROUP  
2290 N 1ST ST STE 101  
SAN JOSE, CA 95131-2017

Microsoft Corporation

v.

SoftCamp Co. Ltd.

William O. Ferron, Jr.  
SEED Intellectual Property Law Group  
701 Fifth Avenue, Suite 6300  
Seattle, WA 98104-7092

**TAMMY LOGAN, LEGAL ASSISTANT**

A notice of opposition to the registration sought in the above-identified application has been filed. A copy of the notice is attached.

**ANSWER IS DUE FORTY DAYS** after the mailing date hereof.  
(See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that affect the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12,

2003). Notices concerning the rules changes, as well as the *Trademark Trial and Appeal Board Manual of Procedure* (TBMP), are available at [www.uspto.gov](http://www.uspto.gov).

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.

Discovery and testimony periods are set as follows:

Discovery period to open: July 13, 2004

Discovery period to close: January 09, 2005

30-day testimony period for party  
in position of plaintiff to close: April 09, 2005

30-day testimony period for party  
in position of defendant to close: June 08, 2005

15-day rebuttal testimony period  
for plaintiff to close: July 23, 2005

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

**NOTE:** The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). The notice is available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may

be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

**New Developments at the Trademark Trial and Appeal Board**

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

TTAB

TTAB

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Trademark Trial and Appeal Board, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

June 9, 2004  
Date

Annette Baca  
Annette Baca



06-15-2004

U.S. Patent & TMO/tm Mail Rcpt Dt. #78

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

MICROSOFT CORPORATION, )  
)  
Opposer, )  
)  
v. )  
)  
SOFTCAMP CO. LTD., )  
)  
Applicant. )

OPPOSITION NO.

Serial No. 76/310,036

Docket No. 663005.80455



07-12-04

U.S. Patent & TMO/tm Mail Rcpt Dt. #78

Trademark Trial and Appeal Board  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

NOTICE OF OPPOSITION

Opposer Microsoft Corporation (hereinafter "Opposer" or "Microsoft"), which has its principal place of business at One Microsoft Way, Redmond, Washington 98052, believes that it would be damaged by registration of the UNIWORK mark shown in United States Trademark Application Serial No. 76/310,036 filed by SoftCamp Co. Ltd. (hereinafter "Applicant") and published for opposition on February 10, 2004, and therefore Opposer opposes that registration on behalf of itself. The application may be summarized as follows:

06/21/2004 KSONCHAN 00000146 76310036

01 FC:6402

300.00 OP

Application Serial No: 76/310,036

Filed: September 7, 2001

Applicant: SoftCamp Co. Ltd.

Mark: UNIWORK

International Class: 9

Published: February 10, 2004

For: COMPUTERS; COMPUTER KEYBOARDS; COMPUTER MOUSE; BLANK CD-ROM DISCS; BLANK OPTICAL DISCS; COMPUTER PROGRAMS TO PREVENT UNLAWFUL COPYING AND/OR EXECUTING OF PROGRAMS AND PACKAGES; PERSONAL COMPUTER SOFTWARE PROGRAM USED TO PROTECT GRAPHICAL USER INTERFACE SETUP INFORMATION, RESTORE WINDOWS SETUP INFORMATION, AND FIX MANY WINDOWS PC PROBLEMS ...

A copy of pages TM 211-212 of the February 10, 2004 Official Gazette showing the mark as published is attached to this Notice of Opposition as Exhibit 1.

The grounds for this Opposition are as follows:

1. Opposer is in the business, *inter alia*, of developing and marketing a wide variety of computer programs, computer peripherals, multimedia products and other software and computer related products and services.
2. Commencing well prior to the September 7, 2001 filing date of Applicant's intent-to-use application, Opposer has been using and is now using the mark WINDOWS in connection with the sale of a computer operating system and other software and computer-related goods and services.
3. Opposer owns the following United States Trademark Registrations for the mark WINDOWS, and variants of that mark, which are attached hereto as the Exhibits noted below:

<u>Mark</u>	<u>Registration No.</u>	<u>Int'l Class</u>	<u>Exhibit No.</u>
WINDOWS	1,872,264	9	2
WINDOWS	1,875,069	9	3
WINDOWS	1,989,386	9	4
WINDOWS	2,513,051	9	5
WINDOWS	2,565,965	9	6
WINDOWS	2,559,402	9	7
WINDOWS	2,005,901	16	8
WINDOWS	2,212,784	35	9
WINDOWS	2,463,509	35	10
WINDOWS	2,463,510	42	11
WINDOWS	2,463,526	41	12

4. Opposer's mark WINDOWS symbolizes extensive good will and consumer recognition which have been developed by Opposer through substantial sales of goods under the mark and through substantial and extensive advertising, promoting and popularizing of its WINDOWS mark in the United States.

5. As a result of Opposer's and consumers' use and advertising of Opposer's WINDOWS trademark, the mark is famous in the United States and is recognized as identifying the high-quality operating system and other goods of Opposer and the mark and the associated goodwill are valuable assets of Opposer.

6. Opposer's WINDOWS mark was a famous mark at the time Applicant filed its intent-to-use application.

7. On information and belief, Applicant was aware of Opposer's WINDOWS mark at the time Applicant's application was filed.

8. Opposer registered the WINDOWS mark prior to the filing date of Applicant's applications and Applicant had constructive knowledge of Opposer's registered WINDOWS mark based on Opposer's issued registrations.

9. Applicant seeks to register the mark UNIWORK for a broad range of computer-related goods, including "computer operating systems" and computer programs "to restore Windows setup information" and to "fix many Windows PC problems."

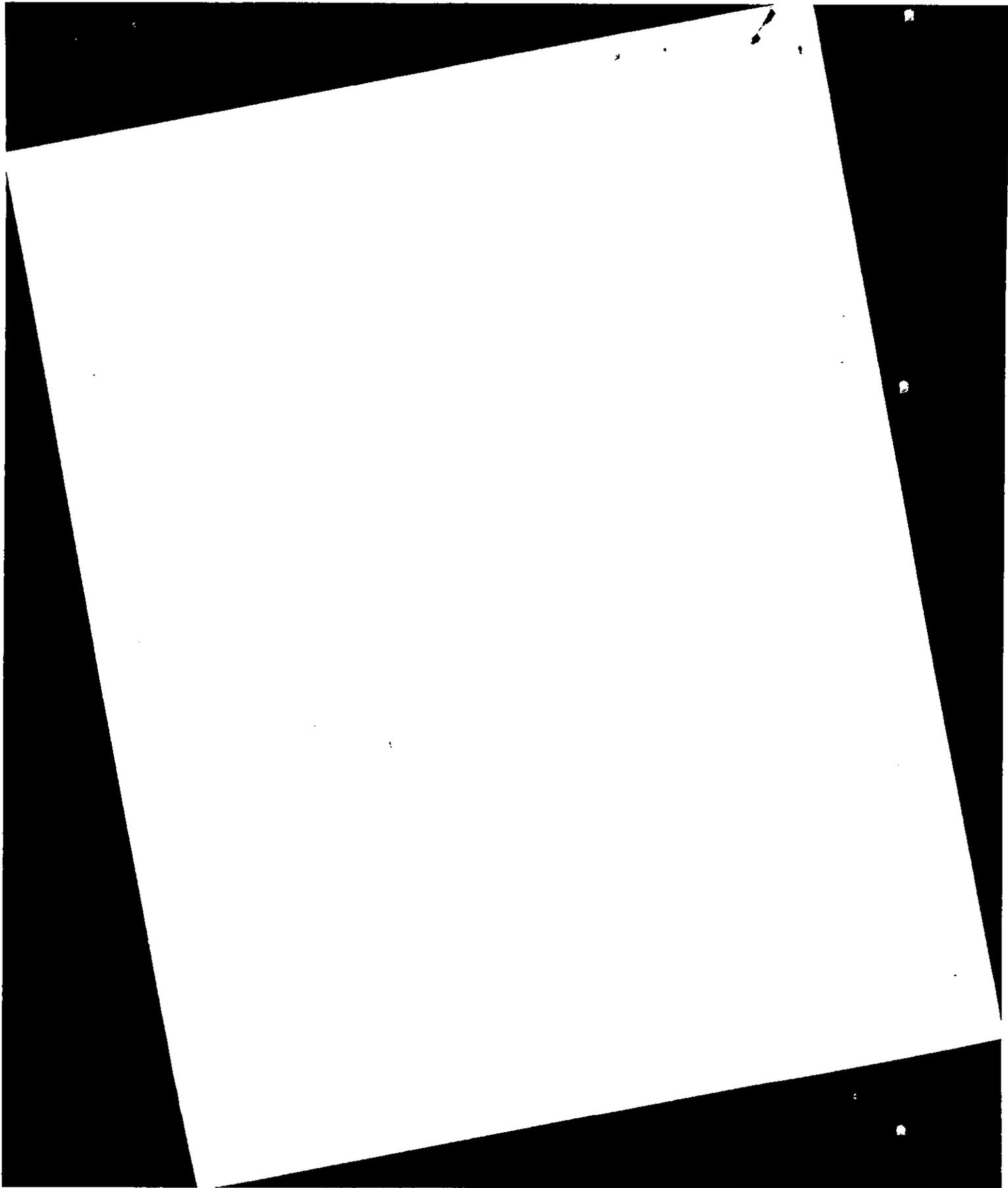
10. Upon information and belief, the term "Windows," as used in Applicant's application, refers to Opposer's Windows® operating system and products licensed to use the Windows operating system.

11. The registration of Applicant's mark for the goods described in Applicant's application will dilute the distinctive quality of Opposer's famous WINDOWS mark.

12. Applicant's use of "Windows" in the description of Applicant's goods is likely to cause confusion as to the source, affiliation or sponsorship of Applicant's goods. If Applicant's application is allowed to proceed to registration, Applicant's use of the term "Windows" to describe Applicant's products is likely to cause confusion.

13. Applicant's use of the term "Windows" in the description of Applicant's goods to refer to Opposer's computer operating system is an improper use of Opposer's registered WINDOWS mark in violation of the Trademark Manual of Examining Procedure Section 1402.09.

14. Commencing prior to the September 7, 2001 filing date of Applicant's intent-to-use application, Opposer and its licensees have distributed to customers WORKS computer programs and a WORKS SUITE of computer programs (Opposer's "WORKS Marks"). Applicant's mark UNIWORK for the computer programs described in Applicant's application is confusingly and deceptively similar to Opposer's WORKS Marks for Opposer's computer programs and related products. In view of the similarity of the parties' respective marks and goods, Applicant's UNIWORK mark so resembles Opposer's WORKS Marks that Applicant's use and registration of Applicant's proposed mark is likely to cause confusion, or to cause mistake or to deceive. On information and belief, the computer programs and other products of Opposer and those described in Applicant's application are so closely related that if the parties' respective products are marketed and sold under confusingly similar marks, a likelihood of confusion will result.



15. By reason of all of the foregoing, Opposer would be greatly damaged by the registration of Applicant's UNIWORK mark for the goods described in Applicant's application. WHEREFORE, Opposer prays that this Opposition be sustained and the application be denied and the mark refused registration.

Opposer herewith submits this Notice of Opposition in duplicate along with the requisite filing fee in the amount of three hundred dollars (\$300). Please charge any additional fees or credit any excess to our Deposit Account No. 19-1090. A duplicate copy of this notice is enclosed.

Correspondence Address

Please direct all communications to:

William O. Ferron, Jr.  
Seed IP Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092.

DATED this 9<sup>th</sup> day of June, 2004.

Respectfully submitted,  
Seed IP Law Group PLLC

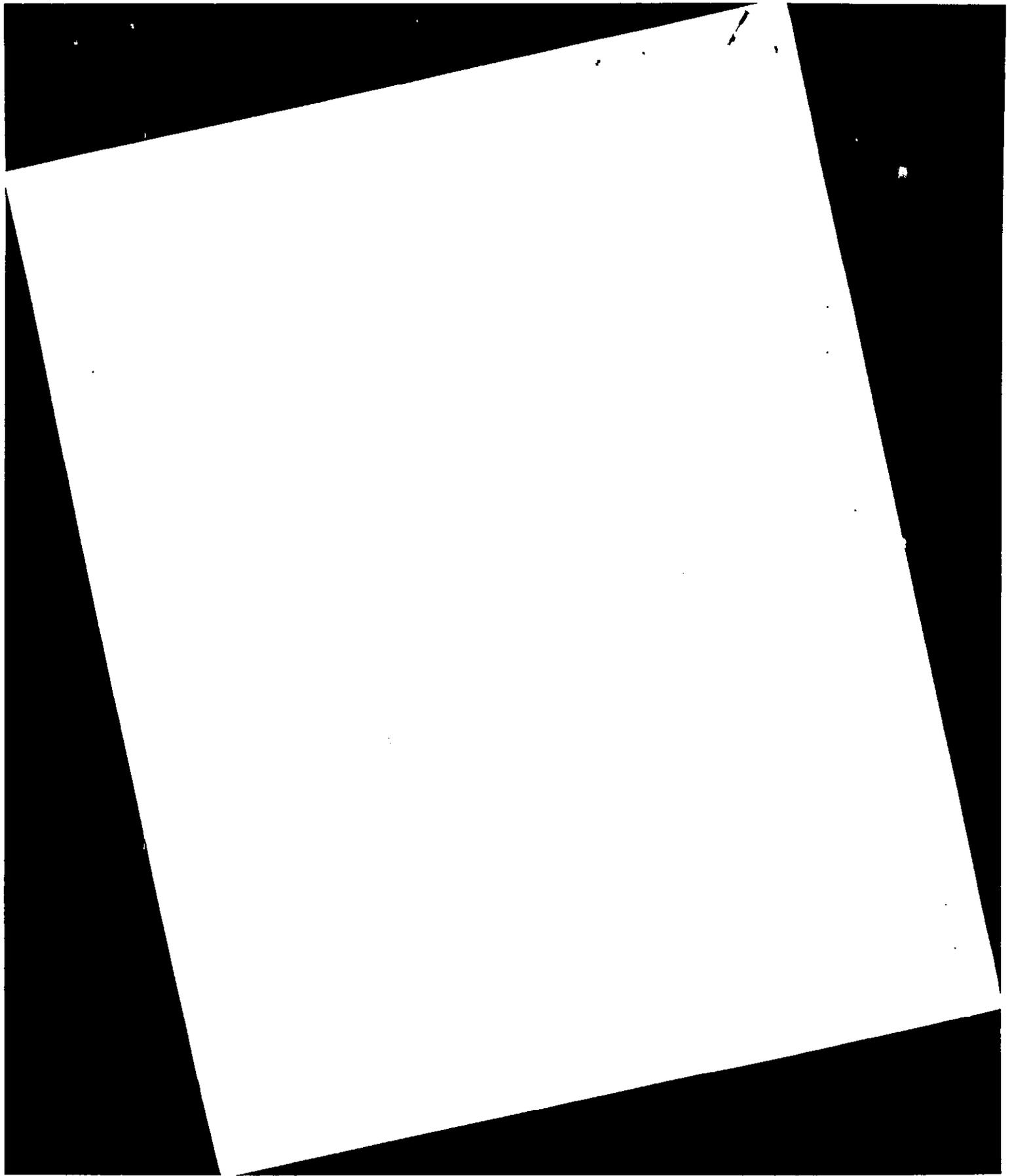


William O. Ferron, Jr.  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
(206) 622-4900  
Fax: (206) 682-6031

Attorneys for Opposer  
MICROSOFT CORPORATION

- Enclosures:  
Postcard  
Check for \$300  
Exhibits 1 through 12  
Copy of Notice of Opposition

418063\_1.DOC



**CLASS 9—(Continued).**

SN 76-215,006. CORPORATION CORTEFF MACHINA, MONTREAL, QUEBEC, CANADA, FILED 2-23-2001.



PRIORITY CLAIMED UNDER SEC. 44(D) ON CANADA APPLICATION NO. 1093882, FILED 2-21-2001.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SHADESCAN SYSTEM", APART FROM THE MARK AS SHOWN.

THE LINING SHOWN IN THE DRAWING IS A FEATURE OF THE MARK.

FOR ARTIFICIAL VISION SYSTEMS, NAMELY, OPTICAL SCANNERS AND SOFTWARE USED IN THE FIELDS OF DENTISTRY FOR OBJECT REPRESENTATION, APPEARANCE MAPPING, SPECTRAL IMAGING, ABSOLUTE COLOR MATCHING, SHAPE RECONSTRUCTION AND SOLID MODELING (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-1-2000; IN COMMERCE 9-1-2000.

SN 76-250,954. CITALA LTD., TEL AVIV, ISRAEL, FILED 5-3-2001.



PRIORITY CLAIMED UNDER SEC. 44(D) ON ISRAEL APPLICATION NO. 147295, FILED 3-6-2001, REG. NO. 147295, DATED 3-6-2001, EXPIRES 3-6-2008.

FOR ELECTRIC DISPLAY PANELS MADE OF PLASTIC, PORTABLE COMPUTING DEVICES, PORTABLE COMMUNICATIONS DEVICES AND COMPONENTS THEREOF (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-283,760. MONSTER CABLE PRODUCTS, INC., BRISBANE, CA. FILED 7-11-2001.

**SILVER VIDEO**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "VIDEO", APART FROM THE MARK AS SHOWN. SEC. 2(F).

FOR ELECTRICAL SIGNAL TRANSMITTING CABLES AND WIRES AND CONNECTORS THEREFOR (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-30-1992; IN COMMERCE 9-30-1992.

**CLASS 9—(Continued).**

SN 76-303,731. ARISTOS LOGIC CORPORATION, FOOT-HILL RANCH, CA. FILED 8-23-2001.

**STORAGE PROCESSING UNIT**

FOR INTEGRATED CIRCUITS OTHER THAN MICRO-PROCESSOR AND MEMORY INTEGRATED CIRCUITS (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-310,036. SOFTCAMP CO. LTD., SEOCHO-GU, SEOUL, REPUBLIC OF KOREA, FILED 9-7-2001.

**UNIWORK**

FOR COMPUTERS; COMPUTER KEYBOARDS; COMPUTER MOUSE; BLANK CD-ROM DISCS; BLANK OPTICAL DISCS; COMPUTER PROGRAMS TO PREVENT UNLAWFUL COPYING AND/OR EXECUTING OF PROGRAMS AND PACKAGES; PERSONAL COMPUTER SOFTWARE PROGRAM USED TO PROTECT GRAPHICAL USER INTERFACE SETUP INFORMATION, RESTORE WINDOWS SETUP INFORMATION, AND FIX MANY WINDOWS PC PROBLEMS; COMPUTER SOFTWARE IN THE FIELD OF SECURITY FOR USE IN COMPUTERS TO PROTECT THEM AGAINST COMPUTER VIRUSES; COMPUTER SOFTWARE FOR HARDWARE AND SOFTWARE PROTECTION AND SECURITY, NAMELY, ACCESS-CONTROL, PASSWORD CONTROL, EYE-PRINT CHECKING, FINGERPRINT CHECKING, VIRUS DETECTION, AND VIRUS REMOVAL; COMPUTER APPLICATION PROGRAM WHICH VERIFIES AND PROTECTS AGAINST UNAUTHENTICATED INTERACTIVE ACCESS TO AN INTERNAL NETWORK; COMPUTER SOFTWARE PROGRAM THAT PERMITS INDIVIDUALS TO ELECTRONICALLY PREPARE, TRANSMIT, OR RECEIVE INFORMATION UTILIZING THE-INTERNET OR OTHER ELECTRONIC NETWORKS IN SECURE AND PRIVATE WAY; COMPUTER SOFTWARE FOR USE IN CREATING, CONFORMING, EXCHANGING AND SYNCHRONIZING DIRECTORIES, DATABASES, CALENDARS, CARD FILES AND OTHER DATA BETWEEN COMPUTER PROGRAMS, COMPUTERS, NETWORKS AND ENTERPRISES; USER INTERFACE SOFTWARE ACCESSING AND PROVIDING MULTIPLE USER ACCESS AND REMOTE TO COMPUTERS, NETWORKS, ENTERPRISE COMPUTER NETWORKS, AND A GLOBAL COMPUTER NETWORK AND FOR WEB BROWSING, DATA RETRIEVAL, AND UPLOADING AND DOWNLOADING DATA FILES; COMPUTER SOFTWARE FOR DATA TRANSMISSION, DATA ACQUISITION, DATA ORGANIZATION, DATA PROCESSING, DATA STORAGE, DATA COLLECTION, DATA MANIPULATION, AND DATA ENCRYPTION; COMPUTER SOFTWARE FOR MAINTENANCE OF HARDWARE AND SOFTWARE; COMPUTER SOFTWARE FOR ACQUISITION, MAINTENANCE, STORAGE, TRANSMISSION, PROCESSING, MANIPULATION, AND DESTRUCTION OF DATA; COMPUTER SOFTWARE FOR PROCESS AND MACHINE CONTROL, SUPERVISION, AND DATA ACQUISITION; COMPUTER SOFTWARE FOR MAINTAINING, SERVICING, INSTALLING, AND REPAIRING INDUSTRIAL MACHINES AND OFFICE MACHINES; COMPUTER PROGRAMS AND PROGRAM MANUALS OPERATING IN SERVER CLIENT SYSTEMS, INTRANET, AND INTERNET, FOR MANAGEMENT OF HARDWARE RESOURCES LIKE MEMORY, STORAGE, MODEM, ETC; OF CLIENT COMPUTER VIA DATA COMMUNICATION NETWORK, MANAGEMENT OF SOFTWARE RESOURCES BY MONITORING INSTALLED PROGRAM LISTS, INSTALLING NEW PROGRAMS ONLINE AND GATHERING AND REPORTING THE INFORMATION ABOUT PROGRAMS INSTALLED IN CLIENT COMPUTER VIA A DATA COMMUNICATION NETWORK; COMPUTER SOFT-

**CLASS 9—(Continued).**

WARE FOR SHUTTING OFF THE EXECUTING OF FORBIDDEN PROGRAMS BY CLIENT COMPUTER VIA A DATA COMMUNICATION NETWORK; COMPUTER SOFTWARE FOR REMOTE INSTALLING OF SOFTWARE IN A CLIENT COMPUTER AND MANAGEMENT OF THE INSTALLED SOFTWARE THEREOF VIA A DATA COMMUNICATION NETWORK; COMPUTER SOFTWARE FOR BACKING-UP OF THE DATA IN CLIENT COMPUTER INTO A SERVER COMPUTER VIA A DATA COMMUNICATION NETWORK; COMPUTER SOFTWARE FOR MANAGEMENT OF NETWORK TRAFFIC, NETWORK EQUIPMENT AND PERIPHERALS VIA A DATA COMMUNICATION NETWORK; AND COMPUTER SOFTWARE FOR SECURITY OF THE CLIENT COMPUTER AGAINST HACKING PROGRAMS OR VIRUS PROGRAMS; COMPUTER SOFTWARE PROGRAMS, INCLUDING CUSTOMIZED COMPUTER SOFTWARE PROGRAMS, AVAILABLE THROUGH DOWNLOAD FROM A GLOBAL COMPUTER NETWORK, INTERNAL OR EXTERNAL COMPUTER NETWORK, OR CLIENT-SERVER COMPUTER SYSTEM OR AVAILABLE IN CD-ROM OR FLOPPY DISK FORMAT, FOR USE IN MANAGING DATA AND BUSINESS TRANSACTIONS IN CONNECTION WITH CORE BUSINESS ENTERPRISE FUNCTIONS VIA GLOBAL COMPUTER NETWORKS, INTERNAL OR EXTERNAL COMPUTER NETWORKS, OR CLIENT-SERVER COMPUTER SYSTEMS, NAMELY, COMPUTER SOFTWARE PROGRAMS FOR USE IN CONNECTION WITH THE SPECIFIC ENTERPRISE BUSINESS FUNCTIONS OF (1) ENTERPRISE KNOWLEDGE MANAGEMENT, (2) BUSINESS INTELLIGENCE MANAGEMENT, (3) STRATEGIC PLANNING, (4) RESEARCH AND DEVELOPMENT, (5) ENTERPRISE RESOURCE PLANNING, (6) SALES AND MARKETING, (7) CUSTOMER SERVICE MANAGEMENT, (8) PROJECT MANAGEMENT, (9) HUMAN RESOURCE MANAGEMENT, (10) INDUSTRY RESOURCE MANAGEMENT, (11) INFORMATION RETRIEVAL, (12) INFORMATION PUBLISHING, (13) INFORMATION DISTRIBUTION, (14) INFORMATION SHARING, (15) ELECTRONIC BUSINESS TRANSACTIONS; COMPUTER SOFTWARE FOR ELECTRONICALLY TRANSMITTING FILES FROM ONE COMPUTER TO ANOTHER WITH REDUCING THE TIME REQUIRED TO THE MINIMUM, MANAGING VERSION OF THE TRANSMITTED FILES AND PREVENTING TRANSMISSION OF FILES FROM REPEATING; COMPUTER OPERATING PROGRAMS, SPECIFICALLY EXCLUDING BROADBAND MULTIMEDIA PRODUCTS (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-314,258. IRATE, TORRANCE, CA. FILED 9-19-2001.

# IRATE

INFINITE REBELLION  
AGAINST THE ESTABLISHMENT

FOR COMPACT DISCS FEATURING MUSIC (U.S. CLS. 21, 23, 26, 36 AND 38).  
FIRST USE 3-0-1995; IN COMMERCE 7-22-2001.

SN 76-327,074. RTI TECHNOLOGIES PTE, LTD., #04-01/03, SINGAPORE, FILED 10-17-2001.

## LECTRET

FOR HEADSETS FOR USE IN TELECOMMUNICATION AND PARTS THEREOF; MICROPHONES (U.S. CLS. 21, 23, 26, 36 AND 38).  
FIRST USE 0-0-1982; IN COMMERCE 0-0-1982.

**CLASS 9—(Continued).**

SN 76-335,825. TRINTECH TECHNOLOGIES LIMITED, DUBLIN 18, IRELAND, FILED 11-7-2001.

## PAYWARE RESOLVE

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 2237758, FILED 5-30-2001, REG. NO. 2237758, DATED 11-7-2002, EXPIRES 5-30-2011.

OWNER OF U.S. REG. NO. 2,065,192.  
FOR COMPUTER SOFTWARE FOR FACILITATING AND PROCESSING DISPUTES AND EXCEPTIONS RELATING TO ELECTRONIC PAYMENT TRANSACTIONS (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-335,827. TRINTECH TECHNOLOGIES LIMITED, DUBLIN 18, IRELAND, FILED 11-7-2001.

## PAYWARE GUARDIAN

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 2269454, FILED 6-21-2001, REG. NO. 2269454, DATED 1-8-2003, EXPIRES 6-21-2011.

OWNER OF U.S. REG. NO. 2,065,192.  
FOR COMPUTER SOFTWARE FOR FACILITATING AND PROCESSING ELECTRONIC PURCHASE AND COMMERCIAL TRANSACTIONS VIA A GLOBAL COMPUTER NETWORK (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 76-338,987. UNIVERSAL BUSLINK, BALDWIN PARK, CA. FILED 11-19-2001.

## DATA BANKER

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DATA", APART FROM THE MARK AS SHOWN.  
FOR DVD-ROM DRIVES, CD-RW DRIVES, CD-ROM DRIVES (U.S. CLS. 21, 23, 26, 36 AND 38).



Int. Cl.: 9

Prior U.S. Cl.: 38

**United States Patent and Trademark Office** Reg. No. 1,872,264  
Registered Jan. 10, 1995

**TRADEMARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (DELAWARE  
CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FOR: COMPUTER PROGRAMS AND MANU-  
ALS SOLD AS A UNIT; NAMELY, GRAPHICAL  
OPERATING ENVIRONMENT PROGRAMS  
FOR MICROCOMPUTERS, IN CLASS 9 (U.S.  
CL. 38).

FIRST USE 10-18-1983; IN COMMERCE  
10-18-1983.

SEC. 2(F).

SER. NO. 74-090,419, FILED 8-20-1990.

ESTHER BELENKER, EXAMINING ATTOR-  
NEY

Int. Cl.: 9

Prior U.S. Cl.: 38

**United States Patent and Trademark Office** **Reg. No. 1,875,069**  
*Registered Jan. 24, 1995*

**TRADEMARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399, BY MERGER AND CHANGE OF NAME FROM MICROSOFT CORPORATION (DELAWARE CORPORATION) REDMOND, WA 980526399

FOR CARTRIDGES CONTAINING SOFTWARE FOR OPERATING OR ENHANCING THE OPERATION OF LASER PRINTERS, WHICH CARTRIDGES ARE TO BE INSERTED

INTO THE PRINTERS, AND ACCOMPANYING SOFTWARE FOR INSTALLATION IN COMPUTERS WHICH COMMUNICATE WITH THE PRINTERS, IN CLASS 9 (U.S. CL. 38).

FIRST USE 12-30-1992; IN COMMERCE 12-30-1992.

SER. NO. 74-274,174, FILED 5-8-1992.

ESTHER BELENKER, EXAMINING ATTORNEY

EXHIBIT 3

EXHIBIT 4

Int. Cl.: 9

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

**United States Patent and Trademark Office**

Reg. No. 2,513,051

Registered Nov. 27, 2001

**TRADEMARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FOR: SMART CARDS, NAMELY, MEMORY CARDS, INTEGRATED CIRCUIT CARDS, CARDS CONTAINING MICROCIRCUITS; OPERATING SYSTEM PROGRAMS AND UTILITY PROGRAMS FOR USE WITH SMART CARDS; COMPUTER SOFTWARE FOR USER AUTHENTICATION, SIGNATURE AND KEY SECURITY AND EXCHANGE, AND DATA EXCHANGE; COMPUTER PROGRAMS FOR DEVELOPING OTHER COMPUTER PROGRAMS; COMPILER PROGRAMS, DEBUGGER PROGRAMS AND UTILITY PROGRAMS FOR USE IN CREATING APPLICATIONS FOR USE ON AND WITH SMART CARDS AND OTHER SMART CARD

PROGRAMS; COMPUTER PROGRAMS FOR ASSISTING DEVELOPERS IN CREATING PROGRAM CODE FOR USE ON AND WITH SMART CARDS AND OTHER SMART CARD PROGRAMS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 2-0-2000; IN COMMERCE 2-0-2000.

OWNER OF U.S. REG. NOS. 1,872,264, 1,875,069, AND OTHERS.

SEC. 2(F).

SN 75-573,286, FILED 10-20-1998.

ESTHER BELENKER, EXAMINING ATTORNEY

Int. Cl.: 9

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

**United States Patent and Trademark Office**

Reg. No. 2,565,965

Registered Apr. 30, 2002

**TRADEMARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FOR: COMPUTER PROGRAMS FOR USE IN AUTOMOBILES, NAMELY, COMPUTER PROGRAMS FOR MONITORING AUTOMOBILE PERFORMANCE, FOR MAPPING AND NAVIGATION, FOR ELECTRONIC MAIL AND WIRELESS COMMUNICATIONS, FOR MAINTAINING PERSONAL DIRECTORIES, CONTACT LISTS, ADDRESS AND TELEPHONE NUMBER LISTS; OPERATING SYSTEM PROGRAMS AND UTILITIES; COMPUTER PROGRAMS FOR WALLET-SIZED PERSONAL COMPUTERS, NAMELY, PERSONAL INFORMATION MANAGER PROGRAMS WITH CALENDARS, CONTACT INFORMATION FILES AND TO DO LISTS; PROGRAMS FOR FACILITATING VOICE, TEXT AND PEN INPUT; ACCESS PROGRAMS FOR GLOBAL COMMUNICATION NETWORKS; COM-

PUTER PROGRAMS FOR ACCESSING GLOBAL COMMUNICATION NETWORKS AND DISPLAYING CONTENT THEREFROM; AND COMPUTER PROGRAMS FOR USE WITH HAND-HELD COMPUTERS, NAMELY, OPERATING SYSTEM AND UTILITY PROGRAMS; A FULL LINE OF BUSINESS APPLICATION PROGRAMS FOR USE WITH HAND-HELD COMPUTERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 0-0-1984; IN COMMERCE 0-0-1984.

OWNER OF U.S. REG. NOS. 1,872,264, 2,005,901, AND OTHERS.

SEC. 2(F).

SN 75-980,682, FILED 10-10-1996.

ESTHER BELENKER, EXAMINING ATTORNEY

Int. Cl.: 9

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

**United States Patent and Trademark Office**

Reg. No. 2,559,402

Registered Apr. 9, 2002

**TRADEMARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON  
CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FIRST USE 8-0-1995; IN COMMERCE 8-0-1995.

OWNER OF U.S. REG. NOS. 1,872,264, 2,212,784,  
AND OTHERS.

FOR: COMPUTER GAME PROGRAMS; ELECTRONIC GAME EQUIPMENT, NAMELY, JOYSTICKS, ELECTRONIC GAME EQUIPMENT CONTAINING MEMORY DEVICES, NAMELY COMPUTER DISCS FOR COMMUNICATION WITH TELEVISIONS AND COMPUTERS FOR PLAYING ELECTRONIC GAMES; COMPUTER OPERATING SOFTWARE FOR USE IN PLAYING COMPUTER GAMES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SEC. 2(F).

SN 75-702,468, FILED 5-11-1999.

ESTHER BELENKER, EXAMINING ATTORNEY

EXHIBIT 7

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

**United States Patent and Trademark Office**

Reg. No. 2,005,901

Registered Oct. 8, 1996

**TRADEMARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON  
CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FOR: PUBLICATIONS, NAMELY USER  
MANUALS, INSTRUCTION GUIDES, REFER-  
ENCE GUIDES, NEWSLETTERS, MAGAZINES,  
BOOKS ABOUT COMPUTER PROGRAMS, IN  
CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND  
50).

FIRST USE 11-0-1985; IN COMMERCE  
11-0-1985.

OWNER OF U.S. REG. NOS. 1,872,264 AND  
1,947,103.

SEC. 2(F).

SER. NO. 74-716,365, FILED 8-16-1995.

ESTHER BELENKER, EXAMINING ATTOR-  
NEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

Reg. No. 2,212,784

Registered Dec. 22, 1998

**SERVICE MARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON  
CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399

FOR: ARRANGING AND CONDUCTING  
TRADE SHOWS FEATURING COMPUTERS,  
COMPUTER SOFTWARE AND COMPUTER  
SOFTWARE RELATED PRODUCTS, IN CLASS  
35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-0-1991; IN COMMERCE  
5-0-1991.

OWNER OF U.S. REG. NOS. 1,872,264, 1,955,219  
AND OTHERS.  
SEC. 2(F).

SER. NO. 75-371,267, FILED 10-10-1997.

ESTHER BELENKER, EXAMINING ATTOR-  
NEY

EXHIBIT 9

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

Reg. No. 2,463,509

Registered June 26, 2001

**SERVICE MARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 98052

FOR: MAIL ORDER AND ON-LINE DISTRIBUTORSHIP SERVICES FEATURING COMPUTER SOFTWARE AND PUBLICATIONS ON COMPUTER HARDWARE AND SOFTWARE; ON-LINE RETAIL SERVICES FEATURING COMPUTER HARDWARE, SOFTWARE AND PUBLICATIONS ON COMPUTER HARDWARE AND SOFTWARE; LICENSING OF COMPUTER SOFTWARE; ARRANGING AND CONDUCTING TRADE SHOWS FEATURING COMPUTERS, COMPUTER SOFTWARE AND COMPUTER

SOFTWARE RELATED PRODUCTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-0-1991; IN COMMERCE 5-0-1991.

OWNER OF U.S. REG. NOS. 1,872,264, 2,212,784 AND OTHERS.

SEC. 2(F).

SER. NO. 75-868,853, FILED 12-10-1999.

ROBERT LORENZO, EXAMINING ATTORNEY

EXHIBIT 10

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

**United States Patent and Trademark Office**

Reg. No. 2,463,510

Registered June 26, 2001

**SERVICE MARK  
PRINCIPAL REGISTER**

**WINDOWS**

**MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 98052**

**FOR: COMPUTER SERVICES, NAMELY PROVIDING TECHNICAL SUPPORT, INFORMATION AND CONSULTATION SERVICES IN THE FIELDS OF COMPUTER HARDWARE, COMPUTER SOFTWARE AND COMPUTER OPERATING SYSTEMS, ALL OFFERED VIA COMPUTER NETWORKS AND GLOBAL COMMUNICATIONS NETWORKS; COMPUTER HARDWARE AND SOFTWARE TESTING SERVICES; COMPUTER SERVICES, NAMELY PROVIDING SOFTWARE UPDATES VIA COMPUTER NETWORKS AND GLOBAL COMMUNICATION NETWORKS; COMPUTER SERVICES, NAMELY PROVIDING AN ON-LINE MAGAZINE IN THE**

**FIELD OF COMPUTERS AND COMPUTER SOFTWARE; INTERNET SEARCH ENGINES SERVICES; PROVIDING ONLINE RESEARCH SERVICES FOR OTHERS IN VARIOUS FIELDS; LICENSING OF INTELLECTUAL PROPERTY . IN CLASS 42 (U.S. CLS. 100 AND 101).**

**FIRST USE 5-0-1996; IN COMMERCE 5-0-1996.**

**OWNER OF U.S. REG. NOS. 1,872,264, 2,212,784 AND OTHERS.**

**SEC. 2(F).**

**SER. NO. 75-868,854, FILED 12-10-1999.**

**ROBERT LORENZO, EXAMINING ATTORNEY**

Int. Cl.: 41

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

**United States Patent and Trademark Office**

**Reg. No. 2,463,526**  
Registered June 26, 2001

**SERVICE MARK  
PRINCIPAL REGISTER**

**WINDOWS**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 98052

FIRST USE 1-26-1998; IN COMMERCE 1-26-1998.

OWNER OF U.S. REG. NOS. 1,872,264, 2,212,784 AND OTHERS.

SEC. 2(F).

SER. NO. 75-879,977, FILED 12-22-1999.

FOR: PROVIDING INFORMATION OVER COMPUTER NETWORKS AND GLOBAL COMMUNICATION NETWORKS IN THE FIELDS OF ENTERTAINMENT, MUSIC, AND INTERACTIVE GAMES; EDUCATION SERVICES, NAMELY ON-LINE TUTORIALS IN THE FIELD OF COMPUTERS AND COMPUTER SOFTWARE, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

ESTHER BELENKER, EXAMINING ATTORNEY