

October 20, 2006

**TTAB**

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Re: Opposer: Digi International Inc.  
Applicant: DigiPos Systems Inc.  
Opposition No.: 91163719  
Serial No.: 76/561,585  
Our File No.: 51307-469997

Dear Sir/Madam:

Enclosed for filing please find:

1. Opposer's Notice of Reliance and attached Exhibit Nos. 1 through 2, with Certificate of Service upon Respondent's Attorney;
2. Opposer's Notice of Reliance and attached Exhibit Nos. 3 through 30, plus one additional copy of Exhibit Nos. 3 through 15, and Declaration Under § 2.20 relating to Exhibit Nos. 16 through 30, with Certificate of Service upon Respondent's Attorney.

If any fees are necessary to secure the filing of this document, the undersigned authorizes that they may be charged to Deposit Account No. 502442, making reference to our file number 51307-469997.

Please acknowledge receipt on the enclosed self-addressed, stamped postcard.

Very truly yours,



**Marsha Stolt**  
Attorney At Law  
(612) 877-5443  
StoltM@moss-barnett.com

MS/mis  
Enclosures  
930234v1

cc Serge Anissimoff, Esq. (w/encls)

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451, on the date below:	
10.20.06	
Date	Signature

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

Digi International Inc.,

Opposer

v.

DigiPos Systems Inc.,

Applicant

Opposition No. 91163719

Serial No. 76/561,585

**NOTICE OF RELIANCE**

Pursuant to 37 C.F.R. § 2.120(j)(3)(i) Opposer hereby makes of record in this opposition proceeding and provides notice of its reliance through the following exhibits attached hereto:

**Exhibit 1:** Opposer's First Set of Interrogatories to Applicant.

**Exhibit 2:** Applicant's Answers to Opposer's First Set of Interrogatories.

Respectfully submitted,

Date: October 20, 2006



Marsha Stolt, Esq.  
MOSS & BARNETT, P.A.  
Attorneys for Opposer  
4800 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 347-0443 Telephone  
(612) 339-6686 Facsimile

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above titled Notice of Reliance and attached Exhibits 3 through 30, were served upon Applicant by depositing a copy thereof in the mail as first class mail, postage prepaid, directed to:

Serge Anissimoff  
ANISSIMOFF & ASSOCIATES  
Richmond North Office Centre  
Suite 201, 235 North Centre Road  
London, ON N5X 4E7  
Canada

Date: October 20, 2006



Marsha Stolt, Esq.  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF  
TRADEMARK APPLICATION  
SERIAL NO. 76/561,585

OPPOSITION NO: 91163719

MARK: DIGIPOS

Digi International Inc.

Opposer

v.

DIGIPOS SYSTEMS, INC., formerly PC-  
POS (North America) Inc.,

Applicant

**OPPOSER'S FIRST SET OF INTERROGATORIES**

TO: Applicant PC-POS (North America) Inc. and its attorney Serge Anissimoff,  
Anissimoff & Associates, Richmond North Office Centre, Suite 201, 235 North  
Centre Road, London, Ontario N5X 4E7.

Pursuant to 37 C.F.R. §2.120 and the Federal Rules of Civil Procedure, Opposer Digi International ("Digi" or "Opposer") hereby serves Applicant PC-POS (North America) Inc. ("Applicant") with the following Interrogatories, Requests for Production of Documents, and Requests for Admissions (hereinafter "First Set").

Pursuant to 37 C.F.R. §2.120(a), Applicant is required to serve Opposer Digi's undersigned counsel of record with its written responses to this First Set within thirty (30) days after service.

Furthermore, in order that Opposer Digi's attorneys may inspect and copy the items which are to be produced by Applicant in response to the document requests herein, Applicant is required to produce any and all documents requested herein at the offices of the undersigned counsel, within three business days after the due date for Applicant's written responses to these requests for production. Alternatively, in lieu of producing the original documents that are responsive to the requests for production herein, Applicant may produce true, complete, and legible photocopies and/or duplicates of the same.

## DEFINITIONS AND INSTRUCTIONS

1. "And" and "or" are terms of inclusion and not of exclusion, and shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this First Set any document or response that might be otherwise construed to be outside its scope.
2. "Any" means one or more.
3. The term "Applicant" refers to DIGIPOS SYSTEMS INC., formerly PC-POS (North America) Inc., and includes, without limitation, its divisions, subsidiaries, officers, directors, agents, consultants and employees.
4. The terms "Applicant", "You" or "Your" refer to PC-POS (North America) Inc. and include, without limitation, its divisions, subsidiaries, officers, directors, agents, consultants and employees, as well as any of its predecessors in interest and any "Person" authorized by Applicant to use its claimed trademark.
5. "Person" when used in these interrogatories shall include any natural person, corporation, association, sole proprietorship, partnership, joint venture, institute, or other business, legal or government entity.
6. "Digi Marks" means the family of "DIGI" trademarks and service marks identified in Paragraphs 3 through 20 of Digi's Notice of Opposition.
7. "Communication" means any exchange, transfer, or dissemination of facts or information, regardless of the means by which it is accomplished.
8. "Notice of Opposition" means Digi's Notice of Opposition in the above-captioned matter dated December 29, 2004.
9. "Describe" means to provide a comprehensive, complete, accurate and detailed description, explanation or listing.
10. "Document(s)" when used in these interrogatories means all items subject to discovery within the scope of Rule 34 of the Federal Rules of Civil Procedure, including but not limited to the original or draft of any chart, drawing, film, mechanical or electronic sound recording or transcript thereof, retrievable data (whether carded, taped, coded, electrostatically or electromagnetically recorded or otherwise), photograph, phonograph record, tape record, other recorded or graphic matter or data compilation, videotape or writing, however produced or reproduced, from which information can be obtained or any copy which differs in any way from the original. "Document" includes, but is not limited to, abstracts, account summaries, accountings, accounting work papers, admissions, affidavits, agreements, answers, applications, appointment books, audit reports, authorizations, bills, bills of lading, books, briefs, brochures, certificates, charges, charts, checks, citations, client records, compilations, complaints, computations, computer storage tapes, computer storage cards or discs, contracts, collective bargaining

agreements, correspondence, customer records, demands, depreciation schedules, designations, diagrams, diaries, director's letters, document retention policies, documents, drafts, employee benefit plans, employee handbooks, employment applications, employment manuals, formal and informal writings, franchise agreements, franchises, hard discs, indictments, insurance policies, inter-company memoranda, inter-company transfers, intra-company memoranda, intra-company transfers, instructions, interoffice memoranda, intra-office memoranda, inventories, invoices, joint venture agreements, jottings, journal entries, journals, leases, ledgers, legal opinions, letters, lists, loan applications, loan commitments, logs, manifests, manuals, maps, market data, memoranda, message slips, messages, minutes, notations, notes, notices, objections, officer's comments, opinions, orders, ordinances, partnership agreements, personnel files, plan summaries, policies, policy manuals, powers of attorney, programming instructions, programs, property abstracts, property reports, proposals, purchase records, purchase invoices, recitals, recordings, rental agreements, reports, requests for allowance, requests for proposal, requisitions, resumes, return receipts, schedules, statements, subscription agreements, summaries, summary plan descriptions, summonses, tariffs, tax information, tax returns, telegrams, telephone bills, telephone logs, termination notices, transparencies, travel expense vouchers, vouchers, withholding tax statements, work papers, worksheets and other tangible preservations of information.

11. "Applicant's Mark" means Applicant's **DIGIPOS** trademark that is the subject of U.S. Trademark Application Serial No. 76/561,585.

12. "Identify" when used in these interrogatories with respect to:

- a. a Document means a description in terms sufficient that the document can be readily and unambiguously sought in a request for production of documents under Federal Rule of Civil Procedure 34 and shall include a statement of the general nature and contents of the document (e.g., whether it is a letter, memorandum, notebook, pamphlet, report, e-mail, etc.), the date, the author, all addressees and copy recipients, and the person who has custody of the document. In lieu of identification, Opposer will accept a clear and legible copy of the document at the time Applicant answers this set of interrogatories with a correlation of the produced document to the interrogatory number; and
- b. a Person requires Applicant to state (a) in the case of a natural person, that Person's: (i) full name; (ii) last known home and business address; (iii) responsibilities with respect to the subject matter of the interrogatory and the periods of time that Person had responsibilities; and (iv) relevant knowledge or participation; or (b) in the case of corporations, partnerships, proprietorships, unincorporated associations and the like, the (i) full name, including any additional name it does business under; (ii) form and place of organization or incorporation; (iii) principal place of business; and (iv) responsibilities with respect to the subject matter

of the interrogatory and the periods of time that such entity had responsibilities.

13. "Date" means the exact day, month, and year, if ascertainable and, if not, Your best approximation thereof.

14. "Relate to" means discuss, describe, refer to, forecast, reflect, contain, analyze, study, report on, comment on, evidence, constitute, set forth, consider, recommend, concern or pertain to, in whole or in part.

15. "Year" means calendar year.

16. "Service" means: (1) services that have been provided by Applicant and/or Applicant's Agents for sale in the United States; and (2) services performed or to be performed by Applicant and/or Applicant's Agents in the United States.

17. "Applicant's Agents" means Applicant's officers, employees, directors, agents, representatives, distributors, licensees and/or subsidiaries.

### INSTRUCTIONS

1. The use of male, female or neutral gender in these Interrogatories incorporates all genders and should not be construed to limit the information requested in any way. The use of the singular form of any word includes the plural and vice-versa.

2. When answering these Interrogatories, please set forth each Interrogatory prior to Your answer.

3. If any party to whom these Interrogatories are directed claims a privilege or other basis on which the party will not provide full and complete answers, that party is required to submit a sworn statement, showing the legal basis on which the information is being withheld and the factual basis for the claim of a right to withhold that information. If only a portion of the interrogatory requests privileged material, respond to the rest of the Interrogatory,

4. For each document or portion thereof withheld under a claim of privilege, submit a sworn or certified statement from You or Your counsel identifying the withheld document by author, addressee, date, number or pages, and subject matter; specifying the nature and basis of the privilege claimed and the number of the paragraph of this First Set to which the withheld material is responsive; and identifying each person to whom the withheld material was sent and each person to whom the withheld material or its contents, or any part thereof, was disclosed. Any document or part of a document withheld under a claim of privilege must be preserved.

5. If any request herein is deemed to call for the production of privileged or proprietary work product matters and such privilege or work product is asserted, identify in writing each document so withheld and provide the following information:

- a. the reason for withholding the document;
- b. a statement for the basis of the claim of privilege, work product or other ground of nondisclosure; and
- c. a brief description of the document, including:
  - i. the date of the document;
  - ii. the number of pages, attachments and appendices;
  - iii. the names of its author(s), preparer(s), and an identification by employment and title of each such person;
  - iv. the name of each person who was sent, shown, blind copied or carbon copied the document, or has had access to custody of the document, together with an identification of each such person;
  - v. the present custodian; and
  - vi. the subject matter of the document.

6. If any document requested herein was at one time in existence, but has been lost, discarded or destroyed, identify such document as completely as possible, by providing as much of the following information as possible:

- a. the type and subject matter of the document;
- b. its date;
- c. the date or approximate date the document was lost, discarded or destroyed;
- d. the circumstances and manner in which it was lost, discarded or destroyed;
- e. the reason(s) for disposing of the document (if discarded or destroyed);
- f. the identity of all persons authorizing or having knowledge of the circumstances surrounding the disposal of the document (if discarded or destroyed);
- g. the identity of the person(s) who lost, discarded or destroyed the document; and
- h. the identity of all person(s) having knowledge of the content of the document.

7. If any party to whom these Interrogatories are directed wishes to assert a valid objection to an Interrogatory, the party shall state all reasons for the objection in writing and shall answer the Interrogatory to the extent that no valid objection is asserted.

8. If You are unable to answer an Interrogatory fully, submit as much information as is available and explain why Your answer is incomplete. If precise information cannot be supplied, (a) submit Your best estimate or judgment, so identified, and set out the source or basis of the estimate or judgment, and (b) provide such

information available to You as comes closest to providing the information requested. Where incomplete answers, estimates or judgments are submitted, and You know or have reason to believe that there are other sources of more complete or accurate information, identify or describe those other sources of information.

9. These Interrogatories are to be regarded as continuing and You are requested to provide promptly, by way of supplementary answers thereto, additional information as may hereafter be obtained by You or any Person or entity acting on Your behalf which will augment or otherwise modify any answers given to the following interrogatories.

10. Any party to whom these Interrogatories are directed is required to answer based upon any and all information in the actual or constructive possession and control of that party and of the party's agents, servants, employees and attorneys.

11. If any portion of any document is responsive to any document request, then the entire document must be produced. Documents produced pursuant to this First Set shall be produced in the order in which they appear in Your files and shall not be shuffled or otherwise rearranged. Documents that in their original condition were stapled, clipped or otherwise fastened together shall be produced in such form. Please mark each page with Your name or an abbreviation and number each page consecutively beginning with "1". These Mark should be placed at the lower right hand corner of the page, but should not be places as to obscure any information on the document. We request that You place all documents produced in file folders or other enclosures bearing Your name or abbreviation. We further request that You advise us in writing, as to each document produced, the number or number of the paragraph(s) of this First Set to which it is responsive.

### INTERROGATORIES

#### INTERROGATORY NO. 1:

Identify each employee or agent of Applicant who has had responsibility for the creation, consideration, selection, adoption, and use of the Applicant's Mark.

#### INTERROGATORY NO. 2:

Identify by name, address and firm or corporate affiliation the person(s) who is/are primarily responsible for selecting the Applicant's Mark.

INTERROGATORY NO. 3:

Describe the circumstances and method by which Applicant selected and first used the Applicant's Mark for each type of goods and service for which it is used.

INTERROGATORY NO. 4:

For Applicant's Mark describe in detail:

- (a) the goods and services provided under the mark
- (b) the date on which said goods and services were first sold or provided in the U.S.;
- (c) the date on which goods or service were first sold or provided in interstate commerce;
- (d) the inclusive dates during which said goods and services have been provided or offered for sale in the U.S.; and
- (e) the specific manner in which the mark has been used on or in connection with said goods and services in the U.S.

INTERROGATORY NO. 5:

Identify each document that evidences or supports the claim of use specified in response to Interrogatory No. 4 above.

INTERROGATORY NO. 6:

Identify the person(s) most knowledgeable about your use of the Applicant's Mark in connection with Applicant's goods and services, including use in advertisements and in promotional materials.

INTERROGATORY NO. 7:

Identify the person(s) most knowledgeable about the goods and services offered under Applicant's Mark, including their marketing, advertising, promotion, sale, distribution, and channels of trade.

INTERROGATORY NO. 8:

State whether Applicant has ever received any communication, written or oral, objecting to its use and/or registration of the Applicant's Mark.

INTERROGATORY NO. 9:

For each objection identified in response to No. 8 above, state:

- (a) the date of such communication
- (b) the party from whom the objection was received
- (c) the officer, employee or agent of Applicant involved in responding to such objection
- (d) Applicant's response to such objection.
- (e) the resolution to the objection, if any

INTERROGATORY NO 10:

Identify each document relating to Applicant's response to Interrogatory No. 9 above.

INTERROGATORY NO 11:

Identify all writings in the possession, custody or control of Applicant, including, but not limited to, search reports, market surveys, interoffice memoranda, opinions, etc., referring or relating to the adoption of the Applicant's Mark.

INTERROGATORY NO. 12:

List all geographical areas (by city, state and/or province) in which Applicant or Applicant's agents market, offer or sell, have marketed, offered or sold, the goods or services identified in Applicant's Answer to Interrogatory No. 4.

INTERROGATORY NO. 13:

State the approximate revenue for Applicant's goods and services provided under the Applicant's Mark in the U.S. for each year since the claimed date of first use in 2002.

INTERROGATORY NO. 14:

Identify the classes of customers to whom you have sold goods or provided services under the Applicant's Mark.

INTERROGATORY NO. 15

Describe the nature of any advertisements or promotional materials for goods and services sold under the Applicant's Mark (e.g. brochures, television commercials, newspaper articles or magazine advertisements), including the media in which Applicant has advertised or promoted its services.

INTERROGATORY NO. 16:

State Applicant's annual expenditures for advertising and promoting Applicant's services under the Applicant's Mark.

INTERROGATORY NO. 17:

Identify each advertising agency, market research firm, public relations concern and any other person that has rendered services to or on behalf of Applicant in connection with its selection of the Applicant's Mark and for each such agency, firm, concern and person identified:

- a. Describe the services performed by it;
- b. Identify the individual(s) employed thereby primarily responsible for rendering such services; and
- c. State the periods of time during which such agency, firm, concern or entity provided such services.

INTERROGATORY NO. 18:

Identify each advertising agency, market research firm, public relations concern and any other person that has rendered services to or on behalf of Applicant in connection with its marketing and advertisement of goods and services provided under the Mark, and for each such agency, firm, concern and person identified:

- a. Describe the services performed by it;
- b. Identify the individual(s) employed thereby primarily responsible for rendering such services; and
- c. State the periods of time during which such agency, firm, concern or entity provided such services.

INTERROGATORY NO. 19:

State whether Applicant or any person acting for or on its behalf has ever granted to any person any authorization or license to use any or all of the Applicant's Mark and if so, identify to whom such authorization or license was granted; the date it was granted; the terms and conditions of such authorization or license, including the duration of permitted use; and the business, goods, and services for which the authorization or license was granted.

INTERROGATORY NO. 20:

For each calendar year since you adopted the Applicant's Mark, state the sum total of all of your expenditures associated with advertising or otherwise marketing the Applicant's Mark, and identify the persons who are most knowledgeable about such expenditures.

INTERROGATORY NO. 21:

State whether Applicant has ever:

- (a) Received mail, telephone calls, bills, payments, invoices or any other materials referring to or inquiring about Opposer or its goods and/or services; or
- (b) Obtained any knowledge or information regarding confusion on the part of any person as to the source, sponsorship, affiliation or approval of the goods and/or services provided by Opposer.

INTERROGATORY NO. 21:

If the answer to either of the subsets of the previous Interrogatory is in the affirmative:

- (a) Identify each and every person or entity that corresponded with Applicant, made statements to Applicant or was otherwise confused;
- (b) Give the dates on which such contact was made;
- (c) Identify all persons who have knowledge of the matter described in this interrogatory; and
- (d) Identify all documents concerning confusion.

INTERROGATORY NO. 23:

Describe what procedures Applicant has in place to identify and report incidents of confusion relating to trademarks or trade names.

INTERROGATORY NO. 24:

Describe with particularity the kinds of trade channels through which Applicant has sold and is now selling goods and services under the Applicant's Mark.

INTERROGATORY NO. 25:

Identify by name and title the person or persons in Applicant's organization having the most knowledge regarding each of the following functions of Applicant's business with respect to goods or services sold under the Applicant's Mark

- (a) Sales,
- (b) Advertising or promotion, and
- (c) Distribution of goods.

INTERROGATORY NO. 26:

Identify by name, tribunal and docket number each court litigation or Patent and Trademark office ("inter parties") proceeding involving Applicant and relating to Applicant's Mark or similar variations, and identify the status of such proceeding and identify any judgment or settlement agreement.

INTERROGATORY NO. 27:

Identify the documents upon which Applicant intends to rely in connection with this proceeding.

INTERROGATORY NO. 28:

Identify any expert witnesses whom Applicant intend to have testify in this proceeding, including each expert's residence address, business address, and business telephone number.

INTERROGATORY NO. 29:

For each expert witness identified in Your answer to Interrogatory No. 28, state the following:

- a. the facts about which the witness is expected to testify;
- b. the extent of the expert's education, training and experience in his or her particular field of expertise;
- c. the subject matter on which the expert is expected to testify.
- d. the subject matter on which the expert is expected to testify at trial;
- e. the nature of the examination and tests conducted by each expert;
- f. the substance of the facts which have been determined or assumed by the expert, which facts have become the basis for the expert's opinion relevant to the above-entitled action;
- g. the expert's opinions and conclusions and a summary of the grounds for each opinion and conclusion.

INTERROGATORY NO. 30:

Identify all third party marks Applicant intends to rely on in this proceeding.

INTERROGATORY NO. 31:

Identify each person who participated in the preparation of Applicant's responses to the foregoing interrogatories or furnished any information in response thereto, and for each specify the interrogatory response for which each such person provided information or participated in the preparation thereof.

INTERROGATORY NO. 32:

For each request for admission or any part thereof which You have denied, denied with qualifications, or answered in any other manner other than an unqualified admission:

- a. Set forth the full factual basis for the denial, qualification or failure to admit;
- b. Identify all documents supporting such denial, qualification or failure to admit; and
- c. Identify all persons with knowledge supporting your denial, qualification or failure to admit.

Dated: 6-10-05

Digi International Inc.

By Marsha Stolt

Marsha Stolt, Esq.  
MOSS & BARNETT, P.A.  
4800 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
Telephone: (612) 347-0443  
ATTORNEYS FOR OPPOSER

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of Opposer's First Set of Interrogatories was served upon Applicant by depositing a copy thereof in the mail as first class mail, postage prepaid, directed to:

Serge Anissimoff  
ANISSIMOFF & ASSOCIATES  
Richmond North Office Centre  
Suite 201, 235 North Centre Road  
London, ON N5X 4E7  
Canada

Dated:

6-10-05



Marsha Stolt, Esq.

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

DIGI INTERNATIONAL, INC. )  
 )  
 v. ) Opposition No. 91163719  
 )  
 ) In Re: Serial No. 76561858  
 )  
 DIGIPOS SYSTEMS INC., formerly )  
 PC-POS (NORTH AMERICA) INC. )

**APPLICANT'S REPLY TO OPPOSER'S  
FIRST SET OF INTERROGATORIES**

TO: Opposer Digi International, Inc. and its attorney, Marsha Stolt, Moss & Barnett, 4800 Wells Fargo Center, 90 South Seventh Street, Minneapolis, MN, 55402.

1. As to Interrogatory No. 1 – The employee who has had responsibility for the creation, consideration, selection, adoption and use of the Applicant's Mark is Mr. Mark Leaper, President and Chief Executive Officer of Digipos Systems Inc. (formerly PC-POS (North America) Inc.), (hereinafter referred to as Digipos Systems).
2. As to Interrogatory No. 2 – The person who was primarily responsible for selecting the Applicant's Mark is Mr. Mark Leaper, President and Chief Executive Officer of Digipos Systems.
3. As to Interrogatory No. 3 – The Applicant is a corporate member of the Digipos Group of Companies first established in the United Kingdom in 1994. The Applicant is responsible for the entire commercial activity relating to the DIGIPOS product and service line in Canada and the United States. The core business of the Applicant is the manufacture, distribution and sale of PC based, retail specific, point of sale terminals as well as providing the necessary technical support. The Applicant was established in or about July 9, 2001 with its said mandate and adopted as a consequence the DIGIPOS trade-mark.

4. As to Interrogatory No. 4 –
  - a) The products sold in the United States under the trade-mark, DIGIPOS comprise PC based, retail specific, point of sale terminals used by Retailers to manage and track commerce according to their special needs. The DIGIPOS™ product line includes computer hardware, user displays or monitors, printers, cash drawers, customer displays, keyboards.
  - b) Applicant commenced use of the trade-mark, DIGIPOS, in the United States on or about January 30, 2002 in association with its wares and services.
  - c) Sales are made FOB Burlington, Ontario, Canada and shipped directly to the United States customer. Applicant does not have a U.S. head office. Presently there are 4 sales agents active in the United States (Florida, Ohio, California and Arizona).
  - d) The goods and services of the Applicant have been provided or offered for sale in the U.S. continuously since the commencement of use.
  - e) The trade-mark is marked on the goods themselves and on shipping cartons and is used on all advertising and promotional materials including business cards and letterhead.
  
5. As to Interrogatory No. 5 – The following are documents that evidence the claim of use by the Applicant, Document (a) being the earliest invoice located to date:
  - a) Purchase Order No. 0018870 dated July 25, 2002 to CCI Group Inc.
  - b) Invoice No. 1099 dated August 2, 2002 to CCI Group Inc.,
  - c) Purchase Order No. 001877 dated July 26, 2002 to CCI Group Inc.
  - d) Invoice No. 1098 dated August 2, 2002 to CCI Group Inc.,
  - e) Invoice No. 100001 dated September 6, 2002 to Preh Electronics Inc.
  - f) Invoice No. 100032 dated October 9, 2002 to AutoZone
  - g) Invoice No. 100060 dated November 4, 2002 to Integrated Scuba Systems
  - h) Invoice No. 100079 dated November 11, 2002 to Integrated Scuba Systems
  - i) Invoice No. 100081 dated November 22, 2002 to Matrix Solutions Inc.
  - j) Invoice No. 100084 dated November 25, 2002 to Circuit City Stores Inc.
  - k) Fax Cover Sheet from Jim Sergeant to Serge Anissimoff dated November 13, 2003 confirming first shipment to the U.S. in January, 2002
  - l) See also Appendix 1 and Appendix 2, Tabs 5, 7, 9 and 10
  
6. As to Interrogatory No. 6 – The persons most knowledgeable about the use of the Applicant's Mark in connection with the Applicant's goods and services, including use in advertisements and in promotional material are
  - a) Mark Leaper, President and Chief Executive Officer of Digipos Systems
  - b) Jim Sergeant, Chief Financial Officer of Digipos Systems
  - c) Shayna Pratt-Miller, Global Design and Marketing Coordinator of Digipos Systems.

7. As to Interrogatory No. 7 – The persons most knowledgeable about the goods and services offered under Applicant's Mark, including marketing, advertising, promotion, sale, distribution, and channels of trade are
  - a) Mark Leaper, President and Chief Executive Officer of Digipos Systems;
  - b) Jim Sergeant, Chief Financial Officer of Digipos Systems;
  - c) Doug Hotson, Director of Operations, who acts when Mr. Leaper is away from the office upon consultation, if possible, with Mr. Leaper.
8. As to Interrogatory No. 8 – No communication, written or oral, was ever received by the Applicant. The only circumstance that may qualify is a telephone call received by Mr. Mark Leaper from Mr. Larry Kraft, Vice-President, Sales & Marketing of the Opponent, Digi International Inc. on or about May 4, 2005 in the nature of settlement negotiations suggesting that the opposition may be settled if the "Applicant changed its name". The phone call was not taken seriously and was subsequently responded to by letter dated June 8, 2005. During the telephone conversation, and presumably to explain a rationale for the proposal, Mr. Kraft conveyed to Mr. Mark Leaper the information that 10% of the revenues of Digi International Inc. are generated from selling their connectivity products to the retail sector.
9. As to interrogatory No. 9 - See answer to Interrogatory No. 8.
10. As to Interrogatory No. 10 - See answer to Interrogatory No. 8. – The only document available is a copy of hand-written notes taken by Mr. Mark Leaper during the conversation with Mr. Larry Kraft, referred to in Answer to Interrogatory No. 8.
11. As to Interrogatory No. 11 – The mark was adopted by the Applicant in the United States on or about January, 2002. There are no writings in the nature of market surveys, interoffice memoranda or opinions other than for a routine "dead hit" and "digi" prefix search conducted prior to the filing of the trade-mark application through an on-line trade-mark database. indicating there were over 3193 references containing the prefix DIGI.
12. As to Interrogatory No. 12 –
  - a) Geographical Areas – All contiguous US states.
  - b) By way of further example, 10,000 units were sold to Circuit City stores in the United States. The majority of all Circuit City stores in the United States have DIGIPOS systems

13. As to Interrogatory No. 13 – The approximate revenues (Canadian Dollars) for the Applicant's goods and services provided under the Applicant's Mark in North America are:

- a) **2002/2003 - \$5 Million**
- b) **2003/2004 - \$11 Million**
- c) **2004/2005 - \$10 Million (estimated)**

**(confidential business privilege claimed)**

14. As to Interrogatory No. 14 – The Applicant has sold goods and provided services under the Applicant's Mark to any customer having retail operations. The Applicant's goods and services are not specific to a "type or class" of retail customer.

15. As to Interrogatory No. 15. – The following is a list of advertisements, brochures, articles and promotional materials for the goods and services sold under the Applicant's Mark.

- a) Current company brochure which describes the full range of the DIGIPOS operations in Canada, the United States and worldwide
- b) Digital photograph of the front of the office building in Burlington, Ontario showing the DIGIPOS trade-mark
- c) Copies of brochures showing how the DIGIPOS trade-mark is affixed to the various DIGIPOS products, such as for example, the Digipos iBox, the Digipos Power POS, LCD Touch Screens, Magnetic Strip Reader, Keyboards, CRTs and customer displays, cash drawer, mounting an ergonomic equipment, as well as on the packing. Digital photograph of packaging
- d) Brochure – Retail Blade line
- e) Digital photograph showing the use of the DIGIPOS trade-mark on promotional and other products such as rolls of packaging tape, workplace toy ball and memory stick
- f) Printout of the website located at [www.digiposystems.com](http://www.digiposystems.com) which refers to DIGIPOS products and services
- g) Photocopy of a typical invoice of sales in the United States of the DIGIPOS products
- h) Photocopies of business cards and letterhead of Digipos Systems Inc.
- i) Press Releases dated October 31, 2003 evidencing commercial success
- j) Press Releases dated October 26, 2004 introducing new point of sale technology and January 14, 2005 introducing new product release
- k) Advertising of Digipos Systems Inc. POS systems
- l) Press Releases announcing Digipos System's Retail Blade as the winner of the Microsoft 2005 Global Technology Innovation Award

- m) Brochure: White Paper - Retail Blade – Advanced Retail Technology
  - n) Supplement to RIS News Publication re: Blade Technology Coming to Retail POS
  - o) Summary of Retail Blade technology
  - p) All documents in Appendix 1 and Appendix 2, Tabs 5(b), 7, 9 and 10
16. As to Interrogatory No. 16 – The Applicant's annual expenditures for advertising and promoting Applicant's services under the Applicant's Mark in North America is approximately \$500,000.00 CAD per year.
17. As to Interrogatory No. 17 – Anissimoff Professional Corporation and Anissimoff & Associates Inc. are legal counsel to the Applicant retained for the purposes of making the subject application since about September, 2003. At the time of the said retainer the Applicant had already filed a trade-mark application in Canada.
18. As to Interrogatory No. 18 – The persons who have rendered services to or on behalf of the Applicant in connection with its marketing and advertisement of goods and services provided under the Mark is
- a) Shayna Pratt-Miller, Global Design and Marketing Coordinator of Digipos Systems
  - b) Joyce McNulty, Marketing Agent, Glendale, Arizona
  - c) Bold Approach, Marketing Agency, Boise, Idaho
19. As to Interrogatory No. 19 – No authorization or license of any kind was ever granted by the Applicant.
20. As to Interrogatory No. 20 – See answer to Interrogatory No. 16.
21. As to Interrogatory No. 21 (First reference) –
- a) See answer to Interrogatory No. 8.
  - b) NIL
22. As to Interrogatory No. 21 (Second reference) –
- a) See answer to Interrogatory No. 8
  - b) See answer to Interrogatory No. 8
  - c) See answer to Interrogatory No. 8
  - d) NIL
23. As to Interrogatory No. 23 – No formal procedures are in place. A matter would be taken up on a case by case basis.

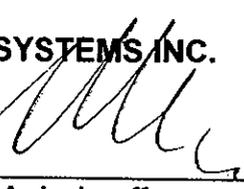
24. As to Interrogatory No. 24 – The kinds of trade channels through which Applicant has sold and is now selling goods and services under the Applicant's Mark are as follows:
- a) Primary Channel: Direct to End User
  - b) Secondary Channel:
    - (i) Value Added Reseller (VAR)
    - (ii) Independent software centers
  - c) Third Party Distributors
25. As to Interrogatory No. 25 – The persons in the Applicant's organization having the most knowledge regarding each of the following functions of the Applicant's business with respect to goods or services sold under the Applicant's Mark are:
- a) Sales: Mark Leaper, Jim Sergeant, Doug Hotson, Shelly Hotson, Steve Armstrong, Tom Mowry (Cleveland, Ohio), Allen Edwards (Los Angeles, California), Todd Carlson (Jacksonville, Florida), Mike Radowski (Phoenix, Arizona).
  - b) Advertising or promotion: See answer to Interrogatory No. 6
  - c) Distribution of Goods: See answer to Interrogatory No. 7
26. As to Interrogatory No. 26 – NIL
27. As to Interrogatory No. 27 – See answer to Interrogatory No. 15.
28. As to Interrogatory No. 28 – No expert witnesses have been designated.
29. As to Interrogatory No. 29 – NIL
30. As to Interrogatory No. 30 – A United States on-line trade-mark database search was conducted on July 26, 2005 indicating that there are 1581 active marks containing the prefix "Digi" in international class 9.
31. As to Interrogatory No. 31 – The following are the persons who participated in the preparation of the Applicant's responses to the foregoing interrogatories or furnished any information in response thereto
- a) Mark Leaper, Present and Chief Executive Officer;
  - b) Jim Sergeant, Chief Financial Officer;
  - c) Shayna Pratt-Miller, Global Design and Marketing Coordinator, provided information with respect to advertising material

32. As to interrogatory No. 32 – NIL

Dated: **September 8, 2005**

**DIGIPOS SYSTEMS INC.**

By

  
Serge Anissimoff

**ANISSIMOFF & ASSOCIATES**

235 North Centre Road, Suite 201

London, Ontario, N5X 4E7, Canada

Telephone: 519-673-5591

Fax: 519-673-6784

**ATTORNEYS FOR THE APPLICANT.**

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

Digi International Inc.,

Opposer

v.

DigiPos Systems Inc.,

Applicant

Opposition No. 91163719  
Serial No. 76/561,585

**DECLARATION UNDER § 2.20**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, declares that the attached Exhibit Nos. 16 through 30 were obtained from the U.S. Patent and Trademark Office TARR database on October 20, 2006, the date shown on the bottom of each printed page submitted herewith.

Respectfully submitted,

Date: October 20, 2006



Marsha Stolt, Esq.  
MOSS & BARNETT, P.A.  
Attorneys for Opposer  
4800 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 347-0443 Telephone  
(612) 339-6686 Facsimile

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

Digi International Inc.,

Opposition No. 91163719

Serial No. 76/561,585

Opposer

v.

DigiPos Systems Inc.,

Applicant

**NOTICE OF RELIANCE**

Pursuant to 37 C.F.R. § 2.122(e), Opposer hereby makes of record in this opposition proceeding and provides notice of its reliance through the following exhibits attached hereto:

- Exhibit 3:** A certified copy of Opposer's Trademark Registration No. 2019613 showing status and title.
- Exhibit 4:** A certified copy of Opposer's Trademark Registration No. 2148245 showing status and title.
- Exhibit 5:** A certified copy of Opposer's Trademark Registration No. 2193984 showing status and title.
- Exhibit 6:** A certified copy of Opposer's Trademark Registration No. 2200945 showing status and title.
- Exhibit 7:** A certified copy of Opposer's Trademark Registration No. 2317478 showing status and title.
- Exhibit 8:** A certified copy of Opposer's Trademark Registration No. 2319992 showing status and title.
- Exhibit 9:** A certified copy of Opposer's Trademark Registration No. 2369665 showing status and title.

- Exhibit 21:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2802149 with corresponding printout from Assignment database.
- Exhibit 22:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2801034 with corresponding printout from Assignment database.
- Exhibit 23:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2765124 with corresponding printout from Assignment database.
- Exhibit 24:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2624198 with corresponding printout from Assignment database.
- Exhibit 25:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2701154 with corresponding printout from Assignment database.
- Exhibit 26:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2743267 with corresponding printout from Assignment database.
- Exhibit 27:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2392683 with corresponding printout from Assignment database.
- Exhibit 28:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2616097 with corresponding printout from Assignment database.
- Exhibit 29:** Printout from U.S. Patent and Trademark Office TARR database for Opposer's Registration No. 2132925 with corresponding printout from Assignment database.

1

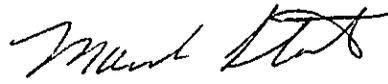
**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above titled Notice of Reliance and attached Exhibits 3 through 30, were served upon Applicant by depositing a copy thereof in the mail as first class mail, postage prepaid, directed to:

Serge Anissimoff  
ANISSIMOFF & ASSOCIATES  
Richmond North Office Centre  
Suite 201, 235 North Centre Road  
London, ON N5X 4E7  
Canada

Date:

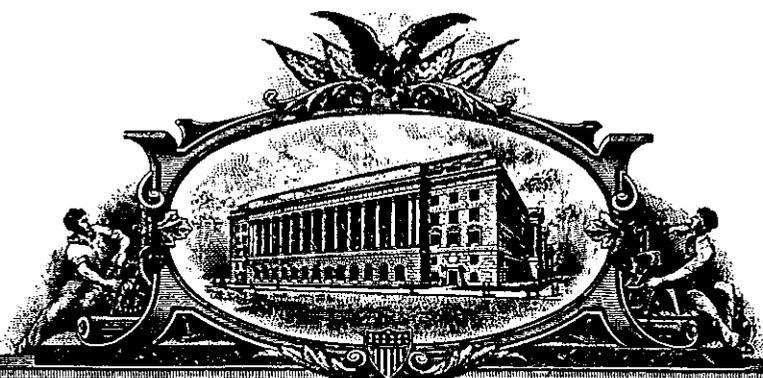
October 20, 2006



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Marsha Stolt, Esq.  
MOSS & BARNETT, P.A.  
Attorneys for Opposer  
4800 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402  
(612) 877-5443 Telephone  
(612) 877-5999 Facsimile

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,019,613 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 *November 26, 1996***

***SECTION 8 & 15***

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



  
**E. BORNETT**  
**Certifying Officer**

Int. Cl.: 9

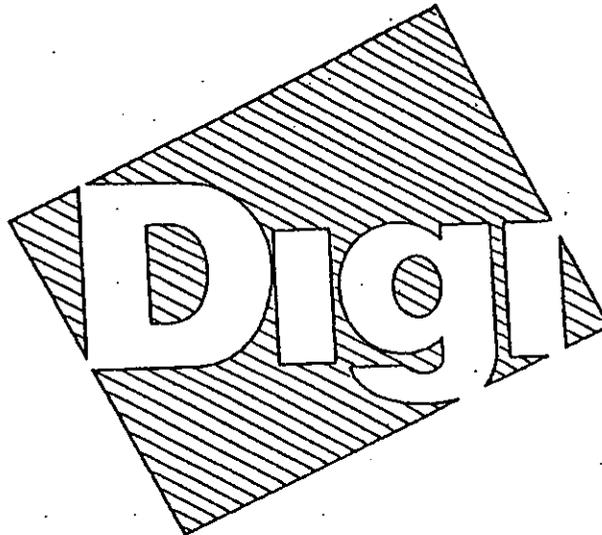
Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 2,019,613

**United States Patent and Trademark Office**

Registered Nov. 26, 1996

**TRADEMARK  
PRINCIPAL REGISTER**



DIGI INTERNATIONAL INC. (DELAWARE CORPORATION)  
6400 FLYING CLOUD DRIVE  
EDEN PRAIRIE, MN 55344

FOR: MICROCOMPUTER CIRCUIT BOARDS AND PERIPHERALS FOR USE IN CONNECTION WITH MULTI-USER SYSTEMS AND LOCAL AREA NETWORKS; AND MICROCOMPUTER SOFTWARE, NAMELY, SOFTWARE FOR OPERATING SUCH MICROCOMPUTER HARDWARE, SOFTWARE FOR TERMINAL EMULATION, SOFTWARE FOR DATA COMMUNICATIONS IN MULTI-USER SYSTEMS,

SOFTWARE FOR DATA COMMUNICATIONS IN LOCAL AREA NETWORKS, AND SOFTWARE FOR REMOTE LOCAL AREA NETWORK ACCESS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

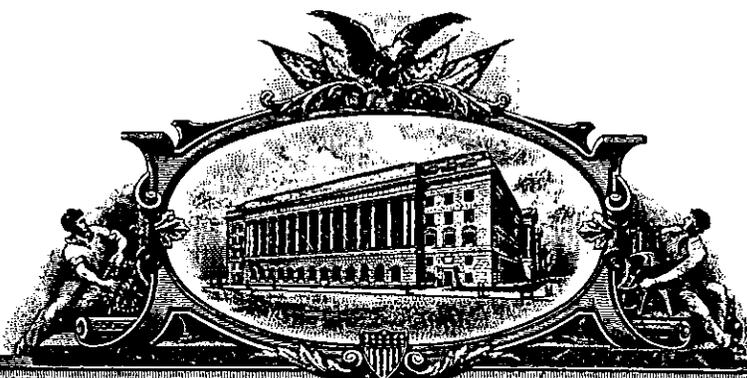
FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

THE MARK IS LINED TO INDICATE THE COLOR GREEN.

SN 74-547,516, FILED 7-11-1994.

PETER CATALDO, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

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**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

October 12, 2006

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,148,245 IS  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
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**REGISTERED FOR A TERM OF 10 YEARS FROM *March 31, 1998***

**SECTION 8 & 15**

**AMENDMENT/CORRECTION/NEW CERT(SECT) ISSUED**

**SAID RECORDS SHOW TITLE TO BE IN:**

*Registrant*

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*E. Bornett*  
**E. BORNETT**  
Certifying Officer

**Int. Cl.: 9**

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

**Reg. No. 2,148,245**

**United States Patent and Trademark Office**

**Registered Mar. 31, 1998**

**TRADEMARK  
PRINCIPAL REGISTER**

**DIGI BOARDCLASSIC**

**DIGI INTERNATIONAL INC. (DELAWARE  
CORPORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343**

**FIRST USE 9-13-1996; IN COMMERCE  
9-13-1996.**

**SN 75-118,415, FILED 6-13-1996.**

**FOR: COMPUTER NETWORK CONNECTI-  
VITY HARDWARE AND SOFTWARE, IN  
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).**

**ANNA CALDERON, EXAMINING ATTORNEY**

Int. Cl.: 9

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

United States Patent and Trademark Office

Corrected

Reg. No. 2,148,245

Registered Mar. 31, 1998

OG Date Oct. 27, 1998

**TRADEMARK  
PRINCIPAL REGISTER**

**DIGI CLASSICBOARD**

DIGI INTERNATIONAL INC. (DELA-  
WARE CORPORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: COMPUTER NETWORK CON-  
NECTIVITY HARDWARE AND SOFT-

WARE, IN CLASS 9 (U.S. CLS. 21, 23, 26,  
36 AND 38).

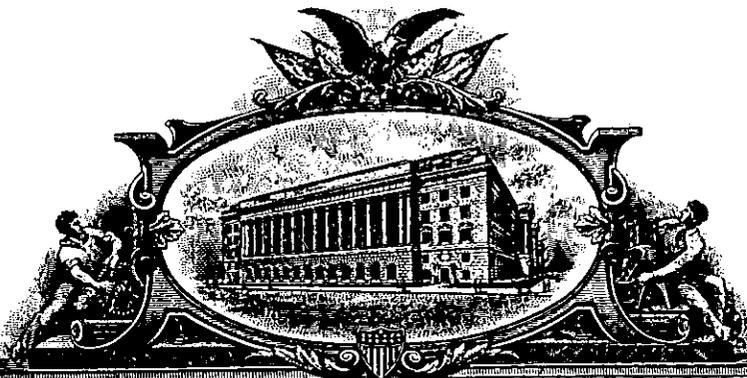
FIRST USE 9-13-1996; IN COMMERCE  
9-13-1996.

SER. NO. 75-118,415, FILED 6-13-1996.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Oct. 27, 1998.*

COMMISSIONER OF PATENTS AND TRADEMARKS

7034747



# THE UNITED STATES OF AMERICA

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**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,193,984 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 *October 06, 1998***

***SECTION 8 & 15***

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***Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*E. Bornett*  
E. BORNETT

**Certifying Officer**

Int. Cl.: 9

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

Reg. No. 2,193,984

**United States Patent and Trademark Office**

Registered Oct. 6, 1998

**TRADEMARK  
PRINCIPAL REGISTER**



DIGI INTERNATIONAL INC. (DELAWARE  
CORPORATION)  
6400 FLYING CLOUD DRIVE  
EDEN PRAIRIE, MN 55344

FOR: COMPUTER HARDWARE AND SOFT-  
WARE FOR DATA COMMUNICATIONS AND  
HARDWARE AND SOFTWARE DESIGNED TO  
OPERATE WITH DATA COMMUNICATIONS

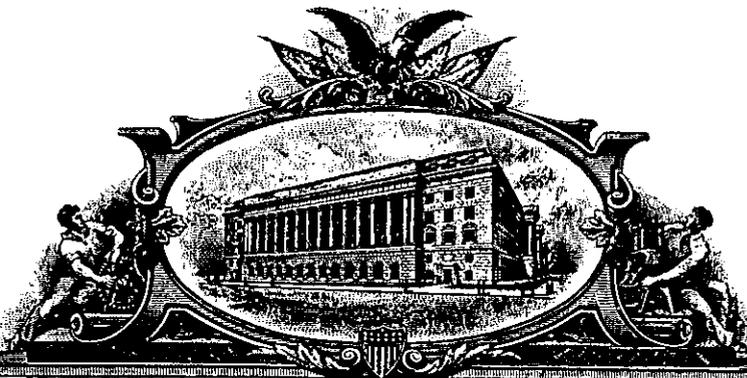
PRODUCTS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36  
AND 38).

FIRST USE 12-1-1995; IN COMMERCE  
12-1-1995.

SN 74-655,746, FILED 4-4-1995.

MARK SPARACINO, EXAMINING ATTORNEY

7034747



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**United States Patent and Trademark Office**

**October 12, 2006**

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SECTION 8 & 15**

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*Registrant*

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*E. Bornett*  
**E. BORNETT**  
**Certifying Officer**

Int. Cls.: 9, 37, 40, 41 and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101, 103,  
106 and 107

Reg. No. 2,200,945

**United States Patent and Trademark Office**

Registered Nov. 3, 1998

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**



DIGI INTERNATIONAL INC. (DELAWARE CORPORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: COMPUTER NETWORK CONNECTIVITY HARDWARE AND SOFTWARE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).  
FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

FOR: MAINTENANCE AND/OR REPAIR OF COMPUTER NETWORK CONNECTIVITY HARDWARE, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

FOR: MANUFACTURE OF COMPUTER NETWORK CONNECTIVITY HARDWARE TO THE SPECIFICATION OF OTHERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

FOR: TRAINING, NAMELY, PROVIDING CLASSES AND SEMINARS IN THE USE OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND SOFTWARE, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

FOR: DESIGN FOR OTHERS OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND SOFTWARE; MAINTENANCE, REPAIR

AND TECHNICAL SUPPORT IN THE FIELD OF NETWORK CONNECTIVITY HARDWARE AND SOFTWARE, NAMELY, TELEPHONE SUPPORT PROVIDED TO PURCHASERS AND USERS OF COMPUTER HARDWARE AND SOFTWARE, AND WRITING OF COMPUTER NETWORK CONNECTIVITY SOFTWARE FOR OTHERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

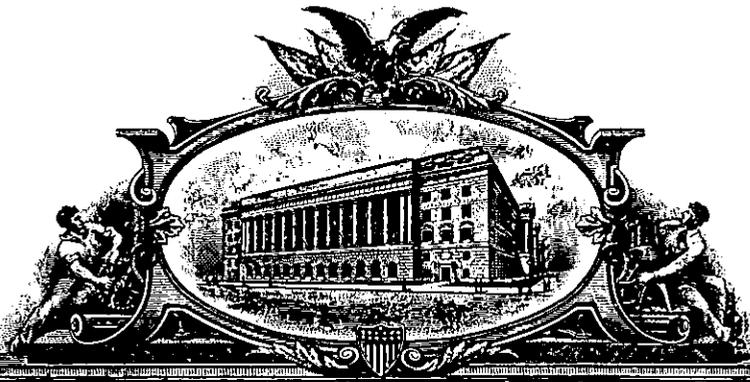
FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

OWNER OF U.S. REG. NOS. 1,663,234 AND 1,666,495.

SER. NO. 75-215,067, FILED 12-18-1996.

DOMINIC J. FERRAIUOLO, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,317,478 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *February 15, 2000***

***SECTION 8 & 15***

**SAID RECORDS SHOW TITLE TO BE IN:**

***REGISTRANT***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*L. Edeleu*

**L. EDELEN  
Certifying Officer**



Int. Cls.: 9, 37, 40, 41 and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101, 103,  
106 and 107

Reg. No. 2,317,478

**United States Patent and Trademark Office**

Registered Feb. 15, 2000

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

# Digi

DIGI INTERNATIONAL INC. (DELAWARE CORPORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: MICROCOMPUTER CIRCUIT BOARDS AND PERIPHERALS FOR USE IN CONNECTION WITH MULTI-USER SYSTEMS AND LOCAL AREA NETWORKS; AND MICROCOMPUTER SOFTWARE, NAMELY, SOFTWARE FOR OPERATING SUCH MICROCOMPUTER HARDWARE, SOFTWARE FOR TERMINAL EMULATIONS, SOFTWARE FOR DATA COMMUNICATIONS IN MULTI-USER SYSTEMS, SOFTWARE FOR DATA COMMUNICATIONS IN LOCAL AREA NETWORKS AND SOFTWARE FOR REMOTE LOCAL AREA NETWORK ACCESS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-23-1985; IN COMMERCE 7-23-1985.

FOR: MAINTENANCE AND/OR REPAIR OF COMPUTER NETWORK CONNECTIVITY HARDWARE, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 7-23-1985; IN COMMERCE 7-23-1985.

FOR: MANUFACTURE OF COMPUTER NETWORK CONNECTIVITY HARDWARE TO THE SPECIFICATION OF OTHERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 7-23-1985; IN COMMERCE 7-23-1985.

FOR: TRAINING, NAMELY, PROVIDING CLASSES AND SEMINARS IN THE USE OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND SOFTWARE, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-23-1985; IN COMMERCE 7-23-1985.

FOR: DESIGN FOR OTHERS OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND SOFTWARE; MAINTENANCE, REPAIR AND TECHNICAL SUPPORT IN THE FIELD OF NETWORK CONNECTIVITY HARDWARE AND SOFTWARE, NAMELY, TELEPHONE SUPPORT PROVIDED TO PURCHASERS AND USERS OF COMPUTER HARDWARE AND SOFTWARE, AND WRITING OF COMPUTER NETWORK CONNECTIVITY SOFTWARE FOR OTHERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-23-1985; IN COMMERCE 7-23-1985.

2

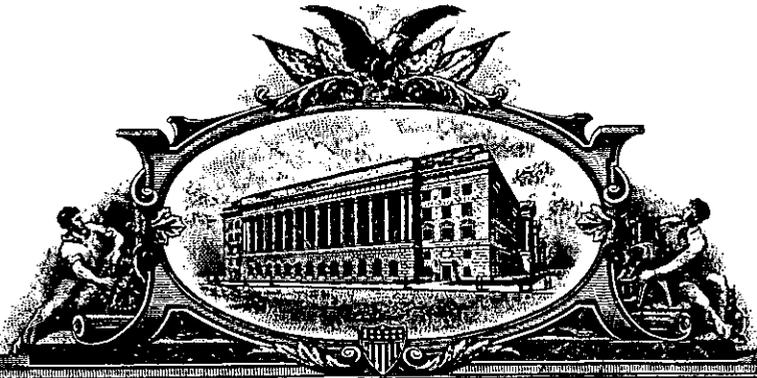
2,317,478

OWNER OF U.S. REG. NOS. 1,663,234 AND  
1,666,495.

SER. NO. 75-193,524, FILED 11-5-1996.

J. TINGLEY, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,319,992 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 *February 22, 2000***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*E. J. Bornett*  
**E. BORNETT**

**Certifying Officer**

Int. Cls.: 9, 37, 40, 41 and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100, 101, 103,  
106 and 107

Reg. No. 2,319,992

**United States Patent and Trademark Office**

Registered Feb. 22, 2000

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**DIGI**

DIGI INTERNATIONAL INC. (DELAWARE  
CORPORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: COMPUTER NETWORK CONNECTI-  
VITY HARDWARE AND SOFTWARE, IN  
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-23-1985; IN COMMERCE  
7-23-1985.

FOR: MAINTENANCE AND/OR REPAIR OF  
COMPUTER NETWORK CONNECTIVITY  
HARDWARE, IN CLASS 37 (U.S. CLS. 100, 103  
AND 106).

FIRST USE 7-23-1985; IN COMMERCE  
7-23-1985.

FOR: MANUFACTURE OF COMPUTER NET-  
WORK CONNECTIVITY HARDWARE TO THE  
SPECIFICATION OF OTHERS, IN CLASS 40  
(U.S. CLS. 100, 103 AND 106).

FIRST USE 7-23-1985; IN COMMERCE  
7-23-1985.

FOR: TRAINING, NAMELY, PROVIDING  
CLASSES AND SEMINARS IN THE USE OF

COMPUTER NETWORK CONNECTIVITY  
HARDWARE AND SOFTWARE, IN CLASS 41  
(U.S. CLS. 100, 101 AND 107).

FIRST USE 7-23-1985; IN COMMERCE  
7-23-1985.

FOR: DESIGN FOR OTHERS OF COMPUTER  
NETWORK CONNECTIVITY HARDWARE  
AND SOFTWARE; MAINTENANCE, REPAIR  
AND TECHNICAL SUPPORT IN THE FIELD  
OF NETWORK CONNECTIVITY HARDWARE  
AND SOFTWARE, NAMELY, TELEPHONE  
SUPPORT PROVIDED TO PURCHASERS AND  
USERS OF COMPUTER HARDWARE AND  
SOFTWARE, AND WRITING OF COMPUTER  
NETWORK CONNECTIVITY SOFTWARE FOR  
OTHERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-23-1985; IN COMMERCE  
7-23-1985.

OWNER OF U.S. REG. NOS. 1,663,234 AND  
1,666,495.

SER. NO. 75-193,725, FILED 11-5-1996.

J. TINGLEY, EXAMINING ATTORNEY

7034747



**THE UNITED STATES OF AMERICA**

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**October 12, 2006**

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,369,665 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 *July 25, 2000***

**SECTION 8 & 15**

**SAID RECORDS SHOW TITLE TO BE IN:**

***REGISTRANT***

**By Authority of the**

**Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*L. Edele*

**L. EDELEN  
Certifying Officer**



Int. Cls.: 37, 40, 41 and 42

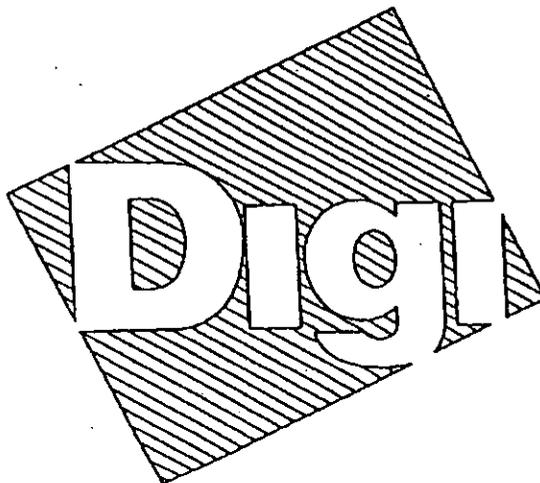
Prior U.S. Cls.: 100, 101, 103, 106 and 107

Reg. No. 2,369,665

**United States Patent and Trademark Office**

Registered July 25, 2000

**SERVICE MARK  
PRINCIPAL REGISTER**



DIGI INTERNATIONAL INC. (DELAWARE CORPORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: MAINTENANCE AND OR REPAIR OF COMPUTER NETWORK CONNECTIVITY HARDWARE, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

FOR: MANUFACTURE OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND SOFTWARE TO THE SPECIFICATION OF OTHERS, IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

FOR: TRAINING, NAMELY, PROVIDING CLASSES AND SEMINARS IN THE USE OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND

SOFTWARE, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

FOR: DESIGN FOR OTHERS OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND SOFTWARE; MAINTENANCE, REPAIR AND TECHNICAL SUPPORT IN THE FIELD OF NETWORK CONNECTIVITY COMPUTER SOFTWARE, IN CLASS 42 (U.S. CLS. 100 AND 101).

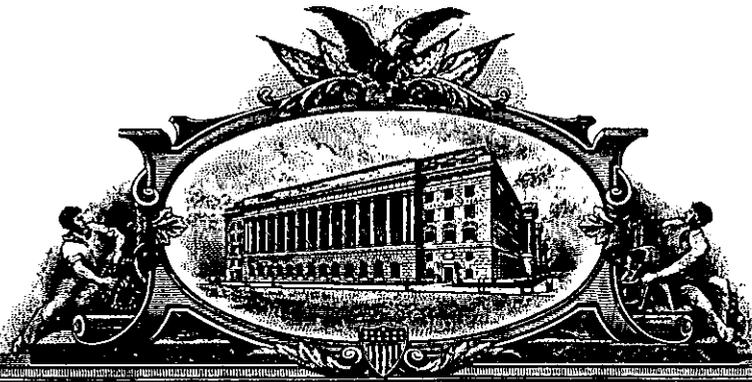
FIRST USE 7-0-1994; IN COMMERCE 7-0-1994.

THE DRAWING IS LINED FOR THE COLOR GREEN.

SER. NO. 75-207,246, FILED 12-3-1996.

J. TINGLEY, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

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

October 12, 2006

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,630,891 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 08, 2002*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*L. Edelen*

**L. EDELEN  
Certifying Officer**



Int. Cls.: 9 and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100 and 101

**United States Patent and Trademark Office**

Reg. No. 2,630,891

Registered Oct. 8, 2002

**TRADEMARK  
SERVICE MARK  
PRINCIPAL REGISTER**

**DIGI**

DIGI INTERNATIONAL INC. (DELAWARE CORPORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: COMPUTER NETWORK CONNECTIVITY HARDWARE AND COMPUTER NETWORK CONNECTIVITY SOFTWARE, NAMELY, MULTI-MODEM COMMUNICATION ADAPTERS, MULTIPORT SERIAL ADAPTERS, USB-TO SERIAL CONVERTERS, USB EXPANSION HUBS, USB REMOTE ACCESS SERVERS, TERMINAL SERVERS, PRINTER SERVERS, DEVICE SERVERS, AND NETWORK SERIAL CONCENTRATORS, ALL USED TO PROVIDE WIRED AND WIRELESS CONNECTIVITY BETWEEN LOCAL AND WIDE AREA NETWORKS, TO PROVIDE UNIVERSAL SERIAL BUS (USB) CONNECTIVITY, TO PROVIDE REMOTE ACCESS TO LOCAL AND WIDE AREA NETWORKS, TO PROVIDE FIREWALL SECURITY, AND TO PROVIDE INTERNET ACCESS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 7-23-1985; IN COMMERCE 7-23-1985.

FOR: CONSULTING AND DESIGN SERVICES IN CONNECTION WITH COMPUTER NETWORK CONNECTIVITY HARDWARE, WIRED AND WIRELESS, AND COMPUTER NETWORK CONNECTIVITY SOFTWARE; MAINTENANCE, REPAIR AND TECHNICAL SUPPORT IN THE FIELD OF COMPUTER NETWORK CONNECTIVITY HARDWARE AND COMPUTER NETWORK CONNECTIVITY SOFTWARE, NAMELY, TELEPHONE SUPPORT PROVIDED TO CUSTOMERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

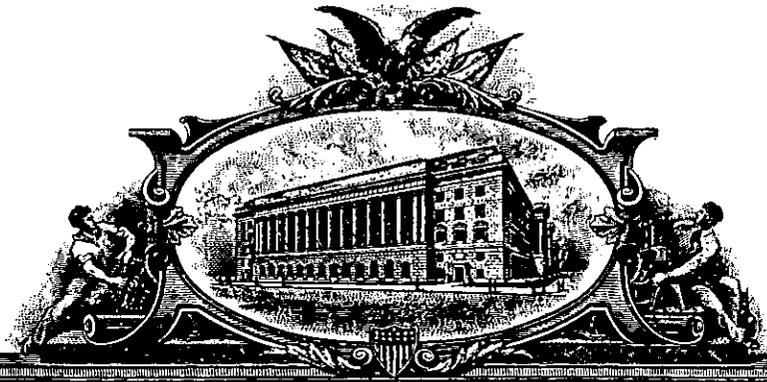
FIRST USE 7-23-1985; IN COMMERCE 7-23-1985.

OWNER OF U.S. REG. NOS. 1,666,495, 2,369,665 AND OTHERS.

SER. NO. 76-258,111, FILED 5-16-2001.

J. TINGLEY, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

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

October 12, 2006

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,912,411 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
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**REGISTERED FOR A TERM OF 10 YEARS FROM *December 21, 2004*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**

*L. Edele*

**L. EDELEN  
Certifying Officer**



Int. Cl.: 9

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

Reg. No. 2,912,411

**United States Patent and Trademark Office**

Registered Dec. 21, 2004

**TRADEMARK  
PRINCIPAL REGISTER**

**DIGI CONNECT**

DIGI INTERNATIONAL INC. (DELAWARE COR-  
PORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FIRST USE 12-1-1995; IN COMMERCE 12-1-1995.

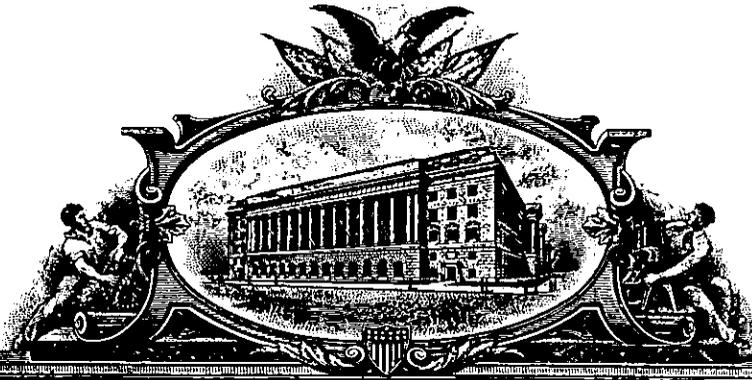
OWNER OF U.S. REG. NOS. 1,666,495, 2,765,124  
AND OTHERS.

FOR: COMPUTER NETWORK CONNECTIVITY  
HARDWARE AND COMPUTER NETWORK CON-  
NECTIVITY SOFTWARE, IN CLASS 9 (U.S. CLS. 21,  
23, 26, 36 AND 38).

SER. NO. 76-554,843, FILED 10-14-2003.

LINDA MICKLEBURGH, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

October 12, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,925,639 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 *February 08, 2005*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*L. Edelen*

L. EDELEN  
Certifying Officer



**Int. Cl.: 9**

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

**United States Patent and Trademark Office**

**Reg. No. 2,925,639**

**Registered Feb. 8, 2005**

**TRADEMARK  
PRINCIPAL REGISTER**

**DIGI CONNECT ME**

**DIGI INTERNATIONAL INC. (DELAWARE COR-  
PORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343**

**FIRST USE 4-0-2003; IN COMMERCE 4-0-2003.**

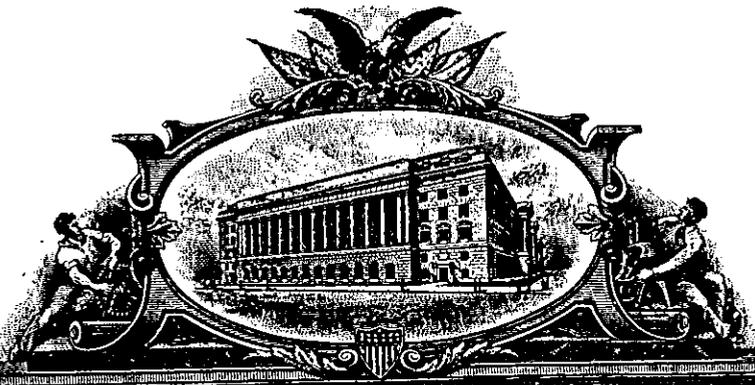
**OWNER OF U.S. REG. NOS. 1,666,495, 2,392,683,  
AND OTHERS.**

**FOR: COMPUTER NETWORK CONNECTIVITY  
HARDWARE COMPUTER NETWORK CONNEC-  
TIVITY SOFTWARE, IN CLASS 9 (U.S. CLS. 21, 23,  
26, 36 AND 38).**

**SN 76-509,257, FILED 4-24-2003.**

**MARY I. SPARROW, EXAMINING ATTORNEY**

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME;**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

October 12, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,021,998 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
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REGISTERED FOR A TERM OF 10 YEARS FROM *November 29, 2005*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

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and Director of the United States Patent and Trademark Office

*L. Edelen*  
L. EDELEN  
Certifying Officer



Int. Cl.: 9

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

United States Patent and Trademark Office

Reg. No. 3,021,998

Registered Nov. 29, 2005

**TRADEMARK  
PRINCIPAL REGISTER**

**DIGI CONNECT WI-ME**

DIGI INTERNATIONAL INC. (DELAWARE COR-  
PORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: COMPUTER NETWORK CONNECTIVITY  
HARDWARE, NAMELY, WIRELESS DEVICE SER-  
VER MODULES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36  
AND 38).

FIRST USE 4-1-2005; IN COMMERCE 4-1-2005.

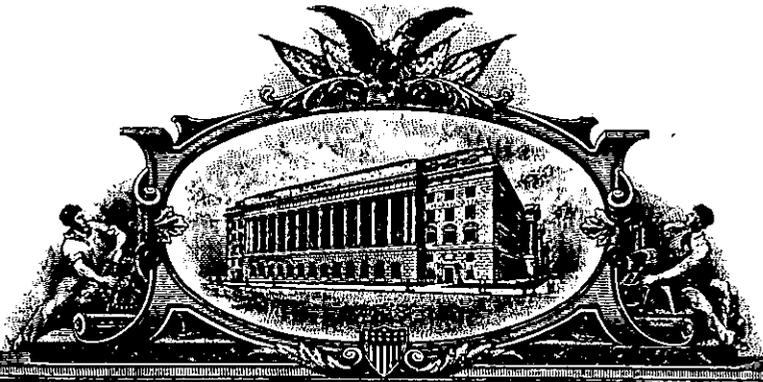
THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,317,478, 2,630,891,  
AND OTHERS.

SN 78-392,292, FILED 3-29-2004.

CHERYL CLAYTON, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

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**REGISTERED FOR A TERM OF 10 YEARS FROM *November 29, 2005*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office**



*L. Edele*  
**L. EDELEN**  
Certifying Officer

Int. Cl.: 9

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

**United States Patent and Trademark Office**

**Reg. No. 3,022,000**  
Registered Nov. 29, 2005

**TRADEMARK  
PRINCIPAL REGISTER**

**DIGI CONNECT WI-EM**

DIGI INTERNATIONAL INC. (DELAWARE COR-  
PORATION)  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343

FOR: COMPUTER NETWORK CONNECTIVITY  
HARDWARE, NAMELY, WIRELESS DEVICE SER-  
VER MODULES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36  
AND 38).

FIRST USE 4-1-2005; IN COMMERCE 4-1-2005.

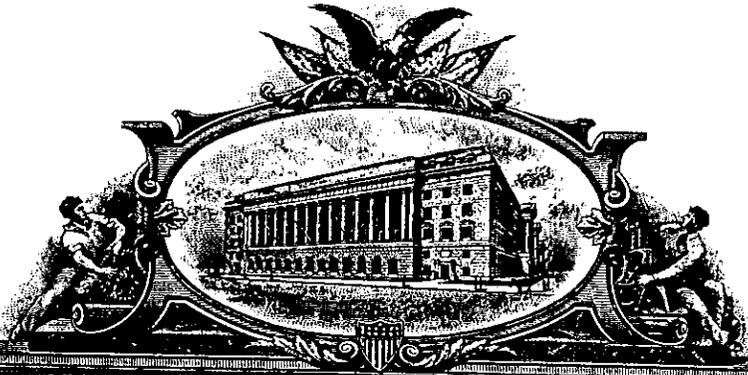
THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,317,478, 2,630,891,  
AND OTHERS.

SN 78-392,316, FILED 3-29-2004.

CHERYL CLAYTON, EXAMINING ATTORNEY

7034747



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

October 12, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,071,921 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 *March 21, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

*L. Edelen*

L. EDELEN  
Certifying Officer



Int. Cl.: 9

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

**United States Patent and Trademark Office**

Reg. No. 3,071,921

Registered Mar. 21, 2006

**TRADEMARK  
PRINCIPAL REGISTER**

**DIGI CONNECT SP**

DIGI INTERNATIONAL INC. (DELAWARE COR-  
PORATION)

11001 BREN ROAD EAST

MINNETONKA, MN 55343

FOR: COMPUTER NETWORK CONNECTIVITY  
HARDWARE, NAMELY, DEVICE SERVERS, IN  
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 4-1-2004; IN COMMERCE 4-1-2004.

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,317,478, 2,630,891,  
AND OTHERS.

SN 78-380,060, FILED 3-8-2004.

YSA DEJESUS, EXAMINING ATTORNEY

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**Serial Number:** 78168205 Assignment Information

**Registration Number:** 2907196

**Mark**



**(words only):** DIGILINE

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2004-11-30

**Filing Date:** 2002-09-26

**Transformed into a National Application:** No

**Registration Date:** 2004-11-30

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 116

**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:** 650 -Publication And Issue Section

**Date In Location:** 2004-10-21

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East

Minnetonka, MN 55343

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

### GOODS AND/OR SERVICES

---

**International Class:** 042

**Class Status:** Active

Technical support services, namely, troubleshooting of computer hardware and software problems provided to purchasers and users of computer connectivity hardware and computer connectivity software by telephone and via the Internet

**Basis:** 1(a)

**First Use Date:** 2002-08-00

**First Use in Commerce Date:** 2002-08-00

---

### ADDITIONAL INFORMATION

---

**Design Search Code(s):**

16.01.08 - Telephones

17.07.25 - Geiger counters; Metal detectors (hand-held); Seismograph; Windssock

26.17.10 - Lines, zig-zag; Zig-zag line(s)

26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters

**Prior Registration Number(s):**

1666495

2019613

2132925

2148245

2176760

2193984

2200945

2317478

2319992

2369665

2392683

---

### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

---

### PROSECUTION HISTORY

---

2004-11-30 - Registered - Principal Register

2004-09-30 - Law Office Registration Review Completed

2004-09-27 - Assigned To LIE  
2004-09-14 - Allowed for Registration - Principal Register (SOU accepted)  
2004-09-14 - Assigned To Examiner  
2004-04-26 - Unresponsive/Duplicate Paper Received  
2004-04-28 - Assigned To Examiner  
2004-04-26 - PAPER RECEIVED  
2004-04-26 - Statement of use processing complete  
2004-04-12 - Amendment to Use filed  
2004-04-23 - TEAS Change Of Correspondence Received  
2004-04-22 - Case File In TICRS  
2004-04-12 - PAPER RECEIVED  
2003-10-14 - Notice of allowance - mailed  
2003-07-22 - Published for opposition  
2003-07-02 - Notice of publication  
2003-05-19 - Approved for Pub - Principal Register (Initial exam)  
2003-04-21 - Communication received from applicant  
2003-04-21 - PAPER RECEIVED  
2003-03-24 - Non-final action mailed  
2003-03-05 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

MARSHA STOLT, (Attorney of record)

MARSHA STOLT,  
MOSS & BARNETT, P.A.  
4800 WELLS FARGO CT 90 SO SEVENTH ST  
MINNEAPOLIS MN 55402-4129

**Phone Number:** (612) 347-0443**Fax Number:** (612) 339-6686





**United States Patent and Trademark Office**

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**No assignment has been recorded at the USPTO**

**For Serial Number: 78168205**

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.  
Web interface last modified: July 26, 2006 v.1.10

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**Serial Number:** 78146966 Assignment Information

**Registration Number:** 2960718

**Mark (words only):** DIGI EASYPOWER

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2005-06-07

**Filing Date:** 2002-07-24

**Transformed into a National Application:** No

**Registration Date:** 2005-06-07

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 110

**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:** 650 -Publication And Issue Section

**Date In Location:** 2005-04-29

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

**Phone Number:** (612) 912-3444

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active  
Computer network connectivity hardware  
**Basis:** 1(a)  
**First Use Date:** 2002-11-00  
**First Use in Commerce Date:** 2003-05-00

---

**ADDITIONAL INFORMATION**

---

**Prior Registration Number(s):**

1666495  
2019613  
2132925  
2148245  
2176760  
2193984  
2200945  
2317478  
2319992  
2369665  
3292683

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

---

**PROSECUTION HISTORY**

---

2005-06-07 - Registered - Principal Register  
2005-04-05 - Law Office Registration Review Completed  
2005-04-01 - Assigned To LIE  
2005-03-28 - Allowed for Registration - Principal Register (SOU accepted)  
2005-03-24 - Amendment From Applicant Entered  
2005-03-01 - Communication received from applicant  
2005-03-01 - PAPER RECEIVED  
2004-09-16 - Non-final action mailed  
2004-09-15 - SU - Non-Final Action - Written  
2004-06-24 - Case File In TICRS  
2004-06-18 - PAPER RECEIVED

2004-02-12 - Statement of use processing complete  
2004-01-12 - Amendment to Use filed  
2004-02-01 - Extension 1 granted  
2004-01-01 - Extension 1 filed  
2004-05-17 - Petition To Revive-Granted  
2004-04-26 - PAPER RECEIVED  
2004-04-23 - TEAS Change Of Correspondence Received  
2004-01-12 - Petition To Revive-Received  
2004-04-20 - Abandonment - No use statement filed  
2004-01-12 - PAPER RECEIVED  
2003-07-01 - Notice of allowance - mailed  
2003-04-08 - Published for opposition  
2003-03-19 - Notice of publication  
2003-02-11 - Approved for Pub - Principal Register (Initial exam)  
2003-02-04 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

Marsha Stolt (Attorney of record)

Marsha Stolt, Esq.  
Moss & Barnett, P.A.  
4800 Wells Fargo Ct 90 So Seventh St  
Minneapolis MN 55402-4129

**Phone Number:** (612) 347-0443**Fax Number:** (612) 339-6686

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**For Serial Number: 78146966**

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Web interface last modified: July 26, 2006 v.1.10

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**Serial Number:** 76495426 Assignment Information

**Registration Number:** 3038875

**Mark (words only):** DIGI FLEX

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2006-01-10

**Filing Date:** 2003-03-06

**Transformed into a National Application:** No

**Registration Date:** 2006-01-10

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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:** 650 -Publication And Issue Section

**Date In Location:** 2006-01-10

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Computer hardware and embedded computer software used to connect serial devices to a network

**Basis:** 1(a)

**First Use Date:** 2003-02-00

**First Use in Commerce Date:** 2003-02-00

---

#### ADDITIONAL INFORMATION

---

**Prior Registration Number(s):**

1666495  
2019613  
2132925  
2148245  
2176760  
2193984  
2200945  
2317478  
2319992  
2369665  
2392683

---

#### MADRID PROTOCOL INFORMATION

---

(NOT AVAILABLE)

---

#### PROSECUTION HISTORY

---

2006-01-10 - Registered - Principal Register  
2005-07-13 - Opposition terminated for Proceeding  
2005-07-13 - Opposition dismissed for Proceeding  
2004-09-13 - Case File In TICRS  
2004-08-03 - Opposition instituted for Proceeding  
2004-07-14 - Extension Of Time To Oppose Process - Terminated  
2004-04-26 - PAPER RECEIVED  
2004-04-23 - TEAS Change Of Correspondence Received  
2003-11-25 - Extension Of Time To Oppose Received  
2003-10-21 - Published for opposition  
2003-10-01 - Notice of publication  
2003-08-15 - Approved for Pub - Principal Register (Initial exam)

2003-08-14 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

Marsha Stolt, Esq. (Attorney of record)

MARSHA STOLT, ESQ.  
MOSS & BARNETT, P.A.  
4800 WELLS FARGO CT  
90 SOUTH SEVENTH ST  
MINNEAPOLIS, MN 55402-4129  
**Phone Number:** (612) 347-0443  
**Fax Number:** (612) 339-6686

---



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**Assignments on the Web > Trademark Query**

**No assignment has been recorded at the USPTO**

**For Serial Number: 76495426**

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Web interface last modified: July 26, 2006 v.1.10

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**This page was generated by the TARR system on 2006-10-20 14:43:07 ET**

**Serial Number:** 76510783 Assignment Information

**Registration Number:** 2915625

**Mark (words only):** DIGI CONNECTWARE

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2005-01-04

**Filing Date:** 2003-04-30

**Transformed into a National Application:** No

**Registration Date:** 2005-01-04

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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:** 650 -Publication And Issue Section

**Date In Location:** 2005-01-04

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Computer Network Connectivity Hardware and Computer Network Connectivity Software

**Basis:** 1(a)

**First Use Date:** 2001-03-31

**First Use in Commerce Date:** 2001-03-31

**International Class:** 037

**Class Status:** Active

Maintenance and repair of computer network connectivity hardware

**Basis:** 1(a)

**First Use Date:** 2001-03-31

**First Use in Commerce Date:** 2001-03-31

**International Class:** 042

**Class Status:** Active

Design for others of computer network connectivity hardware and software; maintenance and repair of computer software; technical support in the field of network connectivity hardware and software, namely, telephone support provided to purchasers and users of computer hardware and software

**Basis:** 1(a)

**First Use Date:** 2001-03-31

**First Use in Commerce Date:** 2001-03-31

---

#### ADDITIONAL INFORMATION

---

**Prior Registration Number(s):**

1666495

2019613

2132925

2148245

2176760

2193984

2200945

2317478

2319992

2369665

2392683

2624198

2630891

2701154

---

#### MADRID PROTOCOL INFORMATION

---

(NOT AVAILABLE)

---

#### PROSECUTION HISTORY

---

2005-01-04 - Registered - Principal Register

2004-10-19 - Assigned To Examiner

2004-10-12 - Published for opposition  
2004-09-22 - Notice of publication  
2004-08-04 - Law Office Publication Review Completed  
2004-08-04 - Assigned To LIE  
2004-07-26 - Approved for Pub - Principal Register (Initial exam)  
2004-06-03 - Examiner's amendment mailed  
2004-05-23 - Previous allowance count withdrawn  
2004-04-26 - PAPER RECEIVED  
2004-04-23 - TEAS Change Of Correspondence Received  
2004-03-25 - Approved for Pub - Principal Register (Initial exam)  
2004-01-13 - Communication received from applicant  
2004-01-13 - PAPER RECEIVED  
2003-10-01 - Non-final action mailed  
2003-09-29 - Assigned To Examiner  
2003-06-30 - PAPER RECEIVED

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

MARSHA STOLT (Attorney of record)

MARSHA STOLT  
MOSS & BARNETT PA  
4800 WELLS FARGO CTR  
90 S 7TH ST  
MINNEAPOLIS MN 55402-4129  
**Phone Number:** (612) 347-0443  
**Fax Number:** (612) 339-6686

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**For Serial Number: 76510783**

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Web interface last modified: July 26, 2006 v.1.10

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**Serial Number:** 76492566 Assignment Information

**Registration Number:** 2802150

**Mark (words only):** DIGI ONE REALPORT

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2004-01-06

**Filing Date:** 2003-02-26

**Transformed into a National Application:** No

**Registration Date:** 2004-01-06

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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 -File Repository (Franconia)

**Date In Location:** 2004-01-12

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Computer network connectivity hardware and software, namely, external and embedded computer hardware and embedded computer software used to network enable serial components

**Basis:** 1(a)

**First Use Date:** 2001-10-00

**First Use in Commerce Date:** 2001-10-00

---

#### ADDITIONAL INFORMATION

---

**Prior Registration Number(s):**

1666495  
2019613  
2118245  
2132925  
2148245  
2176760  
2193984  
2200945  
2317478  
2319992  
2356564  
2369665  
2392683

---

#### MADRID PROTOCOL INFORMATION

---

(NOT AVAILABLE)

---

#### PROSECUTION HISTORY

---

2004-01-06 - Registered - Principal Register  
2003-10-14 - Published for opposition  
2003-09-24 - Notice of publication  
2003-08-11 - Approved for Pub - Principal Register (Initial exam)  
2003-08-11 - Examiner's amendment mailed  
2003-08-06 - Assigned To Examiner

---

#### CORRESPONDENCE INFORMATION

---

**Correspondent**

Marsha Stolt (Attorney of record)

MARSHA STOLT  
FISH & RICHARDSON P.C., P.A.

3300 DAIN RAUSCHER PLAZA  
60 SOUTH SIXTH STREET  
MINNEAPOLIS, MINNESOTA 55402  
**Phone Number:** (612) 337-2579  
**Fax Number:** 612 288-9696

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**Assignments on the Web > Trademark Query**

**No assignment has been recorded at the USPTO**

**For Serial Number: 76492566**

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.  
Web interface last modified: July 26, 2006 v.1.10

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2006-10-20 14:43:25 ET**

**Serial Number:** 76492565 Assignment Information

**Registration Number:** 2802149

**Mark (words only):** DIGI ONE IA REALPORT

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2004-01-06

**Filing Date:** 2003-02-26

**Transformed into a National Application:** No

**Registration Date:** 2004-01-06

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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 -File Repository (Franconia)

**Date In Location:** 2004-01-12

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Computer network connectivity hardware and software, namely, external and embedded computer hardware and embedded computer software used to network enable serial components for industrial automation environments and applications

**Basis:** 1(a)

**First Use Date:** 2002-01-00

**First Use in Commerce Date:** 2002-01-00

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** "IA"

**Prior Registration Number(s):**

1666495  
2019613  
2132925  
2148245  
2176760  
2193984  
2200945  
2317478  
2319992  
2369665  
2392683

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

2004-01-06 - Registered - Principal Register  
2003-10-14 - Published for opposition  
2003-09-24 - Notice of publication  
2003-08-11 - Approved for Pub - Principal Register (Initial exam)  
2003-08-11 - Examiner's amendment mailed  
2003-08-06 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

Marsha Stolt (Attorney of record)

MARSHA STOLT

FISH & RICHARDSON P.C., P.A.  
3300 DAIN RAUSCHER PLAZA  
60 SOUTH SIXTH STREET  
MINNEAPOLIS, MINNESOTA 55402  
**Phone Number:** (612) 337-2579  
**Fax Number:** 612 288-9696

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**For Serial Number: 76492565**

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**Serial Number:** 76378351 Assignment Information

**Registration Number:** 2801034

**Mark**



**(words only):** NETSILICON A DIGI INTERNATIONAL COMPANY

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2003-12-30

**Filing Date:** 2002-03-04

**Transformed into a National Application:** No

**Registration Date:** 2003-12-30

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 108

**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 -File Repository (Franconia)

**Date In Location:** 2004-01-12

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East

Minnetonka, MN 55343  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009  
**Class Status:** Active  
Computer network connectivity hardware and computer network connectivity software  
**Basis:** 1(a)  
**First Use Date:** 2002-02-00  
**First Use in Commerce Date:** 2002-02-00

**International Class:** 041  
**Class Status:** Active  
Providing Training Services in Connection with Computer Network Connectivity Hardware and Software  
**Basis:** 1(a)  
**First Use Date:** 2002-02-00  
**First Use in Commerce Date:** 2002-02-00

**International Class:** 042  
**Class Status:** Active  
Consulting and Design Services in Connection with Computer Network Connectivity Hardware and Software; Maintenance, Repair and Technical Support in the Field of Computer Network Connectivity Hardware and Software  
**Basis:** 1(a)  
**First Use Date:** 2002-02-00  
**First Use in Commerce Date:** 2002-02-00

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** "INTERNATIONAL COMPANY"

**Design Search Code(s):**  
24.15.25 - Other arrows

**Prior Registration Number(s):**  
1666495  
2019613  
2132925  
2148245  
2176760  
2193984  
2200945  
2317478  
2319992  
2369665

2435343  
2473966  
2579066

---

**MADRID PROTOCOL INFORMATION**

---

**USPTO Reference Number:** Z1230634  
**International Registration Number:** 0827992  
**International Registration Date:** 2004-03-30  
**Original Filing Date with USPTO:** 2004-03-30  
**International Registration Status:** Application For IR Registered By IB  
**Date of International Registration Status:** 2004-07-29  
**International Registration Renewal Date:** 2014-03-30  
**Irregularity Reply by Date:** (DATE NOT AVAILABLE)

**Madrid History:**

07-29-2004 - 13:28:36 - Application For IR Registered By IB  
07-13-2004 - 08:20:17 - Irregularity Response Received From Applicant  
07-07-2004 - 11:02:19 - Response To Irregularity Reviewed And Accepted  
04-27-2004 - 14:26:51 - Irregularity Received From IB  
04-02-2004 - 05:51:02 - Manually Certified  
04-01-2004 - 11:43:50 - New Application For IR Received

---

**PROSECUTION HISTORY**

---

2003-12-30 - Registered - Principal Register  
2003-10-21 - Allowed for Registration - Principal Register (SOU accepted)  
2003-10-04 - Case File In TICRS  
2003-08-15 - Statement of use processing complete  
2003-04-25 - Amendment to Use filed  
2003-04-25 - PAPER RECEIVED  
2003-03-11 - Notice of allowance - mailed  
2002-12-17 - Published for opposition  
2002-11-27 - Notice of publication  
2002-10-16 - Approved for Pub - Principal Register (Initial exam)  
2002-10-16 - Assigned To Examiner  
2002-10-11 - Examiner's amendment mailed

2002-10-11 - Assigned To Examiner

2002-08-30 - Communication received from applicant

2002-08-30 - PAPER RECEIVED

2002-08-09 - Non-final action mailed

2002-06-27 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

Marsha Stolt (Attorney of record)

MARSHA STOLT  
FISH & RICHARDSON P.C., P.A.  
3300 DAIN RAUSCHER PLAZA  
60 SOUTH SIXTH STREET  
MINNEAPOLIS, MINNESOTA 55402  
**Phone Number:** (612) 337-2579  
**Fax Number:** 612 288-9696

---



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**For Serial Number: 76378351**

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Web interface last modified: July 26, 2006 v.1.10

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**Serial Number:** 76310132 Assignment Information

**Registration Number:** 2765124

**Mark (words only):** DIGI ONE

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2003-09-16

**Filing Date:** 2001-09-07

**Transformed into a National Application:** No

**Registration Date:** 2003-09-16

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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 -File Repository (Franconia)

**Date In Location:** 2003-09-26

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Computer network connectivity hardware, namely, external and embedded computer hardware used to network enable serial components

**Basis:** 1(a)

**First Use Date:** 2001-07-00

**First Use in Commerce Date:** 2001-09-00

---

### ADDITIONAL INFORMATION

---

**Prior Registration Number(s):**

1666495  
2019613  
2132925  
2148245  
2176760  
2193984  
2200945  
2317478  
2319992  
2369665

---

### MADRID PROTOCOL INFORMATION

---

**USPTO Reference Number:** Z1230636

**International Registration Number:** 0822611

**International Registration Date:** 2004-03-30

**Original Filing Date with USPTO:** 2004-03-30

**International Registration Status:** Application For IR Registered By IB

**Date of International Registration Status:** 2004-05-06

**International Registration Renewal Date:** 2014-03-30

**Irregularity Reply by Date:** (DATE NOT AVAILABLE)

**Madrid History:**

05-10-2004 - 16:17:49 - Application For IR Registered By IB

04-02-2004 - 08:32:01 - Manually Certified

04-01-2004 - 11:06:01 - New Application For IR Received

---

### PROSECUTION HISTORY

---

2003-01-02 - PAPER RECEIVED

2003-09-16 - Registered - Principal Register

2003-01-06 - Assigned To Examiner

2002-11-19 - Allowed for Registration - Principal Register (SOU accepted)

2002-09-26 - Communication received from applicant

2002-11-12 - Assigned To Examiner

2002-11-06 - Statement of use processing complete  
2002-09-26 - Amendment to Use filed  
2002-09-30 - PAPER RECEIVED  
2002-08-20 - Notice of allowance - mailed  
2002-05-28 - Published for opposition  
2002-05-08 - Notice of publication  
2001-11-07 - Approved for Pub - Principal Register (Initial exam)  
2001-11-06 - Assigned To Examiner  
2001-11-05 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

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MARSHA STOLT  
FISH & RICHARDSON PC PA  
3300 DAIN RAUSCHER PLZ  
60 S 6TH ST  
MINNEAPOLIS MN 55402  
**Phone Number:** (612) 337-2579  
**Fax Number:** 612 288-9696

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**For Serial Number: 76310132**

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Web interface last modified: July 26, 2006 v.1.10

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**Serial Number:** 76261216 Assignment Information

**Registration Number:** 2624198

**Mark (words only):** WWW.DIGI.COM

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2002-09-24

**Filing Date:** 2001-05-22

**Transformed into a National Application:** No

**Registration Date:** 2002-09-24

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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 -File Repository (Franconia)

**Date In Location:** 2002-10-16

---

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

---

1. DIGI INTERNATIONAL INC.

**Address:**

DIGI INTERNATIONAL INC.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

2002-02-01 - Communication received from applicant

2002-01-29 - Communication received from applicant

2001-08-31 - Non-final action mailed

2001-08-21 - Assigned To Examiner

2001-08-17 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

---

**Correspondent**

MARSHA STOLT (Attorney of record)

MARSHA STOLT  
FISH & RICHARDSON PC PA  
3300 DAIN RAUSCHER PLZ  
60 S 6TH ST  
MINNEAPOLIS MN 55402

---



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**Assignments on the Web > Trademark Query**

**No assignment has been recorded at the USPTO**

**For Serial Number: 76261216**

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.  
Web interface last modified: July 26, 2006 v.1.10

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**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2006-10-20 14:44:13 ET**

**Serial Number:** 76239207 Assignment Information

**Registration Number:** 2701154

**Mark (words only):** DIGI NEO

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2003-03-25

**Filing Date:** 2001-04-11

**Transformed into a National Application:** No

**Registration Date:** 2003-03-25

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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 -File Repository (Franconia)

**Date In Location:** 2003-04-09

---

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

---

1. Digi International Inc

**Address:**

Digi International Inc  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Computer network connectivity hardware and computer network connectivity software

**Basis:** 1(a)

**First Use Date:** 2001-04-04

**First Use in Commerce Date:** 2001-05-24

---

### ADDITIONAL INFORMATION

---

**Prior Registration Number(s):**

1666495

2148245

2176760

2193984

2200945

2317478

2319992

2369665

---

### MADRID PROTOCOL INFORMATION

---

**USPTO Reference Number:** Z1230641

**International Registration Number:** 0822600

**International Registration Date:** 2004-03-30

**Original Filing Date with USPTO:** 2004-03-30

**International Registration Status:** Application For IR Registered By IB

**Date of International Registration Status:** 2004-05-06

**International Registration Renewal Date:** 2014-03-30

**Irregularity Reply by Date:** (DATE NOT AVAILABLE)

**Madrid History:**

05-10-2004 - 16:16:12 - Application For IR Registered By IB

04-02-2004 - 08:29:32 - Manually Certified

04-01-2004 - 11:21:17 - New Application For IR Received

---

### PROSECUTION HISTORY

---

2003-03-25 - Registered - Principal Register

2003-01-10 - Allowed for Registration - Principal Register (SOU accepted)

2003-01-10 - Assigned To Examiner

2003-01-08 - Statement of use processing complete

2002-10-23 - Amendment to Use filed

2002-10-28 - PAPER RECEIVED

2002-10-08 - Notice of allowance - mailed

2002-07-16 - Published for opposition

2002-06-26 - Notice of publication

2002-04-05 - Approved for Pub - Principal Register (Initial exam)

2002-02-07 - Communication received from applicant

2001-08-02 - Non-final action mailed

2001-07-27 - Assigned To Examiner

2001-07-25 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

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**Correspondent**

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60 S 6TH ST  
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**Phone Number:** (612) 337-2579

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**For Serial Number: 76239207**

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**Serial Number:** 76192414 Assignment Information

**Registration Number:** 2743267

**Mark**



**(words only):** DIGI CONNECTWARE

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2003-07-29

**Filing Date:** 2001-01-09

**Transformed into a National Application:** No

**Registration Date:** 2003-07-29

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 900 -File Repository (Franconia)

**Date In Location:** 2003-08-04

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East

2003-04-01 - Amendment to Use filed  
2003-04-01 - Extension 1 filed  
2003-04-07 - PAPER RECEIVED  
2002-10-01 - Notice of allowance - mailed  
2002-07-09 - Published for opposition  
2002-06-19 - Notice of publication  
2002-02-22 - Approved for Pub - Principal Register (Initial exam)  
2001-11-19 - Communication received from applicant  
2001-06-29 - Non-final action mailed  
2001-06-06 - Assigned To Examiner  
2001-06-01 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

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**Correspondent**

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3300 DAIN RAUSCHER PLAZA  
60 SOUTH SIXTH STREET  
MINNEAPOLIS MINNESOTA 55402  
**Phone Number:** (612) 337-2579  
**Fax Number:** (612) 288-9696

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**For Serial Number: 76192414**

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**Serial Number:** 75576649 Assignment Information

**Registration Number:** 2392683

**Mark (words only):** DIGI INTERNATIONAL

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2000-10-10

**Filing Date:** 1998-10-27

**Transformed into a National Application:** No

**Registration Date:** 2000-10-10

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 102

**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:** 650 -Publication And Issue Section

**Date In Location:** 2000-10-10

---

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 037

**Class Status:** Active

Maintenance and/or Repair of Computer Network Connectivity Hardware

**Basis:** 1(a)

**First Use Date:** 1994-07-00

**First Use in Commerce Date:** 1994-07-00

**International Class:** 040

**Class Status:** Active

Manufacture of Computer Network Connectivity Hardware and Software to the Specification of Others

**Basis:** 1(a)

**First Use Date:** 1994-07-00

**First Use in Commerce Date:** 1994-07-00

**International Class:** 041

**Class Status:** Active

Training, Namely Providing Classes and Seminars in the Use of Computer Network Connectivity Hardware and Software

**Basis:** 1(a)

**First Use Date:** 1994-07-00

**First Use in Commerce Date:** 1994-07-00

**International Class:** 042

**Class Status:** Active

Design for Others of Computer Network Connectivity Hardware and Software and Technical Support in the Field of Network Connectivity Hardware and Software, Namely, Providing Information and Instructions Regarding Products Via Telephone, Telefax and Via a global computer network

**Basis:** 1(a)

**First Use Date:** 1994-07-00

**First Use in Commerce Date:** 1994-07-00

---

#### ADDITIONAL INFORMATION

---

**Disclaimer:** "INTERNATIONAL"

**Prior Registration Number(s):**

2019613

2132925

2200945

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#### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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#### PROSECUTION HISTORY

---

2006-10-12 - PAPER RECEIVED

2000-10-10 - Registered - Principal Register

2000-07-18 - Published for opposition

2000-06-16 - Notice of publication

2000-04-28 - Approved for Pub - Principal Register (Initial exam)

2000-04-19 - Examiner's amendment mailed

2000-01-03 - Communication received from applicant

1999-06-30 - Non-final action mailed

1999-05-27 - Assigned To Examiner

1999-05-26 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

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**Correspondent**

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P.O. BOX 4433  
HOUSTON, TEXAS 77210

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**For Serial Number: 75576649**

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**Serial Number:** 75201743 Assignment Information

**Registration Number:** 2616097

**Mark (words only):** DIGIFAX

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2002-09-10

**Filing Date:** 1996-11-21

**Transformed into a National Application:** No

**Registration Date:** 2002-09-10

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 106

**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 -File Repository (Franconia)

**Date In Location:** 2002-09-30

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

---

1. DIGI INTERNATIONAL INC.

**Address:**

DIGI INTERNATIONAL INC.

11001 Bren Road East

Minnetonka, MN 55343

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

computer network connectivity hardware and software

**Basis:** 1(a)

**First Use Date:** 1991-02-26

**First Use in Commerce Date:** 1991-02-26

---

**ADDITIONAL INFORMATION**

---

**Prior Registration Number(s):**

1663234

1666495

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

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**PROSECUTION HISTORY**

---

2006-08-15 - Review Of Correspondence Complete

2002-12-12 - PAPER RECEIVED

2002-09-10 - Registered - Principal Register

2002-06-18 - Published for opposition

2002-05-29 - Notice of publication

2002-05-03 - Assigned To Examiner

2002-04-22 - Assigned To Examiner

2002-03-19 - Approved for Pub - Principal Register (Initial exam)

1998-03-19 - Letter of suspension mailed

1998-01-20 - Communication received from applicant

1997-10-21 - Assigned To Examiner

1997-07-22 - Non-final action mailed

1997-07-11 - Assigned To Examiner

1997-07-02 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

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**Correspondent**

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220 S 6TH ST  
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**For Serial Number: 75201743**

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**Serial Number:** 74480054 Assignment Information

**Registration Number:** 2132925

**Mark (words only):** DIGI INTERNATIONAL

**Standard Character claim:** No

**Current Status:** Section 8 and 15 affidavits have been accepted and acknowledged.

**Date of Status:** 2003-10-30

**Filing Date:** 1994-01-18

**Transformed into a National Application:** No

**Registration Date:** 1998-01-27

**Register:** Principal

**Law Office Assigned:** 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:** 831 -Post Registration

**Date In Location:** 2003-11-24

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

---

1. Digi International Inc.

**Address:**

Digi International Inc.  
11001 BREN ROAD EAST  
MINNETONKA, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

microcomputer hardware, circuit boards, microcomputer peripherals, and software, namely, software for operating such microcomputer hardware, software for terminal emulation, software for data communications in multi-user systems, software for data communications in local area networks, and software for remote local area network access, all for use in data communications

**Basis:** 1(a)

**First Use Date:** 1997-04-30

**First Use in Commerce Date:** 1997-04-30

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#### ADDITIONAL INFORMATION

---

**Disclaimer:** "INTERNATIONAL"

**Prior Registration Number(s):**

1663234

1666496

---

#### MADRID PROTOCOL INFORMATION

---

(NOT AVAILABLE)

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#### PROSECUTION HISTORY

---

2003-10-30 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-07-21 - Section 8 (6-year) and Section 15 Filed

2003-07-21 - PAPER RECEIVED

1998-01-27 - Registered - Principal Register

1997-12-09 - Allowed for Registration - Principal Register (SOU accepted)

1997-12-01 - Statement of use processing complete

1997-10-27 - Amendment to Use filed

1997-05-18 - Extension 3 granted

1997-04-22 - Extension 3 filed

1996-12-15 - Extension 2 granted

1996-10-30 - Extension 2 filed

1996-08-01 - Extension 1 granted

1996-04-30 - Extension 1 filed

1995-10-31 - Notice of allowance - mailed

1995-08-08 - Published for opposition

1995-07-07 - Notice of publication

1995-05-19 - Approved for Pub - Principal Register (Initial exam)

1995-05-15 - Examiner's amendment mailed

1995-03-09 - Communication received from applicant

1994-09-06 - Non-final action mailed

1994-06-17 - Assigned To Examiner

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**CORRESPONDENCE INFORMATION**

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**For Serial Number: 74480054**

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**Serial Number:** 74071818 Assignment Information

**Registration Number:** 1666495

**Mark (words only):** DIGIBOARD

**Standard Character claim:** No

**Current Status:** This registration has been renewed.

**Date of Status:** 2002-02-07

**Filing Date:** 1990-06-22

**Transformed into a National Application:** No

**Registration Date:** 1991-12-03

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 3

**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](mailto:TrademarkAssistanceCenter@uspto.gov)**

**Current Location:** 900 -File Repository (Franconia)

**Date In Location:** 2002-02-08

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

---

1. Digi International, Inc.

**Address:**

Digi International, Inc.  
11001 Bren Road East  
Minnetonka, MN 55343  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

microcomputer hardware and computer programs for use in communications

**Basis:** 1(a)

**First Use Date:** 1985-07-23

**First Use in Commerce Date:** 1985-07-23

---

**ADDITIONAL INFORMATION**

---

(NOT AVAILABLE)

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

2002-02-07 - First renewal 10 year

2002-02-07 - Section 8 (10-year) accepted/ Section 9 granted

2001-12-07 - Combined Section 8 (10-year)/Section 9 filed

1997-06-25 - Section 8 (6-year) and Section 15 Filed

1997-09-19 - Section 8 (6-year) accepted & Section 15 acknowledged

1991-12-03 - Registered - Principal Register

1991-09-10 - Published for opposition

1991-08-14 - Notice of publication

1991-08-13 - Notice of publication

1991-08-10 - Notice of publication

1991-03-29 - Approved for Pub - Principal Register (Initial exam)

1991-02-13 - Communication received from applicant

1990-12-12 - Non-final action mailed

1990-11-16 - Assigned To Examiner

---

**CORRESPONDENCE INFORMATION**

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**Correspondent**

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