

BULKY DOCUMENTS

(exceeds 300 pages)

Proceeding/Serial No: 91163719

Filed: 1-18-07

Title: To Applicants Notice of Reliance

Part 1 of 11

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 3

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 10:24:56 ET

Serial Number: 78388784 Assignment Information

Registration Number: 2974896

Mark

ULTIMATE HONEYMOON DVD

(words only): ULTIMATE HONEYMOON DVD

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2004-03-22

Transformed into a National Application: No

Registration Date: 2005-07-19

Register: Supplemental

Law Office Assigned: LAW OFFICE 113

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: 2005-07-19

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

1. Huckestein, William A.

Address:

Huckestein, William A.
2645 Stafford Road
Westlake Village, CA 91362
United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Pre-recorded CD-AUDIO, CDROM, DVD and DVDROM media featuring travel which promotes the goods and services of others

Basis: 1(a)

First Use Date: 2004-04-30

First Use in Commerce Date: 2004-04-30

International Class: 035

Class Status: Active

Promoting the goods and services of others by designing and distributing the advertising materials of others; promoting the goods and services of others by designing and distributing the advertising of others via a global computer network and CD-AUDIO, CDROM, DVD and DVDROM media

Basis: 1(a)

First Use Date: 2004-04-30

First Use in Commerce Date: 2004-04-30

ADDITIONAL INFORMATION

Disclaimer: "DVD"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-19 - Registered - Supplemental Register

2005-05-10 - Law Office Publication Review Completed

2005-05-06 - Assigned To LIE

2005-04-22 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2005-04-22 - Amendment to Use approved

2005-04-07 - Amendment to use processing complete

2005-03-30 - Amendment to Use filed

2005-03-30 - TEAS Response to Office Action Received

2005-03-30 - TEAS Amendment of Use Received

2005-01-31 - Withdrawal Of Attorney Granted

Latest Status Info

- 2005-01-31 - TEAS Withdrawal Of Attorney Received
- 2004-10-06 - TEAS Change Of Correspondence Received
- 2004-09-30 - Non-final action e-mailed
- 2004-09-30 - Non-Final Action Written
- 2004-09-30 - Assigned To Examiner
- 2004-04-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Huckestein, William A.
2645 Stafford Road
Westlake Village California 91362 United

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.) MARK: DIGIPOS
)
Opposer)
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v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 4

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:34:21 ET

Serial Number: 78312840 Assignment Information

Registration Number: 2973929

Mark

PIONEERDVDREORDER.COM

(words only): PIONEERDVDREORDER.COM

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2003-10-13

Transformed into a National Application: No.

Registration Date: 2005-07-19

Register: Principal

Law Office Assigned: LAW OFFICE 115

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: 2005-06-06

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

1. Pioneer Kabushiki Kaisha

Address:
Pioneer Kabushiki Kaisha
4-1, Meguro 1-Chome
Meguro, Tokyo 153-8654
Japan

Legal Entity Type: Corporation
State or Country of Incorporation: Japan
Phone Number: 310-952-2983
Fax Number: 310-952-2199

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

Digital Versatile Disc Recorders, Digital Video Recorders, Video Disc Recorders, Blank, Re-Writable Digital Versatile Discs; Combination Digital Versatile Disc Recorders and Players

Basis: 1(a)**First Use Date:** 2002-04-25**First Use in Commerce Date:** 2002-04-25

ADDITIONAL INFORMATION

Prior Registration Number(s):

696688

1066633

1111260

1631375

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-19 - Registered - Principal Register

2005-05-05 - Law Office Registration Review Completed

2005-05-05 - Assigned To LIE

2005-04-25 - Allowed for Registration - Principal Register (SOU accepted)

2005-04-25 - Statement of use processing complete

2005-04-06 - Amendment to Use filed

2005-04-06 - TEAS Statement of Use Received

2004-10-19 - Notice of allowance - mailed

2004-07-27 - Published for opposition

2004-07-07 - Notice of publication

2004-05-01 - Approved for Pub - Principal Register (Initial exam)

2004-05-01 - Assigned To Examiner

2003-11-26 - TEAS Preliminary Amendment Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Robert James Skousen

Correspondent

Robert James Skousen
SKOUSEN & SKOUSEN
12400 Wilshire Blvd., Suite 900
Los Angeles, CA 90025
Phone Number: 310-277-0444
Fax Number: 310-782-9579

Domestic Representative

Robert James Skousen
Phone Number: 310-277-0444
Fax Number: 310-782-9579

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
)	
Opposer)	
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v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 5

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:34:40 ET

Serial Number: 78296962 Assignment Information

Registration Number: 2973713

Mark (words only): DIGIMONEY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2003-09-06

Transformed into a National Application: No

Registration Date: 2005-07-19

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: 2005-06-09

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

1. SIA Digimoney

Address:
SIA Digimoney
Viestura 14-41
Riga LV 1034
Latvia

Legal Entity Type: Corporation
State or Country of Incorporation: Latvia
Phone Number: 371 9404087

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Magnetically encoded prepaid purchase cards allowing users to transfer financial value online via retail computer networks

Basis: 1(a)

First Use Date: 1998-06-06
First Use in Commerce Date: 1998-06-06

International Class: 016
Class Status: Active

Non-magnetically encoded prepaid purchase cards allowing users to transfer financial value online via retail computer networks

Basis: 1(a)
First Use Date: 1998-06-06
First Use in Commerce Date: 1998-06-06

International Class: 036
Class Status: Active

Pre-paid purchase card services, namely, processing electronic payments made through prepaid cards; Providing financial services, namely, electronic funds transfer, credit and debit card services, electronic processing and transmission of bill payment data; and insurance for financial transactions conducted via global computer networks, namely, insurance brokerage and insurance claims processing

Basis: 1(a)
First Use Date: 1998-06-06
First Use in Commerce Date: 1998-06-06

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-07-19 - Registered - Principal Register
- 2005-05-10 - Law Office Registration Review Completed
- 2005-05-06 - Assigned To LIE
- 2005-05-03 - Allowed for Registration - Principal Register (SOU accepted)
- 2005-05-03 - Statement of use processing complete
- 2005-04-12 - Amendment to Use filed
- 2005-04-12 - TEAS Statement of Use Received
- 2004-12-28 - Notice of allowance - mailed
- 2004-10-05 - Published for opposition
- 2004-09-15 - Notice of publication
- 2004-07-29 - Law Office Publication Review Completed

2004-07-27 - Assigned To LIE
2004-07-22 - Approved for Pub - Principal Register (Initial exam)
2004-07-20 - TEAS Response to Office Action Received
2004-07-20 - Final refusal e-mailed
2004-07-04 - Amendment From Applicant Entered
2004-07-04 - Communication received from applicant
2004-07-04 - TEAS Response to Office Action Received
2004-03-20 - Non-final action e-mailed
2004-03-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

SIA Digimoney
Viestura 14-41
Riga
LV 1034
LVX - LATVIA
Phone Number: 371 9404087

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
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Opposer)	
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v.)	
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DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 6

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:35:03 ET

Serial Number: 78275791 Assignment Information

Registration Number: 2973538

Mark (words only): DIGILANT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2003-07-17

Transformed into a National Application: No

Registration Date: 2005-07-19

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2005-06-06

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

1. Moreton Bay Systems Pty Ltd

Address:

Moreton Bay Systems Pty Ltd
Unit 32 Cleveland House 120 Bloomfield St.
Cleveland 4163
Australia

Legal Entity Type: Corporation

State or Country of Incorporation: Australia

Phone Number: +61 7 3488 1000

Fax Number: +61 7 3488 1050

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Wired and or wireless digital security camera system comprised of a digital still video camera, camera control unit, and video monitor

Basis: 1(a)
First Use Date: 2004-05-19
First Use in Commerce Date: 2004-06-25

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-07-19 - Registered - Principal Register
- 2005-05-02 - Law Office Registration Review Completed
- 2005-05-02 - Assigned To LIE
- 2005-04-21 - Allowed for Registration - Principal Register (SOU accepted)
- 2005-04-20 - Amendment From Applicant Entered
- 2005-03-15 - Communication received from applicant
- 2005-03-15 - TEAS Response to Office Action Received
- 2005-03-15 - TEAS Change Of Correspondence Received
- 2005-02-28 - Non-final action mailed
- 2005-02-28 - SU - Non-Final Action - Written
- 2004-08-23 - Assigned To Examiner
- 2004-08-19 - Statement of use processing complete
- 2004-08-03 - Amendment to Use filed
- 2004-08-03 - TEAS Statement of Use Received
- 2004-07-13 - Notice of allowance - mailed
- 2004-04-20 - Published for opposition
- 2004-03-31 - Notice of publication
- 2004-03-31 - Notice of publication
- 2004-02-09 - Approved for Pub - Principal Register (Initial exam)

Latest Status Info

2004-01-15 - Communication received from applicant

2004-01-20 - Email Received

2003-12-30 - Non-final action mailed

2003-12-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

David Hill
Moreton Bay Systems
Unit 32, Cleveland House
120 Bloomfield Street
Cleveland QLD 4163 AUX
Phone Number: +61 7 3488 1000
Fax Number: +61 7 3488 1050

Domestic Representative

David Hill
Phone Number: 208 622 5199

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
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Opposer)	
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v.)	
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DIGIPOS SYSTEMS INC.)	
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Applicant)	

EXHIBIT 7

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:35:20 ET

Serial Number: 78270734 Assignment Information

Registration Number: 2969876

Mark (words only): TRUDIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2003-07-05

Transformed into a National Application: No

Registration Date: 2005-07-19

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: 2005-07-19

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

1. ETRONICS CORPORATION

Address:

ETRONICS CORPORATION

177, Chungchun-dong

Bupyeong-gu, Incheon

Republic of Korea

Legal Entity Type: Corporation

State or Country of Incorporation: Republic of Korea

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

video cameras; camcorders; telephone sets; stereo receivers; audio receivers; video receivers; satellite television receiving apparatus, namely, receivers, satellite dishes, antennas and remote controls therefore packaged together as a unit, audio tape recorders; audio cassette recorders; recorded message senders; digital video disc players; audio transmitters; compact disc players; DVD players; MP3 players; amplifiers; and sound reproduction apparatus, namely,

loudspeakers and transducers

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 4020032911

Foreign Registration Number: O592456

Foreign Registration Date: 2004-09-06

Country: Republic of Korea

Foreign Filing Date: 2003-06-27

Foreign Expiration Date: 2014-09-06

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-07-19 - Registered - Principal Register
- 2005-04-26 - Published for opposition
- 2005-04-06 - Notice of publication
- 2005-02-07 - Law Office Publication Review Completed
- 2005-02-07 - Assigned To LIE
- 2005-02-07 - Assigned To LIE
- 2005-01-14 - Assigned To LIE
- 2005-01-02 - Assigned To Examiner
- 2004-12-09 - Approved for Pub - Principal Register (Initial exam)
- 2004-12-08 - Amendment From Applicant Entered
- 2004-11-30 - Communication received from applicant
- 2004-12-08 - Assigned To LIE
- 2004-11-30 - PAPER RECEIVED
- 2004-11-22 - INQUIRY TO SUSPENSION E-MAILED
- 2004-11-22 - Suspension Inquiry - Completed
- 2004-05-20 - Letter of suspension mailed

Latest Status Info

2004-04-29 - Communication received from applicant

2004-04-29 - PAPER RECEIVED

2003-12-08 - Non-final action e-mailed

2003-12-08 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

James R. Menker

Correspondent

James R. Menker

PILLSBURY WINTHROP LLP

PO Box 10500

McLean, VA 22102

Phone Number: 703-905-2000

Fax Number: 703-905-2500

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
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Opposer)	
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v.)	
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DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:35:33 ET

Serial Number: 78237788 Assignment Information

Registration Number: 2973200

Mark (words only): DIGIBASE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2003-04-15

Transformed into a National Application: No

Registration Date: 2005-07-19

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: 2005-06-06

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

1. Advanced Measurement Technology, Inc.

Address:
Advanced Measurement Technology, Inc.
801 South Illinois Avenue
Oak Ridge, TN 37831
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital multichannel analyzer systems for connection to radiation detectors, said systems comprising a photomultiplier tube base, a digital signal processor (DSP) and a high voltage power supply

Basis: 1(a)

First Use Date: 2003-03-12

First Use in Commerce Date: 2003-03-12

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-07-19 - Registered - Principal Register
- 2005-05-04 - Law Office Registration Review Completed
- 2005-04-29 - Assigned To LIE
- 2005-04-28 - Allowed for Registration - Principal Register (SOU accepted)
- 2005-03-31 - Statement of use processing complete
- 2005-03-31 - Amendment to Use filed
- 2005-03-31 - TEAS Statement of Use Received
- 2004-10-05 - Notice of allowance - mailed
- 2004-07-13 - Published for opposition
- 2004-06-23 - Notice of publication
- 2004-05-10 - Approved for Pub - Principal Register (Initial exam)
- 2004-02-09 - Communication received from applicant
- 2004-02-09 - PAPER RECEIVED
- 2003-09-16 - Non-final action mailed
- 2003-09-05 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Melinda Doss

Correspondent
MELINDA DOSS
PITTS AND BRITTIAN, P. C.
P. O. BOX 51295

KNOXVILLE TN 37950-1295
Phone Number: (865) 584-0105
Fax Number: (865) 584-0104

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) **MARK: DIGIPOS**

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EXHIBIT

9

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:35:46 ET

Serial Number: 78217345 Assignment Information

Registration Number: 2973030

Mark (words only): DIGIFILM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2003-02-21

Transformed into a National Application: No

Registration Date: 2005-07-19

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: 2005-06-06

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

1. Digifilm Inc.

Address:
Digifilm Inc.
28-08 35 St., Apt. IJ
Astoria, NY 11103
United States

Legal Entity Type: Corporation
State or Country of Incorporation: New York
Phone Number: 718-274-6987
Fax Number: 718-726-117

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active

Pre-recorded audio and video recordings of entertainment and educational motion picture films in the fields of music, dancing, fitness and massage; pre-recorded audio and video recordings featuring television programs in the fields of

music, dancing, fitness and massage; pre-recorded videotapes, pre-recorded audiotapes and compact discs featuring music

Basis: 1(a)

First Use Date: 2003-02-14

First Use in Commerce Date: 2004-05-01

International Class: 041

Class Status: Active

production and distribution of entertainment and educational motion picture films on a wide variety of themes; production and distribution of television programs on a wide variety of themes; providing an Internet web site containing reference material on films, actors, directors, background on films and other information about the film industry, and entertainment news; production of audio and video recordings on a wide variety of themes; music production

Basis: 1(a)

First Use Date: 2003-02-14

First Use in Commerce Date: 2004-05-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-07-19 - Registered - Principal Register
- 2005-04-20 - Law Office Registration Review Completed
- 2005-04-14 - Allowed for Registration - Principal Register (SOU accepted)
- 2005-04-14 - EXAMINERS AMENDMENT E-MAILED
- 2005-04-14 - SU-Examiner's Amendment Written
- 2005-04-02 - Amendment From Applicant Entered
- 2005-03-28 - Communication received from applicant
- 2005-03-28 - TEAS Response to Office Action Received
- 2004-12-20 - NON-FINAL ACTION E-MAILED
- 2004-12-20 - SU - Non-Final Action - Written
- 2004-09-07 - Amendment From Applicant Entered
- 2004-08-30 - Communication received from applicant
- 2004-09-07 - Assigned To LIE

- 2004-08-30 - PAPER RECEIVED
- 2004-06-30 - Non-final action e-mailed
- 2004-06-08 - Assigned To Examiner
- 2004-06-03 - Statement of use processing complete
- 2004-05-27 - Amendment to Use filed
- 2004-05-27 - TEAS Statement of Use Received
- 2004-01-27 - Notice of allowance - mailed
- 2003-11-04 - Published for opposition
- 2003-10-15 - Notice of publication
- 2003-08-04 - Approved for Pub - Principal Register (Initial exam)
- 2003-08-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

DIGIFILM INC
28-08 35 ST APT IJ
ASTORIA NY 11103
Phone Number: 718-274-6987
Fax Number: 718-726-0117

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
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Opposer)	
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v.)	
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DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 10

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:35:59 ET

Serial Number: 78196128 Assignment Information

Registration Number: 2972926

Mark



(words only): ADAM ACCELERATED DIGITAL ASSET MANAGEMENT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-19

Filing Date: 2002-12-19

Transformed into a National Application: No

Registration Date: 2005-07-19

Register: Principal

Law Office Assigned: LAW OFFICE 114

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: 2005-06-10

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

1. DAIMLERCHRYSLER CORPORATION

Address: DAIMLERCHRYSLER CORPORATION
1000 CHRYSLER DRIVE, CIMS 483-02-19
AUBURN HILLS, MI 48326
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 248-944-6517
Fax Number: 248-944-6537

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

COMPUTER SOFTWARE FOR USE IN THE AUTOMOTIVE MANUFACTURING FIELD, NAMELY, SOFTWARE FOR PROVIDING A MEANS OF MANAGING, STORING, SEARCHING, EDITING DIGITAL MEDIA ASSETS SUCH AS VIDEOS, GRAPHIC FILES, BLUEPRINTS, ENGINEERING DOCUMENTS, TEXT DOCUMENTS, AND ELECTRONIC PRESENTATIONS IN A VIRTUAL CENTRAL REPOSITORY SYSTEM

Basis: 1(a)**First Use Date:** 2003-03-17**First Use in Commerce Date:** 2003-03-17

ADDITIONAL INFORMATION

Disclaimer: "ACCELERATED DIGITAL ASSET MANAGEMENT"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-19 - Registered - Principal Register

2005-05-25 - Law Office Registration Review Completed

2005-05-23 - Assigned To LIE

2005-05-13 - Allowed for Registration - Principal Register (SOU accepted)

2005-05-13 - Statement of use processing complete

2005-04-29 - Amendment to Use filed

2005-04-29 - TEAS Statement of Use Received

2004-11-23 - Notice of allowance - mailed

2004-08-31 - Published for opposition

2004-08-11 - Notice of publication

2004-05-25 - Approved for Pub - Principal Register (Initial exam)

2004-05-25 - EXAMINERS AMENDMENT E-MAILED

2003-12-10 - Final refusal e-mailed

2003-11-10 - Communication received from applicant

2003-11-10 - PAPER RECEIVED

2003-05-21 - Non-final action e-mailed

2003-05-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

DAIMLERCHRYSLER CORPORATION

1000 CHRYSLER DR # 483-0219

AUBURN HILLS MI 48326-2766

Phone Number: 248-944-6517

Fax Number: 248-944-6537

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 11

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:36:19 ET

Serial Number: 78437318 Assignment Information

Registration Number: 2967191

Mark

DVDPLAY

(words only): DVDPLAY

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-07-12

Filing Date: 2004-06-17

Transformed into a National Application: No

Registration Date: 2005-07-12

Register: Principal

Law Office Assigned: LAW OFFICE 105

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: 2005-07-12

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

1. DVDPlay, Inc.

Address:
DVDPlay, Inc.
750 University Avenue
Los Gatos, CA 95032
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware**Phone Number:** 408-395-1727**Fax Number:** 408-395-1997

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

Automated kiosk vending machines for the rental and sale of music, games, videos, and other recorded materials

Basis: 1(a)**First Use Date:** 2004-03-26**First Use in Commerce Date:** 2004-03-26

ADDITIONAL INFORMATION

Prior Registration Number(s):

2463432

2573752

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-12 - Registered - Principal Register

2005-04-19 - Published for opposition

2005-03-30 - Notice of publication

2005-02-03 - Law Office Publication Review Completed

2005-01-31 - Assigned To LIE

2005-01-21 - Examiner's amendment mailed

2005-01-21 - Approved for Pub - Principal Register (Initial exam)

2005-01-21 - Examiners Amendment - Written

2005-01-21 - Assigned To Examiner

2004-06-23 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Mickie Lee

DVDPlay, Inc.

750 University Avenue
Los Gatos, CA 95032
Phone Number: 408-395-1727
Fax Number: 408-395-1997

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 12

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:36:33 ET

Serial Number: 78416793 Assignment Information

Registration Number: 2966943

Mark

DIGITAL FLYER

(words only): DIGITAL FLYER

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-07-12

Filing Date: 2004-05-11

Transformed into a National Application: No

Registration Date: 2005-07-12

Register: Principal

Law Office Assigned: LAW OFFICE 101

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: 2005-07-12

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

1. Cro-Cec, Inc

Address:

Cro-Cec, Inc
1300 El Paseo G 167
Las Cruces, NM 88001
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Mexico

Phone Number: 505-640-6151

Fax Number: 505-532-9144

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Multimedia interactive software recorded on CD-ROM in the field of real estate featuring video tours of real estate properties, information for homebuyers, information about a particular city, and real estate agent or builder information

Basis: 1(a)

First Use Date: 2003-10-01

First Use in Commerce Date: 2003-10-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-08-24 - TEAS Change Of Correspondence Received
- 2005-07-12 - Registered - Principal Register
- 2005-04-19 - Published for opposition
- 2005-03-30 - Notice of publication
- 2005-02-03 - Law Office Publication Review Completed
- 2005-02-03 - Assigned To LIE
- 2005-01-12 - Approved for Pub - Principal Register (Initial exam)
- 2005-01-12 - EXAMINERS AMENDMENT E-MAILED
- 2005-01-12 - Examiners Amendment -Written
- 2005-01-11 - Teas/Email Correspondence Entered
- 2005-01-03 - Communication received from applicant
- 2005-01-03 - TEAS Response to Office Action Received
- 2004-12-22 - Non-final action e-mailed
- 2004-12-22 - Non-Final Action Written

2004-12-09 - Assigned To Examiner

2004-05-18 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Cro-Cec Inc.
1100 S. Main St. Suite 110
Las Cruces NM 88005
Phone Number: 505-523-7661
Fax Number: 505-526-1273

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT

13

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 16:51:34 ET.

Serial Number: 78359032 Assignment Information

Registration Number: 2966710

Mark

Digital Flier

(words only): DIGITAL FLIER

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-07-12

Filing Date: 2004-01-28

Transformed into a National Application: No

Registration Date: 2005-07-12

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: 2005-07-12

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

1. Cro-Cec, Inc.

Address:

Cro-Cec, Inc.
1300 El Paseo G #167
Las Cruces, NM 88001
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Mexico

Phone Number: 505-640-6151

Fax Number: 505-532-9144

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Multimedia interactive software recorded on CD-Rom in the field of real estate featuring video tours of real estate properties, information for home buyers, information about a particular city and real estate agent or builder information

Basis: 1(a)

First Use Date: 2003-09-05

First Use in Commerce Date: 2003-09-05

ADDITIONAL INFORMATION

Disclaimer: DIGITAL

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-08-24 - TEAS Change Of Correspondence Received

2005-07-12 - Registered - Principal Register

2005-04-19 - Published for opposition

2005-03-30 - Notice of publication

2005-01-21 - Law Office Publication Review Completed

2005-01-18 - Assigned To LIE

2005-01-13 - Approved for Pub - Principal Register (Initial exam)

2005-01-13 - EXAMINERS AMENDMENT E-MAILED

2005-01-13 - Examiners Amendment - Written

2005-01-03 - TEAS Change Of Correspondence Received

2004-11-23 - Teas/Email Correspondence Entered

2004-11-17 - Communication received from applicant

2004-11-17 - TEAS Response to Office Action Received

2004-08-25 - Non-final action e-mailed

2004-08-19 - Assigned To Examiner

2004-02-06 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Cro-Cec Inc.

1100 S. Main St. Suite 110

Las Cruces NM 88005

Phone Number: 505-523-7661

Fax Number: 505-526-1273

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 14

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 16:51:46 ET

Serial Number: 78334854 Assignment Information

Registration Number: 2966580

Mark

America's Digital Defender

(words only): AMERICA'S DIGITAL DEFENDER

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-07-12

Filing Date: 2003-12-01

Transformed into a National Application: No

Registration Date: 2005-07-12

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-07-12

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

1. Lattimore, Michael

Address:

Lattimore, Michael
P.O. Box 238
Altadena, CA 91003
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: (626)296-8455

Fax Number: (626)602-3994

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Downloadable electronic publications in the nature of books and workbooks in the field of Identity Theft and Internet Safety

Basis: 1(a)

First Use Date: 2003-06-01

First Use in Commerce Date: 2003-10-01

ADDITIONAL INFORMATION

Disclaimer: "America's"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-12 - Registered - Principal Register

2005-04-19 - Published for opposition

2005-03-30 - Notice of publication

2005-01-10 - Law Office Publication Review Completed

2005-01-07 - Assigned To LIE

2005-01-04 - Approved for Pub - Principal Register (Initial exam)

2004-12-23 - Amendment From Applicant Entered

2004-12-10 - Communication received from applicant

2004-12-10 - PAPER RECEIVED

2004-06-15 - Non-final action e-mailed

2004-06-15 - Assigned To Examiner

2003-12-24 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Latest Status Info

Correspondent

Lattimore, Michael
P.O. Box 238
Altadena, CA 91003
Phone Number: (626)296-8455
Fax Number: (626)602-3994

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
)	
Opposer)	
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v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 15

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:37:17 ET

Serial Number: 78173770 Assignment Information

Registration Number: 2867867

Mark (words only): INFINERA DIGITAL OPTICAL NETWORK

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-07-27

Filing Date: 2002-10-11

Transformed into a National Application: No

Registration Date: 2004-07-27

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: 900 -File Repository (Franconia)

Date In Location: 2004-08-03

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

1. Infinera Corporation

Address:
Infinera Corporation
1322 Bordeaux Drive
Sunnyvale, CA 94089
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware
Phone Number: 408-572-5200
Fax Number: 408-572-5343

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

TELECOMMUNICATIONS AND NETWORKING EQUIPMENT, NAMELY, TRANSMISSION TERMINALS THAT INITIATE OR TERMINATE TRANSMISSION OF WAVELENGTH MULTIPLEXED SIGNALS, ANALOG

AND DIGITAL AMPLIFIERS, AND ADD/DROP MULTIPLEXERS AND OPTICAL AND ELECTRO-OPTICAL INTEGRATED CIRCUITS EMPLOYED IN SUCH EQUIPMENT; NETWORKING HARDWARE FOR OPTICAL TRANSMISSION SYSTEMS; AND COMPUTER SOFTWARE FOR PROVIDING FAULT MANAGEMENT, CONFIGURATION MANAGEMENT, ACCOUNTING MANAGEMENT, PERFORMANCE MANAGEMENT AND SECURITY MANAGEMENT FUNCTIONS FOR OPERATING, CONTROLLING, MONITORING AND ADMINSTRATING OPTICAL TRANSMISSION SYSTEMS AND END-TO-END OPTICAL SIGNAL TRANSPORT

Basis: 1(a)

First Use Date: 2002-10-01

First Use in Commerce Date: 2004-05-04

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL OPTICAL NETWORK"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-07-27 - Registered - Principal Register

2004-05-18 - Allowed for Registration - Principal Register (SOU accepted)

2004-05-17 - Assigned To Examiner

2004-05-17 - Assigned To Examiner

2004-05-13 - Statement of use processing complete

2004-05-05 - Amendment to Use filed

2004-05-05 - TEAS Statement of Use Received

2004-02-18 - Extension 1 granted

2004-02-02 - Extension 1 filed

2004-02-02 - TEAS Extension Received

2003-08-19 - Notice of allowance - mailed

2003-05-27 - Published for opposition

2003-05-07 - Notice of publication

2003-03-26 - Approved for Pub - Principal Register (Initial exam)

2003-03-26 - Examiners amendment e-mailed

2003-03-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

W. Douglas Carothers, Jr.

Correspondent

W. Douglas Carothers, Jr.

Infinera Corporation

1322 Bordeaux Drive

Sunnyvale CA 94089

Phone Number: 408-572-5340

Fax Number: 408-572-5343

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 16

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:37:31 ET

Serial Number: 78003597 Assignment Information

Registration Number: 2835331

Mark (words only): DIGIMARC

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-04-20

Filing Date: 2000-04-11

Transformed into a National Application: No

Registration Date: 2004-04-20

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2004-05-17

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

1. Digimarc Corporation

Address:
Digimarc Corporation
9405 S.W. Gemini Drive
Beaverton, OR 97008
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active

Computer software and electronic apparatus for encoding physical and electronic media objects, namely magazines and newspapers, advertising, product packaging, direct mailings, debit and credit cards, tickets, greeting cards, coupons, catalogs, annual reports, logos, brochures, business cards, video tapes, CDs, DVDs, computer disks, still images, financial instruments, currency, stock certificates, identity documents such as passports and drivers licenses, audio and

video data and recordings, and radio and television broadcasts with hidden digital information, and for decoding such hidden digital information from such media objects; electronic media objects with hidden digital information encoded therein, namely, videotapes, CDs, DVDs, computer disks, still images, audio and video data and recordings; computer software and electronic apparatus, namely, cameras, scanners, computer mouse, computer peripherals, computer routers, and computers used to link computers from such physical and electronic media objects based on the digital information hidden therein; computer software and electronic apparatus for monitoring traffic to internet sites; computer software and electronic apparatus for cataloguing, indexing, marketing and licensing images containing hidden digital information; and computer software for preventing use of personal computers for counterfeiting and piracy

Basis: 1(a)

First Use Date: 1996-09-00

First Use in Commerce Date: 1996-09-00

International Class: 016

Class Status: Active

Printed documents with hidden digital information encoded therein, namely magazines, newspapers, advertising, product packaging, direct mailings, debit and credit cards, tickets, greeting cards, coupons, catalogues, annual reports, logos, brochures, business cards, still images, financial instruments, currency, stock certificates, identity documents, passports and drivers licenses

Basis: 1(a)

First Use Date: 2002-01-01

First Use in Commerce Date: 2002-01-01

International Class: 035

Class Status: Active

Business consulting services in the field of steganography provided to creators, publishers and distributors of physical and electronic media content such as magazines and newspapers, advertising, product packaging, direct mailings, debit and credit cards, tickets, greeting cards, coupons, catalogs, annual reports, logos, brochures, business cards, video tapes, CDs, DVDs, computer disks, still images, audio and video data and recordings, and radio and television broadcasts; brand promotion services, namely utilizing hidden digital information to direct consumers to e-commerce and other brand related Internet sites; market research, namely monitoring traffic to Internet sites using hidden digital information; cataloguing and indexing media objects with hidden digital information; and licensing business, industry and governmental entities in the field of including hidden digital information in physical and electronic media objects

Basis: 1(a)

First Use Date: 1996-09-01

First Use in Commerce Date: 1996-09-01

International Class: 038

Class Status: Active

Electronically linking two or more computer sites together based on information steganographically encoded within physical and electronic media objects; electronic transmission of data and documents containing hidden digital information via computer terminals using physical and electronic media objects as the hidden digital information carrier, and utilizing hidden digital information in communicating ownership of such physical and electronic media objects using the Internet

Basis: 1(a)

First Use Date: 2001-11-01

First Use in Commerce Date: 2001-11-01

International Class: 042

Class Status: Active

Online information services, namely using hidden digital codes to provide web site links between computer sites; technical support services, namely troubleshooting and resolution of computer hardware and software problems via telephone, e-mail, postings on global computer networks and in person; consulting services in the fields of cryptography and steganography including encoding and decoding hidden information; security services, namely

encoding of physical and electronic media objects to hide digital information therein, and to decode such information therefrom; graphic design services in the field of including hidden digital information into electronic media containing graphic designs; computer services, namely custom programming services for others in the field of hidden digital codes in electronic media; and security consultancy services

Basis: 1(a)

First Use Date: 2002-01-01

First Use in Commerce Date: 2002-01-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-06-23 - TEAS Change Of Owner Address Received

2004-04-20 - Registered - Principal Register

2004-02-11 - Allowed for Registration - Principal Register (SOU accepted)

2004-02-11 - Assigned To Examiner

2004-02-11 - Assigned To Examiner

2004-02-06 - Case File In TICRS

2004-02-04 - Statement of use processing complete

2003-12-23 - Amendment to Use filed

2004-02-04 - Extension 1 granted

2003-12-23 - Extension 1 filed

2003-12-29 - PAPER RECEIVED

2003-06-24 - Notice of allowance - mailed

2003-06-09 - PAPER RECEIVED

2003-04-01 - Published for opposition

2003-03-12 - Notice of publication

2003-01-28 - Approved for Pub - Principal Register (Initial exam)

2002-12-09 - Communication received from applicant

Latest Status Info

2002-12-09 - PAPER RECEIVED

2001-05-31 - Letter of suspension mailed

2001-02-26 - Communication received from applicant

2000-08-29 - Non-final action mailed

2000-08-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

DAVID P. PETER

Correspondent

DAVID P PETERSEN

KLARQUIST SPARKMAN ET AL

121 SW SALMON ST

ONE WORLD TRADE CTR STE 1600

PORTLAND OR 97204

Phone Number: (503) 226-7391

Fax Number: (503) 228-9446

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 17

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:37:48 ET

Serial Number: 78385548 Assignment Information

Registration Number: 2963357

Mark



(words only): EDGE HOLLYWOOD DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-06-21

Filing Date: 2004-03-16

Transformed into a National Application: No

Registration Date: 2005-06-21

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2005-06-21

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

1. Hollywood Sound International Corporation

Address:

Hollywood Sound International Corporation
9606 Lower Azusa Road
Temple City, CA 91780
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California
Phone Number: 626-301-7828
Fax Number: 626-301-7833

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Sound equipment, namely, audio speakers, audio amplifiers, vehicle audio speakers, vehicle audio amplifiers, woofers, subwoofers, tweeters, coaxial speakers, guitar amplifiers, and audio loudspeakers
Basis: 1(a)
First Use Date: 2001-01-28
First Use in Commerce Date: 2001-01-28

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"
Section 2(f), in part, as to "HOLLYWOOD"

Design Search Code(s):
26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)
26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved
26.17.25 - Other lines, bands or bars

Prior Registration Number(s):
266783
1821096
1858473
2052723
2154523
2493241
2561015
2625480

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-06-21 - Registered - Principal Register
2005-03-29 - Published for opposition
2005-03-09 - Notice of publication
2005-01-06 - Law Office Publication Review Completed
2004-12-20 - Assigned To LIE

Latest Status Info

2004-12-14 - Approved for Pub - Principal Register (Initial exam)
2004-12-03 - Examiner's Amendment Entered
2004-12-02 - EXAMINERS AMENDMENT E-MAILED
2004-12-02 - Examiners Amendment -Written
2004-11-10 - Amendment From Applicant Entered
2004-11-01 - Communication received from applicant
2004-11-01 - PAPER RECEIVED
2004-10-07 - Non-final action e-mailed
2004-10-07 - Non-Final Action Written
2004-09-27 - Assigned To Examiner
2004-04-29 - TEAS Change Of Correspondence Received
2004-03-30 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Marc E. Hankin

Correspondent

Marc E. Hankin, Esq.
Hankin Patent Law, A Professional Corp.
11414 Thurston Circle
Los Angeles CA 90049-2435
Phone Number: 310-892-1613
Fax Number: 310-471-7612

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT **18**

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:38:06 ET

Serial Number: 78368849 Assignment Information

Registration Number: 2962456

Mark

DigiColor

(words only): DIGICOLOR

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-06-14

Filing Date: 2004-02-17

Transformed into a National Application: No

Registration Date: 2005-06-14

Register: Principal

Law Office Assigned: LAW OFFICE 105

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: 2005-06-14

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

1. Oasis Semiconductor, Inc.

Address:

Oasis Semiconductor, Inc.
201 Jones Road
Waltham, MA 02451
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Application Specific Integrated Circuits custom configured for use in image processing and graphics rendering applications in office equipment and consumer electronic products

Basis: 1(a)

First Use Date: 1999-12-08

First Use in Commerce Date: 1999-12-08

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-06-14 - Registered - Principal Register

2005-03-22 - Published for opposition

2005-03-02 - Notice of publication

2004-09-23 - Law Office Publication Review Completed

2004-09-14 - Assigned To LIE

2004-09-07 - Approved for Pub - Principal Register (Initial exam)

2004-09-07 - Assigned To Examiner

2004-03-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mark J. Pandiscio

Correspondent

Mark J. Pandiscio

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451

Phone Number: 781-290-0060

Fax Number: 781-290-4840

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) **MARK: DIGIPOS**

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EXHIBIT

19

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:38:28 ET

Serial Number: 78975113 Assignment Information

Registration Number: 2772722

Mark (words only): DIGION

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-10-07

Filing Date: 2001-06-20

Transformed into a National Application: No

Registration Date: 2003-10-07

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: 900 -File Repository (Franconia)

Date In Location: 2003-10-16

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

1. DigiOn Inc.

Address:
DigiOn Inc.
3-8, Momochihama 2-chome Sawara-ku, Fukuoka-shi
Fukuoka 814-0001
Japan

Legal Entity Type: Corporation
State or Country of Incorporation: Japan
Phone Number: 81-92-833-6280

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
COMPUTER SOFTWARE FOR CREATING, RECORDING, EDITING OR MODIFYING SOUND, FOR RETRIEVING SOUND FROM A DIGITAL SOURCE, FOR CONVERSION OF SOUND RECORDINGS FROM ANALOG TO DIGITAL, OR FOR ADDING SOUND TO A VIDEO STREAM OR SOUND RECORDING;

COMPUTER SOFTWARE FOR ALLOWING USERS TO ENCRYPT OR DECRYPT ELECTRONIC DATA TO PREVENT UNAUTHORIZED ACCESS TO SUCH DATA OR UNAUTHORIZED TAMPERING WITH SUCH DATA; COMPUTER SOFTWARE FOR ALLOWING USERS TO TRANSMIT ELECTRONIC DATA WITH ELECTRONIC SIGNATURES FOR ENABLING SUCH DATA TO BE AUTHENTICATED

Basis: 1(a)

First Use Date: 2002-06-14

First Use in Commerce Date: 2002-06-14

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-06-09 - TEAS Change Of Correspondence Received
- 2003-11-14 - PAPER RECEIVED
- 2003-10-07 - Registered - Principal Register
- 2003-08-13 - Allowed for Registration - Principal Register (SOU accepted)
- 2003-07-30 - Statement of use processing complete
- 2003-04-14 - Amendment to Use filed
- 2003-07-30 - Divisional processing completed
- 2003-06-26 - Divisional request received
- 2003-06-26 - PAPER RECEIVED
- 2003-04-14 - PAPER RECEIVED
- 2003-03-20 - PAPER RECEIVED
- 2002-12-03 - Notice of allowance - mailed
- 2002-09-10 - Published for opposition
- 2002-08-21 - Notice of publication
- 2002-06-26 - Approved for Pub - Principal Register (Initial exam)
- 2002-06-26 - EXAMINERS AMENDMENT E-MAILED
- 2002-05-21 - Communication received from applicant

Latest Status Info

2002-04-17 - Final refusal e-mailed

2002-03-07 - Communication received from applicant

2002-03-11 - PAPER RECEIVED

2001-09-07 - Non-final action mailed

2001-08-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Charles E. Bruzga

Correspondent

Charles E. Bruzga

Bruzga & Associates

11 Broadway Suite 715

New York NY 10004 USX

Phone Number: 212-269-6116

Fax Number: 212-943-1238

Domestic Representative

Charles E. Bruzga

Phone Number: (212) 269-1114

Fax Number: (212) 480-3008

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) **MARK: DIGIPOS**

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EXHIBIT 20

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:38:52 ET

Serial Number: 78378580 Assignment Information

Registration Number: 2959665

Mark



(words only): WINS DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-06-07

Filing Date: 2004-03-04

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: 2005-06-07

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

1. CHOICEPOINT ASSET COMPANY

Address:
CHOICEPOINT ASSET COMPANY
1000 ALDERMAN DRIVE
ALPHARETTA, GA 30005
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for managing, processing and reporting claims in the field of property and casualty insurance

Basis: 1(a)

First Use Date: 2004-02-23

First Use in Commerce Date: 2004-02-23

ADDITIONAL INFORMATION

Disclaimer: "Digital"

Design Search Code(s):

26.03.03 - Incomplete ovals; Ovals, incomplete

26.03.04 - Ovals with two breaks or divided in the middle

Prior Registration Number(s):

1312589

1713233

2526769

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-28 - Attorney Revoked And/Or Appointed

2006-07-28 - TEAS Revoke/Appoint Attorney Received

2006-04-05 - Automatic Update Of Assignment Of Ownership

2005-06-07 - Registered - Principal Register

2005-03-15 - Published for opposition

2005-02-23 - Notice of publication

2004-12-29 - Law Office Publication Review Completed

2004-12-27 - Assigned To LIE

2004-12-18 - Approved for Pub - Principal Register (Initial exam)

2004-11-30 - TEAS Change Of Correspondence Received

2004-11-30 - Teas/Email Correspondence Entered

2004-11-17 - Communication received from applicant
2004-11-17 - TEAS Response to Office Action Received
2004-10-12 - Non-final action mailed
2004-10-09 - Non-Final Action Written
2004-09-20 - Assigned To Examiner
2004-09-09 - TEAS Change Of Correspondence Received
2004-03-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Daniele E. Bourgeois

Correspondent
Daniele E. Bourgeois
Troutman Sanders LLP
Suite 5200
600 Peachtree St NE
Atlanta GA 30308-2216
Phone Number: 404-885-3406
Fax Number: 404-962-6785

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 21

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:39:13 ET

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

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Marsha Stolt

Correspondent
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

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 22

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:39:31 ET

Serial Number: 78258319 Assignment Information

Registration Number: 2856017

Mark (words only): WD RAPTOR

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-22

Filing Date: 2003-06-04

Transformed into a National Application: No

Registration Date: 2004-06-22

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: 2004-07-08

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

1. Western Digital Technologies, Inc.

Address:
Western Digital Technologies, Inc.
20511 Lake Forest Drive
Lake Forest, CA 926307741
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware.

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Computer products, namely hard drives

Basis: 1(a)
First Use Date: 2003-01-15
First Use in Commerce Date: 2003-01-15

ADDITIONAL INFORMATION

Prior Registration Number(s):2255308
2332545

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-06-03 - TEAS Change Of Correspondence Received
2004-06-22 - Registered - Principal Register
2004-03-30 - Published for opposition
2004-03-12 - Notice of publication
2004-03-10 - Notice of publication
2003-12-09 - Approved for Pub - Principal Register (Initial exam)
2003-12-01 - Examiner's amendment mailed
2003-11-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Peter F. Weinberg

Correspondent

Steven J. Nataupsky
Knobbe, Martens, Olson & Bear LLP
2040 Main Street, 14th Floor
Irvine CA 92614
Phone Number: 949 760 0404
Fax Number: 949 760 9502

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) **MARK: DIGIPOS**

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EXHIBIT 23

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:39:49 ET

Serial Number: 78158409 Assignment Information

Registration Number: 2957894

Mark

DigiScope

(words only): DIGISCOPE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-05-31

Filing Date: 2002-08-27

Transformed into a National Application: No

Registration Date: 2005-05-31

Register: Principal

Law Office Assigned: LAW OFFICE 114

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: 2005-04-21

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

1. Motic Incorporation Ltd.

Address:
Motic Incorporation Ltd.
Rm 2907-8, Windsor House 311 Gloucester Road, Causeway Bay
Hong Kong
Hong Kong

Legal Entity Type: Company
State or Country Where Organized: Hong Kong

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

microscopes

Basis: 1(a)**First Use Date:** 2002-07-06**First Use in Commerce Date:** 2002-07-06

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-05-31 - Registered - Principal Register

2005-03-01 - Law Office Registration Review Completed

2005-02-25 - Assigned To LIE

2005-02-17 - Allowed for Registration - Principal Register (SOU accepted)

2005-01-12 - Statement of use processing complete

2005-01-12 - Amendment to Use filed

2005-01-12 - TEAS Statement of Use Received

2004-08-10 - Notice of allowance - mailed

2004-05-18 - Published for opposition

2004-04-28 - Notice of publication

2004-03-11 - Approved for Pub - Principal Register (Initial exam)

2003-07-14 - Case File In TICRS

2003-01-27 - Letter of suspension mailed

2003-01-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

George C. Rondeau, Jr.

Correspondent

George C. Rondeau, Jr.
Davis Wright Tremaine LLP
1501 Fourth Avenue, Suite 2600
Seattle WA 98101
Phone Number: (206) 628-7739
Fax Number: (206) 628-7699

Domestic Representative

George C. Rondeau, Jr.
Phone Number: (206) 628-7739
Fax Number: (206) 628-7699

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
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DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 24

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:40:03 ET

Serial Number: 78158406 Assignment Information

Registration Number: 2957893

Mark (words only): DIGISCOPE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-05-31

Filing Date: 2002-08-27

Transformed into a National Application: No

Registration Date: 2005-05-31

Register: Principal

Law Office Assigned: LAW OFFICE 114

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: 2005-04-21

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

1. Motic Incorporation Ltd.

Address:

Motic Incorporation Ltd.
Rm 2907-8, Windsor House 311 Gloucester Road, Causeway Bay
Hong Kong
Hong Kong

Legal Entity Type: Company

State or Country Where Organized: Hong Kong

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

microscopes

Basis: 1(a)

First Use Date: 2002-07-06

First Use in Commerce Date: 2002-07-06

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-05-31 - Registered - Principal Register
- 2005-03-01 - Law Office Registration Review Completed
- 2005-02-25 - Assigned To LIE
- 2005-02-17 - Allowed for Registration - Principal Register (SOU accepted)
- 2005-01-12 - Statement of use processing complete
- 2005-01-12 - Amendment to Use filed
- 2005-01-12 - TEAS Statement of Use Received
- 2004-08-10 - Notice of allowance - mailed
- 2004-05-18 - Published for opposition
- 2004-04-28 - Notice of publication
- 2004-03-11 - Approved for Pub - Principal Register (Initial exam)
- 2003-07-14 - Case File In TICRS
- 2003-01-27 - Letter of suspension mailed
- 2003-01-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
George C. Rondeau, Jr.

Correspondent
George C. Rondeau, Jr.
Davis Wright Tremaine LLP
1501 Fourth Avenue, Suite 2600
Seattle WA 98101
Phone Number: (206) 628-7739
Fax Number: (206) 628-7699

Domestic Representative

George C. Rondeau, Jr.

Phone Number: (206) 628-7739

Fax Number: (206) 628-7699

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
)	
Opposer)	
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v.)	
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DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 25

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:40:21 ET

Serial Number: 78403167 Assignment Information

Registration Number: 2956244

Mark

Digital Stationery

(words only): DIGITAL STATIONERY

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-05-24

Filing Date: 2004-04-16

Transformed into a National Application: No

Registration Date: 2005-05-24

Register: Supplemental

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: 650 -Publication And Issue Section

Date In Location: 2005-05-24

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

1. Morland, D. Verne

Address:

Morland, D. Verne
624 Enid Avenue
Kettering, OH 45429
United States

Legal Entity Type: Individual

Country of Citizenship: United States
Phone Number: (937) 434-3267

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software used for processing digitized images and graphic design elements for use as personal, professional, and commercial stationery in electronic mail, slide presentations, and web site layout and content

Basis: 1(a)

First Use Date: 2004-04-12

First Use in Commerce Date: 2004-04-12

ADDITIONAL INFORMATION

Disclaimer: DIGITAL

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-05-24 - Registered - Supplemental Register
- 2005-03-05 - Law Office Publication Review Completed
- 2005-03-02 - Assigned To LIE
- 2005-02-17 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER
- 2005-02-17 - Amendment to Use approved
- 2005-01-24 - Amendment From Applicant Entered
- 2005-01-12 - Communication received from applicant
- 2005-01-24 - Amendment to use processing complete
- 2005-01-12 - Amendment to Use filed
- 2005-01-12 - TEAS Response to Office Action Received
- 2005-01-12 - TEAS Amendment of Use Received
- 2004-11-16 - Non-final action e-mailed
- 2004-11-16 - Non-Final Action Written
- 2004-11-09 - Assigned To Examiner

2004-04-23 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Morland, D. Verne

624 ENID AVE

KETTERING OH 45429-5414

Phone Number: (937) 434-3267

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.)	MARK: DIGIPOS
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Opposer)	
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v.)	
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DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 26

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:40:38 ET

Serial Number: 78342412 Assignment Information

Registration Number: 2956086

Mark

Digital Memoirs

(words only): DIGITAL MEMOIRS

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-05-24

Filing Date: 2003-12-17

Transformed into a National Application: No

Registration Date: 2005-05-24

Register: Supplemental

Law Office Assigned: LAW OFFICE 105

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: 2005-05-24

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

1. CogentWorks, LLC

Composed Of:

Laurie Brock, USA Judy Nogg, USA Anita Sanborn, USA

Address:

CogentWorks, LLC

1000 East 18th Avenue Loft 207

Denver, CO 80218

United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Colorado

Phone Number: 303-830-8309

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Pre-recorded CDs, video tapes, laser disks and DVDs featuring individual, personal, oral histories, namely, documentaries about individuals

Basis: 1(a)

First Use Date: 2003-06-16

First Use in Commerce Date: 2003-09-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-05-24 - Registered - Supplemental Register

2005-03-16 - Law Office Publication Review Completed

2005-03-04 - Assigned To LIE

2005-03-01 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2005-03-01 - EXAMINERS AMENDMENT E-MAILED

2005-03-01 - Examiners Amendment -Written

2005-02-21 - Final refusal e-mailed

2005-02-21 - Final Refusal Written

2005-01-14 - PAPER RECEIVED

2005-01-31 - Amendment From Applicant Entered

2005-01-14 - Communication received from applicant

2005-01-14 - PAPER RECEIVED

2004-07-16 - Non-final action e-mailed

2004-07-09 - Assigned To Examiner

2004-01-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CogentWorks, LLC

Digital Memoirs

1000 East 18th Avenue Loft 207

Denver, CO 80218

Phone Number: 303-830-8309

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 27

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

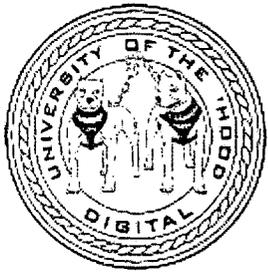
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 09:41:07 ET

Serial Number: 78523313 Assignment Information

Registration Number: 2951865

Mark



(words only): UNIVERSITY OF THE 'HOOD DIGITAL LOVE POWER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-05-17

Filing Date: 2004-11-27

Transformed into a National Application: No

Registration Date: 2005-05-17

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: 450 -Petitions Office

Date In Location: 2005-01-25

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

1. GORDON, MAE

Address:
GORDON, MAE
1125 SO HOLT AVENUE, SUITE 3
LOS ANGELES, CA 90035
United States

Legal Entity Type: Individual

Country of Citizenship: United States
Phone Number: 310 289 8057
Fax Number: 310 289 1843

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Compact discs and optical discs featuring entertainment content, namely, adult and children's stories, cartoons, animations, comedies, drama productions, educational topics featuring history, biographies, sports events, game shows, music, and games; computer game cartridges; computer game discs; computer game programs; computer game software; electronic game cartridges; electronic game discs; electronic game programs; electronic game software; trading cards recorded on computer discs and computer game discs all featuring cartoons, prerecorded music videos, and animations; musical sound recordings; video game cartridges; video game discs; video game programs; video game software

Basis: 1(a)

First Use Date: 2004-11-10

First Use in Commerce Date: 2004-11-15

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Design Search Code(s):

03.01.08 - Dogs; Puppies

09.01.13 - Braids; Clotheslines; Rope; Shoe laces; String; Tightropes

14.11.09 - Ball and Chain (restraints); Handcuffs; Leg irons; Manacles; Restraints (ball and chain, handcuffs, leg irons, manacles)

18.13.05 - Collars (animal other than horses); Leashes (animal other than horses); Yokes, collars, leashes, and harnesses for other animals

26.01.02 - Circles, plain single line; Plain single line circles

26.01.11 - Circles comprised of animals; Circles comprised of geometric figures; Circles comprised of humans; Circles comprised of letters or numerals; Circles comprised of plants; Circles comprised of punctuation; Letters, numerals, punctuation, geometric figures, objects, humans, plants or animals comprising a circle

26.01.18 - Circles, three or more concentric; Concentric circles, three or more; Three or more concentric circles

Prior Registration Number(s):

2361246

2361247

2830038

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-05-17 - Registered - Principal Register

2005-02-22 - Published for opposition

Latest Status Info

2005-02-02 - Notice of publication
2004-12-22 - Law Office Publication Review Completed
2004-12-17 - Assigned To LIE
2004-12-13 - Approved for Pub - Principal Register (Initial exam)
2004-12-13 - Examiners amendment e-mailed
2004-12-13 - Examiners Amendment -Written
2004-12-13 - Assigned To Examiner
2004-12-09 - Petition To Director - Granted
2004-11-30 - Petition To Director Received
2004-12-06 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CARL GORDON

Correspondent

CARL GORDON

GORDON DESIGNS

1125 SO HOLT AVENUE, SUITE 3

LOS ANGELES, CA 90035

Phone Number: 310 289 8057

Fax Number: 310 289 1843

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 28

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:41:29 ET

Serial Number: 78290587 Assignment Information

Registration Number: 2953579

Mark



(words only): DIGITAL PURSUITS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-05-17

Filing Date: 2003-08-21

Transformed into a National Application: No

Registration Date: 2005-05-17

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-04-04

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

1. Brandess-Kalt-Aetna Group, Inc.

Address:
 Brandess-Kalt-Aetna Group, Inc.
 701 Corporate Woods Parkway
 Vernon Hills, IL 60061
 United States
Legal Entity Type: Corporation

State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Light modifiers, also known as LCD screen hoods, diffusion screens and reflectors; voltage surge protectors; digital cameras; camera memory storage devices, also known as flash memory cards; blank storage and archival media, namely, CD's, DVD cartridges and floppy disks; storage media cases; memory storage readers, also known as flash memory card readers; electrical cables and cords; camera cases; microfiber cloths and antistatic cloths for cleaning camera lenses; camera lenses, camera adapter rings, camera lens caps; batteries, battery chargers, battery testers, electronic flashes, tripods, mini tripods, unipods, magnifiers and eye loupes; printers, scanners; antistatic gloves for use in handling cameras and digital equipment; mouse pads, image manipulation software; image storage and archival software

Basis: 1(a)

First Use Date: 2003-01-01

First Use in Commerce Date: 2003-01-01

ADDITIONAL INFORMATION

Design Search Code(s):

26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)

26.01.20 - Circles within a circle

26.01.21 - Circles that are totally or partially shaded.

26.01.27 - Circles containing irregular exterior lining or elements not amounting to a decorative border

26.17.25 - Other lines, bands or bars

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-05-17 - Registered - Principal Register

2005-02-18 - Law Office Registration Review Completed

2005-02-11 - Assigned To LIE

2005-02-06 - Allowed for Registration - Principal Register (SOU accepted)

2005-02-01 - Statement of use processing complete

2005-01-12 - Amendment to Use filed

2005-01-12 - PAPER RECEIVED

2004-10-26 - Notice of allowance - mailed

2004-08-03 - Published for opposition

Latest Status Info

- 2004-07-14 - Notice of publication
- 2004-06-01 - Approved for Pub - Principal Register (Initial exam)
- 2004-05-10 - Communication received from applicant
- 2004-05-10 - PAPER RECEIVED
- 2004-03-16 - Non-final action e-mailed
- 2004-03-15 - Assigned To Examiner
- 2004-03-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Antony J. McShane

Correspondent

Antony J. McShane
Neal, Gerber & Eisenberg
Two North LaSalle Street
Chicago, IL 60602-3801
Phone Number: 312-269-8000
Fax Number: 312-269-1747

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

This page was generated by the TARR system on 2007-01-16 09:41:44 ET

Serial Number: 78233305 Assignment Information

Registration Number: 2953360

Mark (words only): DIGIMERIDIAN

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-05-17

Filing Date: 2003-04-03

Transformed into a National Application: No

Registration Date: 2005-05-17

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2005-04-04

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

1. Merilogic Inc.

Address:
Merilogic Inc.
7064 River Oak Court
Clarksville, MD 21029
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Maryland

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for digital data analysis of meridian channels based on the theory of the traditional Chinese medicine and energy medicine

Basis: 1(a)

First Use Date: 2004-01-01

First Use in Commerce Date: 2004-01-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-05-17 - Registered - Principal Register
2005-02-02 - Law Office Registration Review Completed
2005-01-13 - Allowed for Registration - Principal Register (SOU accepted)
2005-01-13 - Amendment From Applicant Entered
2004-12-21 - Communication received from applicant
2005-01-13 - Assigned To LIE
2004-12-21 - PAPER RECEIVED
2004-11-22 - Non-final action mailed
2004-11-19 - SU - Non-Final Action - Written
2004-08-13 - Statement of use processing complete
2004-08-13 - Extension 1 granted
2004-07-13 - Amendment to Use filed
2004-07-13 - Extension 1 filed
2004-10-24 - TEAS Statement of Use Received
2004-10-16 - Petition To Revive-Granted
2004-10-16 - TEAS Petition To Revive Received
2004-09-10 - Abandonment - No use statement filed
2004-01-13 - Notice of allowance - mailed
2003-10-21 - Published for opposition
2003-10-01 - Notice of publication

2003-08-29 - Approved for Pub - Principal Register (Initial exam)

2003-08-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Merilogic Inc.
7064 RIVER OAK COURT
CLARKSVILLE MD USA 21029

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 30

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:42:06 ET

Serial Number: 78281270 Assignment Information

Registration Number: 2937733

Mark

DiGiCo

(words only): DIGICO

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-04-05

Filing Date: 2003-07-31

Transformed into a National Application: No

Registration Date: 2005-04-05

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: 2005-04-05

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

1. DiGiCo UK Limited

Address:

DiGiCo UK Limited
Unit 10, Silverglade Business Park, Leatherhead Road
Chessington, Surrey KT9 2QL
United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

APPARATUS AND INSTRUMENTS FOR PROCESSING SOUND, NAMELY, AUDIO MIXERS; PROFESSIONAL SOUND MIXING CONSOLES; SOUND MIXING APPARATUS FOR RECORDING, BROADCASTING AND THE SOUND REINFORCEMENT OF THEATRE AND AUDITORIUM SOUND AND FOR USE IN VIDEO AND FILM DUBBING; ELECTRONIC APPARATUS FOR PROCESSING MULTIPLE AUDIO INPUT SIGNALS INTO A REDUCED NUMBER OF OUTPUT SIGNALS; AUDIO AMPLIFIERS AND EQUALIZERS; ASSIGNABLE DYNAMICS PROCESSORS; MICROPROCESSORS; PROCESSOR UNITS, KEY PADS, KEY BOARDS AND VISUAL DISPLAY UNITS, ALL FOR USE IN RELATION TO THE PROCESSING OF AUDIO SIGNALS; FADER AND MUTE AUTOMATION SYSTEMS; POWER SUPPLY UNITS AND TRANSFORMERS, DUST COVERS, MODULES AND PARTS AND FITTINGS FOR AUDIO APPARATUS; SOUND CARDS; COMPUTER SOFTWARE FOR USE IN THE PROCESSING, MIXING AND REPRODUCTION OF SOUND

Basis: 1(a)

First Use Date: 2003-01-31

First Use in Commerce Date: 2003-01-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE) .

PROSECUTION HISTORY

- 2005-05-13 - TEAS Change Of Owner Address Received
- 2005-05-09 - TEAS Change Of Correspondence Received
- 2005-04-05 - Registered - Principal Register
- 2005-01-11 - Published for opposition
- 2004-12-22 - Notice of publication
- 2004-11-03 - Law Office Publication Review Completed
- 2004-08-24 - Approved for Pub - Principal Register (Initial exam)
- 2004-08-18 - Teas/Email Correspondence Entered
- 2004-08-09 - Communication received from applicant
- 2004-08-18 - Assigned To LIE

Latest Status Info

2004-08-09 - TEAS Response to Office Action Received

2004-02-09 - Non-final action e-mailed

2004-01-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gerald E. Helget

Correspondent

Gerald E. Helget
Briggs and Morgan, P.A.
2200 IDS Center
80 South Eighth Street
Minneapolis MN 55402
Phone Number: 612-977-8480
Fax Number: 612-977-8650

Domestic Representative

Gerald E. Helget
Phone Number: 612-977-8480
Fax Number: 612-977-8650

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 31

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:42:24 ET

Serial Number: 78106388 Assignment Information

Registration Number: 2833061

Mark (words only): DIGIDENTIST

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-04-13

Filing Date: 2002-02-02

Transformed into a National Application: No

Registration Date: 2004-04-13

Register: Principal

Law Office Assigned: LAW OFFICE 114

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: 2004-05-17

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

1. Clark, Carol D.

Address:

Clark, Carol D.
P.O. Box 16752
Hattiesburg, MS 39404
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: (707) 528-8607

Fax Number: (707) 922-0161

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Multimedia computer program for educating dental patients featuring instruction about dental procedures

Basis: 1(a)

First Use Date: 2002-01-01

First Use in Commerce Date: 2002-01-01

International Class: 042

Class Status: Active

Computer software development services, namely creating and maintaining web sites for others

Basis: 1(a)

First Use Date: 2002-01-01

First Use in Commerce Date: 2002-01-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-05-04 - TEAS Change Of Owner Address Received

2005-05-04 - TEAS Change Of Owner Address Received

2004-04-13 - Registered - Principal Register

2004-02-10 - Allowed for Registration - Principal Register (SOU accepted)

2004-02-05 - Case File In TICRS

2004-01-13 - Statement of use processing complete

2004-01-13 - Amendment to Use filed

2004-01-13 - TEAS Statement of Use Received

2003-07-22 - Notice of allowance - mailed

2003-04-29 - Published for opposition

2003-04-09 - Notice of publication

2003-03-06 - Approved for Pub - Principal Register (Initial exam)

2003-01-29 - Communication received from applicant

2003-01-29 - TEAS Change Of Correspondence Received

2003-01-29 - TEAS Response to Office Action Received

2002-07-30 - Non-final action mailed

2002-07-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Carol D. Clark

Correspondent

WARREN L. DRANIT
SPAULDING MCCULLOUGH & TANSIL LLP
P.O. BOX 1867
SANTA ROSA CA 95402
Phone Number: 707.524.1900
Fax Number: 707.524.1906

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 32

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:42:40 ET

Serial Number: 78410752 Assignment Information

Registration Number: 2946216

Mark

ALPHADIGIDOC

(words only): ALPHADIGIDOC

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-05-03

Filing Date: 2004-04-29

Transformed into a National Application: No

Registration Date: 2005-05-03

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: 650 -Publication And Issue Section

Date In Location: 2005-05-03

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

1. Alpha Innotech Corporation

Address:
Alpha Innotech Corporation
2401 Merced Street
San Leandro, CA 94577
United States
Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: 510-483-9620

Fax Number: 510-483-3227

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital imaging equipment for image acquisition and quantitation in scientific research and medical diagnostic applications, namely, computer programs, digital image conduits, digital image projectors and electronic apparatus for acquiring, processing, manipulating, editing, displaying and printing digital images

Basis: 1(a)

First Use Date: 2001-01-01

First Use in Commerce Date: 2001-03-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-05-03 - Registered - Principal Register

2005-02-08 - Published for opposition

2005-01-19 - Notice of publication

2004-12-10 - Law Office Publication Review Completed

2004-12-08 - Assigned To LIE

2004-11-26 - Approved for Pub - Principal Register (Initial exam)

2004-11-24 - Assigned To Examiner

2004-05-07 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Randall Smith, Esq

Correspondent

Randall Smith, Esq

Alpha Innotech Corporation

2401 Merced Street

San Leandro, CA 94577
Phone Number: 510-483-2586
Fax Number: 510-483-3227

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 33

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:42:59 ET

Serial Number: 78278010 Assignment Information

Registration Number: 2945170

Mark (words only): DIGITAL ARMOR

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-04-26

Filing Date: 2003-07-23

Transformed into a National Application: No

Registration Date: 2005-04-26

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: 2005-03-17

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

1. ECD Systems, Inc.

Address:

ECD Systems, Inc.
3821 Falmouth Road A13
Marstons Mills, MA 02648
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Massachusetts

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for protecting the digital content of recorded media

Basis: 1(a)

First Use Date: 2001-12-12

First Use in Commerce Date: 2001-12-12

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-04-26 - Registered - Principal Register
2005-02-08 - Law Office Registration Review Completed
2005-02-07 - Assigned To LIE
2005-01-28 - Assigned To LIE
2005-01-25 - Allowed for Registration - Principal Register (SOU accepted)
2005-01-25 - Statement of use processing complete
2005-01-25 - Extension 1 granted
2005-01-06 - Amendment to Use filed
2005-01-06 - Extension 1 filed
2005-01-06 - PAPER RECEIVED
2004-07-06 - Notice of allowance - mailed
2004-04-13 - Published for opposition
2004-03-24 - Notice of publication
2003-12-31 - Approved for Pub - Principal Register (Initial exam)
2003-12-19 - Examiners amendment e-mailed
2003-12-18 - Assigned To Examiner
2003-10-30 - Communication received from applicant
2003-10-30 - PAPER RECEIVED

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Ann Lamport Hammittee

Correspondent

Ann Lamport Hammitte
LOWRIE, LANDO & ANASTASI, LLP
ONE MAIN STREET- 11th Flr
CAMBRIDGE, MA 02142
Phone Number: 617-395-7000
Fax Number: 617-395-7070

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 34

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:43:18 ET

Serial Number: 78221745 Assignment Information

Registration Number: 2941579

Mark (words only): DIGITAL WATCHDOG

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-04-19

Filing Date: 2003-03-05

Transformed into a National Application: No

Registration Date: 2005-04-19

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: 2005-04-19

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

1. Lee, H.K.

Address:

Lee, H.K.
5436 West Crenshaw Street
Tampa, FL 33634
United States

Legal Entity Type: Individual

Country of Citizenship: Republic of Korea

Phone Number: 8138889555

Fax Number: 8138889262

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital video surveillance systems, namely, digital video cameras recording to computer hard disk

Basis: 1(a)

First Use Date: 1998-02-04

First Use in Commerce Date: 1998-02-04

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-02-22 - TEAS Change Of Correspondence Received
- 2005-04-19 - Registered - Principal Register
- 2005-01-25 - Published for opposition
- 2005-01-05 - Notice of publication
- 2004-11-22 - Law Office Publication Review Completed
- 2004-11-19 - Assigned To LIE
- 2004-11-12 - Approved for Pub - Principal Register (Initial exam)
- 2004-11-01 - Amendment From Applicant Entered
- 2004-06-03 - Communication received from applicant
- 2004-10-15 - Petition To Revive-Granted
- 2004-06-03 - Petition To Revive-Received
- 2004-06-03 - Petition To Revive-Received
- 2004-06-03 - PAPER RECEIVED
- 2004-03-16 - Abandonment - Failure To Respond Or Late Response
- 2004-02-26 - Communication received from applicant
- 2004-02-26 - Email Received
- 2003-08-14 - Non-final action e-mailed
- 2003-08-14 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

MONIKA L. SCHILCHER

M.L. SCHILCHER, P.A.

PO BOX 10205

TAMPA FL 33679-0205

Phone Number: (813) 835-3215

Fax Number: (813) 835-3214

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 35

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:43:35 ET

Serial Number: 78131123 Assignment Information

Registration Number: 2796144

Mark (words only): PURE DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-12-16

Filing Date: 2002-05-24

Transformed into a National Application: No

Registration Date: 2003-12-16

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2003-12-23

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

1. PURE DIGITAL

Address:
PURE DIGITAL
1 Kearny Street Suite 601
San Francisco, CA 94118
United States
Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Digital cameras; computer software used in capturing, downloading and processing of photographic images, and computer software used to transmit photographic images over a computer network
Basis: 1(a)
First Use Date: 2002-05-00

First Use in Commerce Date: 2002-05-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-01-07 - TEAS Change Of Correspondence Received

2003-12-16 - Registered - Principal Register

2003-10-20 - Allowed for Registration - Principal Register (SOU accepted)

2003-10-01 - Assigned To Examiner

2003-09-26 - Case File In TICRS

2003-08-26 - Statement of use processing complete

2003-08-15 - Amendment to Use filed

2003-08-15 - TEAS Statement of Use Received

2003-07-29 - Notice of allowance - mailed

2003-05-06 - Published for opposition

2003-04-16 - Notice of publication

2003-02-10 - Approved for Pub - Principal Register (Initial exam)

2003-01-09 - Communication received from applicant

2003-01-09 - PAPER RECEIVED

2002-09-23 - Non-final action mailed

2002-09-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Amanda Pecchioni Thompson

Correspondent

Mary Jane Frisby

Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis IN 46204
Phone Number: 317-231-1313
Fax Number: 317-231-7439

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 36

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:43:51 ET

Serial Number: 78236235 Assignment Information

Registration Number: 2939634

Mark



(words only): DIGIWEIGH DIGITAL SCALES

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-04-12

Filing Date: 2003-04-10

Transformed into a National Application: No

Registration Date: 2005-04-12

Register: Principal

Law Office Assigned: LAW OFFICE 105

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: 2005-04-12

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

1. AC INTERNATIONAL CORP.

Address:
 AC INTERNATIONAL CORP.
 632 BREA CANYON RD.
 WALNUT LOS ANGELES, CA 91789
 United States
Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic digital scales, namely, scales for postal, household, hobby, educational and jewelry weighing uses; digital scales

Basis: 1(a)

First Use Date: 2003-01-01

First Use in Commerce Date: 2003-01-02

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL SCALES"

Design Search Code(s):

26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(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

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-04-12 - Registered - Principal Register

2005-01-18 - Published for opposition

2004-12-29 - Notice of publication

2004-11-17 - Law Office Publication Review Completed

2004-10-29 - Assigned To LIE

2004-10-29 - Assigned To LIE

2004-10-27 - Approved for Pub - Principal Register (Initial exam)

2004-10-26 - Examiner's Amendment Entered

2004-10-18 - EXAMINERS AMENDMENT E-MAILED

2004-10-18 - Examiners Amendment -Written

2004-06-23 - Amendment From Applicant Entered

2004-06-23 - Unresponsive/Duplicate Paper Received

Latest Status Info

2004-06-23 - FAX RECEIVED

2004-04-14 - Email Received

2004-04-13 - LETTER OF SUSPENSION E-MAILED

2004-04-13 - Amendment to Use approved

2004-03-04 - TEAS Response to Office Action Received

2004-03-04 - DISAPPROVAL - AMENDMENT TO USE E-MAILED

2004-03-04 - AMENDMENT OF ALLEGED USE DISAPPROVED

2004-03-01 - Amendment to use processing complete

2004-02-20 - Amendment to Use filed

2004-02-20 - TEAS Amendment of Use Received

2004-02-02 - Email Received

2004-01-30 - LETTER OF SUSPENSION E-MAILED

2003-10-20 - Communication received from applicant

2003-10-16 - Communication received from applicant

2003-10-20 - PAPER RECEIVED

2003-10-15 - Non-final action e-mailed

2003-10-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

CHINAPRO
632 BREA CANYON ROAD
WALNUT CA 91789
Phone Number: 909-869-5537
Fax Number: 909-869-5765

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 37

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:44:08 ET

Serial Number: 78306169 Assignment Information

Registration Number: 2936141

Mark



(words only): DIGITALFIDELITY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-03-29

Filing Date: 2003-09-26

Transformed into a National Application: No

Registration Date: 2005-03-29

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: 2005-03-29

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

1. Hush Technologies Limited

Address:

Hush Technologies Limited
Adam House, 7 Adam Street
London WC2N 6AA
United Kingdom

Legal Entity Type: LIMITED COMPANY

State or Country Where Organized: United Kingdom

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer hardware; computer software for use in multi-media applications; parts and fittings for all the aforesaid goods

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

Computer consultation services, scientific and technological services in the nature of research services in the field of multi-media applications; design and development of computer hardware and software; installation and maintenance of computer software; consultation services for computer hardware and software planning and development; providing information and consultation services for others, all relating to the aforesaid services

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Design Search Code(s):

26.01.02 - Circles, plain single line; Plain single line circles

26.01.03 - Circles, incomplete (more than semi-circles); Incomplete circles (more than semi-circles)

26.01.13 - Circles, two (not concentric); Two circles

26.01.16 - Circles touching or intersecting

Foreign Registration Number: 2315421

Foreign Registration Date: 2002-11-07

Country: United Kingdom

Foreign Expiration Date: 2012-11-07

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-03-29 - Registered - Principal Register

2005-01-04 - Published for opposition

2004-12-15 - Notice of publication

2004-10-27 - Law Office Publication Review Completed

2004-10-22 - Assigned To LIE

Latest Status Info

2004-10-18 - Approved for Pub - Principal Register (Initial exam)
2004-10-15 - Teas/Email Correspondence Entered
2004-10-08 - Communication received from applicant
2004-10-08 - TEAS Response to Office Action Received
2004-04-08 - Non-final action e-mailed
2004-04-02 - Assigned To Examiner
2003-11-17 - Applicant amendment prior to exam entered
2003-11-17 - Communication received from applicant
2003-11-17 - TEAS Preliminary Amendment Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Oliver E. Todd, Jr.

Correspondent

Oliver E. Todd, Jr.

MACMILLAN, SOBANSKI & TODD, LLC

One Maritime Plaza, 4th Floor

Toledo, OH 43604

Phone Number: 419-255-5900

Fax Number: 419-255-9639

Domestic Representative

Oliver E. Todd, Jr.

Phone Number: 419-255-5900

Fax Number: 419-255-9639

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 38

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:44:24 ET

Serial Number: 78191984 Assignment Information

Registration Number: 2936018

Mark



(words only): DAT 72 DIGITAL DATA STORAGE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-03-29

Filing Date: 2002-12-06

Transformed into a National Application: No

Registration Date: 2005-03-29

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: 650 -Publication And Issue Section

Date In Location: 2005-03-29

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

1. Hewlett-Packard Company

Address:
Hewlett-Packard Company
3000 Hanover Street
Palo Alto, CA 94304
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: (650) 857-3377

Fax Number: (650) 813-3095

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer peripherals, namely, digital data tape drives for digital data storage; and blank digital data tapes for digital data storage

Basis: 1(a)

First Use Date: 2003-04-17

First Use in Commerce Date: 2003-04-17

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL DATA STORAGE"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-03-29 - Registered - Principal Register
- 2005-02-15 - Notice of Allowance canceled
- 2004-09-07 - Notice of allowance - mailed
- 2004-07-15 - TEAS Change Of Correspondence Received
- 2004-06-15 - Published for opposition
- 2004-05-26 - Notice of publication
- 2004-04-08 - Approved for Pub - Principal Register (Initial exam)
- 2004-04-08 - Amendment to Use approved
- 2004-03-02 - Communication received from applicant
- 2004-03-02 - TEAS Response to Office Action Received
- 2003-12-11 - Non-final action mailed
- 2003-12-10 - Amendment to use processing complete
- 2003-09-10 - Amendment to Use filed
- 2003-09-10 - Communication received from applicant

Latest Status Info

- 2003-09-10 - TEAS Response to Office Action Received
- 2003-09-10 - TEAS Amendment of Use Received
- 2003-07-03 - Non-final action e-mailed
- 2003-06-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
James F. Struthers

Correspondent
Hewlett-Packard Company
Attention: Malia Abril
3000 Hanover Street, ms 1051
Palo Alto CA 94304
Phone Number: 650.857.5144
Fax Number: 650.813.3095

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 39

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:44:44 ET

Serial Number: 78205794 Assignment Information

Registration Number: 2813006

Mark (words only): DIGIVOICEXE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-02-10

Filing Date: 2003-01-22

Transformed into a National Application: No

Registration Date: 2004-02-10

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2004-02-17

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

1. ONVISOURCE, INC.

Address:

ONVISOURCE, INC.
1255 WEST 15TH STREET, SUITE 500
PLANO, TX 75075
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software for telephone and radio call monitoring and recording; computer hardware for use in connection therewith

Basis: 1(a)

First Use Date: 2002-08-01

First Use in Commerce Date: 2002-08-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

2709491
2725859

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-08-23 - Automatic Update Of Assignment Of Ownership
- 2004-07-06 - TEAS Change Of Correspondence Received
- 2004-02-10 - Registered - Principal Register
- 2003-11-18 - Published for opposition
- 2003-10-29 - Notice of publication
- 2003-09-09 - .Approved for Pub - Principal Register (Initial exam)
- 2003-07-22 - Examiners amendment e-mailed
- 2003-07-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mary M. Lee

Correspondent

Mary M. Lee
MARY M. LEE, P.C.
1300 E. Ninth Street, Suite 4
Edmond OK 73034-5760
Phone Number: (405) 285-4490
Fax Number: (405) 285-4491

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 40

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:45:00 ET

Serial Number: 78132395 Assignment Information

Registration Number: 2709491

Mark (words only): DIGIVOICE INTERCEPTOR

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-04-22

Filing Date: 2002-05-31

Transformed into a National Application: No

Registration Date: 2003-04-22

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2003-04-28

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

1. ONVISOURCE, INC.

Address:
ONVISOURCE, INC.
1255 WEST 15TH STREET, SUITE 500
PLANO, TX 75075
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for use in recording voices, namely, voices contained in analysis, management and logging of electronic multimedia communications and interactions, including telephone calls, electronic mail, web chat, agent-assisted web browsing and desktop computer activity, used in the fields of call center quality assurance, and call logging, and telephone Internet and wireless integration capability, and computer hardware and voice processing boards

Latest Status Info

for CTI (computer telephony integration) applications both for use in connection therewith; computer software for use in recording the computer monitor screen and/or video screen of the agent, user and/or customer service representative and the corresponding data stream for presentation of the screen images in call, contact, surveillance and emergency centers

Basis: 1(a)
First Use Date: 2002-03-18
First Use in Commerce Date: 2002-03-18

ADDITIONAL INFORMATION

Disclaimer: "INTERCEPTOR"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-08-23 - Automatic Update Of Assignment Of Ownership
 - 2004-07-06 - TEAS Change Of Correspondence Received
 - 2003-04-22 - Registered - Principal Register
 - 2003-01-28 - Published for opposition
 - 2003-01-08 - Notice of publication
 - 2002-11-22 - Approved for Pub - Principal Register (Initial exam)
 - 2002-10-15 - Communication received from applicant
 - 2002-10-06 - Non-final action e-mailed
 - 2002-09-24 - Assigned To Examiner
-

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Mary M. Lee

Correspondent
Mary M. Lee
MARY M. LEE, P.C.
1300 E. Ninth Street, Suite 4
Edmond OK 73034-5760
Phone Number: (405) 285-4490
Fax Number: (405) 285-4491

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 41

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:45:19 ET

Serial Number: 78059551 Assignment Information

Registration Number: 2741771

Mark (words only): DIGIVOICE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-07-29

Filing Date: 2001-04-20

Transformed into a National Application: No

Registration Date: 2003-07-29

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2003-08-04

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

1. ONVISOURCE, INC.

Address:
ONVISOURCE, INC.
1255 WEST 15TH STREET, SUITE 500
PLANO, TX 75075
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
SOFTWARE FOR USE IN RECORDING, ANALYSIS, MANAGEMENT AND LOGGING OF ELECTRONIC MULTIMEDIA COMMUNICATIONS AND INTERACTIONS, INCLUDING TELEPHONE CALLS, ELECTRONIC MAIL, WEB CHAT, AGENT-ASSISTED WEB BROWSING AND DESKTOP COMPUTER ACTIVITY, AND FOR PROVIDING CALL CENTER QUALITY ASSURANCE, CALL LOGGING, AND

TELEPHONE INTERNET AND WIRELESS INTEGRATION CAPABILITY; AND, COMPUTER HARDWARE

Basis: 1(a)

First Use Date: 1999-01-15

First Use in Commerce Date: 1999-01-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-23 - Automatic Update Of Assignment Of Ownership
2003-07-29 - Registered - Principal Register
2003-05-06 - Published for opposition
2003-04-16 - Notice of publication
2003-03-04 - Approved for Pub - Principal Register (Initial exam)
2003-02-11 - Communication received from applicant
2003-02-11 - TEAS Response to Office Action Received
2002-04-03 - Letter of suspension mailed
2002-01-31 - Communication received from applicant
2001-07-30 - Non-final action mailed
2001-07-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mary M. Lee

Correspondent

MARY M. LEE
MARY M LEE P C
3441 W MEMORIAL RD STE 8
OKLAHOMA CITY OK 73134-7000
Phone Number: (405) 302-0900
Fax Number: (405) 302-0901

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 42

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:45:38 ET

Serial Number: 78057725 Assignment Information

Registration Number: 2725859

Mark



(words only): DIGIVOICE2

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-06-10

Filing Date: 2001-04-10

Transformed into a National Application: No

Registration Date: 2003-06-10

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: 900 -File Repository (Franconia)

Date In Location: 2003-06-18

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

1. ONVISOURCE, INC.

Address:
ONVISOURCE, INC.
1255 WEST 15TH STREET, SUITE 500
PLANO, TX 75075
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

software for use in recording voices including voices contained in electronic multimedia communications and interactions, such as telephone calls, electronic mail, web chat, agent-assisted web browsing and desktop computer activity, and for use in the fields of call center quality assurance and call logging, and computer hardware for use in connection therewith

Basis: 1(a)

First Use Date: 2001-03-21

First Use in Commerce Date: 2001-03-21

ADDITIONAL INFORMATION

Design Search Code(s):

01.15.25 - Coal; Dust; Light rays; Liquids, spilling; Pouring liquids; Sand; Spilling liquids

26.03.02 - Ovals, plain single line; Plain single line ovals

26.03.21 - Ovals that are completely or partially shaded

26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-23 - Automatic Update Of Assignment Of Ownership

2003-06-10 - Registered - Principal Register

2003-04-11 - Allowed for Registration - Principal Register (SOU accepted)

2003-03-31 - Statement of use processing complete

2003-01-29 - Amendment to Use filed

2003-01-29 - TEAS Statement of Use Received

2002-12-03 - Notice of allowance - mailed

2002-09-10 - Published for opposition

2002-08-21 - Notice of publication

2002-06-14 - Approved for Pub - Principal Register (Initial exam)

2002-06-06 - Communication received from applicant

Latest Status Info

- 2002-06-02 - Communication received from applicant
- 2002-04-09 - Final refusal mailed
- 2002-01-31 - Communication received from applicant
- 2001-09-11 - Non-final action mailed
- 2001-08-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mary M. Lee

Correspondent

Mary M. Lee
MARY M LEE P C
3441 W MEMORIAL RD STE 8
OKLAHOMA CITY OK 73134-7000
Phone Number: (405) 302-0900
Fax Number: (405) 302-0901

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 43

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:46:02 ET

Serial Number: 78290478 Assignment Information

Registration Number: 2929821

Mark (words only): DIGITAL PURSUITS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-03-01

Filing Date: 2003-08-21

Transformed into a National Application: No

Registration Date: 2005-03-01

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-01-18

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

1. Brandess-Kalt-Aetna Group, Inc.

Address:
Brandess-Kalt-Aetna Group, Inc.
700 Corporate Woods Parkway
Vernon Hills, IL 60061
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Light modifiers, also known as LCD screen hoods, diffusion screens and reflectors; voltage surge protectors; digital cameras; camera memory storage devices, also known as flash memory cards; blank storage and archival media, namely, CD's, DVD cartridges and floppy disks; storage media cases; memory storage readers, also known as flash memory card readers; electrical cables and cords; camera cases; microfiber cloths and antistatic cloths for cleaning

camera lenses; camera lenses, camera adapter rings, camera lens caps; batteries, battery chargers, battery testers, electronic flashes, tripods, mini tripods, unipods, magnifiers and eye loupes; printers, scanners; antistatic gloves for use in handling cameras and digital equipment; mouse pads, image manipulation software; image storage and archival software

Basis: 1(a)

First Use Date: 2003-01-01

First Use in Commerce Date: 2003-01-01

ADDITIONAL INFORMATION

Disclaimer: DIGITAL

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-03-01 - Registered - Principal Register
- 2004-12-28 - Law Office Registration Review Completed
- 2004-12-23 - Assigned To LIE
- 2004-12-20 - Allowed for Registration - Principal Register (SOU accepted)
- 2004-11-26 - Statement of use processing complete
- 2004-11-03 - Amendment to Use filed
- 2004-11-03 - PAPER RECEIVED
- 2004-09-14 - Notice of allowance - mailed
- 2004-06-22 - Published for opposition
- 2004-06-02 - Notice of publication
- 2004-04-29 - Approved for Pub - Principal Register (Initial exam)
- 2004-04-29 - EXAMINERS AMENDMENT E-MAILED
- 2004-04-12 - Communication received from applicant
- 2004-04-14 - Communication received from applicant
- 2004-04-14 - PAPER RECEIVED
- 2004-03-16 - Non-final action e-mailed
- 2004-03-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Antony J. McShane

Correspondent

Antony J. McShane

Neal, Gerber & Eisenberg LLP

Two North LaSalle Street

Chicago, IL 60602-3801

Phone Number: 312-269-8000

Fax Number: 312-269-1747

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT

44

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:48:52 ET

Serial Number: 78184313 Assignment Information

Registration Number: 2838513

Mark



(words only): DM-R DIGITAL MEDIA RECORDER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-05-04

Filing Date: 2002-11-12

Transformed into a National Application: No

Registration Date: 2004-05-04

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 834 -Post Registration

Date In Location: 2005-03-15

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

1. Thomson multimedia

Address:
 Thomson multimedia
 46 quai Alphonse le Gallo
 Boulogne-Billancourt 92100
 France
Legal Entity Type: Corporation

State or Country of Incorporation: France

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Televisions; television sets with digital audio-video disc players integrated; televisions with video recorders integrated; video cassette recorders and video disc recorders; digital audio disc players and recorders; programmable digital video disc players and recorders; portable compact disc players; camcorders; portable camcorders with video recorder integrated; projection televisions; audio amplifiers; high fidelity micro-mini systems comprised of stereo tuners, stereo receivers, stereo speakers, CD players and recorders, cassette players and recorders; remote controls for all the aforesaid goods; remote controls with voice recognition for all the aforesaid goods; television screens, namely, plasma screens, LCD screens, flat panel display screens, video monitors; radios; headphones; wireless headphones; microphones; video transmitters; audio speakers; antennas; audio-video receivers; blank videotapes; blank video cassettes; blank magnetic data carriers; blank acoustic discs; blank audio-video compact discs

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 038

Class Status: Active

Cable radio transmission, cable television transmission, digital transmission of voice, data, images, signals, and messages via satellite, cable, and antenna

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL MEDIA RECORDER"

Foreign Application Number: 023165664

Foreign Registration Number: 023165664

Foreign Registration Date: 2002-05-24

Country: France

Foreign Filing Date: 2002-05-24

Foreign Expiration Date: 2012-05-24

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-04 - TEAS Change Of Correspondence Received

2005-01-21 - Section 7 correction issued

2004-09-10 - PAPER RECEIVED

2004-05-04 - Registered - Principal Register

2004-02-10 - Published for opposition
2004-01-21 - Notice of publication
2003-12-10 - Section 44(d) claim - Deleted
2003-11-29 - Approved for Pub - Principal Register (Initial exam)
2003-10-24 - ITU claim deleted
2003-10-24 - Communication received from applicant
2003-10-24 - PAPER RECEIVED
2003-04-24 - Non-final action mailed
2003-04-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

David A. Cutner

Correspondent

David A. Cutner
Cutner & Associates, P.C.
13th Floor
9 East 40th Street
New York NY 10016
Phone Number: 212 759-1818
Fax Number: 212 486-1600

Domestic Representative

David A. Cutner
Phone Number: 212 759-1818
Fax Number: 212 486-1600

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 45

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:49:12 ET

Serial Number: 78254845 Assignment Information

Registration Number: 2927787

Mark



(words only): DIGITAL PHOTOVIEW

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-02-22

Filing Date: 2003-05-27

Transformed into a National Application: No

Registration Date: 2005-02-22

Register: Principal

Law Office Assigned: LAW OFFICE 113

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: 2005-02-22

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

1. Thomson

Address:
 Thomson
 46 quai Alphonse le Gallo
 Boulogne-Billancourt 92100
 France

Legal Entity Type: Corporation

State or Country of Incorporation: France

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Television sets; interactive televisions; television with disk player integrated; television sets with digital audio-video disc player integrated; television with video recorder integrated; television with digital versatile disk player integrated; television screens; video recorders; cassette players/recorders and/or digital compact disc players/recorders and/or digital audio and video disc players/recorders; portable compact disc players; camcorders; camcorders with video recorder integrated; projection televisions

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 038

Class Status: Active

Telecommunication services, namely, radio and television broadcasting; recording and transmission of sound, images and data by satellite, cable, or antennae

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Design Search Code(s):

- 26.09.13 - Squares, exactly two squares; Two squares
- 26.09.14 - Squares, three or more; Three or more squares
- 26.09.16 - Squares touching or intersecting
- 26.09.21 - Squares that are completely or partially shaded
- 26.11.21 - Rectangles that are completely or partially shaded

Foreign Application Number: 023196762

Foreign Registration Number: 023196762

Foreign Registration Date: 2002-11-29

Country: France

Foreign Filing Date: 2002-11-29

Foreign Expiration Date: 2012-11-29

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-03 - TEAS Change Of Correspondence Received

2005-02-22 - Registered - Principal Register

Latest Status Info

2004-11-30 - Published for opposition
2004-11-10 - Notice of publication
2004-09-29 - Law Office Publication Review Completed
2004-09-07 - Assigned To LIE
2004-09-02 - Approved for Pub - Principal Register (Initial exam)
2004-09-02 - Amendment From Applicant Entered
2004-08-16 - Communication received from applicant
2004-08-16 - ITU claim deleted
2004-08-16 - PAPER RECEIVED
2004-07-02 - Letter of suspension mailed
2004-06-17 - Amendment From Applicant Entered
2004-06-17 - Communication received from applicant
2004-06-17 - PAPER RECEIVED
2003-12-15 - Non-final action mailed
2003-12-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

David A. Cutner

Correspondent

David A. Cutner
Cutner & Associates, P.C.
13th Floor
9 East 40th Street
New York NY 10016
Phone Number: 212 759-1818
Fax Number: 212 486-1600

Domestic Representative

David A. Cutner
Phone Number: 212 759-1818
Fax Number: 212 486-1600

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT

46

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:49:26 ET

Serial Number: 78288612 Assignment Information

Registration Number: 2927019

Mark (words only): DIGIN

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-02-15

Filing Date: 2003-08-18

Transformed into a National Application: No

Registration Date: 2005-02-15

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: 2005-01-05

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

1. EvREsearch, Ltd.

Address:

EvREsearch, Ltd.
1611 Tennyson Court
Columbus, OH 43235
United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Ohio

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software for integrating and analyzing digital information

Basis: 1(a)

First Use Date: 2004-11-12

First Use in Commerce Date: 2004-11-12

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-02-15 - Registered - Principal Register
- 2004-12-13 - Law Office Registration Review Completed
- 2004-12-10 - Assigned To LIE
- 2004-12-03 - Allowed for Registration - Principal Register (SOU accepted)
- 2004-11-30 - Statement of use processing complete
- 2004-11-22 - Amendment to Use filed
- 2004-11-30 - Extension 1 granted
- 2004-11-22 - Extension 1 filed
- 2004-11-22 - TEAS Statement of Use Received
- 2004-11-22 - TEAS Extension Received
- 2004-11-22 - Attorney Revoked And/Or Appointed
- 2004-11-22 - TEAS Revoke/Appoint Attorney Received
- 2004-08-24 - Notice of allowance - mailed
- 2004-06-01 - Published for opposition
- 2004-05-12 - Notice of publication
- 2004-02-19 - Approved for Pub - Principal Register (Initial exam)
- 2004-02-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
David A. Mancino

Correspondent

Latest Status Info

David A. Mancino
Taft, Stettinius & Hollister, LLP
Suite 1800
425 Walnut Street
Cincinnati OH 45202
Phone Number: (513) 357-9331
Fax Number: (513) 381-0205

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 47

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:49:43 ET

Serial Number: 78072016 Assignment Information

Registration Number: 2925686

Mark (words only): EDGE DIGITAL MEDIA

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-02-08

Filing Date: 2001-07-02

Transformed into a National Application: No

Registration Date: 2005-02-08

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: 2004-12-28

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

1. EDGE TECH CORPORATION

Address:
EDGE TECH CORPORATION
327 EAST 14TH STREET
ADA, OK 74820
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Oklahoma

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Computer Peripherals
Basis: 1(a)
First Use Date: 2001-02-01
First Use in Commerce Date: 2001-02-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL MEDIA"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-02-08 - Registered - Principal Register

2004-12-14 - Law Office Registration Review Completed

2004-12-14 - Assigned To LIE

2004-12-01 - Allowed for Registration - Principal Register (SOU accepted)

2004-08-20 - Statement of use processing complete

2004-08-20 - Amendment to Use filed

2004-08-20 - TEAS Statement of Use Received

2004-05-04 - Notice of allowance - mailed

2004-02-10 - Published for opposition

2004-01-26 - PAPER RECEIVED

2004-01-21 - Notice of publication

2003-12-09 - Approved for Pub - Principal Register (Initial exam)

2003-05-28 - Case File In TICRS

2002-12-23 - TEAS Change Of Correspondence Received

2002-11-14 - Assigned To Examiner

2001-11-07 - Letter of suspension mailed

2001-10-01 - Communication received from applicant

2001-10-01 - Communication received from applicant

2001-09-10 - Non-final action mailed

2001-09-09 - Assigned To Examiner

2001-08-31 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Rachel Blue

Correspondent

Mark G. Kachigian

Head, Johnson & Kachigian

228 West 17th Place

Tulsa OK 74119

Phone Number: 918-587-2000

Fax Number: 918-584-1718

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 48

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:50:02 ET

Serial Number: 78369065 Assignment Information

Registration Number: 2919167

Mark



(words only): POLAROID 2-SECOND DIGITAL PRINTS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-18

Filing Date: 2004-02-17

Transformed into a National Application: No

Registration Date: 2005-01-18

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: 2005-01-18

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

1. Polaroid Corporation

Address:

Polaroid Corporation
1265 Main Street
Waltham, MA 02451
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 781-386-6477

Fax Number: 781-386-6441

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Photo printing kiosks, namely, digital imaging devices for viewing and printing digital photographs

Basis: 1(a)

First Use Date: 2003-02-00

First Use in Commerce Date: 2003-02-00

ADDITIONAL INFORMATION

Disclaimer: "2-SECOND DIGITAL PRINTS"

Description of Mark: The mark consists of a pixel design containing 9 squares together with the words Polaroid 2-Second Digital Prints.

Design Search Code(s):

26.07.12 - Diamonds with bars, bands and lines

Prior Registration Number(s):

2374526

2445278

2470869

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-01-18 - Registered - Principal Register

2004-10-26 - Published for opposition

2004-10-06 - Notice of publication

2004-08-24 - TEAS Change Of Correspondence Received

2004-08-23 - Law Office Publication Review Completed

2004-08-20 - Assigned To LIE

2004-08-19 - Approved for Pub - Principal Register (Initial exam)

2004-08-19 - Examiners amendment e-mailed

2004-08-13 - Assigned To Examiner

2004-03-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jennifer Heisler Lavalley

Correspondent

Lee J. Eulgen

Neal, Gerber & Eisenberg LLP

Two North LaSalle Street

Chicago IL 60602-3801

Phone Number: 312.269.8000

Fax Number: 312.269.1747

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 49

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:50:21 ET

Serial Number: 78185420 Assignment Information

Registration Number: 2919828

Mark (words only): DIGITAL ACCUDEVICE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-18

Filing Date: 2002-11-15

Transformed into a National Application: No

Registration Date: 2005-01-18

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2004-12-08

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

1. Nippon Denki Kabushiki Kaisha

Address:
Nippon Denki Kabushiki Kaisha
7-1, Shiba 5-chome, Minato-ku
Tokyo
Japan

Legal Entity Type: Corporation
State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

semiconductors, optical semiconductors, microwave semiconductors, compound semiconductors, diodes, transistors, gallium arsenide field-effect transistors, standard cells, integrated circuits, integrated circuit packages, application specific integrated circuits, hybrid integrated circuits, large scale integration, gate arrays, computer memories, micro computers, read only memories, random access memories, static random access memories, dynamic random access

memories, programmable read only memories, erasable programmable read only memories, electrically erasable programmable read only memories, field programmable read only memories, microcomputers, central processing units, micro processors, charge-coupled devices, printed wiring boards, capacitors, variable resistors, keyboards, electrical connectors, computer software for use in designing integrated circuits, relays, electroluminescent lighting panels, liquid crystal displays, light emitting diode displays, mother boards, computer connecting boards and connectors for conjunction with computer peripherals and plasma displays

Basis: 1(a)

First Use Date: 2003-02-25

First Use in Commerce Date: 2003-02-25

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-01-18 - Registered - Principal Register

2004-11-17 - Law Office Registration Review Completed

2004-11-17 - Assigned To LIE

2004-11-04 - Allowed for Registration - Principal Register (SOU accepted)

2004-07-29 - Assigned To Examiner

2004-07-28 - Statement of use processing complete

2004-07-09 - Amendment to Use filed

2004-07-09 - PAPER RECEIVED

2004-02-10 - Extension 1 granted

2004-01-14 - Extension 1 filed

2004-01-14 - PAPER RECEIVED

2003-11-04 - Notice of allowance - mailed

2003-08-12 - Published for opposition

2003-07-23 - Notice of publication

2003-06-12 - Approved for Pub - Principal Register (Initial exam)

2003-05-20 - Communication received from applicant

2003-05-20 - PAPER RECEIVED

2003-04-29 - Non-final action e-mailed

2003-04-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary D. Krugman

Correspondent

Gary D. Krugman

Sughrue Mion, PLLC.

2100 Pennsylvania Avenue, N.W. Suite 800

Washington DC USA 20037-3213

Phone Number: (202)663-7484

Fax Number: (202)293-7860

Domestic Representative

Gary D. Krugman

Phone Number: (202)663-7484

Fax Number: (202)293-7860

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 50

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:50:38 ET

Serial Number: 78107795 Assignment Information

Registration Number: 2748873

Mark (words only): DIGI-TALLY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-08-05

Filing Date: 2002-02-09

Transformed into a National Application: No

Registration Date: 2003-08-05

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: 900 -File Repository (Franconia)

Date In Location: 2003-08-13

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

1. DIGI-TALLY, INC.

Address:
DIGI-TALLY, INC.
4905 ISLAND DR.
MIDLAND, TX 79707
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Texas

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic laser measuring device for use in measuring and recording the lengths of pipe used in the drilling and completion of oil and gas wells

Basis: 1(a)

First Use Date: 2003-01-22

First Use in Commerce Date: 2003-01-22

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2003-08-05 - Registered - Principal Register
- 2003-06-11 - Allowed for Registration - Principal Register (SOU accepted)
- 2003-05-06 - Communication received from applicant
- 2003-05-06 - PAPER RECEIVED
- 2003-04-30 - NON-FINAL ACTION E-MAILED
- 2003-04-28 - Assigned To Examiner
- 2003-04-22 - Statement of use processing complete
- 2003-01-28 - Amendment to Use filed
- 2003-04-21 - FAX RECEIVED
- 2003-01-28 - PAPER RECEIVED
- 2002-12-31 - Notice of allowance - mailed
- 2002-10-08 - Published for opposition
- 2002-09-18 - Notice of publication
- 2002-07-18 - Approved for Pub - Principal Register (Initial exam)
- 2002-07-18 - Examiner's amendment mailed
- 2002-07-18 - Previous allowance count withdrawn
- 2002-07-18 - Approved for Pub - Principal Register (Initial exam)
- 2002-06-25 - Communication received from applicant
- 2002-06-25 - PAPER RECEIVED
- 2002-06-13 - Non-final action mailed

2002-05-16 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

B and L Equipment, Inc.
1901 Windrift St.
Midland TX 79707
Phone Number: 915-563-0449
Fax Number: 915-563-0459

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 51

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:50:54 ET

Serial Number: 78220657 Assignment Information

Registration Number: 2918084

Mark (words only): LIVING WITHOUT BOUNDARIES,URBANWARE FOR THE DIGITAL TRIBE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-11

Filing Date: 2003-03-02

Transformed into a National Application: No

Registration Date: 2005-01-11

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: 2004-11-30

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

1. Zamino Holding Pty Limited

Address:

Zamino Holding Pty Limited
52 Francis Street, Suite #10
East Sydney 2010
Australia

Legal Entity Type: Corporation

State or Country of Incorporation: Australia

Phone Number: 612 9360 2089

Fax Number: 612 9360 2089

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

laptop computer carrying cases

Basis: 1(a)

Latest Status Info

First Use Date: 2003-02-15**First Use in Commerce Date:** 2004-04-10**International Class:** 025**Class Status:** Active

Wearing apparel, namely t-shirts and hats

Basis: 1(a)**First Use Date:** 2003-02-15**First Use in Commerce Date:** 2004-04-10**International Class:** 042**Class Status:** Active

Computers services, namely, rental of computers for accessing global networks and electrical mail

Basis: 1(a)**First Use Date:** 2003-02-15**First Use in Commerce Date:** 2004-01-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-01-11 - Registered - Principal Register

2004-11-01 - Law Office Registration Review Completed

2004-10-29 - Assigned To LIE

2004-10-14 - Allowed for Registration - Principal Register (SOU accepted)

2004-09-07 - Assigned To Examiner

2004-09-01 - Statement of use processing complete

2004-08-21 - Amendment to Use filed

2004-08-21 - TEAS Statement of Use Received

2004-03-02 - Notice of allowance - mailed

2004-02-01 - TEAS Change Of Correspondence Received

2003-12-09 - Published for opposition

2003-11-19 - Notice of publication

2003-10-02 - Approved for Pub - Principal Register (Initial exam)

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

This page was generated by the TARR system on 2007-01-16 09:52:14 ET

Serial Number: 78319500 Assignment Information

Registration Number: 2916306

Mark

SilverFastDCSE

(words only): SILVERFASTDCSE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-04

Filing Date: 2003-10-28

Transformed into a National Application: No

Registration Date: 2005-01-04

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-01-04

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

1. LaserSoft Imaging, Inc.

Address:

LaserSoft Imaging, Inc.
546 Bay Isles Road
Longboat Key, FL 34228
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

Phone Number: 941 383 7496

Fax Number: 941 387 7571

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER SCANNER SOFTWARE FOR PROCESSING IMAGES FROM DIGITAL CAMERAS

Basis: 1(a)

First Use Date: 2001-06-08

First Use in Commerce Date: 2001-06-08

ADDITIONAL INFORMATION

Prior Registration Number(s):

2268459

2436947

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-03-06 - TEAS Change Of Correspondence Received

2005-01-04 - Registered - Principal Register

2004-10-12 - Published for opposition

2004-09-22 - Notice of publication

2004-08-11 - Law Office Publication Review Completed

2004-08-10 - Assigned To LIE

2004-08-03 - Approved for Pub - Principal Register (Initial exam)

2004-06-09 - Communication received from applicant

2004-06-09 - FAX RECEIVED

2004-05-05 - Non-final action e-mailed

2004-05-04 - Assigned To Examiner

2003-11-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CHRISTOPHER J. DAY

Correspondent

Christopher J. Day

Latest Status Info

Law Office of Christopher Day
Suite A-213
301 East Bethany Home Road
Phoenix AZ 85012
Phone Number: 602-258-4440
Fax Number: 602-258-4441

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT **53**

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:52:31 ET

Serial Number: 78319496 Assignment Information

Registration Number: 2916305

Mark

SilverFastDC

(words only): SILVERFASTDC

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-04

Filing Date: 2003-10-28

Transformed into a National Application: No

Registration Date: 2005-01-04

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-01-04

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

1. LaserSoft Imaging, Inc.

Address:

LaserSoft Imaging, Inc.
546 Bay Isles Road
Longboat Key, FL 34228
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

Phone Number: 941 383 7496

Fax Number: 941 387 7571

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

COMPUTER SCANNER SOFTWARE FOR PROCESSING IMAGES FROM DIGITAL CAMERAS

Basis: 1(a)**First Use Date:** 2001-06-08**First Use in Commerce Date:** 2001-06-08

ADDITIONAL INFORMATION

Prior Registration Number(s):

2268459

2436947

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-03-06 - TEAS Change Of Correspondence Received

2005-01-04 - Registered - Principal Register

2004-10-12 - Published for opposition

2004-09-22 - Notice of publication

2004-08-11 - Law Office Publication Review Completed

2004-08-10 - Assigned To LIE

2004-08-03 - Approved for Pub - Principal Register (Initial exam)

2004-06-11 - Communication received from applicant

2004-06-09 - FAX RECEIVED

2004-05-05 - Non-final action e-mailed

2004-05-04 - Assigned To Examiner

2003-11-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

CHRISTOPHER J. DAY

Correspondent

Latest Status Info

Christopher J. Day
Law Office of Christopher Day
Suite A-213
301 East Bethany Home Road
Phoenix AZ 85012
Phone Number: 602-258-4440
Fax Number: 602-258-4441

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 54

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:52:46 ET

Serial Number: 78316615 Assignment Information

Registration Number: 2916298

Mark

SilverFast DCPro

(words only): SILVERFAST DCPRO

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-04

Filing Date: 2003-10-21

Transformed into a National Application: No

Registration Date: 2005-01-04

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-01-04

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

1. LaserSoft Imaging, Inc.

Address:

LaserSoft Imaging, Inc.
546 Bay Isles Road
Longboat Key, FL 34228
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

Phone Number: 941 383 7496

Fax Number: 941 387 7571

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
COMPUTER SOFTWARE FOR USE WITH DIGITAL CAMERAS
Basis: 1(a)
First Use Date: 2001-06-08
First Use in Commerce Date: 2001-06-08

ADDITIONAL INFORMATION

Prior Registration Number(s):
2268459
2436947

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-03-06 - TEAS Change Of Correspondence Received
2005-01-04 - Registered - Principal Register
2004-10-12 - Published for opposition
2004-09-22 - Notice of publication
2004-08-11 - Law Office Publication Review Completed
2004-08-10 - Assigned To LIE
2004-08-03 - Approved for Pub - Principal Register (Initial exam)
2004-06-09 - Communication received from applicant
2004-06-09 - FAX RECEIVED
2004-05-05 - Non-final action e-mailed
2004-05-04 - Assigned To Examiner
2003-11-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
CHRISTOPHER J. DAY

Correspondent
Christopher J. Day

Latest Status Info

Law Office of Christopher Day
Suite A-213
301 East Bethany Home Road
Phoenix AZ 85012
Phone Number: 602-258-4440
Fax Number: 602-258-4441

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 55

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:53:02 ET

Serial Number: 78303299 Assignment Information

Registration Number: 2916765

Mark (words only): DIGITRUCK

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-01-04

Filing Date: 2003-09-22

Transformed into a National Application: No

Registration Date: 2005-01-04

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-11-23

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

1. Belden Technologies, Inc.

Address:

Belden Technologies, Inc.
Suite 800 7701 Forsythe Boulevard
St. Louis, MO 63105
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 314.854.8001

Fax Number: 314.854.8002

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Coaxial cables

Basis: 1(a)

First Use Date: 2004-05-01**First Use in Commerce Date:** 2004-05-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-03 - Assignment Of Ownership Not Updated Automatically

2005-01-04 - Registered - Principal Register

2004-10-29 - Law Office Registration Review Completed

2004-10-29 - Assigned To LIE

2004-10-18 - Assigned To LIE

2004-10-12 - Allowed for Registration - Principal Register (SOU accepted)

2004-10-08 - Assigned To Examiner

2004-10-07 - Statement of use processing complete

2004-10-01 - Amendment to Use filed

2004-10-01 - TEAS Statement of Use Received

2004-09-07 - Notice of allowance - mailed

2004-06-15 - Published for opposition

2004-05-26 - Notice of publication

2004-04-13 - Approved for Pub - Principal Register (Initial exam)

2004-04-12 - Assigned To Examiner

2004-02-20 - Applicant amendment prior to exam entered

2004-02-20 - Communication received from applicant

2004-02-23 - Email Received

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Belden Technologies, Inc.

N/A

2200 U.S. 27 South

Richmond, IN 47374

Phone Number: 314.854.8001

Fax Number: 314.854.8002

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 56

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:53:16 ET

Serial Number: 78259016 Assignment Information

Registration Number: 2914482

Mark



(words only): DIGILENT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-12-28

Filing Date: 2003-06-05

Transformed into a National Application: No

Registration Date: 2004-12-28

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: 2004-12-28

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

1. Digilent, Inc.

Address:

Digilent, Inc.
246 East Main Street
Pullman, WA 99163
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Washington
Phone Number: 509-334-6306

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Computer hardware used to support electrical computers and digital processing systems
Basis: 1(a)
First Use Date: 1999-01-02
First Use in Commerce Date: 2000-01-02

ADDITIONAL INFORMATION

Design Search Code(s):
26.05.16 - Triangles touching or intersecting
26.05.20 - Triangles inside one another
26.05.21 - Triangles that are completely or partially shaded
26.11.21 - Rectangles that are completely or partially shaded

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-12-28 - Registered - Principal Register
- 2004-10-05 - Published for opposition
- 2004-09-15 - Notice of publication
- 2004-08-04 - Law Office Publication Review Completed
- 2004-08-04 - Assigned To LIE
- 2004-07-28 - Approved for Pub - Principal Register (Initial exam)
- 2004-07-08 - Examiner's Amendment Entered
- 2004-07-08 - EXAMINERS AMENDMENT E-MAILED
- 2004-05-17 - Communication received from applicant
- 2004-05-17 - PAPER RECEIVED
- 2004-05-04 - Final refusal mailed
- 2004-03-11 - Communication received from applicant
- 2004-03-11 - PAPER RECEIVED

2003-11-17 - Non-final action e-mailed

2003-11-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
DOUGLAS A PIERCE

Correspondent
DOUGLAS A PIERCE
126 S GRAND AVE
PULLMAN WA 99163
Phone Number: 509-332-2820

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 57

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:53:31 ET

Serial Number: 78113521 Assignment Information

Registration Number: 2915049

Mark (words only): DIGIDELAY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-12-28

Filing Date: 2002-03-08

Transformed into a National Application: No

Registration Date: 2004-12-28

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: 2004-11-16

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

1. Harman International Industries, Incorporated

Address:

Harman International Industries, Incorporated
8500 Balboa Blvd.
Northridge, CA 91329
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: (818) 895-8120

Fax Number: (818) 920-0677

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electronic audio signal processors and sound modification units for use with musical instruments, namely, electronic sound effect pedals

Basis: 1(a)

First Use Date: 2001-01-01

First Use in Commerce Date: 2001-01-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

1581245

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-12-28 - Registered - Principal Register

2004-10-20 - Law Office Registration Review Completed

2004-10-20 - Assigned To LIE

2004-10-06 - Allowed for Registration - Principal Register (SOU accepted)

2004-10-05 - Amendment From Applicant Entered

2004-09-17 - Communication received from applicant

2004-09-17 - PAPER RECEIVED

2004-08-17 - Final refusal e-mailed

2004-08-02 - Amendment From Applicant Entered

2004-07-26 - Communication received from applicant

2004-07-26 - PAPER RECEIVED

2004-07-16 - NON-FINAL ACTION E-MAILED

2004-07-13 - Assigned To Examiner

2004-07-12 - Statement of use processing complete

2004-06-28 - Amendment to Use filed

2004-06-28 - TEAS Amendment of Use Received

2004-06-25 - Case File In TICRS

2004-03-30 - Notice of allowance - mailed

2004-01-20 - PAPER RECEIVED

- 2003-05-01 - Extension Of Time To Oppose Received
- 2003-04-08 - Published for opposition
- 2003-03-19 - Notice of publication
- 2003-01-27 - Approved for Pub - Principal Register (Initial exam)
- 2002-12-20 - Communication received from applicant
- 2002-12-20 - PAPER RECEIVED
- 2002-06-26 - Non-final action mailed
- 2002-06-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Robert P. Hart

Correspondent

Robert P. Hart
Harman International Industries, Incorpo
8500 Balboa Blvd.
Northridge CA 91329
Phone Number: (818) 895-8120
Fax Number: (818) 920-0677

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT **58**

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:53:44 ET

Serial Number: 78143907 Assignment Information

Registration Number: 2802273

Mark



(words only): PCI TECHNOLOGIES INC. DIGIMAX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-01-06

Filing Date: 2002-07-15

Transformed into a National Application: No

Registration Date: 2004-01-06

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: 900 -File Repository (Franconia)

Date In Location: 2004-01-12

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

1. PCI Technologies, Inc.

Address:
PCI Technologies, Inc.
501 Clements Road, West, Suite 1
Ajax, Ontario L1S 7H4
Canada

Legal Entity Type: Corporation

State or Country of Incorporation: Canada

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electrical components for use in the telecommunications and cable television industries, namely, chassis, connectors, RF and L Band signal directional couplers, splitters, custom configured passives and amplifiers for coaxial and fiber optic systems

Basis: 1(a)

First Use Date: 2000-01-31

First Use in Commerce Date: 2000-01-31

ADDITIONAL INFORMATION

Disclaimer: "TECHNOLOGIES, INC."

Design Search Code(s):

01.07.08 - Globes with bars, bands or wavy lines, excluding meridian or parallel lines

01.07.25 - Globes, other

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

2003-08-07 - Approved for Pub - Principal Register (Initial exam)

2003-07-28 - EXAMINERS AMENDMENT E-MAILED

2003-06-24 - Communication received from applicant

2003-07-09 - Case File In TICRS

2003-06-24 - PAPER RECEIVED

2002-11-21 - Unresponsive/Duplicate Paper Received

2002-11-21 - PAPER RECEIVED

2003-01-08 - Non-final action mailed

2002-11-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
SUSAN B. FLOHR

Correspondent
SUSAN B. FLOHR
BLANK ROME LLP
600 NEW HAMPSHIRE AVE
WASHINGTON, D.C. 20037
Phone Number: 202-944-3000

Domestic Representative
Michael Greenbaum

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 59

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

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

This page was generated by the TARR system on 2007-01-16 09:53:59 ET

Serial Number: 78279382 Assignment Information

Registration Number: 2912927

Mark



(words only): D DIGITFAB

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-12-21

Filing Date: 2003-07-27

Transformed into a National Application: No

Registration Date: 2004-12-21

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: 830 -Post Registration

Date In Location: 2006-09-01

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

1. Digitfab International Co., Ltd.

Address:
Digitfab International Co., Ltd.
Suite 1, 2Fl., No. 396, Sec. 1 Neihu Rd, Neihu Chiu
Taipei
Taiwan

Legal Entity Type: Corporation

State or Country of Incorporation: Taiwan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer hardware, namely, flash drives, MP3 flash drives, MP3 players, USB flash drives, voice recorders, radios, flash memories, computer memories, memory cards, card readers, hard discs for computers

Basis: 1(a)

First Use Date: 2003-04-29

First Use in Commerce Date: 2003-07-02

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the word DIGITFAB with an arbitrary design.

Design Search Code(s):

26.01.13 - Circles, two (not concentric); Two circles

26.01.21 - Circles that are totally or partially shaded.

27.01.04 - Letters forming objects; Numbers forming objects; Objects composed of letters or numerals; Punctuation forming objects

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-01 - Review Of Correspondence Complete

2006-08-21 - PAPER RECEIVED

2004-12-21 - Registered - Principal Register

2004-09-28 - Published for opposition

2004-09-08 - Notice of publication

2004-07-26 - Law Office Publication Review Completed

2004-07-26 - Assigned To LIE

2004-07-22 - Approved for Pub - Principal Register (Initial exam)

2004-07-06 - Amendment From Applicant Entered

2004-07-06 - Communication received from applicant

2004-07-06 - PAPER RECEIVED

2004-01-20 - Non-final action mailed

2004-01-16 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

Lawrence E. Abelman

Abelman, Frayne & Schwab

150 East 42nd Street

New York, NY 10017-5612

Phone Number: 212-949-9022

Fax Number: 212-949-9190

Domestic Representative

Lawrence E. Abelman

Phone Number: 212-949-9022

Fax Number: 212-949-9190

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 60

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:54:12 ET

Serial Number: 78215371 Assignment Information

Registration Number: 2912706

Mark



(words only): P.D.T. PORTABLE. DIGITAL. TECHNOLOGY.

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-12-21

Filing Date: 2003-02-15

Transformed into a National Application: No

Registration Date: 2004-12-21

Register: Principal

Law Office Assigned: LAW OFFICE 114

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: 830 -Post Registration

Date In Location: 2006-09-01

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

1. N.H. Hong Kong Limited

Address:

N.H. Hong Kong Limited
Suite C, 1st Floor, Kowloon Centre 29-39 Ashley Road
Tsimshatsui, Kowloon
Hong Kong

Legal Entity Type: Ltd Liab Jt St Co

State or Country Where Organized: Hong Kong

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital cameras, digital video cameras, digital MP3 players with internal memory, digital MP3 players with internal and external memory; digital multimedia audio visual players using MP3, MPEG4, digital video, and digital still imaging recording and playback

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "PORTABLE DIGITAL TECHNOLOGY"

Description of Mark: The mark consists of the letters P.D.T., the words PORTABLE DIGITAL TECHNOLOGY and the letters P.D.T. in special form with an arrow.

Design Search Code(s):

24.15.25 - Other arrows

Foreign Registration Number: 2003B02563

Foreign Registration Date: 2003-02-21

Country: Hong Kong

Foreign Expiration Date: 2007-10-09

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-01 - Review Of Correspondence Complete

2006-08-21 - PAPER RECEIVED

2004-12-21 - Registered - Principal Register

2004-09-28 - Published for opposition

2004-09-08 - Notice of publication

2004-05-26 - ITU claim deleted

2004-07-02 - Approved for Pub - Principal Register (Initial exam)

2004-05-26 - Communication received from applicant

2004-06-21 - Legal Instrument Examiner (LIE) - Correction

- 2004-06-21 - Communication received from applicant
- 2004-05-26 - Communication received from applicant
- 2004-05-26 - PAPER RECEIVED
- 2004-02-17 - Letter of suspension mailed
- 2004-02-02 - Assigned To Examiner
- 2004-01-02 - Sec. 44(E) Claim Added
- 2004-01-02 - Communication received from applicant
- 2004-01-02 - PAPER RECEIVED
- 2003-08-08 - Non-final action mailed
- 2003-08-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence E. Abelman

Correspondent

Lawrence E. Abelman
Abelman, Frayne & Schwab
150 East 42nd Street
New York NY USA 10017-5612
Phone Number: 212-949-9022
Fax Number: 212-949-9190

Domestic Representative

Lawrence E. Abelman
Phone Number: 212-949-9022
Fax Number: 212-949-9190

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 41

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:54:30 ET

Serial Number: 78320019 Assignment Information

Registration Number: 2910894

Mark



(words only): DIGITAL CURTAIN

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-12-14

Filing Date: 2003-10-29

Transformed into a National Application: No

Registration Date: 2004-12-14

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-12-14

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

1. BC MARKETING SOLUTIONS

Composed Of:

CHARLES BROWN - USA ED CENTENO - USA

Address:

BC MARKETING SOLUTIONS
511 AVENUE OF THE AMERICAS #396
NEW YORK, NY 10011

United States

Legal Entity Type: Partnership

State or Country Where Organized: New York

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DOWNLOADABLE SOFTWARE THAT ALLOWS FOR THE IDENTIFICATION OF SPAM E-MAIL AND WEBSITES CONTAINING ADULT ORIENTED MATERIALS

Basis: 1(a)

First Use Date: 2000-01-03

First Use in Commerce Date: 2000-01-03

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Design Search Code(s):

26.09.12 - Squares with bars, bands and lines

26.09.21 - Squares that are completely or partially shaded

26.09.28 - Miscellaneous designs with overall square shape; Square shapes (miscellaneous overall shape)

26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-12-14 - Registered - Principal Register

2004-09-21 - Published for opposition

2004-09-01 - Notice of publication

2004-07-06 - Approved for Pub - Principal Register (Initial exam)

2004-06-23 - Amendment From Applicant Entered

2004-06-23 - Communication received from applicant

2004-06-23 - TEAS Response to Office Action Received

2004-06-22 - Non-final action e-mailed

2004-06-01 - Assigned To Examiner

2003-12-01 - Communication received from applicant

2003-12-01 - TEAS Preliminary Amendment Received

2003-11-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

JOE STRAHL
PO BOX 369
CLIFFSIDE, NC 28024
Phone Number: 828-657-1600
Fax Number: 828-657-1688

Domestic Representative

JOE STRAHL
Phone Number: 828-657-1600
Fax Number: 828-657-1688

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 62

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:54:47 ET

Serial Number: 78283199 Assignment Information

Registration Number: 2908477

Mark (words only): DIGISNAP

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-12-07

Filing Date: 2003-08-05

Transformed into a National Application: No

Registration Date: 2004-12-07

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: 2004-12-07

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

1. Harbortronics, LLC

Address:
Harbortronics, LLC
1114 143rd st nw
gig harbor, WA 98332
United States

Legal Entity Type: LIMITED LIABILITY CORPORATION

State or Country Where Organized: United States

Phone Number: 253-858-7769

Fax Number: 253-858-9517

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

remote shutter releases and intervalometers for digital cameras

Basis: 1(a)

First Use Date: 2000-01-01

First Use in Commerce Date: 2000-03-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-12-07 - Registered - Principal Register
- 2004-10-19 - Assigned To Examiner
- 2004-09-07 - Assigned To Examiner
- 2004-09-14 - Published for opposition
- 2004-08-25 - Notice of publication
- 2004-06-14 - ITU claim deleted
- 2004-06-09 - Approved for Pub - Principal Register (Initial exam)
- 2004-06-01 - Communication received from applicant
- 2004-05-18 - Communication received from applicant
- 2004-05-18 - TEAS Response to Office Action Received
- 2004-04-02 - Final refusal e-mailed
- 2004-03-01 - Communication received from applicant
- 2004-03-01 - TEAS Response to Office Action Received
- 2004-02-18 - Non-final action e-mailed
- 2004-02-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Harbortronics, LLC
 1114 143rd st nw
 gig harbor, WA 98332
 Phone Number: 253-858-7769
 Fax Number: 253-858-9517

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 63

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:55:03 ET

Serial Number: 78115378 Assignment Information

Registration Number: 2704737

Mark



(words only): BERTL DIGITAL TEST LABORATORY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-04-08

Filing Date: 2002-03-16

Transformed into a National Application: No

Registration Date: 2003-04-08

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: 900 -File Repository (Franconia)

Date In Location: 2003-04-09

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

1. MCA INTERNET, LLC

Address:
MCA INTERNET, LLC
420 S. PALM CANYON DRIVE 2ND FLOOR
PALM SPRINGS, CA 92262
United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic publications, namely Product Evaluations, Test Reports, Research and News featuring Business Equipment and related services recorded on computer media

Basis: 1(a)

First Use Date: 1997-01-01

First Use in Commerce Date: 1997-01-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL TEST LABORATORY"

Design Search Code(s):

01.01.03 - Star - a single star with five points

01.01.13 - Stars - multiple stars with five points

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-04 - Assignment Of Ownership Not Updated Automatically

2003-04-08 - Registered - Principal Register

2003-01-14 - Published for opposition

2002-12-25 - Notice of publication

2002-09-12 - Approved for Pub - Principal Register (Initial exam)

2002-09-12 - EXAMINERS AMENDMENT E-MAILED

2002-08-29 - Communication received from applicant

2002-08-20 - Communication received from applicant

2002-08-01 - Non-final action mailed

2002-07-23 - Assigned To Examiner

2002-07-19 - Assigned To Examiner

2002-07-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Mark Nadel
c/o BERTL
300 Craig Road
Manalapan NJ 07726
Phone Number: 7327612311
Fax Number: 7327612312

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 64

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:55:22 ET

Serial Number: 78115372 Assignment Information

Registration Number: 2686677

Mark



(words only): BUSINESS EQUIPMENT RESEARCH & TEST LABORATORIES DIGITAL TEST LAB

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-02-11

Filing Date: 2002-03-16

Transformed into a National Application: No

Registration Date: 2003-02-11

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: 900 -File Repository (Franconia)

Date In Location: 2003-03-19

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

1. MCA INTERNET, LLC

Address:
MCA INTERNET, LLC
420 S. PALM CANYON DRIVE 2ND FLOOR
PALM SPRINGS, CA 92262
United States
Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic publications, namely Product Evaluations, Test Reports, Research and News featuring Business Equipment and related services recorded on computer media

Basis: 1(a)

First Use Date: 1997-01-01

First Use in Commerce Date: 1997-01-01

ADDITIONAL INFORMATION

Disclaimer: "BUSINESS EQUIPMENT RESEARCH & TEST LABORATORIES DIGITAL TEST LAB"

Design Search Code(s):

03.01.01 - Lions

03.01.02 - Lion insignia (heraldic lion)

24.05.01 - Circular or elliptical seals; Seals, circular or elliptical

26.01.17 - Circles, two concentric; Concentric circles, two; Two concentric circles

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-04 - Assignment Of Ownership Not Updated Automatically

2003-02-11 - Registered - Principal Register

2002-11-19 - Published for opposition

2002-10-30 - Notice of publication

2002-09-12 - Approved for Pub - Principal Register (Initial exam)

2002-08-29 - Communication received from applicant

2002-08-20 - Communication received from applicant

2002-08-15 - Non-final action mailed

2002-07-31 - Assigned To Examiner

2002-07-19 - Assigned To Examiner

2002-07-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Mark Nadel
c/o BERTL
300 Craig Road
Manalapan NJ 07726
Phone Number: 7327612311
Fax Number: 7327612312

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 65

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:55:39 ET

Serial Number: 78115368 Assignment Information

Registration Number: 2786253

Mark



(words only): BERTL DIGITAL TEST LAB

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-11-25

Filing Date: 2002-03-16

Transformed into a National Application: No

Registration Date: 2003-11-25

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: 900 -File Repository (Franconia)

Date In Location: 2004-01-21

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

1. MCA INTERNET, LLC

Address:
MCA INTERNET, LLC
420 S. PALM CANYON DRIVE 2ND FLOOR
PALM SPRINGS, CA 92262
United States
Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic publications, namely, Product Evaluations, Test Reports, Research and News featuring Business Equipment and related services recorded on computer media

Basis: 1(a)

First Use Date: 1997-01-01

First Use in Commerce Date: 1997-01-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL TEST LAB"

Design Search Code(s):

01.01.03 - Star - a single star with five points

01.01.13 - Stars - multiple stars with five points

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-04 - Assignment Of Ownership Not Updated Automatically

2003-11-25 - Registered - Principal Register

2003-09-02 - Published for opposition

2003-08-13 - Notice of publication

2003-06-26 - Approved for Pub - Principal Register (Initial exam)

2003-05-30 - Communication received from applicant

2003-04-02 - Communication received from applicant

2003-06-04 - Case File In TICRS

2003-05-22 - Final refusal e-mailed

2003-04-02 - PAPER RECEIVED

2003-04-29 - Petition To Revive-Granted

2003-03-27 - Petition To Revive-Received

2003-03-27 - PAPER RECEIVED

2003-03-07 - Abandonment - Failure To Respond Or Late Response

2003-02-04 - Unresponsive/Duplicate Paper Received

2003-02-04 - PAPER RECEIVED

2002-07-25 - Non-final action mailed

2002-07-16 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Mark Nadel

c/o BERTL

300 Craig Road

Manalapan NJ 07726

Phone Number: 7327612311

Fax Number: 7327612312

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT *660*

TO APPLICANT'S NOTICE OF RELIANCE

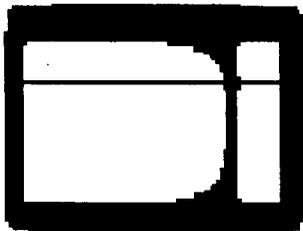
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 09:55:54 ET

Serial Number: 78167549 Assignment Information

Registration Number: 2900643

Mark



(words only): DI

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-11-02

Filing Date: 2002-09-24

Transformed into a National Application: No

Registration Date: 2004-11-02

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: 2004-09-23

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

1. Digital Interactive Streams, Inc.

Address:
Digital Interactive Streams, Inc.
4337 Pablo Oaks Ct. Building 200
Jacksonville, FL 32224
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 904-992-6696

Fax Number: 904-382-3831

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for processing, encoding, transcoding, decoding, cropping, deinterlacing, filtering, enhancing, encrypting, decrypting, managing, requesting, transmitting, distributing, broadcasting, receiving and playing digital video data

Basis: 1(a)

First Use Date: 2003-08-19

First Use in Commerce Date: 2003-08-19

ADDITIONAL INFORMATION

Description of Mark: The mark consists of the stylized letters "DI".

Design Search Code(s):

15.05.03 - Computer (desktop); Computer terminal; Laptop computer; Monitors, computer (without keyboards)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-11-02 - Registered - Principal Register

2004-09-14 - Law Office Registration Review Completed

2004-08-27 - Assigned To LIE

2004-08-27 - Assigned To LIE

2004-08-24 - Allowed for Registration - Principal Register (SOU accepted)

2004-08-19 - Assigned To Examiner

2004-08-18 - Statement of use processing complete

2004-06-08 - Amendment to Use filed

2004-03-10 - Extension 1 granted

2004-02-19 - Extension 1 filed

2004-08-09 - Petition To Revive-Granted

2004-04-02 - Petition To Revive-Received

- 2004-06-15 - Case File In TICRS
- 2004-06-08 - TEAS Statement of Use Received
- 2004-04-02 - PAPER RECEIVED
- 2004-04-09 - TEAS Change Of Correspondence Received
- 2004-04-02 - PAPER RECEIVED
- 2003-08-19 - Notice of allowance - mailed
- 2003-05-27 - Published for opposition
- 2003-05-07 - Notice of publication
- 2003-03-24 - Approved for Pub - Principal Register (Initial exam)
- 2003-03-05 - Communication received from applicant
- 2003-03-04 - Non-final action e-mailed
- 2003-02-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mark J. Young

Correspondent

Mark J. Young
Mark Young P.A.
9951 Atlantic Blvd., Suite 227
Jacksonville FL 32225
Phone Number: 904-721-0600
Fax Number: 904-721-0686

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 67

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:56:09 ET

Serial Number: 78183183 Assignment Information

Registration Number: 2898119

Mark (words only): DIGITAL CARE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-10-26

Filing Date: 2002-11-08

Transformed into a National Application: No

Registration Date: 2004-10-26

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: 2004-09-14

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

1. Growing Family, Inc.

Address:

Growing Family, Inc.
4203 Earth City Expressway S.
Earth City, MO 63045
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Missouri

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software programs for in-hospital infant portrait photography; photographic equipment, namely digital cameras, optical cameras, scanners, printers and image processing equipment; computer software for image processing; compact discs for the storage of digital images

Basis: 1(a)

First Use Date: 2001-06-00

First Use in Commerce Date: 2001-06-00

ADDITIONAL INFORMATION

Disclaimer: "digital"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-10-26 - Registered - Principal Register
 - 2004-09-22 - TEAS Change Of Correspondence Received
 - 2004-08-30 - Law Office Registration Review Completed
 - 2004-08-27 - Assigned To LIE
 - 2004-08-27 - Assigned To LIE
 - 2004-08-25 - Allowed for Registration - Principal Register (SOU accepted)
 - 2004-08-19 - Assigned To Examiner
 - 2004-08-18 - Statement of use processing complete
 - 2004-08-05 - Amendment to Use filed
 - 2004-08-05 - TEAS Statement of Use Received
 - 2004-05-04 - Notice of allowance - mailed
 - 2004-02-10 - Published for opposition
 - 2004-01-21 - Notice of publication
 - 2003-12-09 - Approved for Pub - Principal Register (Initial exam)
 - 2003-10-22 - Communication received from applicant
 - 2003-10-22 - PAPER RECEIVED
 - 2003-04-21 - Non-final action e-mailed
 - 2003-04-14 - Assigned To Examiner
-

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Carol J. Hamilton

Correspondent

Carol J. Hamilton

Polster, Lieder, Woodruff & Lucchesi, LC

Suite 200

12412 Powerscourt Drive

St. Louis MO 63131

Phone Number: 314-238-2400

Fax Number: 314-238-2401

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 68

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:56:23 ET

Serial Number: 78001378 Assignment Information

Registration Number: 2616010

Mark (words only): DIGITAL ANGEL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2002-09-03

Filing Date: 2000-03-28

Transformed into a National Application: No

Registration Date: 2002-09-03

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2002-09-13

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

1. DIGITAL ANGEL CORPORATION

Address:
DIGITAL ANGEL CORPORATION
350 MOTOR PARKWAY , SUITE 207
HAPPAUGE, NY 11788
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER HARDWARE, NAMELY WIRELESS TRANSCEIVERS AND MICROCONTROLLERS AND COMPUTER SOFTWARE THAT UTILIZES GLOBAL POSITIONING SATELLITE TECHNOLOGY AND ANY OTHER GROUND STATION TELECOMMUNICATION TECHNOLOGY, FOR USE IN TELEMETRY, LOCATING, MONITORING, AND TRACKING PERSONS, PERSONAL PROPERTY, COMMERCIAL

PROPERTY, MILITARY PROPERTY, ANIMALS, VEHICLES, VESSELS, PLANES, AND TRAINS; COMPUTER HARDWARE, NAMELY, WIRELESS TRANSCEIVERS FOR USE IN A CENTRAL PROCESSING CENTER AND COMPUTER SOFTWARE FOR ANALYZING, AND INTERPRETING INFORMATION RECEIVED FROM THE TRANSCEIVER FOR MAPPING, CONFIGURING, AND MANAGING MOBILE ASSETS, PERSONAL PROPERTY, COMMERCIAL PROPERTY, MILITARY PROPERTY, PERSONS, ANIMALS, VEHICLES, VESSELS, PLANES AND TRAINS

Basis: 1(a)

First Use Date: 1999-12-15

First Use in Commerce Date: 2001-04-30

International Class: 038

Class Status: Active

Communications services, namely providing the electronic transmission of data and information using global positioning satellite technology, dead reckoning data, triangulation positioning information or ground station telecommunication technology to locate, monitor, and manage mobile assets, personal property, commercial property, military property, persons, animals, vehicles, planes and trains

Basis: 1(a)

First Use Date: 1999-12-15

First Use in Commerce Date: 2001-04-30

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-10-20 - TEAS Change Of Correspondence Received

2002-09-03 - Registered - Principal Register

2002-06-22 - Allowed for Registration - Principal Register (SOU accepted)

2002-06-19 - Statement of use processing complete

2002-05-31 - Amendment to Use filed

2002-06-03 - PAPER RECEIVED

2002-03-12 - Notice of allowance - mailed

2001-12-18 - Published for opposition

2001-11-28 - Notice of publication

2001-09-19 - Approved for Pub - Principal Register (Initial exam)

2001-09-19 - Examiner's amendment mailed

2001-05-22 - Non-final action mailed

2001-03-02 - Communication received from applicant

2000-08-28 - Non-final action mailed

2000-08-04 - Assigned To Examiner

2000-03-30 - Communication received from applicant

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Scott J. Asmus

Correspondent

Steven B. Pokotilow
Stroock, Stroock & Lavan LLP
180 Maiden Lane
New York NY 10038-4982

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 69

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:56:37 ET

Serial Number: 78170246 Assignment Information

Registration Number: 2893115

Mark (words only): DIGISIX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-10-12

Filing Date: 2002-10-02

Transformed into a National Application: No

Registration Date: 2004-10-12

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2004-10-12

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

1. Gossen Foto- u. Lichetmeßtechnik GmbH

Address:

Gossen Foto- u. Lichetmeßtechnik GmbH

Lina-Ammon-Straße 22

Nurnberg 90471

Fed Rep Germany

Legal Entity Type: Corporation

State or Country of Incorporation: Fed Rep Germany

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Exposure meter for photographic devices and purposes; Exposure meter for photographic devices and purposes

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 30218248.9
Foreign Registration Number: 30218248
Foreign Registration Date: 2002-04-26
Country: Fed Rep Germany
Foreign Filing Date: 2002-04-11
Foreign Expiration Date: 2012-04-30

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-10-12 - Registered - Principal Register
2004-07-20 - Published for opposition
2004-06-30 - Notice of publication
2004-02-02 - Approved for Pub - Principal Register (Initial exam)
2003-12-15 - ITU claim deleted
2003-12-15 - Communication received from applicant
2004-01-02 - Case File In TICRS
2003-12-15 - PAPER RECEIVED
2003-10-23 - INQUIRY TO SUSPENSION E-MAILED
2003-03-10 - Letter of suspension mailed
2003-03-10 - Assigned To Examiner
2003-03-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John A. Clifford

Correspondent

John A. Clifford
Merchant & Gould, P.C.
P.O. Box 2910
Minneapolis MN 55402-0910
Phone Number: 612.336.4616

Fax Number: 612.332.9081

Domestic Representative

John A. Clifford

Phone Number: 612.336.4616

Fax Number: 612.332.9081

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 70

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:56:56 ET

Serial Number: 78252033 Assignment Information

Registration Number: 2886456

Mark



(words only): THORASCAN DIGITAL CHEST IMAGING

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-09-21

Filing Date: 2003-05-20

Transformed into a National Application: No

Registration Date: 2004-09-21

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: 2004-09-30

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

1. Delft Imaging Systems B.V.

Address:
Delft Imaging Systems B.V.
Gildetrom 39
3905 TB VEENENDAAL
Netherlands

Legal Entity Type: Corporation

State or Country of Incorporation: Netherlands

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

X-ray apparatus for non-destructive, non-invasive testing of industrial materials, natural materials and food products and for (airport)security surveillance

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 010

Class Status: Active

X-ray apparatus for medical imaging

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL CHEST IMAGING"

Design Search Code(s):

02.11.25 - Blood vessels, human; Brain, human; Buttocks, human; Human, other parts of the body; Intestines, human; Lungs, human; Nerves, human; Nose, human; Spine, human; Tongue, human

26.09.21 - Squares that are completely or partially shaded

Foreign Application Number: 1022527

Foreign Registration Number: 0728001

Foreign Registration Date: 2002-11-27

Country: Benelux

Foreign Filing Date: 2002-11-27

Foreign Expiration Date: 2012-11-27

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-09-21 - Registered - Principal Register

2004-06-29 - Published for opposition

2004-06-09 - Notice of publication

2004-04-12 - Approved for Pub - Principal Register (Initial exam)

2004-03-08 - ITU claim deleted

2004-03-08 - Communication received from applicant

2004-03-08 - PAPER RECEIVED

2003-10-27 - Non-final action e-mailed

2003-10-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

MICHAEL B LASKY

Correspondent

MICHAEL B LASKY
ALTERA LAW GROUP LLC
6500 CITY WEST PKWY STE 100
MINNEAPOLIS MN 55344-7704
Phone Number: 952-253-4106
Fax Number: 952-912-0574

Domestic Representative

Altera Law Group, LLC
Phone Number: 952-253-4106
Fax Number: 952-912-0574

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 71

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:57:14 ET

Serial Number: 78137099 Assignment Information

Registration Number: 2887505

Mark (words only): PUREPATH DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-09-21

Filing Date: 2002-06-19

Transformed into a National Application: No

Registration Date: 2004-09-21

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: 900 -File Repository (Franconia)

Date In Location: 2004-10-01

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

1. Texas Instruments Incorporated

Address:

Texas Instruments Incorporated
P.O. Box 655474
Dallas, TX 75265
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: (972) 917-4417

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer chips, computer software development tools, integrated circuits and programmable integrated circuits, computer hardware microchips, microcomputers, computer hardware microprocessors, micro-processors, semiconductor chips, semiconductor devices, digital signal processors, silicon chips, and any of such chips or circuits

having computer software codes embedded therein, for use in audio systems

Basis: 1(a)

First Use Date: 2002-07-01

First Use in Commerce Date: 2002-07-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-09-21 - Registered - Principal Register
- 2004-07-16 - Allowed for Registration - Principal Register (SOU accepted)
- 2004-07-14 - Assigned To Examiner
- 2004-07-12 - Statement of use processing complete
- 2004-06-19 - Amendment to Use filed
- 2004-06-28 - Case File In TICRS
- 2004-06-19 - TEAS Statement of Use Received
- 2004-02-03 - TEAS Change Of Correspondence Received
- 2004-01-21 - Extension 1 granted
- 2003-12-24 - Extension 1 filed
- 2003-12-24 - TEAS Extension Received
- 2003-06-24 - Notice of allowance - mailed
- 2003-04-01 - Published for opposition
- 2003-03-12 - Notice of publication
- 2003-02-04 - Approved for Pub - Principal Register (Initial exam)
- 2002-11-15 - Communication received from applicant
- 2002-11-15 - TEAS Response to Office Action Received
- 2002-10-24 - Non-final action e-mailed
- 2002-10-11 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gary C. Honeycutt

Correspondent

GARY C. HONEYCUTT
4728 RAVENDALE
RICHARDSON TX 75082
Phone Number: 972-470-0130
Fax Number: 972-470-0132

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 72

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:57:36 ET

Serial Number: 78213115 Assignment Information

Registration Number: 2802476

Mark (words only): DIGITAL MEDITATION

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-01-06

Filing Date: 2003-02-10

Transformed into a National Application: No

Registration Date: 2004-01-06

Register: Principal

Law Office Assigned: LAW OFFICE 113

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. Oliver, Christopher

Address:

Oliver, Christopher
2805 Beverly Dr.
Flower Mound, TX 75022
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: 972 355 5520

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Prerecorded CDs, DVDs, video tapes, and motion picture films all featuring brainwave frequencies encoded in pictures and soundtracks to promote relaxation and/or brainwave changes in the user

Basis: 1(a)

First Use Date: 2001-03-12

First Use in Commerce Date: 2001-03-12

ADDITIONAL INFORMATION

Disclaimer: "MEDITATION"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-09-16 - TEAS Change Of Correspondence Received
 - 2004-01-06 - Registered - Principal Register
 - 2003-10-14 - Published for opposition
 - 2003-09-24 - Notice of publication
 - 2003-08-08 - Approved for Pub - Principal Register (Initial exam)
 - 2003-08-06 - ITU claim deleted
 - 2003-08-06 - Examiners amendment e-mailed
 - 2003-08-06 - Assigned To Examiner
-

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Christopher Oliver
1820 Hammerly Dr.
Fairview TX 75069
Phone Number: 972 542 4696

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 73

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:58:01 ET

Serial Number: 78324978 Assignment Information

Registration Number: 2879748

Mark

DIGICLICK

(words only): DIGICLICK

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2004-08-31

Filing Date: 2003-11-07

Transformed into a National Application: No

Registration Date: 2004-08-31

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2004-09-09

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

1. Monterrosa, Antonio

Address:

Monterrosa, Antonio
540 South Forest St. #9-203
Denver, CO 80246
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: 3033883997

Fax Number: 3033883997

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Pre-recorded CDs & DVDs featuring educational content

Basis: 1(a)

First Use Date: 2003-10-31

First Use in Commerce Date: 2003-10-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-08-31 - Registered - Principal Register

2004-06-08 - Published for opposition

2004-05-19 - Notice of publication

2004-03-26 - Approved for Pub - Principal Register (Initial exam)

2004-03-26 - Assigned To Examiner

2003-12-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Monterrosa, Antonio

540 South Forest St. #9-203

Denver, CO 80246

Phone Number: 3033883997

Fax Number: 3033883997

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 74

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:58:15 ET

Serial Number: 78114558 Assignment Information

Registration Number: 2704736

Mark (words only): DIGITAL DAILIES

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-04-08

Filing Date: 2002-03-13

Transformed into a National Application: No

Registration Date: 2003-04-08

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: 900 -File Repository (Franconia)

Date In Location: 2003-05-15

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

1. Sample Digital, Inc.

Address:
Sample Digital, Inc.
844 Seward Street
Los Angeles, CA 90038
United States

Legal Entity Type: Corporation
State or Country of Incorporation: California
Phone Number: 310.396.9151 x223
Fax Number: 310.396.3271

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER SOFTWARE THAT PERMITS COLLABORATION OF MEDIA CONTENT THROUGHOUT FILM TELEVISION AND MEDIA PRODUCTION PROCESSES

Basis: 1(a)
First Use Date: 2001-03-15
First Use in Commerce Date: 2001-06-20

International Class: 035
Class Status: Active
RETAIL AND ON-LINE STORE SERVICES IN THE FIELD OF COMPUTER SOFTWARE
Basis: 1(a)
First Use Date: 2001-03-15
First Use in Commerce Date: 2001-06-20

International Class: 038
Class Status: Active
PROVIDING COLLOCATION SERVICES FOR VOICE, VIDEO AND DATA COMMUNICATIONS APPLICATIONS
Basis: 1(a)
First Use Date: 2001-03-15
First Use in Commerce Date: 2001-06-20

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2005-10-14 - TEAS Change Of Owner Address Received
- 2004-08-19 - TEAS Change Of Correspondence Received
- 2003-04-08 - Registered - Principal Register
- 2003-01-14 - Published for opposition
- 2002-12-25 - Notice of publication
- 2002-11-27 - TEAS Change Of Correspondence Received
- 2002-11-04 - Approved for Pub - Principal Register (Initial exam)
- 2002-10-07 - Communication received from applicant
- 2002-10-07 - PAPER RECEIVED
- 2002-09-18 - Final refusal mailed
- 2002-08-01 - Communication received from applicant
- 2002-08-01 - PAPER RECEIVED

2002-07-16 - Non-final action mailed

2002-07-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Josh C. Kline

Sample Digital, Inc.

844 Seward Street

Los Angeles CA 90038

Phone Number: 323-993-8820

Fax Number: 323-993-8815

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 75

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:58:29 ET

Serial Number: 78247990 Assignment Information

Registration Number: 2874610

Mark (words only): DIGISHOT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-08-17

Filing Date: 2003-05-09

Transformed into a National Application: No

Registration Date: 2004-08-17

Register: Principal

Law Office Assigned: LAW OFFICE 111

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-08-26

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

1. INPUT/OUTPUT, INC.

Address:

INPUT/OUTPUT, INC.
12300 Parc Crest Drive
Stafford, TX 774772419
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic sensing and control equipment for distributed control and operation of marine seismic sources for use in the exploration for oil and gas

Basis: 1(a)

First Use Date: 2002-12-19

First Use in Commerce Date: 2002-12-19

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-08-17 - Registered - Principal Register
2004-05-25 - Published for opposition
2004-05-05 - Notice of publication
2004-03-10 - Approved for Pub - Principal Register (Initial exam)
2004-02-20 - Communication received from applicant
2004-02-20 - TEAS Response to Office Action Received
2003-11-30 - Non-final action e-mailed
2003-11-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gene L. Tyler

Correspondent

Gene L. Tyler

Madan, Mossman & Sriram

2603 Augusta, Suite 700

Houston, TX 77057

Phone Number: 713-266-1130 XT 122

Fax Number: 713-266-8510

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 76

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:58:58 ET

Serial Number: 78149169 Assignment Information

Registration Number: 2871403

Mark (words only): DIGITAINER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-08-10

Filing Date: 2002-07-31

Transformed into a National Application: No

Registration Date: 2004-08-10

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: 900 -File Repository (Franconia)

Date In Location: 2004-08-16

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

1. MEDION AG

Address:
MEDION AG
Gansemarkt 16-18
Essen D-45127
Fed Rep Germany
Legal Entity Type: Joint Stock Company
State or Country Where Organized: Fed Rep Germany

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active

Communication apparatus and entertainment apparatus and parts thereof, namely audio mixers, audio speakers, digital audio tape players, acoustic conduits, electricity conduits, fiber optic light and image conduits, electrical circuits for use in amusement game machines for reproducing music, speech and special effects, electronic effect pedals for use with sound amplifiers, video, namely, video game cartridge and video output; game machines for use with televisions, slot

machines with or without video output; gaming machines, interactive video game programs, musical juke boxes, machines for playing games of chance, loudspeaker systems consisting of loudspeakers, amplifiers and one or more of the following-- radio tuner, compact disc player and tape player; telephone, audio, video and stereo receivers; transponders, radios, car radios, record players, audio and video cassette recorders, head phones, video cameras and recorders, CD players, magnetic tape recorders, apparatus for the recording, transmitting, amplifying and reproduction of sound and image, namely, MP-3 player, graphic equalizer, liquid crystal displays, movie projector, sound and stereo amplifiers, stereo tuners, loudspeakers, televisions, television sets, video games for use with a television, prerecorded video cassettes featuring cinematographic films; blank video cassettes, blank compact discs and DVDs, prerecorded compact discs and DVDs featuring still and moving pictures, cinematographic films and music; prerecorded audio cassettes featuring music, blank audio cassettes, antennas, radio recorders, slide projectors, faders, microphones, apparatus for editing images, namely, apparatus for cuffing images and computers for digitally editing electronic images; dictating machines, walkie-talkies, photographic and video cameras, electronic motion and touch sensitive switches, video monitors, fire and burglar alarms, calculators, pocket calculators, electronic data processing machines, namely, data processors, computers, computer hardware, computer peripherals, computers for games, computers for home use, notebooks, computer monitors, audio speakers, data input-output apparatus, namely, computer keyboard, computer joystick, game pad and mouse; scanners, computer printers, printer interface converters, computer terminals, computer interface cards, blank diskettes and CD-ROM, prerecorded diskettes and CD-ROM featuring still and moving pictures, cinematographic films, and music; drives, namely, computer disk drives; storage modules, namely, hard disk drives, digital tape drives, CD-ROM drives and optical disk drives; blank magnetic computer tapes, magnetically encoded debit cards, magnetic coded cards for identification and building access; computer game cassettes, blank floppy computer disks, blank hard computer disks, blank computer disks, computer game disks and tapes, computer memories, blank magnetic data carriers, blank optical disks, DVDs featuring movies, PC-plug-in-cards, writing and reading units for computers, namely, chip card readers, magnetic coded card readers, computer disk drives, encoders, electronic encryption units, CD and DVD players and burners, main boards, namely, printed circuit boards, blank smart cards, computer interface boards, computer buffers, computer chips, computer fax modem cards, computer hardware, data processors, modems, word processors, heat sinks for use in computers, ISDN-cards, sound cards, graphic cards, digital cameras; programs stored on data media, namely educational software featuring instruction in languages and science, communications software for connecting computer network users and global computer networks, computer communications software to allow customers to access bank account information and transact business, computer e-commerce software to allow users to perform electronic business transactions via a global computer network, computer game programs, computer operating programs; computer programs for use in database management, for use as a spread sheet and for word processing; computer software development tools, computer search engine software, computer software to automate data warehousing, computer software to control and improve computer and audio equipment sound quality, computer software to enhance the audiovisual capabilities of multimedia applications, namely for the integration of text, audio graphics, still images and moving pictures; computer telephony software, computer utility programs, data compression software, database management software for general use, desktop publishing software, downloadable software for use in database management, word processing and for use as a spread sheet; downloadable video recordings featuring music, education and movies; facilities management software, namely software to control building environmental, access and security systems; typeface fonts recorded on magnetic media, interactive multimedia computer game programs, computer utility programs, video game software, website development software, computer software games; photocopying machines, camera tripods, flash lamps for cameras, photographic exposure meters, film cameras, movie projectors, slide projectors, slides, slide frames, electric and electronic apparatus and instruments as well as parts thereof for the use in telecommunication and communication engineering, namely, ISDN-installations, telephone sets, digital telephone sets, wireless telephone sets, mobile telephones, display-radio-receivers, telephone earpieces, telephone answering machines, fax machines, press-to-talk intercom boxes, hands free sets for connection on telecommunication apparatus comprised of combinations of ear phones, microphones and external controllers, memory cards, electric accumulators; automatic telephone dialers, computer hardware communication servers; intercoms; radio pagers, radio telephones, telephone caller identification boxes; electrical transformer, radio and telephone transmitters, telephone controlling stations, telecopiers, satellite navigational system, namely a global positioning system (GPS); antennas, parabolic antennas, receivers, decoders, modems, converters, micro-wave converters, sound amplifiers, wave guides, antenna connecting sockets, wide band communication systems, namely, wideband receivers, amplifiers and sets; alarm devices and systems, namely, fire alarms, personal security alarms, burglar alarms, electrical household utensils, namely electric hot brushes, electric hot combs, electric egg timers; electric switch plates, scales and kitchen scales; electric hair curling rods and irons, electric irons; thermometers not for

medical use, aerometers, barometers, hydrometers, hygrometers; bicycle computers, namely, electrical measuring device that incorporates the functions of speedometers and odometers; cables, coaxial, computer, electrical and fiber optic cables as well as electrical power extension cords; cable clamps, multiple electrical connectors, male plugs, namely electric plugs, batteries, electric accumulators and power supplies, battery chargers

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 30220033909

Foreign Registration Number: 30220033

Foreign Registration Date: 2002-05-13

Country: Fed Rep Germany

Foreign Filing Date: 2002-04-20

Foreign Expiration Date: 2012-04-30

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-08-10 - Registered - Principal Register

2004-05-18 - Published for opposition

2004-04-28 - Notice of publication

2004-03-03 - Approved for Pub - Principal Register (Initial exam)

2004-02-02 - Communication received from applicant

2004-02-02 - TEAS Response to Office Action Received

2003-06-20 - ITU claim deleted

2003-08-12 - NON-FINAL ACTION E-MAILED

2003-06-20 - Communication received from applicant

2003-07-11 - Case File In TICRS

2003-06-20 - TEAS Response to Office Action Received

2002-12-23 - Non-final action e-mailed

2002-12-17 - Assigned To Examiner

2002-12-17 - Assigned To Examiner

2002-09-23 - PAPER RECEIVED

2002-08-12 - TEAS Preliminary Amendment Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Ralph E. Jocke

Correspondent

Ralph E. Jocke

Walker & Jocke, L.P.A.

231 South Broadway

Medina OH 44256

Phone Number: 330-721-0000

Fax Number: 330-722-6446

Domestic Representative

Ralph E. Jocke

Phone Number: 330-721-0000

Fax Number: 330-722-6446

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 77

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:59:14 ET

Serial Number: 78279789 Assignment Information

Registration Number: 2866842

Mark



Digitech

(words only): DIGITECH

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-07-27

Filing Date: 2003-07-28

Transformed into a National Application: No

Registration Date: 2004-07-27

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2004-08-02

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

1. DIGITECH COMPUTER, INC.

Address:

DIGITECH COMPUTER, INC.
555 Pleasantville Rd, Suite 110 North Building
Briarcliff Manor, NY 10510
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New York

Phone Number: 914 741 1919 ext 238

Fax Number: 914 741 1325

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software used for appointment taking, dispatching emergency and non-emergency vehicles and billing insurance carriers

Basis: 1(a)

First Use Date: 1984-01-01

First Use in Commerce Date: 1984-01-01

ADDITIONAL INFORMATION

Design Search Code(s):

26.03.03 - Incomplete ovals; Ovals, incomplete

26.03.12 - Ovals with bars, bands and lines

26.03.21 - Ovals that are completely or partially shaded

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-07-27 - Registered - Principal Register

2004-05-04 - Published for opposition

2004-04-14 - Notice of publication

2004-02-24 - Approved for Pub - Principal Register (Initial exam)

2003-12-15 - Communication received from applicant

2003-12-16 - Email Received

2003-12-12 - Non-final action e-mailed

2003-12-10 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

DIGITECH COMPUTER, INC.

555 PLEASANTVILLE RD STE 110

BRIARCLIFF MANOR NY 10510-1955

Phone Number: 914 741 1919 ext 238

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 78

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:59:28 ET

Serial Number: 78237806 Assignment Information

Registration Number: 2865020

Mark (words only): SILVER-DIGIPLATE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-07-20

Filing Date: 2003-04-15

Transformed into a National Application: No

Registration Date: 2004-07-20

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2004-07-27

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

1. Mitsubishi Paper Mills Limited

Address:
Mitsubishi Paper Mills Limited
4-2, Marunouchi 3-chome, Chiyoda-ku
Tokyo
Japan

Legal Entity Type: Corporation
State or Country of Incorporation: Japan
Phone Number: 212-527-7700
Fax Number: 212-753-6237

GOODS AND/OR SERVICES

International Class: 001
Class Status: Active
Photographic supplies, namely, photographic chemicals
Basis: 1(a)

First Use Date: 1985-05-07

First Use in Commerce Date: 1985-05-07

International Class: 007

Class Status: Active

Printing platemaking machines and parts therefor; printing plates and photosensitive printing plates

Basis: 1(a)

First Use Date: 1985-05-07

First Use in Commerce Date: 1985-05-07

International Class: 009

Class Status: Active

Photographic processing machines and parts therefor; camera platemakers

Basis: 1(a)

First Use Date: 1985-05-07

First Use in Commerce Date: 1985-05-07

ADDITIONAL INFORMATION

Prior Registration Number(s):

1406713

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-07-20 - Registered - Principal Register

2004-04-27 - Published for opposition

2004-04-07 - Notice of publication

2004-02-13 - Approved for Pub - Principal Register (Initial exam)

2004-02-13 - EXAMINERS AMENDMENT E-MAILED

2004-01-16 - Communication received from applicant

2004-01-16 - TEAS Response to Office Action Received

2003-09-05 - Non-final action e-mailed

2003-09-05 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Amy L. Nelkin

Correspondent

Amy L. Nelkin
Darby & Darby, P.C.
P.O. Box 5257
New York NY USA 10150-5257
Phone Number: 212-527-7700
Fax Number: 212-753-6237

Domestic Representative

Amy L. Nelkin and S. Peter Ludwig
Phone Number: 212-527-7700
Fax Number: 212-753-6237

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT **79**

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 09:59:44 ET

Serial Number: 78208346 Assignment Information

Registration Number: 2827908

Mark (words only): DIGIKIT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-03-30

Filing Date: 2003-01-29

Transformed into a National Application: No

Registration Date: 2004-03-30

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: 900 -File Repository (Franconia)

Date In Location: 2004-04-05

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

1. PENTAX OF AMERICA, INC.

Address:
PENTAX OF AMERICA, INC.
600 12TH STREET, SUITE 300
GOLDEN, CO 80401
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

accessory kits comprised of card readers/writers, USB cables, driver CD-ROMs, memory cards, and lens/LCD cleaning cloths, for digital cameras

Basis: 1(a)

First Use Date: 2003-06-05

First Use in Commerce Date: 2003-06-05

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-03-30 - Registered - Principal Register
- 2004-01-06 - Published for opposition
- 2003-12-17 - Notice of publication
- 2003-11-12 - Approved for Pub - Principal Register (Initial exam)
- 2003-11-12 - Amendment to Use approved
- 2003-10-30 - Amendment to use processing complete
- 2003-09-22 - Amendment to Use filed
- 2003-09-22 - Communication received from applicant
- 2003-09-22 - PAPER RECEIVED
- 2003-07-11 - Non-final action e-mailed
- 2003-07-10 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Shoko I. Leek,

Correspondent

SHOKO I. LEEK,
Christensen O'Connor Johnson Kindness
1420 Fifth Ave., Suite 2800
Seattle WA USA 98101
Phone Number: 206.682.8100
Fax Number: 206.224.0779

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

This page was generated by the TARR system on 2007-01-16 10:00:01 ET

Serial Number: 78225133 Assignment Information

Registration Number: 2861622

Mark (words only): DIGIREMOTE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-07-06

Filing Date: 2003-03-13

Transformed into a National Application: No

Registration Date: 2004-07-06

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: 900 -File Repository (Franconia)

Date In Location: 2004-07-20

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

1. Sensormatic Electronics Corporation

Address:
Sensormatic Electronics Corporation
6600 Congress Avenue
Boca Raton, FL 33487
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Nevada
Phone Number: 561-988-3715
Fax Number: 561-988-7843

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active

video surveillance and closed circuit television equipment, namely infrared remote control for use with video surveillance systems, closed circuit television systems, digital video recorders and multiplexers

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 80

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 16:53:29 ET

Serial Number: 78225133 Assignment Information

Registration Number: 2861622

Mark (words only): DIGIREMOTE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-07-06

Filing Date: 2003-03-13

Transformed into a National Application: No

Registration Date: 2004-07-06

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: 900 -File Repository (Franconia)

Date In Location: 2004-07-20

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

1. Sensormatic Electronics Corporation

Address:

Sensormatic Electronics Corporation
6600 Congress Avenue
Boca Raton, FL 33487
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Nevada

Phone Number: 561-988-3715

Fax Number: 561-988-7843

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

video surveillance and closed circuit television equipment, namely infrared remote control for use with video surveillance systems, closed circuit television systems, digital video recorders and multiplexers

Basis: 1(a)

First Use Date: 2003-09-22

First Use in Commerce Date: 2003-09-22

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-07-06 - Registered - Principal Register

2004-03-23 - PAPER RECEIVED

2004-04-19 - Allowed for Registration - Principal Register (SOU accepted)

2004-04-16 - Assigned To Examiner

2004-04-16 - Assigned To Examiner

2004-04-15 - Statement of use processing complete

2004-04-12 - Amendment to Use filed

2004-04-12 - TEAS Statement of Use Received

2004-01-27 - Notice of allowance - mailed

2003-11-04 - Published for opposition

2003-10-15 - Notice of publication

2003-09-04 - Approved for Pub - Principal Register (Initial exam)

2003-09-04 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Frank a. Cona

Correspondent

FRANK A. CONA

TYCO FIRE & SECURITY SERVICES

IP LEGAL DEPARTMENT ONE TOWN CENTER

BOCA RATON FL USA 33486

Phone Number: 561-988-3715

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 81

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:00:14 ET

Serial Number: 78084871 Assignment Information

Registration Number: 2833021

Mark

DigiTag

(words only): DIGITAG

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-04-13

Filing Date: 2001-09-21

Transformed into a National Application: No

Registration Date: 2004-04-13

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: 900 -File Repository (Franconia)

Date In Location: 2004-05-17

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

1. SFK Technology A/S

Address:

SFK Technology A/S
Transformervej9
Herlev 2730
Denmark

Legal Entity Type: Public Limited Company

State or Country Where Organized: Denmark

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

ELECTRONIC MEASURING EQUIPMENT, NAMELY, A RADIO FREQUENCY CHIP

Basis: 1(a)**First Use Date:** 1998-07-00**First Use in Commerce Date:** 2000-07-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-11 - TEAS Change Of Correspondence Received

2004-04-13 - Registered - Principal Register

2004-02-04 - Allowed for Registration - Principal Register (SOU accepted)

2004-02-03 - Assigned To Examiner

2004-02-02 - Case File In TICRS

2004-01-29 - Statement of use processing complete

2003-12-19 - Amendment to Use filed

2003-12-19 - PAPER RECEIVED

2003-07-16 - Extension 1 granted

2003-06-26 - Extension 1 filed

2003-06-26 - PAPER RECEIVED

2002-12-31 - Notice of allowance - mailed

2002-10-08 - Published for opposition

2002-09-18 - Notice of publication

2002-07-17 - Approved for Pub - Principal Register (Initial exam)

2002-06-10 - Communication received from applicant

Latest Status Info

2001-12-11 - Non-final action mailed

2001-11-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

David G. Boutell,

Correspondent

Cynthia C. Weber
SUGHRUE MION, PLLC.
2100 Pennsylvania Avenue, N.W.
Washington DC 20037-3213
Phone Number: (202)663-7927
Fax Number: (202)293-7860

Domestic Representative

Cynthia Clarke Weber
Phone Number: (202)663-7927
Fax Number: (202)293-7860

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 82

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:00:30 ET

Serial Number: 78147490 Assignment Information

Registration Number: 2856802

Mark (words only): DIGITAL DAYCARE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-22

Filing Date: 2002-07-26

Transformed into a National Application: No

Registration Date: 2004-06-22

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: 900 -File Repository (Franconia)

Date In Location: 2004-07-08

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

1. speeDVD Co.

Composed Of:

Joe Torcello and John Torcello, both US citizens

Address:

speeDVD Co.
17145 Rinaldi Street
Granada Hills, CA 91344
United States

Legal Entity Type: Partnership

State or Country Where Organized: California

Phone Number: 818-368-3210

Fax Number: 818-368-3210

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DVDs featuring entertainment for family pets

Basis: 1(a)

First Use Date: 2002-08-14

First Use in Commerce Date: 2002-08-14

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-06-22 - Registered - Principal Register
- 2004-04-11 - Allowed for Registration - Principal Register (SOU accepted)
- 2004-03-10 - Communication received from applicant
- 2004-03-10 - PAPER RECEIVED
- 2003-12-20 - NON-FINAL ACTION E-MAILED
- 2003-09-30 - Assigned To Examiner
- 2003-09-27 - Case File In TICRS
- 2003-09-05 - Statement of use processing complete
- 2003-08-28 - Amendment to Use filed
- 2003-08-28 - TEAS Statement of Use Received
- 2003-08-12 - Notice of allowance - mailed
- 2003-05-20 - Published for opposition
- 2003-04-30 - Notice of publication
- 2003-04-07 - Approved for Pub - Principal Register (Initial exam)
- 2003-04-04 - Previous allowance count withdrawn
- 2003-01-15 - Assigned To Examiner
- 2002-12-15 - Approved for Pub - Principal Register (Initial exam)
- 2002-12-13 - Examiner's amendment mailed
- 2002-11-27 - Communication received from applicant

2002-11-27 - Non-final action e-mailed

2002-11-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

NICK B

Correspondent

NICK B.

legalzoom.com

7083 HOLLYWOOD BLVD., STE 180

HOLLYWOOD, CA 90028

Phone Number: 818368-3210

Fax Number: 818-368-6117

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 83

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:00:46 ET

Serial Number: 78229698 Assignment Information

Registration Number: 2850861

Mark

digivogue

(words only): DIGIVOGUE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-06-08

Filing Date: 2003-03-25

Transformed into a National Application: No

Registration Date: 2004-06-08

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: 2004-06-28

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

1. Digivogue Tech Co., Ltd.

Address:

Digivogue Tech Co., Ltd.
No. 7, Alley 15, Lane 340. Jung Hua 2nd Rd. Yung Kang City, Tainan Hsien
Yung Kang 710
Taiwan

Legal Entity Type: Corporation

State or Country of Incorporation: Taiwan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

PORTABLE HARD DISCS FOR COMPUTERS AND TELEVISIONS, TELESCOPES WITH DIGITAL CAMERA FUNCTION, PORTABLE HARD DISCS FOR COMPUTERS AND TELEVISIONS WITH DIGITAL CAMERA FUNCTION, PORTABLE HARD DISCS FOR COMPUTERS AND TELEVISIONS WITH DIGITAL CAMERA FUNCTION, FLASH CARD READERS, MAGNETIC CODED CARD READERS, MAGNETIC ENCODED CARD READERS, WEB VIDEO CAMERAS, WEB CAMERAS, DIGITAL CAMERAS, PHOTOGRAPH PRINTERS, MP3 PLAYERS, DIGITAL OVERHEAD PROJECTORS, LCD MONITORS, PERSONAL DIGITAL ASSISTANTS, RE-WRITABLE CD-ROM DRIVES, DIGITAL DICTATING MACHINES, COMPUTERS MOUSES, DIGITAL CAMCORDERS, HANDS-FREE HANDSETS FOR USE WITH COMPUTERS AND TELEVISIONS

Basis: 1(a)

First Use Date: 2003-01-09

First Use in Commerce Date: 2003-01-09

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-15 - TEAS Change Of Correspondence Received
2004-06-08 - Registered - Principal Register
2004-03-16 - Published for opposition
2004-02-25 - Notice of publication
2003-12-10 - Approved for Pub - Principal Register (Initial exam)
2003-10-02 - Communication received from applicant
2003-10-02 - PAPER RECEIVED
2003-09-03 - Non-final action e-mailed
2003-09-02 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Howard N. Aronson

Correspondent

Howard N. Aronson
Lackenbach Siegel LLP
Lackenbach Siegel Building
One Chase Road
Scarsdale NY 10583
Phone Number: 914-723-4300
Fax Number: 914-723-4301

Domestic Representative

Howard N. Aronson
Phone Number: 914-723-4300
Fax Number: 914-723-4301

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 84

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:01:07 ET

Serial Number: 78166706 Assignment Information

Registration Number: 2846612

Mark (words only): DIGITAL ADVANTAGE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-05-25

Filing Date: 2002-09-23

Transformed into a National Application: No

Registration Date: 2004-05-25

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: 900 -File Repository (Franconia)

Date In Location: 2004-06-08

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

1. APPLICA CONSUMER PRODUCTS, INC.

Address:
APPLICA CONSUMER PRODUCTS, INC.
3633 FLAMINGO ROAD
MIRAMAR, FL 33027
United States

Legal Entity Type: Corporation
State or Country of Incorporation: Florida

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
electric steam irons for domestic use

Basis: 1(a)
First Use Date: 2003-05-31
First Use in Commerce Date: 2003-05-31

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-19 - Automatic Update Of Assignment Of Ownership

2006-03-07 - Attorney Revoked And/Or Appointed

2006-03-07 - TEAS Revoke/Appoint Attorney Received

2006-02-13 - TEAS Change Of Correspondence Received

2006-02-13 - TEAS Change Of Correspondence Received

2004-05-25 - Registered - Principal Register

2004-03-19 - Allowed for Registration - Principal Register (SOU accepted)

2004-03-10 - Assigned To Examiner

2004-03-09 - Case File In TICRS

2004-03-04 - Statement of use processing complete

2004-01-30 - Amendment to Use filed

2004-01-30 - TEAS Statement of Use Received

2003-08-05 - Notice of allowance - mailed

2003-05-13 - Published for opposition

2003-04-23 - Notice of publication

2003-03-10 - Approved for Pub - Principal Register (Initial exam)

2003-02-24 - Communication received from applicant

2003-02-24 - TEAS Response to Office Action Received

2003-02-24 - Non-final action e-mailed

2003-02-20 - Assigned To Examiner

2002-12-18 - TEAS Change Of Correspondence Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Raman N. Dewan, Thomas R. Felger, Jerry R. Mills, Bruce W. Slayden II, Kevin J. Meek, Paula D. Heyman, Brian E. Szymczak, Joseph P. Lally, David G. Willie, Barton E. Showalter, Priscilla L. Dunckel, Valerie Verret, Pamela S. Ratliff

Correspondent

Raman N. Dewan, Thomas R. Felger, Jerry
Baker Botts L.L.P.
1500 San Jacinto Center
98 San Jacinto Blvd.
Austin TX 78701
Phone Number: 512.322.2673
Fax Number: 512.322.8335

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT **85**

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:01:22 ET

Serial Number: 78210993 Assignment Information

Registration Number: 2840201

Mark (words only): DIGICAT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-05-11

Filing Date: 2003-02-05

Transformed into a National Application: No

Registration Date: 2004-05-11

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: 900 -File Repository (Franconia)

Date In Location: 2004-06-01

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

1. Cable Detection Limited

Address:

Cable Detection Limited
c/o Leica Geosystems Limited Davy Avenue, Knowlhill , Milton Keynes
Buckinghamshire MK5 8LB
United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DETECTING APPARATUS, NAMELY, ELECTROMAGNETIC FIELD DETECTORS, APPARATUS FOR
DETECTING BURIED PIPES AND CABLES, PARTS FOR THE AFORESAID GOODS

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Registration Number: 2192979
Foreign Registration Date: 1999-08-27
Country: United Kingdom
Foreign Expiration Date: 2009-03-26

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-05-11 - Registered - Principal Register
2004-02-17 - Published for opposition
2004-01-28 - Notice of publication
2003-12-20 - Approved for Pub - Principal Register (Initial exam)
2003-11-05 - Communication received from applicant
2003-11-05 - PAPER RECEIVED
2003-08-20 - Non-final action e-mailed
2003-08-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
Andrew R. Basile, Registration No. 24,753

Correspondent
Andrew R. Basile, Registration No. 24,75
Young & Basile, P.C.
3001 West Big Beaver Road Suite 624
Troy MI USA 48084-3107
Phone Number: 248-649-3333
Fax Number: 248-649-3338

Domestic Representative
Andrew R. Basile, Registration No. 24,75
3
Phone Number: 248-649-3333
Fax Number: 248-649-3338

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 86

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:01:48 ET

Serial Number: 78213571 Assignment Information

Registration Number: 2838601

Mark



(words only): DISS DIGITAL SECURITY SYSTEM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-05-04

Filing Date: 2003-02-11

Transformed into a National Application: No

Registration Date: 2004-05-04

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: 2004-05-25

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

1. General Solutions, LTD

Address:

General Solutions, LTD
5902 Sovereign Dr
Houston, TX 77036
United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Texas

Phone Number: 713-333-4900

Fax Number: 713-333-4925

GOODS AND/OR SERVICES

International Class: 009**Class Status:** Active

Digital video and voice recorders used for security surveillance purposes

Basis: 1(a)**First Use Date:** 2003-01-15**First Use in Commerce Date:** 2003-01-15

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL SECURITY SYSTEM"**Design Search Code(s):**

26.01.02 - Circles, plain single line; Plain single line circles

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-05-04 - Registered - Principal Register

2004-02-10 - Published for opposition

2004-01-21 - Notice of publication

2003-12-01 - Approved for Pub - Principal Register (Initial exam)

2003-10-23 - Communication received from applicant

2003-10-23 - TEAS Response to Office Action Received

2003-08-04 - Non-final action e-mailed

2003-07-31 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

General Solutions, LTD

5902 Sovereign Dr

Houston TX USA 77036

Phone Number: 713-333-4900

Fax Number: 713-333-4925

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT **87**

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:02:06 ET

Serial Number: 78139017 Assignment Information

Registration Number: 2837275

Mark (words only): DIGITAL DECORATING

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-04-27

Filing Date: 2002-06-26

Transformed into a National Application: No

Registration Date: 2004-04-27

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: 900 -File Repository (Franconia)

Date In Location: 2004-05-25

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

1. M. H. Segan & Company, Inc.

Address:
M. H. Segan & Company, Inc.
18 East 16th Street
New York, NY 10003
United States

Legal Entity Type: Corporation
State or Country of Incorporation: New York
Phone Number: 212-687-2770
Fax Number: 212-972-5487

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Controller for electric light displays
Basis: 1(a)

First Use Date: 2003-06-17

First Use in Commerce Date: 2003-06-17

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-04-27 - Registered - Principal Register
2004-02-11 - Allowed for Registration - Principal Register (SOU accepted)
2004-02-09 - Assigned To Examiner
2004-02-06 - Case File In TICRS
2004-01-14 - Statement of use processing complete
2004-01-14 - Amendment to Use filed
2004-01-14 - TEAS Statement of Use Received
2003-11-04 - Notice of allowance - mailed
2003-08-12 - Published for opposition
2003-07-23 - Notice of publication
2003-06-09 - Approved for Pub - Principal Register (Initial exam)
2003-05-29 - EXAMINERS AMENDMENT E-MAILED
2002-12-02 - Non-final action e-mailed
2002-11-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Edward M. Weisz

Correspondent

Edward M. Weisz

Cohen, Pontani, Lieberman & Pavane

551 Fifth Avenue, Suite 1210

New York NY 10176

Phone Number: 212-687-2770

Fax Number: 212-972-5487

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 88

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:02:26 ET

Serial Number: 78124180 Assignment Information

Registration Number: 2823030

Mark



(words only): DIGITAL CARRIER

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-03-16

Filing Date: 2002-04-25

Transformed into a National Application: No

Registration Date: 2004-03-16

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: 900 -File Repository (Franconia)

Date In Location: 2004-03-22

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

1. G.P.E. s.r.l.

Address:

G.P.E. s.r.l.

VIA FIUMICINO, 10 33082 AZZANO DECIMO

PN

Italy

Legal Entity Type: Corporation

State or Country of Incorporation: Italy

Phone Number: 818-880-9174

Fax Number: 818-880-8657

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

PHOTOGRAPHIC CAMERAS, PHOTOGRAPHIC PROJECTORS, PHOTOGRAPHIC IMAGE CONVERSION PROCESSORS USED TO CONVERT TRADITIONAL PHOTOGRAPHY MINI-LABS USING FILM NEGATIVES INTO PHOTOGRAPHIC MINI-LABS CAPABLE OF READING COMPUTER GENERATED FILES FOR PRINTING THROUGH THE END USER'S EXISTING PHOTOGRAPHY PRINTING EQUIPMENT

Basis: 1(a)

First Use Date: 2001-07-09

First Use in Commerce Date: 2001-11-02

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL CARRIER"

Lining and Stippling: The stippling is a feature of the mark.

Design Search Code(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

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-25 - TEAS Change Of Correspondence Received

2004-03-16 - Registered - Principal Register

2003-12-23 - Published for opposition

2003-12-03 - Notice of publication

2003-10-14 - Approved for Pub - Principal Register (Initial exam)

2003-10-03 - Examiner's amendment mailed

2003-04-14 - Final refusal mailed

2003-03-04 - Communication received from applicant

2003-03-05 - Communication received from applicant

2002-09-11 - Non-final action mailed

2002-08-29 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
DONALD S. GRIER

Correspondent
DONALD S. GRIER
LAW OFFICE OF DONALD S. GRIER
1098 PINE COUNTRY COURT
PRESCOTT AZ 86303
Phone Number: 928-717-2218
Fax Number: 928-717-0160

Domestic Representative
DONALD S. GRIER
Phone Number: 818-880-9174
Fax Number: 818-880-8657

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 89

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:02:41 ET

Serial Number: 78201324 Assignment Information

Registration Number: 2821842

Mark (words only): DIGITAL ENHANCEMENT TECHNOLOGY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-03-09

Filing Date: 2003-01-08

Transformed into a National Application: No

Registration Date: 2004-03-09

Register: Supplemental

Law Office Assigned: LAW OFFICE 111

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-03-12

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

1. Electronic Product Development USA, LLC

Address:

Electronic Product Development USA, LLC
1210 E. West Court
Ozark, MO 65721
United States

Legal Entity Type: Ltd Liab Jt St Co

State or Country Where Organized: Missouri

Phone Number: 417-581-9604

Fax Number: 417-581-9518

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Video cameras; digital cameras; video tape recorders; video cassette recorders; digital video recorders; digital video disc drives; video monitors; video screens; night vision cameras; night vision image intensifiers consisting of a night

vision camera and an infrared light source; video imaging systems consisting of a video camera connected to a video monitor

Basis: 1(a)

First Use Date: 2003-10-01

First Use in Commerce Date: 2003-10-01

ADDITIONAL INFORMATION

Disclaimer: "TECHNOLOGY"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-09 - Registered - Supplemental Register

2004-01-11 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2004-01-07 - Amendment to Use approved

2004-01-06 - Amendment to use processing complete

2003-12-22 - Amendment to Use filed

2003-12-22 - Communication received from applicant

2003-12-22 - TEAS Response to Office Action Received

2003-12-22 - TEAS Amendment of Use Received

2003-06-22 - Non-final action e-mailed

2003-06-20 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Derek P. Martin

Correspondent

Derek P. Martin

Martin & Associates, L.L.C.

P.O. Box 548

Carthage MO USA 64836-0548

Phone Number: 417-358-4700

Fax Number: 417-358-5757

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 90

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:03:00 ET

Serial Number: 78101271 Assignment Information

Registration Number: 2820542

Mark (words only): DIGITAL STREAM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-03-02

Filing Date: 2002-01-07

Transformed into a National Application: No

Registration Date: 2004-03-02

Register: Supplemental

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: 900 -File Repository (Franconia)

Date In Location: 2004-03-08

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

1. Digital STREAM Technology, Inc.

Address:
Digital STREAM Technology, Inc.
9th Floor Keumbok Bldg. 45-2Bangee-Dong, Songpa-Ku
Seoul
Republic of Korea

Legal Entity Type: Corporation
State or Country of Incorporation: Republic of Korea
Phone Number: 011-82-2-415-6500
Fax Number: 011-82-2-418-3735

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
SET-TOP BOXES
Basis: 1(a)

First Use Date: 2003-08-18

First Use in Commerce Date: 2003-08-18

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-03-02 - Ex parte appeal terminated
- 2004-03-02 - Registered - Supplemental Register
- 2003-12-13 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER
- 2003-12-13 - Amendment to Use approved
- 2003-12-11 - Amendment to use processing complete
- 2003-10-06 - Amendment to Use filed
- 2003-12-08 - Case File In TICRS
- 2003-11-19 - Jurisdiction Restored To Examining Attorney
- 2003-11-17 - TEAS Change Of Correspondence Received
- 2003-10-06 - PAPER RECEIVED
- 2003-09-25 - TEAS Change Of Correspondence Received
- 2003-09-03 - Ex parte appeal - Instituted
- 2003-08-19 - EXPARTE APPEAL RECEIVED AT TTAB
- 2003-02-04 - Final refusal mailed
- 2002-11-01 - Communication received from applicant
- 2002-11-01 - PAPER RECEIVED
- 2002-10-29 - TEAS Change Of Correspondence Received
- 2002-04-29 - Non-final action mailed
- 2002-04-16 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John K. Kim

Correspondent

John K. Kim
McCarter & English, LLP
Four Gateway Center
100 Mulberry Street
Newark NJ 07102-4056
Phone Number: (973) 622-4444
Fax Number: (973) 624-7070

Domestic Representative

John K. Kim
Phone Number: 732-777-9050
Fax Number: 732-777-0204

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 91

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:03:19 ET

Serial Number: 78078426 Assignment Information

Registration Number: 2786220

Mark



(words only): DIGIVUE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-11-25

Filing Date: 2001-08-09

Transformed into a National Application: No

Registration Date: 2003-11-25

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2004-01-21

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

1. SCHILSKY, ALAN, B.

Address:
SCHILSKY, ALAN, B.
56 BYRAM RIDGE RD
ARMONK, NY 10504
United States

Legal Entity Type: Individual

Country of Citizenship: United States
Phone Number: 914-273-6982
Fax Number: 800-441-9122

2. SCHILSKY, LAWRENCE, D

Address:
SCHILSKY, LAWRENCE, D
4 STONINGTON HTS.
BRIARCLIFF MANOR, NY 10510
United States

Legal Entity Type: Individual
Country of Citizenship: United States
Phone Number: 914-762-0949
Fax Number: 800-441-9122

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
COMPUTER CARD WITH SOFTWARE THAT CONVERTS AND STORES MULTIPLE SIMULTANEOUS VIDEO IMAGES TO A HARD DRIVE FOR STORAGE AND MANAGEMENT OF SURVEILLANCE VIDEO FOR SECURITY PURPOSES AND WHICH CAN BE REMOTELY ACCESSED VIA INTERNET AND/OR A NETWORK
Basis: 1(a)
First Use Date: 2001-08-09
First Use in Commerce Date: 2001-08-09

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2004-02-23 - TEAS Change Of Correspondence Received
- 2003-11-25 - Registered - Principal Register
- 2003-09-02 - Published for opposition
- 2003-08-13 - Notice of publication
- 2003-07-07 - Approved for Pub - Principal Register (Initial exam)
- 2003-06-16 - ITU claim deleted
- 2003-06-16 - Communication received from applicant

- 2003-07-01 - Case File In TICRS
- 2003-06-16 - PAPER RECEIVED
- 2003-06-01 - Final refusal e-mailed
- 2002-12-18 - TEAS Change Of Correspondence Received
- 2002-06-28 - Letter of suspension mailed
- 2002-06-10 - Communication received from applicant
- 2002-06-10 - PAPER RECEIVED
- 2001-12-17 - Non-final action mailed
- 2001-09-27 - Assigned To Examiner
- 2001-09-27 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
DONALD C. LUCAS

Correspondent
DONALD C. LUCAS
MUSERLIAN, LUCAS & MERCANTI, LLP
15TH FLOOR
475 PARK AVENUE SOUTH
NEW YORK NY 10016
Phone Number: 2126618000
Fax Number: 2126618002

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 92

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:03:34 ET

Serial Number: 78138762 Assignment Information

Registration Number: 2818381

Mark (words only): DIGIT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-02-24

Filing Date: 2002-06-25

Transformed into a National Application: No

Registration Date: 2004-02-24

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: 900 -File Repository (Franconia)

Date In Location: 2004-03-01

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

1. Electric Visual Evolution, LLC

Address:
Electric Visual Evolution, LLC
1062 Calle Negocio Unit H
San Clemente, CA 92673
United States

Legal Entity Type: Ltd Liab Co
State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Sunglasses and sunglass cases
Basis: 1(a)
First Use Date: 2002-08-06
First Use in Commerce Date: 2002-08-06

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2007-01-08 - TEAS Change Of Correspondence Received
2004-02-24 - Registered - Principal Register
2003-12-18 - Allowed for Registration - Principal Register (SOU accepted)
2003-12-17 - Assigned To Examiner
2003-12-15 - Case File In TICRS
2003-11-04 - Statement of use processing complete
2003-10-28 - Amendment to Use filed
2003-11-04 - PAPER RECEIVED
2003-05-07 - TEAS Change Of Correspondence Received
2003-04-29 - Notice of allowance - mailed
2003-02-04 - Published for opposition
2003-01-15 - Notice of publication
2002-12-02 - Approved for Pub - Principal Register (Initial exam)
2002-11-26 - Examiner's amendment mailed

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Robert L. Powley, Esq.

Correspondent

Robert L. Powley
Powley & Gibson, P.C.
304 Hudson Street, 2nd Floor
New York NY 10013
Phone Number: 212-226-5054
Fax Number: 212-226-5085

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 93

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:03:51 ET

Serial Number: 78120768 Assignment Information

Registration Number: 2792985

Mark

**Digital
Style**

(words only): DIGITAL STYLE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-12-09

Filing Date: 2002-04-10

Transformed into a National Application: No

Registration Date: 2003-12-09

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: 900 -File Repository (Franconia)

Date In Location: 2003-12-23

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

1. X-RITE, INCORPORATED

Address:

X-RITE, INCORPORATED
3100 44TH STREET, S.W.
GRANDVILLE, MI 49418
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Michigan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for identifying and matching colors

Basis: 1(a)

First Use Date: 2001-10-01

First Use in Commerce Date: 2003-05-10

ADDITIONAL INFORMATION

Description of Mark: The mark consists of The word "Digital" in blue at the top and the word "Style" at the bottom in red. In between, and connecting, these two words are three lower case letter "l"s that step down to the right from below the last "l" in "Digital" to the "l" in "Style". The first descending "l" is green, the second is yellow and the third is orange in color.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-05 - TEAS Change Of Correspondence Received

2006-10-04 - Attorney Revoked And/Or Appointed

2006-10-04 - TEAS Revoke/Appoint Attorney Received

2006-08-30 - Assignment Of Ownership Not Updated Automatically

2003-10-08 - PAPER RECEIVED

2003-12-09 - Registered - Principal Register

2003-09-16 - Allowed for Registration - Principal Register (SOU accepted)

2003-08-07 - Communication received from applicant

2003-09-07 - Case File In TICRS

2003-08-07 - TEAS Response to Office Action Received

2003-07-14 - Non-final action mailed

2003-07-09 - Assigned To Examiner

2003-06-27 - Statement of use processing complete

2003-06-16 - Amendment to Use filed

2003-06-14 - TEAS Statement of Use Received
2003-02-11 - Notice of allowance - mailed
2002-11-19 - Published for opposition
2002-10-30 - Notice of publication
2002-09-22 - Approved for Pub - Principal Register (Initial exam)
2002-08-23 - Communication received from applicant
2002-08-23 - TEAS Response to Office Action Received
2002-08-07 - Non-final action mailed
2002-07-25 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

George D. Dickos

Correspondent

George D. Dickos
Kirkpatrick & Lockhart Nicholson Graham
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh PA 15222
Phone Number: (412) 355-6500
Fax Number: (412) 355-6501

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 94

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:04:04 ET

Serial Number: 78094609 Assignment Information

Registration Number: 2803554

Mark (words only): DIGITAL BOOKMARK

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-01-06

Filing Date: 2001-11-21

Transformed into a National Application: No

Registration Date: 2004-01-06

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: 900 -File Repository (Franconia)

Date In Location: 2004-01-20

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

1. Xerox Corporation

Address:
Xerox Corporation
800 Long Ridge Road P.O. Box 1600
Stamford, CT 06904
United States
Legal Entity Type: Corporation
State or Country of Incorporation: New York
Phone Number: 203-968-3130
Fax Number: 203-968-3446

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Photocopiers, and parts thereof
Basis: 1(a)

First Use Date: 2002-01-02**First Use in Commerce Date:** 2002-01-02

ADDITIONAL INFORMATION

Disclaimer: "digital"**Prior Registration Number(s):**

2029252

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-01-06 - Registered - Principal Register

2003-10-31 - Allowed for Registration - Principal Register (SOU accepted)

2003-10-22 - Assigned To Examiner

2003-10-18 - Case File In TICRS

2003-10-06 - Statement of use processing complete

2003-10-06 - Extension 1 granted

2003-09-03 - Amendment to Use filed

2003-09-03 - Extension 1 filed

2003-09-04 - PAPER RECEIVED

2003-03-04 - Notice of allowance - mailed

2002-12-10 - Published for opposition

2002-11-20 - Notice of publication

2002-09-27 - Approved for Pub - Principal Register (Initial exam)

2002-09-16 - Communication received from applicant

2002-09-16 - TEAS Response to Office Action Received

2002-03-15 - Non-final action mailed

2002-02-22 - Assigned To Examiner

2002-02-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Xerox Corporation

LONG RIDGE

PO BOX 1600

STAMFORD CT 06904-1600

Phone Number: 203-968-3130

Fax Number: 203-968-3446

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 95

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:04:17 ET

Serial Number: 78203902 Assignment Information

Registration Number: 2797737

Mark



(words only): DIGIKIDS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-12-23

Filing Date: 2003-01-16

Transformed into a National Application: No

Registration Date: 2003-12-23

Register: Principal

Law Office Assigned: LAW OFFICE 103

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

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-06

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

1. Franchise One, Inc.

Address:
Franchise One, Inc.
9463 Hwy 377 South #111
Fort Worth, TX 76126
United States
Legal Entity Type: Corporation

State or Country of Incorporation: Texas

Phone Number: 817-249-2126

Fax Number: 817-249-7524

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic database recorded on CD-ROM and computer media containing identification information of children, people and pets for use in aiding the recovery of missing children, people and pets particularly for use by and with law enforcement and other state and federal agencies that help find missing children, people and pets

Basis: 1(a)

First Use Date: 2003-05-15

First Use in Commerce Date: 2003-05-15

ADDITIONAL INFORMATION

Lining and Stippling: The stippling is a feature of the mark.

Design Search Code(s):

25.03.05 - Backgrounds covered with dots; Dotted backgrounds

26.01.15 - Circles, exactly three circles; Three circles

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-23 - Registered - Principal Register

2003-09-30 - Published for opposition

2003-09-10 - Notice of publication

2003-08-07 - Approved for Pub - Principal Register (Initial exam)

2003-06-30 - Communication received from applicant

2003-06-30 - TEAS Response to Office Action Received

2003-06-29 - Non-final action e-mailed

2003-06-29 - Amendment to Use approved

2003-06-28 - Assigned To Examiner

2003-06-21 - Amendment to use processing complete

2003-06-16 - Amendment to Use filed

2003-06-11 - Communication received from applicant

2003-06-10 - TEAS Amendment of Use Received

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

FRANCHISE ONE, INC.

9463 HIGHWAY 377 S # 111

FORT WORTH TX 76126-3235

Phone Number: 817-249-2126

Fax Number: 817-249-7524

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT 96

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:04:49 ET

Serial Number: 78046039 Assignment Information

Registration Number: 2795989

Mark



(words only): DTHEATRE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-12-16

Filing Date: 2001-02-01

Transformed into a National Application: No

Registration Date: 2003-12-16

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2003-12-23

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

1. Victor Company of Japan, Limited

Address:

Victor Company of Japan, Limited
12, 3-chome, Moriya-cho, Kanagawa-ku
Yokohama-City 221-8528
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

VIDEO RECORDING/REPRODUCING APPARATUS, NAMELY, VIDEO CASSETTE PLAYERS, COMBINED VIDEO CAMERAS AND VIDEO CASSETTE RECORDERS AND/OR PLAYERS, COMBINED TELEVISION RECEIVERS AND VIDEO CASSETTE RECORDERS AND/OR PLAYERS, TELEVISION SIGNAL RECEIVING, PROCESSING AND CONVERSION UNITS FOR VIDEO CASSETTE RECORDERS AND/OR PLAYERS; VIDEO CASSETTE RECORDERS; BLANK OR PRERECORDED VIDEO RECORDING MEDIA, NAMELY BLANK VIDEO CASSETTE TAPES, PRERECORDED VIDEO CASSETTE FEATURING ENTERTAINING OR EDUCATIONAL PROGRAMS OR MOTION PICTURES; COMPONENT PARTS AND FITTINGS FOR THE AFORESAID GOODS

Basis: 1(a), 44(e)

First Use Date: 2001-08-00

First Use in Commerce Date: 2001-08-00

ADDITIONAL INFORMATION

Disclaimer: "THEATER"

Design Search Code(s):

26.05.02 - Plain single line triangles; Triangles, plain single line

26.05.13 - Triangles, exactly two triangles; Two triangles

26.05.21 - Triangles that are completely or partially shaded

26.05.25 - Triangles with one or more curved sides

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

Foreign Application Number: 138818OF20

Foreign Registration Number: 4595103

Foreign Registration Date: 2002-08-16

Country: Japan

Foreign Filing Date: 2000-12-25

Foreign Expiration Date: 2012-08-16

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-16 - Registered - Principal Register

2003-10-18 - Allowed for Registration - Principal Register (SOU accepted)

2003-10-14 - Assigned To Examiner

2003-10-11 - Case File In TICRS

Latest Status Info

2003-09-29 - Statement of use processing complete

2003-09-02 - Amendment to Use filed

2003-09-02 - PAPER RECEIVED

2003-05-27 - Notice of allowance - mailed

2003-03-04 - Published for opposition

2003-02-12 - Notice of publication

2002-12-02 - Approved for Pub - Principal Register (Initial exam)

2002-10-28 - Communication received from applicant

2002-10-28 - PAPER RECEIVED

2002-10-09 - Communication received from applicant

2002-10-09 - PAPER RECEIVED

2002-10-10 - Assigned To Examiner

2002-04-24 - Non-final action mailed

2002-01-03 - Communication received from applicant

2001-07-03 - Non-final action mailed

2001-06-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jess M. Collen

Correspondent

JESS M. COLLEN
COLLEN IP
THE HOLYOKE-MANHATTAN BUILDING
80 S HIGHLAND AVE
WESTCHESTER COUNTY, NY 10562-5615

Domestic Representative

Jess M. Collen

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	) MARK: DIGIPOS
)
Opposer)
)
v.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 97

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:05:09 ET

Serial Number: 78176786 Assignment Information

Registration Number: 2791295

Mark (words only): DIGITAL LANGUAGE PAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-12-09

Filing Date: 2002-10-21

Transformed into a National Application: No

Registration Date: 2003-12-09

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: 900 -File Repository (Franconia)

Date In Location: 2003-12-15

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

1. EonFocus, LLC

Address:
EonFocus, LLC
49016 Manhattan Circle
Canton, MI 48188
United States

Legal Entity Type: LIMITED LIABILITY CORPORATION

State or Country Where Organized: Michigan

Phone Number: (734) 495-9619

Fax Number: (734) 468-4085

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

CASSETTE RECORDER, CD PLAYER, DIGITAL MP3 SOLID-STATE PLAYER, AND ELECTRONIC INSTRUMENTS NAMELY, A HAND-HELD ELECTRONIC DEVICE OR OTHER DIGITAL FORMAT PLAYER

WITH EMBEDDED DIGITAL MEMORY FOR LANGUAGE LEARNING, SPEECH THERAPY, OR OTHER LEARNING AND ENTERTAINMENT PURPOSES

Basis: 1(a)

First Use Date: 2002-09-28

First Use in Commerce Date: 2002-10-17

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL LANGUAGE"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-12-09 - Registered - Principal Register
2003-09-16 - Published for opposition
2003-08-27 - Notice of publication
2003-07-29 - Approved for Pub - Principal Register (Initial exam)
2003-06-18 - Communication received from applicant
2003-07-01 - Case File In TICRS
2003-06-18 - PAPER RECEIVED
2003-04-15 - Non-final action e-mailed
2003-03-24 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

EonFocus, LLC
49016 Manhattan Circle
Canton MI 48188
Phone Number: (734) 495-9619
Fax Number: (734) 468-4085

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
Applicant)	

EXHIBIT **98**

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:05:25 ET

Serial Number: 78111377 Assignment Information

Registration Number: 2780696

Mark



(words only): IGITAL PAW DIGITAL ENTERPRISES MULTIMEDIA FOR MODERN LIVING

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-11-04

Filing Date: 2002-02-27

Transformed into a National Application: No

Registration Date: 2003-11-04

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2003-11-10

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

1. Scott, Robert B.

Address:

Scott, Robert B.
6 Maxwell Rd
Richmond, VA 23226
United States

Legal Entity Type: Individual

Country of Citizenship: United States
Phone Number: (804) 355-6952

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Multimedia computer software for digital photography, digital video, and digital radio
Basis: 1(a)
First Use Date: 2002-01-30
First Use in Commerce Date: 2002-04-30

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL ENTERPRISE"

Design Search Code(s):
03.13.01 - Feet, animal; Foot prints, nonhuman; Paws and paw prints
27.01.04 - Letters forming objects; Numbers forming objects; Objects composed of letters or numerals; Punctuation forming objects

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-11-04 - Registered - Principal Register
2003-08-30 - Allowed for Registration - Principal Register (SOU accepted)
2003-08-26 - Assigned To Examiner
2003-08-25 - Case File In TICRS
2003-08-11 - Statement of use processing complete
2003-07-19 - Amendment to Use filed
2003-07-19 - TEAS Statement of Use Received
2003-05-15 - TEAS Response to Office Action Received
2003-01-21 - Notice of allowance - mailed
2002-10-29 - Published for opposition
2002-10-09 - Notice of publication
2002-08-20 - Approved for Pub - Principal Register (Initial exam)

2002-07-25 - Communication received from applicant

2002-07-03 - Non-final action e-mailed

2002-06-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

ROBERT B. SCOTT

6 MAXWELL RD

RICHMOND VA 23226-1628

Phone Number: (804) 355-6952

OPPOSITION NO. 91163719

Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 99

TO APPLICANT'S NOTICE OF RELIANCE

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

This page was generated by the TARR system on 2007-01-16 10:05:39 ET

Serial Number: 78170037 Assignment Information

Registration Number: 2778773

Mark (words only): DIGISTICK

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-10-28

Filing Date: 2002-10-02

Transformed into a National Application: No

Registration Date: 2003-10-28

Register: Principal

Law Office Assigned: LAW OFFICE 112

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: 2003-11-03

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

1. Van Ee, William, J

Address:

Van Ee, William, J
8975 Indian Ridge Road
Cincinnati, OH 452433740
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: 513-271-6997

Fax Number: 513-271-5995

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Fluid Level Gauge

Basis: 1(a)

First Use Date: 2001-05-03

First Use in Commerce Date: 2003-03-24

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2003-10-28 - Registered - Principal Register
- 2003-09-05 - Allowed for Registration - Principal Register (SOU accepted)
- 2003-09-05 - Assigned To Examiner
- 2003-09-03 - Statement of use processing complete
- 2003-08-27 - Amendment to Use filed
- 2003-08-27 - TEAS Statement of Use Received
- 2003-08-12 - Notice of allowance - mailed
- 2003-05-20 - Published for opposition
- 2003-04-30 - Notice of publication
- 2003-03-25 - Approved for Pub - Principal Register (Initial exam)
- 2003-03-14 - Communication received from applicant
- 2003-03-09 - Non-final action e-mailed
- 2003-03-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Van Ee, William, J
 8975 INDIAN RIDGE LN
 CINCINNATI OH 45243-3740
 Phone Number: 513-271-6997
 Fax Number: 513-271-5995

OPPOSITION NO. 91163719
Serial No. 76/561,585

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

DIGI INTERNATIONAL INC.	)	MARK: DIGIPOS
)	
Opposer)	
)	
v.)	
)	
DIGIPOS SYSTEMS INC.)	
)	
Applicant)	

EXHIBIT 100

TO APPLICANT'S NOTICE OF RELIANCE