

BULKY DOCUMENTS

(exceeds 300 pages)

Proceeding/Serial No: 91163719

Filed: 1-18-09

Title: To Applicant's Notice of Reliance

Part 11 of 11

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 16:42:59 ET

Serial Number: 78510807 Assignment Information

Registration Number: 3121924

Mark

Bongiovi Digital Power Station

(words only): BONGIOVI DIGITAL POWER STATION

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-07-25

Filing Date: 2004-11-03

Transformed into a National Application: No

Registration Date: 2006-07-25

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: 2006-06-12

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

1. Bongiovi Acoustics

Address:

Bongiovi Acoustics
649 SW Whitmore Drive
Port St. Lucie, FL 34984
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

Phone Number: 772-879-0578

Fax Number: 772-879-0028

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic audio signal processing components namely decoders and controllers for audio reproduction used in commercial, home, automobile, aviation or marine industries

Basis: 1(a)

First Use Date: 2005-01-01

First Use in Commerce Date: 2006-01-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL POWER"

Name Portrait Consent: The name(s), portrait(s), and/or signature(s) shown in the mark identifies Anthony Bongiovi, whose consent(s) to register is submitted.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-25 - Registered - Principal Register

2006-06-07 - Law Office Registration Review Completed

2006-06-02 - Assigned To LIE

2006-05-19 - Allowed for Registration - Principal Register (SOU accepted)

2006-05-18 - Teas/Email Correspondence Entered

2006-05-01 - Communication received from applicant

2006-05-01 - TEAS Response to Office Action Received

2006-04-29 - NON-FINAL ACTION E-MAILED

2006-04-29 - SU - Non-Final Action - Written

2006-04-28 - Statement of use processing complete

2006-04-14 - Amendment to Use filed

2006-04-14 - TEAS Statement of Use Received

- 2005-11-29 - Notice of allowance - mailed
- 2005-09-06 - Published for opposition
- 2005-08-17 - Notice of publication
- 2005-07-25 - Law Office Publication Review Completed
- 2005-07-22 - Assigned To LIE
- 2005-07-19 - Approved for Pub - Principal Register (Initial exam)
- 2005-07-19 - EXAMINERS AMENDMENT E-MAILED
- 2005-07-19 - Examiners Amendment - Written
- 2005-06-15 - Non-final action e-mailed
- 2005-06-15 - Non-Final Action Written
- 2005-06-08 - Assigned To Examiner
- 2004-11-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

BONGIOVI ACOUSTICS
649 SW WHITMORE DR
PORT ST LUCIE, FL 34984-3567
Phone Number: 772-879-0578
Fax Number: 772-879-0028

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 1030

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 16:43:16 ET

Serial Number: 78611787 Assignment Information

Registration Number: 3082298

Mark



(words only): DIGITAL DANCERS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-04-18

Filing Date: 2005-04-19

Transformed into a National Application: No

Registration Date: 2006-04-18

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: 2006-04-18

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

1. Kappes, Peter

Address:

Kappes, Peter
11288 Ventura Blvd
Studio City, CA 91604
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: 818-415-1828

Fax Number: 818-415-1828

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DVDs featuring dancing lessons

Basis: 1(a)

First Use Date: 2004-09-01

First Use in Commerce Date: 2004-09-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL DANCERS"

Design Search Code(s):

02.01.33 - Grotesque men formed by letters, numbers, punctuation or geometric shapes; Stick figures

04.07.02 - Objects forming a person; Person formed by objects

09.05.02 - Top hats

10.03.02 - Canes, walking; Shepherds crook (staff); Walking sticks and canes

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

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-18 - Registered - Principal Register

2006-01-24 - Published for opposition

2006-01-04 - Notice of publication

2005-12-09 - Law Office Publication Review Completed

2005-12-02 - Assigned To LIE

2005-12-01 - Approved for Pub - Principal Register (Initial exam)

2005-12-01 - EXAMINERS AMENDMENT E-MAILED

2005-12-01 - Examiners Amendment - Written

2005-11-21 - Non-final action e-mailed

2005-11-21 - Non-Final Action Written

2005-11-17 - Assigned To Examiner

2005-04-27 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

KAPPES, PETER
11288 VENTURA BLVD
STUDIO CITY, CA 91604-3149
Phone Number: 818-415-1828
Fax Number: 818-415-1828

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 1031

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 16:43:31 ET

Serial Number: 78614057 Assignment Information

Registration Number: 3109059

Mark



(words only): V ONE DIGITAL COACHING SYSTEM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-06-27

Filing Date: 2005-04-21

Transformed into a National Application: No

Registration Date: 2006-06-27

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: 2006-06-27

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

1. Interactive Frontiers

Address:

Interactive Frontiers
Suite 111 38777 West Six Mile Road
Livonia, MI 48152
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Michigan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER SOFTWARE IN THE FIELD OF GOLF INSTRUCTION AND GOLF SWING ANALYSIS

Basis: 1(a)

First Use Date: 1997-12-24

First Use in Commerce Date: 1997-12-24

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL COACHING SYSTEM"

Description of Mark: The mark consists of a large "V" with a script "one" over the "V" and the words "Digital Coaching System" encircling the "V".

Design Search Code(s):

26.01.08 - Circles having letters or numerals as a border; Circles having punctuation as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle

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

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-27 - Registered - Principal Register

2006-04-04 - Published for opposition

2006-03-15 - Notice of publication

2006-02-16 - Law Office Publication Review Completed

2006-02-10 - Assigned To LIE

2006-01-31 - Approved for Pub - Principal Register (Initial exam)

2006-01-19 - Amendment From Applicant Entered

2005-12-22 - Communication received from applicant

2005-12-22 - PAPER RECEIVED

2005-11-21 - Priority Action E-Mailed

2005-11-21 - Priority Action Written

2005-11-19 - Assigned To Examiner

2005-05-02 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Donald N. Huff

Correspondent

DONALD N. HUFF

DYKEMA GOSSETT PLLC

1300 I ST NW STE 300

WASHINGTON, DC 20005-3314

Phone Number: 202 906 8638

Fax Number: 202 906 8669

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 1032

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 2007-01-17 15:02:27 ET

Serial Number: 78614057 Assignment Information

Registration Number: 3109059

Mark



(words only): V ONE DIGITAL COACHING SYSTEM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-06-27

Filing Date: 2005-04-21

Transformed into a National Application: No

Registration Date: 2006-06-27

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: 2006-06-27

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

1. Interactive Frontiers

Address:

Interactive Frontiers
Suite 111 38777 West Six Mile Road

Livonia, MI 48152

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Michigan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER SOFTWARE IN THE FIELD OF GOLF INSTRUCTION AND GOLF SWING ANALYSIS

Basis: 1(a)

First Use Date: 1997-12-24

First Use in Commerce Date: 1997-12-24

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL COACHING SYSTEM"

Description of Mark: The mark consists of a large "V" with a script "one" over the "V" and the words "Digital Coaching System" encircling the "V".

Design Search Code(s):

26.01.08 - Circles having letters or numerals as a border; Circles having punctuation as a border; Letters, numerals or punctuation forming or bordering the perimeter of a circle

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

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-27 - Registered - Principal Register

2006-04-04 - Published for opposition

2006-03-15 - Notice of publication

2006-02-16 - Law Office Publication Review Completed

2006-02-10 - Assigned To LIE

2006-01-31 - Approved for Pub - Principal Register (Initial exam)

2006-01-19 - Amendment From Applicant Entered

2005-12-22 - Communication received from applicant

2005-12-22 - PAPER RECEIVED

2005-11-21 - Priority Action E-Mailed

2005-11-21 - Priority Action Written

2005-11-19 - Assigned To Examiner

2005-05-02 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Donald N. Huff

Correspondent

DONALD N. HUFF

DYKEMA GOSSETT PLLC

1300 I ST NW STE 300

WASHINGTON, DC 20005-3314

Phone Number: 202 906 8638

Fax Number: 202 906 8669

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 1033

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 16:43:46 ET

Serial Number: 78543458 Assignment Information

Registration Number: 3108908

Mark

DIGICON

(words only): DIGICON

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-06-27

Filing Date: 2005-01-06

Transformed into a National Application: No

Registration Date: 2006-06-27

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: 2006-06-27

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

1. ARRIS International, Inc.

Address:

ARRIS International, Inc.
3871 Lakefield Drive
Suwanee, GA 30024
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 678-473-8697

Fax Number: 678-473-8095

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Coaxial cable end connectors for broadband networks

Basis: 1(a)

First Use Date: 1996-05-10

First Use in Commerce Date: 1996-05-10

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-27 - Registered - Principal Register

2006-04-04 - Published for opposition

2006-03-15 - Notice of publication

2006-02-15 - Law Office Publication Review Completed

2006-02-10 - Assigned To LIE

2006-02-04 - Approved for Pub - Principal Register (Initial exam)

2006-01-27 - Teas/Email Correspondence Entered

2006-01-18 - Communication received from applicant

2006-01-18 - TEAS Response to Office Action Received

2005-08-08 - Non-final action e-mailed

2005-08-08 - Non-Final Action Written

2005-08-06 - Assigned To Examiner

2005-01-18 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John L. Doughty

Correspondent

JOHN L. DOUGHTY

ARRIS INTERNATIONAL, INC.

3871 LAKEFIELD DRIVE

SUWANEE, GA 30024

Phone Number: 678-473-8697

Fax Number: 678-473-8095

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 16:43:58 ET

Serial Number: 78569457 Assignment Information

Registration Number: 3108300

Mark

Digital TDT

(words only): DIGITAL TDT

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-06-20

Filing Date: 2005-02-17

Transformed into a National Application: No

Registration Date: 2006-06-20

Register: Supplemental

Law Office Assigned: LAW OFFICE 109

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-06-20

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

1. Acclima, Inc.

Address:
Acclima, Inc.
2260 East Commercial Street
Meridian, ID 83642
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Idaho**Phone Number:** 208-887-1470**Fax Number:** 208-887-6368

GOODS AND/OR SERVICES

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

Digital Time Domain Transmissometry moisture sensor

Basis: 1(a)**First Use Date:** 2005-05-01**First Use in Commerce Date:** 2005-05-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-20 - Registered - Supplemental Register

2006-05-08 - Law Office Publication Review Completed

2006-05-03 - Assigned To LIE

2006-04-17 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2006-04-17 - Amendment to Use approved

2006-04-13 - Amendment to use processing complete

2006-03-27 - Amendment to Use filed

2006-04-13 - Teas/Email Correspondence Entered

2006-03-27 - Communication received from applicant

2006-03-27 - TEAS Amendment of Use Received

2006-03-08 - NON-FINAL ACTION E-MAILED

2006-03-08 - Non-Final Action Written

2006-02-17 - Teas/Email Correspondence Entered

2006-01-25 - Communication received from applicant

2006-02-15 - Legal Instrument Examiner (LIE) - Correction

2006-02-14 - Teas/Email Correspondence Entered

2006-01-25 - TEAS Response to Office Action Received

2005-09-19 - Non-final action e-mailed

2005-09-19 - Non-Final Action Written

2005-09-14 - Assigned To Examiner

2005-03-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

KEVIN J. HOLDERNESS
ACCLIMA, INC.
2260 E COMMERCIAL ST
MERIDIAN, ID 83642-5970
Phone Number: 208-887-1470
Fax Number: 208-887-6368

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 1035

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 16:44:11 ET

Serial Number: 78521779 Assignment Information

Registration Number: 3103248

Mark

DIGITAL FOCI

(words only): DIGITAL FOCI

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-06-13

Filing Date: 2004-11-23

Transformed into a National Application: No

Registration Date: 2006-06-13

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: 2006-06-13

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

1. Digital Foci, Inc.

Address:
Digital Foci, Inc.
3111 Via Mondo
Rancho Dominguez, CA 90221
United States
Legal Entity Type: Corporation

State or Country of Incorporation: California**Phone Number:** 310-763-9100**Fax Number:** 310-763-9001

GOODS AND/OR SERVICES

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

Devices to facilitate the playback, storage, duplication, deletion, transfer, receiving and editing of digital still images, video, and audio, namely portable external hard drives with built-in memory card reader with or without displays; removable solid state storage devices, namely, flash memory units; devices to interface with and process information from removable solid state storage devices, namely, memory card reader/writers; devices to facilitate playback of digital data through external display devices, namely, portable external hard disk drives with an internal video and audio microprocessor and video and audio output jacks; devices to facilitate playback of digital data through an onboard display device, namely, handheld multimedia players, handheld video players, digital photo frames; computer software to assist playback, storage, duplication, deletion, transfer, receiving and editing of digital data, namely, image management software; devices used to facilitate the connection and operation of multiple peripheral devices with a personal computer, namely, USB hubs; devices used to facilitate the transfer of data between peripheral devices and between peripheral devices and a personal computer, namely, data bridges; batteries consisting of dry cell and rechargeable like Ni-Cd, NiMH, Li-Ion; electric alternating current adapters for digital products; headphones; straps for digital devices, namely, mobile phones, cameras, portable external hard drives, and handheld multimedia players; and, cases for digital devices, namely, mobile phones, cameras, portable external hard drives, and handheld multimedia players

Basis: 1(a)**First Use Date:** 2004-03-05**First Use in Commerce Date:** 2004-10-30

ADDITIONAL INFORMATION

Disclaimer: DIGITAL

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-13 - Registered - Principal Register

2006-03-21 - Published for opposition

2006-03-01 - Notice of publication

2006-02-03 - Law Office Publication Review Completed

2006-02-03 - Assigned To LIE

2006-01-22 - Approved for Pub - Principal Register (Initial exam)

2005-12-16 - Teas/Email Correspondence Entered

Latest Status Info

- 2005-12-07 - Communication received from applicant
- 2005-12-07 - TEAS Response to Office Action Received
- 2005-12-01 - Final refusal e-mailed
- 2005-12-01 - Final Refusal Written
- 2005-10-28 - Amendment From Applicant Entered
- 2005-10-24 - Communication received from applicant
- 2005-10-24 - TEAS Response to Office Action Received
- 2005-07-06 - Non-final action e-mailed
- 2005-07-06 - Non-Final Action Written
- 2005-06-28 - Assigned To Examiner
- 2004-12-02 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

DIGITAL FOCI, INC.
3111 VIA MONDO
RANCHO DOMINGUEZ, CA 90221
Phone Number: 310-763-9100
Fax Number: 310-763-9001

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 1036

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 16:44:28 ET

Serial Number: 78657774 Assignment Information

Registration Number: 3100705

Mark

MITYDSP

(words only): MITYDSP

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-06-06

Filing Date: 2005-06-24

Transformed into a National Application: No

Registration Date: 2006-06-06

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: 2006-06-06

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

1. CL CONCEPTS, LLC

Address:

CL CONCEPTS, LLC
251 SALINA MEADOWS PARKWAY
SYRACUSE, NY 13212

United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: New York

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital signal processors

Basis: 1(a)

First Use Date: 2004-10-25

First Use in Commerce Date: 2004-11-30

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-06 - Registered - Principal Register

2006-03-14 - Published for opposition

2006-02-22 - Notice of publication

2006-01-27 - Law Office Publication Review Completed

2006-01-20 - Assigned To LIE

2006-01-18 - Approved for Pub - Principal Register (Initial exam)

2006-01-13 - Assigned To Examiner

2005-06-28 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

George R. McGuire

Correspondent

GEORGE R. MCGUIRE

BOND, SCHOENECK & KING, PLLC

1 LINCOLN CTR STE 1800

SYRACUSE, NY 13202-1355

Phone Number: 315-218-8515

Fax Number: 315-218-8100

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 1037

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 16:44:38 ET

Serial Number: 78521317 Assignment Information

Registration Number: 3102116

Mark

**EEYE DIGITAL
SECURITY**

(words only): EEYE DIGITAL SECURITY

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-06-06

Filing Date: 2004-11-22

Transformed into a National Application: No

Registration Date: 2006-06-06

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: 2006-04-24

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

1. eEye Inc.

Address:
eEye Inc.
Suite 100 One Columbia
Aliso Viejo, CA 92656
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: (949) 349-9018

Fax Number: (949) 349-9539

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for use in computer network security

Basis: 1(a)

First Use Date: 1997-07-10

First Use in Commerce Date: 1998-06-03

International Class: 042

Class Status: Active

Computer consultation services, namely, computer software design, computer consultation in the field of computer security, namely, development and analysis related to computer security; dissemination of information via a global computer network related to computer network security

Basis: 1(a)

First Use Date: 1997-07-10

First Use in Commerce Date: 1998-06-03

ADDITIONAL INFORMATION

Disclaimer: DIGITAL SECURITY

Prior Registration Number(s):

2484500

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-06 - Registered - Principal Register

2006-04-21 - Law Office Registration Review Completed

2006-04-18 - Assigned To LIE

2006-03-31 - Allowed for Registration - Principal Register (SOU accepted)

2006-03-17 - Statement of use processing complete

2006-02-24 - Amendment to Use filed

2006-02-24 - PAPER RECEIVED

2006-01-24 - Notice of allowance - mailed

Latest Status Info

- 2005-11-01 - Published for opposition
- 2005-10-12 - Notice of publication
- 2005-08-30 - Law Office Publication Review Completed
- 2005-08-26 - Assigned To LIE
- 2005-08-24 - Approved for Pub - Principal Register (Initial exam)
- 2005-08-03 - Amendment From Applicant Entered
- 2005-07-25 - Communication received from applicant
- 2005-07-25 - PAPER RECEIVED
- 2005-06-28 - Non-final action mailed
- 2005-06-28 - Non-Final Action Written
- 2005-06-27 - Assigned To Examiner
- 2004-12-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Eric L. Tanezaki

Correspondent

ERIC L. TANEZAKI
STETINA BRUNDA GARRED AND BRUCKER
75 ENTERPRISE STE 250
ALISO VIEJO, CA 92656-2681
Phone Number: (949) 855-1246
Fax Number: (949) 855-6371

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 1038

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 16:44:49 ET

Serial Number: 78517325 Assignment Information

Registration Number: 3099325

Mark

WD PASSPORT

(words only): WD PASSPORT

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-05-30

Filing Date: 2004-11-15

Transformed into a National Application: No

Registration Date: 2006-05-30

Register: Principal

Law Office Assigned: LAW OFFICE 104

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-04-19

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

1. Western Digital Technologies, Inc.

Address:

Western Digital Technologies, Inc.
20511 Lake Forest Drive
Lake Forest, CA 92630
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 and disk drives

Basis: 1(a)

First Use Date: 2004-12-14

First Use in Commerce Date: 2004-12-14

ADDITIONAL INFORMATION

Prior Registration Number(s): .

2255308

2304973

2332545

2521071

2530435

2530450

2856017

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-30 - Registered - Principal Register

2006-04-18 - Law Office Registration Review Completed

2006-04-14 - Assigned To LIE

2006-04-08 - Allowed for Registration - Principal Register (SOU accepted)

2006-03-23 - Statement of use processing complete

2006-03-03 - Amendment to Use filed

2006-03-03 - PAPER RECEIVED

2006-02-07 - Assigned To Examiner

2005-12-20 - Notice of allowance - mailed

2005-09-27 - Published for opposition

2005-09-07 - Notice of publication

2005-06-29 - Law Office Publication Review Completed

2005-06-24 - Assigned To LIE

2005-06-21 - Approved for Pub - Principal Register (Initial exam)

2005-06-21 - Amendment From Applicant Entered

2005-06-13 - Communication received from applicant

2005-06-13 - PAPER RECEIVED

2005-02-23 - Unresponsive/Duplicate Paper Received

2005-02-23 - PAPER RECEIVED

2004-12-10 - Examiner's Amendment And/Or Priority Action Mailed

2004-12-10 - Examiners Amendment And/Or Priority Action - Completed

2004-11-28 - Assigned To Examiner

2004-11-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Steven J. Nataupsky

Correspondent

Steven J. Nataupsky

Knobbe, Martens, Olson & Bear LLP

2040 Main Street, 14th Fl

Irvine, California 92614

Phone Number: (949) 760-0404

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 1039

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 16:45:00 ET

Serial Number: 78520983 Assignment Information

Registration Number: 3095129

Mark

TECHWIZ LCD

(words only): TECHWIZ LCD

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-05-23

Filing Date: 2004-11-22

Transformed into a National Application: No

Registration Date: 2006-05-23

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: 2006-05-23

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

1. SANAYI SYSTEM CO., Ltd.

Composed Of:

Sang Ho Yoon, a corporation of the Republic of Korea

Address:

SANAYI SYSTEM CO., Ltd.

Dohwa-dong, Nam-gu #1505 SWEN Daelim Building, 592-5

Incheon 402-711

Republic of Korea

Legal Entity Type: Limited Partnership

State or Country Where Organized: Republic of Korea

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software, namely, computer software and computer programs recorded on data media for use in the design of AMLCD panels

Basis: 1(a)

First Use Date: 2002-05-00

First Use in Commerce Date: 2002-05-00

ADDITIONAL INFORMATION

Disclaimer: "LCD"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-23 - Registered - Principal Register

2006-02-28 - Published for opposition

2006-02-08 - Notice of publication

2006-01-17 - Law Office Publication Review Completed

2006-01-06 - Assigned To LIE

2006-01-02 - Approved for Pub - Principal Register (Initial exam)

2006-01-02 - Amendment to Use approved

2005-12-30 - Amendment From Applicant Entered

2005-12-15 - Communication received from applicant

2005-12-30 - Amendment to use processing complete

2005-12-15 - Amendment to Use filed

2005-12-15 - PAPER RECEIVED

2005-06-29 - Non-final action mailed

2005-06-28 - Non-Final Action Written

2005-06-27 - Assigned To Examiner

2004-12-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

James W. Kayden

Correspondent

JAMES W. KAYDEN
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LL
SUITE 1750
100 GALLERIA PARKWAY, NW
ATLANTA, GA 30339-9548
Phone Number: 770-933-9500
Fax Number: 770-951-0933

Domestic Representative

James W. Kayden
Phone Number: 770-933-9500
Fax Number: 770-951-0933

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 1040

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 16:45:12 ET

Serial Number: 78697683 Assignment Information

Registration Number: 3094551

Mark

DIGITAL DOCKING SPEAKER

(words only): DIGITAL DOCKING SPEAKER

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-05-16

Filing Date: 2005-08-22

Transformed into a National Application: No

Registration Date: 2006-05-16

Register: Supplemental

Law Office Assigned: LAW OFFICE 107

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-05-16

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

I. Cyber Acoustics, LLC

Address:

Cyber Acoustics, LLC
11700 NE 60th Way, Suite D
Vancouver, WA 98682
United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Washington

Phone Number: (503) 227-5631

Fax Number: (503) 228-4373

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

SPEAKERS FOR USE WITH WIRELESS SOUND SYSTEMS

Basis: 1(a)

First Use Date: 2005-11-15

First Use in Commerce Date: 2005-11-15

ADDITIONAL INFORMATION

Disclaimer: "SPEAKER"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-16 - Registered - Supplemental Register

2006-04-03 - Law Office Publication Review Completed

2006-03-31 - Assigned To LIE

2006-03-30 - Examiner's amendment mailed

2006-03-29 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2006-03-29 - Examiner's Amendment Entered

2006-03-29 - Examiner's Amendment Entered

2006-03-29 - Examiners Amendment - Written

2006-03-29 - Amendment to Use approved

2006-03-29 - Amendment to use processing complete

2006-03-16 - Amendment to Use filed

2006-03-21 - PAPER RECEIVED

2006-03-16 - TEAS Amendment of Use Received

2006-03-09 - Non-final action mailed

2006-03-08 - Non-Final Action Written

2006-03-08 - Non-Final Action Written

2006-03-08 - Assigned To Examiner

2005-08-30 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Dennis E. Stenzel

Correspondent

DENNIS E. STENZEL

CHERNOFF, VILHAUER, MCCLUNG & STENZEL, L

601 SW 2ND AVE STE 1600

PORTLAND, OR 97204-3157

Phone Number: (503) 227-5631

Fax Number: (503) 228-4373

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 1041

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 16:45:24 ET

Serial Number: 78581275 Assignment Information

Registration Number: 3094423

Mark

STAR DDS ANALYZER

(words only): STAR DDS ANALYZER

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-05-16

Filing Date: 2005-03-07

Transformed into a National Application: No

Registration Date: 2006-05-16

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: 2006-04-03

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

1. Pentomics, Inc.

Address:

Pentomics, Inc.
422 S. San Marino Ave.
Pasadena, CA 91107
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: (626) 584-1594

Fax Number: (626) 584-1594

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for efficient, complete and exact analysis of direct digital frequency synthesizer (DDS) performance

Basis: 1(a)

First Use Date: 2005-08-31

First Use in Commerce Date: 2005-08-31

ADDITIONAL INFORMATION

Disclaimer: "DDS ANALYZER"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-16 - Registered - Principal Register

2006-03-30 - Law Office Registration Review Completed

2006-03-24 - Assigned To LIE

2006-03-22 - Allowed for Registration - Principal Register (SOU accepted)

2006-03-11 - Statement of use processing complete

2006-02-25 - Amendment to Use filed

2006-02-25 - TEAS Statement of Use Received

2006-02-21 - Notice of allowance - mailed

2005-11-29 - Published for opposition

2005-11-09 - Notice of publication

2005-10-12 - Law Office Publication Review Completed

2005-10-07 - Assigned To LIE

2005-10-05 - Approved for Pub - Principal Register (Initial exam)

2005-10-05 - Examiners amendment e-mailed

2005-10-05 - Examiners Amendment -Written

2005-09-27 - Assigned To Examiner

2005-09-27 - Assigned To Examiner

2005-03-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

PENTOMICS, INC.
422 S SAN MARINO AVE
PASADENA, CA 91107-5052
Phone Number: (626) 584-1594
Fax Number: (626) 584-1594

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 1042

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 16:45:41 ET

Serial Number: 78514178 Assignment Information

Registration Number: 3087299

Mark

**MONSTER DIGITAL
CAMERA**

(words only): MONSTER DIGITAL CAMERA

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-05-02

Filing Date: 2004-11-09

Transformed into a National Application: No

Registration Date: 2006-05-02

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-05-02

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

1. Monster Cable Products, Inc.

Address:
Monster Cable Products, Inc.
455 Valley Drive
Brisbane, CA 940051209
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Rechargeable and non-rechargeable power cells and power cell re-chargers; camera cases and camera canvas bags

Basis: 1(a)

First Use Date: 2001-06-27

First Use in Commerce Date: 2001-06-27

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL CAMERA"

Prior Registration Number(s):

2610730

2724015

2809051

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-02 - Registered - Principal Register

2006-02-07 - Published for opposition

2006-01-18 - Notice of publication

2005-12-27 - Law Office Publication Review Completed

2005-12-23 - Assigned To LIE

2005-12-20 - Approved for Pub - Principal Register (Initial exam)

2005-12-18 - Teas/Email Correspondence Entered

2005-12-06 - Communication received from applicant

2005-12-06 - TEAS Response to Office Action Received

2005-06-15 - Non-final action e-mailed

2005-06-15 - Non-Final Action Written

2005-06-14 - Assigned To Examiner

2004-11-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Matthew A. Powelson

Correspondent

MATTHEW A. POWELSON
LARIVIERE, GRUBMAN & PAYNE, LLP
PO BOX 3140
MONTEREY, CA 93942-3140
Phone Number: 831-649-8800
Fax Number: 831-649-8835

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 1043

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 16:45:57 ET

Serial Number: 78541564 Assignment Information

Registration Number: 3086709

Mark

DIGITAL INTERN

(words only): DIGITAL INTERN

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-04-25

Filing Date: 2005-01-04

Transformed into a National Application: No

Registration Date: 2006-04-25

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: 2006-03-14

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

1. Braxton, John H.

Address:

Braxton, John H.
11 Cole Field Road
Cape Elizabeth, ME 04107
United States

Legal Entity Type: Individual

Country of Citizenship: United States
Phone Number: 207-767-8104

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer Software for gathering and integrating hospital patient health care information into a hand-held device

Basis: 1(a)

First Use Date: 2005-10-05

First Use in Commerce Date: 2005-10-05

International Class: 041

Class Status: Active

Computer service, namely computer education training services in connection with computer software designed to integrate and manage hospital patient health care information

Basis: 1(a)

First Use Date: 2005-10-05

First Use in Commerce Date: 2005-10-05

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-25 - Registered - Principal Register

2006-03-09 - Law Office Registration Review Completed

2006-03-07 - Assigned To LIE

2006-02-14 - Allowed for Registration - Principal Register (SOU accepted)

2006-02-13 - Statement of use processing complete

2006-01-23 - Amendment to Use filed

2006-01-23 - TEAS Statement of Use Received

2005-12-27 - Notice of allowance - mailed

2005-10-04 - Published for opposition

2005-09-14 - Notice of publication

2005-08-19 - Law Office Publication Review Completed

- 2005-08-15 - Assigned To LIE
- 2005-08-05 - Approved for Pub - Principal Register (Initial exam)
- 2005-08-05 - Assigned To Examiner
- 2005-04-18 - Amendment From Applicant Entered
- 2005-03-21 - Communication received from applicant
- 2005-03-21 - TEAS Preliminary Amendment Received
- 2005-01-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jennifer S. Riggle, Esq.

Correspondent

JENNIFER S. RIGGLE, ESQ.
GERMANI & RIGGLE, LLC
93 EXCHANGE ST
PORTLAND, ME 04101-5001
Phone Number: 207-773-7455
Fax Number: 207-773-7476

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 1044

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 16:46:11 ET

Serial Number: 78509315 Assignment Information

Registration Number: 3086854

Mark

DIGITAL AUTO
LIBRARY

(words only): DIGITAL AUTO LIBRARY

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-04-25

Filing Date: 2004-11-01

Transformed into a National Application: No

Registration Date: 2006-04-25

Register: Supplemental

Law Office Assigned: LAW OFFICE 109

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-04-25

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

1. CADlink Technology Corporation

Address:
CADlink Technology Corporation
Suite 100 2440 Don Reid Drive
Ottawa, Ontario K1H 8P5
Canada
Legal Entity Type: Corporation

State or Country of Incorporation: Canada

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for generating vehicle graphic templates for producing graphical representations of vehicles for use in the sign making industry

Basis: 1(a)

First Use Date: 1993-04-01

First Use in Commerce Date: 1993-04-01

International Class: 042

Class Status: Active

Computer graphic services, namely, creating customized vehicle graphic templates and graphical representations of vehicles for use in the sign making industry; and design of computer software for others that allows for the generating of vehicle templates and graphical representations of vehicles for use in the sign making industry

Basis: 1(a)

First Use Date: 1993-04-01

First Use in Commerce Date: 1993-04-01

ADDITIONAL INFORMATION

Disclaimer: "LIBRARY"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-25 - Registered - Supplemental Register

2006-03-10 - Law Office Publication Review Completed

2006-03-09 - Assigned To LIE

2006-02-28 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2006-02-28 - Amendment From Applicant Entered

2006-02-13 - Communication received from applicant

2006-02-13 - PAPER RECEIVED

2006-01-09 - NON-FINAL ACTION E-MAILED

2006-01-09 - Non-Final Action Written

2005-12-21 - Amendment From Applicant Entered

2005-12-09 - Communication received from applicant

2005-12-09 - PAPER RECEIVED .

2005-06-06 - Non-final action e-mailed

2005-06-06 - Non-Final Action Written

2005-06-06 - Assigned To Examiner

2004-11-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lawrence J. Crain

Correspondent

LAWRENCE J. CRAIN
GREER, BURNS & CRAIN, LTD.
300 S WACKER DR STE 300
CHICAGO, IL 60606-6757
Phone Number: 312.360.0080
Fax Number: 312.360.9315

Domestic Representative

Lawrence J. Crain
Phone Number: 312.360.0080
Fax Number: 312.360.9315

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 1045

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 16:46:59 ET

Serial Number: 78588585 Assignment Information

Registration Number: 3079242

Mark

DIGI-TRAM

(words only): DIGI-TRAM

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-04-11

Filing Date: 2005-03-16

Transformed into a National Application: No

Registration Date: 2006-04-11

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: 650 -Publication And Issue Section

Date In Location: 2006-04-11

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

1. Delaware Capital Formation, Inc.

Address:
Delaware Capital Formation, Inc.
102 1403 Foulk Road
Wilmington, DE 198032755
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Mechanical and computerized measuring device namely, an electronic memory bank and computer software for identifying and analyzing structural damage to vehicles

Basis: 1(a)

First Use Date: 2003-12-05

First Use in Commerce Date: 2003-12-05

ADDITIONAL INFORMATION

Prior Registration Number(s):

3001289

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-11 - Registered - Principal Register

2006-01-17 - Published for opposition

2005-12-28 - Notice of publication

2005-11-23 - Law Office Publication Review Completed

2005-11-18 - Assigned To LIE

2005-11-10 - Approved for Pub - Principal Register (Initial exam)

2005-11-07 - Teas/Email Correspondence Entered

2005-10-18 - Communication received from applicant

2005-10-18 - TEAS Response to Office Action Received

2005-10-05 - Non-final action e-mailed

2005-10-05 - Non-Final Action Written

2005-10-05 - Assigned To Examiner

2005-03-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Kathy J. Kirschbaum

Correspondent

KATHY J. KIRSCHBAUM

KOLEY JESSEN P.C.

SUITE 800

ONE PACIFIC PLACE 1125 S 103RD STREET

OMAHA, NE 68124

Phone Number: 402 390-9500

Fax Number: 402 390-9005

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 1046

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 16:47:16 ET

Serial Number: 78570141 Assignment Information

Registration Number: 3076237

Mark

SECURING YOUR DIGITAL LIFE

(words only): SECURING YOUR DIGITAL LIFE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-04-04

Filing Date: 2005-02-17

Transformed into a National Application: No

Registration Date: 2006-04-04

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: 650 -Publication And Issue Section

Date In Location: 2006-04-04

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

1. Entrust, Inc.

Address:

Entrust, Inc.
One Hanover Park 16633 Dallas Parkway Suite 800
Addison, TX 75001
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Maryland

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer programs for providing security functions for and across various operating environments, platforms, networks and network protocols; computer programs for providing access control functions for and across various operating environments, platforms, networks and network protocols; computer programs for providing integrity functions for and across various operating environments, platforms, networks, and network protocols; computer programs for providing digital signature and electronic authentication and verification functions for and across various operating environments, platforms, networks and network protocols; computer programs for providing identification functions across various operating environments, platforms and networks and network protocols; computer programs for providing security functions for electronic transactions and media content across operating environments, multiple platforms and networks; computer programs for providing security functions for electronic transactions and media content across wireless and satellite networks; computer programs for providing policy enforcement functions across various operating environments, platforms and networks and network protocols; computer programs for providing email security and email and content scanning functions across various operating environments, platforms and networks; computer programs used in connection with printed materials, namely cards and security grids, for two-factor authentication across various operating environments, platforms and networks and network protocols

Basis: 1(a)

First Use Date: 2005-02-13

First Use in Commerce Date: 2005-02-13

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-04 - Registered - Principal Register

2006-01-10 - Published for opposition

2005-12-21 - Notice of publication

2005-11-28 - Law Office Publication Review Completed

2005-11-25 - Assigned To LIE

2005-11-23 - Approved for Pub - Principal Register (Initial exam)

2005-11-22 - Teas/Email Correspondence Entered

2005-11-16 - Communication received from applicant

2005-11-16 - TEAS Response to Office Action Received

2005-09-20 - Non-final action e-mailed

2005-09-20 - Non-Final Action Written

2005-09-13 - Assigned To Examiner

2005-03-02 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John C. McElwaine

Correspondent

JOHN C. MCELWAIN
NELSON MULLINS RILEY & SCARBOROUGH, LLP
151 MEETING ST STE 600
CHARLESTON, SC 29401-2233
Phone Number: 843-720-4302
Fax Number: 843-720-4324

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 1047

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 16:47:31 ET

Serial Number: 78557590 Assignment Information

Registration Number: 3054593

Mark



(words only): DIGITA

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-01-31

Filing Date: 2005-02-01

Transformed into a National Application: No

Registration Date: 2006-01-31

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: 2006-01-31

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

1. Powerline Communications, Inc.

Address:

Powerline Communications, Inc.
6 Green Tree Drive
South Burlington, VT 05403
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: (802) 658-6445

Fax Number: (802) 658-6934

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

control stations and switches for lighting control panels

Basis: 1(a)

First Use Date: 2005-01-17

First Use in Commerce Date: 2005-01-17

Used Anywhere in Another Form: The mark was first used anywhere in a different form other than that sought to be registered on 08/05/2004.

Used in Commerce in Another Form: The mark was first used in commerce in a different form other than that sought to be registered on 08/05/2004.

ADDITIONAL INFORMATION

Design Search Code(s):

01.01.07 - Comets; Stars with tails or comets

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-31 - Registered - Principal Register

2005-11-08 - Published for opposition

2005-10-19 - Notice of publication

2005-09-09 - Law Office Publication Review Completed

2005-09-02 - Assigned To LIE

2005-09-01 - Approved for Pub - Principal Register (Initial exam)

2005-08-30 - Assigned To Examiner

2005-02-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gail Haefner

Correspondent

GAIL HAEFNER

PAUL FRANK + COLLINS P.C.

1 CHURCH ST

BURLINGTON, VT 05401-4451

Phone Number: (802) 658-2311

Fax Number: (802) 658-0042

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 1048

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 16:47:43 ET

Serial Number: 78534798 Assignment Information

Registration Number: 3061365

Mark

PACKETDIGITAL

(words only): PACKETDIGITAL

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-02-21

Filing Date: 2004-12-17

Transformed into a National Application: No

Registration Date: 2006-02-21

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: 2006-02-21

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

1. Packet Digital LLC

Address:

Packet Digital LLC
Suite 130 1112 Nodak Drive
Fargo, ND 58103
United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: North Dakota

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Semiconductor chips, semiconductor chip sets comprised primarily of semiconductor chips, circuit board assemblies and integrated circuits

Basis: 1(a)

First Use Date: 2004-08-31

First Use in Commerce Date: 2004-08-31

International Class: 042

Class Status: Active

Engineering and design services in the fields of semiconductor chip packaging and electronics systems design

Basis: 1(a)

First Use Date: 2004-08-31

First Use in Commerce Date: 2004-08-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-02-21 - Registered - Supplemental Register

2006-01-10 - Law Office Publication Review Completed

2006-01-06 - Assigned To LIE

2006-01-03 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2005-12-29 - Amendment to Use approved

2005-12-22 - Teas/Email Correspondence Entered

2005-12-12 - Communication received from applicant

2005-12-21 - Amendment to use processing complete

2005-12-12 - Amendment to Use filed

2005-12-12 - TEAS Amendment of Use Received

2005-12-12 - TEAS Response to Office Action Received

2005-07-27 - Non-final action e-mailed

2005-07-27 - Non-Final Action Written

2005-07-22 - Assigned To Examiner

2004-12-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Paul Mussell

Correspondent

PAUL MUSSELL

DORSEY & WHITNEY LLP

SUITE 1500

50 SOUTH SIXTH STREET

MINNEAPOLIS, MN 55402-1498

Phone Number: 612-492-6853

Fax Number: 612-340-8856

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 1049

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 16:48:56 ET

Serial Number: 78520677 Assignment Information

Registration Number: 3035629

Mark



(words only): DIGITRAVELOG

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-12-27

Filing Date: 2004-11-21

Transformed into a National Application: No

Registration Date: 2005-12-27

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: 2005-12-27

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

1. Gorham, Victoria Ann

Address:

Gorham, Victoria Ann
545 San Clemente Way
Camarillo, CA 93010
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: 805-509-3291

Fax Number: 805-384-0070

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Compact disk presenting the customer supplied photos of a trip, such as a cruise

Basis: 1(a)

First Use Date: 2003-10-15

First Use in Commerce Date: 2003-12-15

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) blue, black, white, and gray are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The lettering is in blue, the background of the outer circle is blue and the smaller inner circle is gray while the center is white. The outer circle and inner circle are outlined in black.

Description of Mark: The mark consists of the name DigiTravelog with the letters arranged in a circle. The name is within an outer circle and there are two smaller circles inside the lettering.

Design Search Code(s):

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

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

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-12-27 - Registered - Principal Register

2005-10-04 - Published for opposition

2005-09-14 - Notice of publication

2005-08-24 - Law Office Publication Review Completed

2005-08-12 - Assigned To LIE

2005-08-06 - Approved for Pub - Principal Register (Initial exam)

2005-08-05 - EXAMINERS AMENDMENT E-MAILED

2005-08-05 - Examiners Amendment - Written

2005-07-19 - Teas/Email Correspondence Entered

Latest Status Info

- 2005-07-11 - Communication received from applicant
- 2005-07-11 - TEAS Response to Office Action Received
- 2005-06-28 - Non-final action e-mailed
- 2005-06-28 - Non-Final Action Written
- 2005-06-26 - Assigned To Examiner
- 2004-11-30 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

GORHAM, VICTORIA ANN
545 SAN CLEMENTE WAY
CAMARILLO, CA 93010
Phone Number: 805-509-3291
Fax Number: 805-384-0070

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 1050

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 16:49:10 ET

Serial Number: 78513758 Assignment Information

Registration Number: 3041046

Mark

DM100

(words only): DM100

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-10

Filing Date: 2004-11-09

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-01-10

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

1. Pitney Bowes Inc.

Address:

Pitney Bowes Inc.
World Headquarters One Elmcroft Road
Stamford, CT 069260700
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 203-924-3844

Fax Number: 203-924-3919

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

digital postage meter featuring postage metering, sorting, feeding and weighing

Basis: 1(a)

First Use Date: 2004-02-28

First Use in Commerce Date: 2004-02-28

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-10 - Registered - Principal Register

2005-10-18 - Published for opposition

2005-09-28 - Notice of publication

2005-07-07 - Law Office Publication Review Completed

2005-06-17 - Assigned To LIE

2005-06-16 - Approved for Pub - Principal Register (Initial exam)

2005-06-14 - Assigned To Examiner

2004-11-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jessica L. Elliott

Correspondent

JESSICA L. ELLIOTT

PITNEY BOWES INC.

26-22

35 WATERVIEW DRIVE

SHELTON, CT 06484-8000

Phone Number: 203-924-3579

Fax Number: 203-924-3919

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 1051

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 16:49:26 ET

Serial Number: 78426881 Assignment Information

Registration Number: 3037693

Mark

DIGITONES

(words only): DIGITONES

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-03

Filing Date: 2004-05-28

Transformed into a National Application: No

Registration Date: 2006-01-03

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: 2006-01-03

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

1. VIACOM INTERNATIONAL INC.

Address:

VIACOM INTERNATIONAL INC.

1515 BROADWAY

NEW YORK, NY 10036

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Downloadable ring tones, graphics and music via a global computer network and wireless devices

Basis: 1(a)

First Use Date: 2004-04-20

First Use in Commerce Date: 2004-04-20

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2007-01-10 - Automatic Update Of Assignment Of Ownership

2006-01-03 - Registered - Principal Register

2005-12-20 - Assigned To Examiner

2005-10-11 - Published for opposition

2005-09-21 - Notice of publication

2005-08-24 - Law Office Publication Review Completed

2005-08-19 - Assigned To LIE

2005-08-16 - Approved for Pub - Principal Register (Initial exam)

2005-07-12 - Teas/Email Correspondence Entered

2005-07-01 - Communication received from applicant

2005-07-01 - TEAS Response to Office Action Received

2005-01-04 - Non-final action mailed

2005-01-04 - Non-Final Action Written

2005-01-03 - Assigned To Examiner

2004-06-03 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Joseph Molko

Correspondent

Joseph Molko

Viacom International Inc.

c/o Anthony Ortiz 1515 Broadway 51st Flo

New York, NY 10036

Phone Number: 212-258-6075

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 1052

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 16:49:47 ET

Serial Number: 78236906 Assignment Information

Registration Number: 3197215

Mark (words only): USADSI

Standard Character claim: No

Current Status: Registered.

Date of Status: 2007-01-09

Filing Date: 2003-04-11

Transformed into a National Application: No

Registration Date: 2007-01-09

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-12-04

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

1. USA Digital Solutions, Inc.

Address:

USA Digital Solutions, Inc.
310 South Williams Boulevard Suite 350
Tucson, AZ 85711
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Arizona

Phone Number: 303-830-2400

Fax Number: 303-830-1033

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software used for generating standard and custom documents related to the financing, purchase and sale of real property, namely, title commitments, documents shown on title commitments, settlement documents and loan

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=3197215&action=Request+Status>

1/16/2007

Latest Status Info

documents, said software being sold solely through the trademark owner's business to title insurance companies, escrow companies, lenders and real estate related operations

Basis: 1(a)

First Use Date: 2003-05-01

First Use in Commerce Date: 2003-05-01

International Class: 042

Class Status: Active

Providing via the Internet temporary use of non-downloadable computer software used for generating standard and custom documents related to financing, purchase and sale of real property, namely, title commitments, documents shown on title commitments, settlement documents and loan documents, said software being made available solely through the trademark owner's business to title insurance companies, escrow companies, lenders and real estate related operations; consulting services relating to the use of said software, and computer software programming for others in the field of real estate transactions

Basis: 1(a)

First Use Date: 2003-05-01

First Use in Commerce Date: 2003-05-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2007-01-09 - Registered - Principal Register

2006-11-30 - Law Office Registration Review Completed

2006-11-30 - Assigned To LIE

2006-11-13 - Allowed for Registration - Principal Register (SOU accepted)

2006-11-11 - Statement of use processing complete

2006-10-05 - Amendment to Use filed

2006-10-05 - TEAS Statement of Use Received

2006-04-11 - Notice of allowance - mailed

2006-01-17 - Published for opposition

2005-12-28 - Notice of publication

2005-11-30 - Law Office Publication Review Completed

2005-11-30 - Examiner's Amendment Entered

Latest Status Info

2005-11-08 - Examiner's amendment mailed
2005-11-08 - Approved for Pub - Principal Register (Initial exam)
2005-11-08 - Examiners Amendment - Written
2005-10-18 - Teas/Email Correspondence Entered
2005-09-16 - Communication received from applicant
2005-10-18 - Assigned To LIE
2005-09-16 - TEAS Response to Office Action Received
2005-09-16 - Petition To Revive-Granted
2005-09-16 - TEAS Petition To Revive Received
2005-07-20 - Abandonment Notice Mailed - Failure To Respond
2005-07-20 - Abandonment - Failure To Respond Or Late Response
2004-12-22 - Final refusal mailed
2004-12-21 - Final Refusal Written
2004-12-02 - Amendment From Applicant Entered
2004-11-19 - Communication received from applicant
2004-12-02 - Assigned To LIE
2004-11-19 - PAPER RECEIVED
2004-05-20 - Non-final action mailed
2004-03-23 - Communication received from applicant
2004-03-23 - TEAS Response to Office Action Received
2003-09-23 - Non-final action mailed
2003-09-17 - Assigned To Examiner
2003-06-04 - PAPER RECEIVED

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record
JOHN A LEONARD

Correspondent
JOHN A LEONARD
FAIRFIELD AND WOODS PC

1700 LINCOLN ST STE 2400

DENVER CO 80203

Phone Number: 303-830-2400

Fax Number: 303-830-1033

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 17:02:06 ET

Serial Number: 78435942 Assignment Information

Registration Number: 3116030

Mark



(words only): DIGIKIDS

Standard Character claim: No.

Current Status: Registered.

Date of Status: 2006-07-18

Filing Date: 2004-06-16

Transformed into a National Application: No.

Registration Date: 2006-07-18

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: 2006-07-18

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

1. DIGIKIDS, INC.

Address:

DIGIKIDS, INC.
9463 HWY, 377 SOUTH #111
FORT WORTH, TX 76126
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Texas

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for creation of media containing identification information used to aid in the recovery of missing persons and pets; computer communications software for transmission of identification information used to aid in the recovery of missing persons and pets; computer media, namely, CD-ROM Disks, USB Flash Drives and Floppy Disks, used to aid recovery of missing persons and pets

Basis: 1(a)

First Use Date: 2004-01-02

First Use in Commerce Date: 2004-01-02

Used Anywhere in Another Form: The mark was first used anywhere in a different form other than that sought to be registered on 01/07/2003.

Used in Commerce in Another Form: The mark was first used in commerce in a different form other than that sought to be registered on 01/07/2003.

International Class: 020

Class Status: Active

Plastic and paper identification cards for collection, storage and display of identification information used to aid in the recovery of missing persons and pets

Basis: 1(a)

First Use Date: 2004-01-02

First Use in Commerce Date: 2004-01-02

Used Anywhere in Another Form: The mark was first used anywhere in a different form other than that sought to be registered on 01/07/2003.

Used in Commerce in Another Form: The mark was first used in commerce in a different form other than that sought to be registered on 01/07/2003.

International Class: 045

Class Status: Active

Identification verification services, namely, providing authentication of personal identification information via secure storage and transmitting such information via the Internet; providing pet identification tags; security printing, namely, encoding identification information on valuable documents and products; Collection of identification information, namely photographs, age, date of birth, weight, height, color hair, color eyes, sex, eyeglass/contacts, and special marks/scars/identifiers used to aid in the recovery of missing persons and pets; creation of media containing identification information used to aid in the recovery of missing persons and pets

Basis: 1(a)

First Use Date: 2004-01-02

First Use in Commerce Date: 2004-01-02

Used Anywhere in Another Form: The mark was first used anywhere in a different form other than that sought to be registered on 01/07/2003.

Used in Commerce in Another Form: The mark was first used in commerce in a different form other than that sought to be registered on 01/07/2003.

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) gray is/are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The mark consists of the word DIGIKIDS in stylized letters, with stippling to the left of the first letter "D", the last letter "I" replaced by a child with outstretched arms, and the child's gray shadow cast below the child.

Lining and Stippling: The stippling is a feature of the mark.

Design Search Code(s):

02.05.02 - Children depicted in silhouettes or profiles of children; Silhouettes of children

02.05.24 - Stylized children, including children depicted in caricature form

26.01.15 - Circles, exactly three circles; Three circles

26.01.21 - Circles that are totally or partially shaded.

26.01.31 - Circles - five or more; Five or more circles

26.11.09 - Rectangles made of geometric figures, objects, humans, plants or animals

27.03.02 - Humans forming letters or numerals; Humans forming punctuation

Prior Registration Number(s):

2797737

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-16 - Automatic Update Of Assignment Of Ownership

2006-07-18 - Registered - Principal Register

2006-04-25 - Published for opposition

2006-04-05 - Notice of publication

2005-09-21 - Law Office Publication Review Completed

2005-09-20 - Assigned To LIE

2005-09-08 - Approved for Pub - Principal Register (Initial exam)

2005-08-02 - Amendment From Applicant Entered

2005-06-22 - Communication received from applicant

2005-06-22 - TEAS Response to Office Action Received

2005-06-22 - TEAS Change Of Correspondence Received

2005-03-15 - NON-FINAL ACTION E-MAILED

2005-01-07 - Non-Final Action Written

2005-01-07 - Non-final action e-mailed

2005-01-07 - Non-Final Action Written

2005-01-06 - Assigned To Examiner

2004-12-09 - PAPER RECEIVED

2004-06-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Michael Childs

Correspondent

Michael J. Childs

Franchise One, Inc.

9463 Hwy 377 South #111

Fort Worth TX 76126

Phone Number: 8172492126

Fax Number: 8178862598

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.)
)
DIGIPOS SYSTEMS INC.)
Applicant)

EXHIBIT 1054

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 17:02:21 ET

Serial Number: 78412960 Assignment Information

Registration Number: 3097377

Mark



(words only): DIANE DIGITAL ANALYSIS ENVIRONMENT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-05-30

Filing Date: 2004-05-04

Transformed into a National Application: No

Registration Date: 2006-05-30

Register: Principal

Law Office Assigned: LAW OFFICE 116

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-05-30

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

1. THE ARLINGTON INSTITUTE

Address:
THE ARLINGTON INSTITUTE
1501 LEE HIGHWAY SUITE 204
ARLINGTON, VA 22209
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Virginia

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for information collection, storage, extraction, analysis and display of data and images for the purpose of tracking global trends and ideas from various sources for use in knowledge accretion and management

Basis: 1(a)

First Use Date: 2004-02-01

First Use in Commerce Date: 2004-02-01

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) Blue, red, orange, and gold is/are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The mark consists of The word "DIANE" in capital letters, the words "Digital Analysis Engine" in upper and lower case letters and a graphic element consisting of 16 ovals in blue, red, orange and gold.

Disclaimer: "Digital Analysis Environment"

Design Search Code(s):

26.01.15 - Circles, exactly three circles; Three circles

26.01.21 - Circles that are totally or partially shaded.

26.01.31 - Circles - five or more; Five or more circles

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-21 - Automatic Update Of Assignment Of Ownership

2006-05-30 - Registered - Principal Register

2006-04-19 - Extension Of Time To Oppose Process - Terminated

2005-10-19 - Extension Of Time To Oppose Received

2005-09-20 - Published for opposition

2005-08-31 - Notice of publication

2005-06-07 - Law Office Publication Review Completed

2005-06-03 - Assigned To LIE

2005-06-01 - Approved for Pub - Principal Register (Initial exam)

2005-05-25 - Amendment From Applicant Entered

2005-05-18 - Communication received from applicant

2005-05-18 - PAPER RECEIVED

2004-12-08 - Non-final action e-mailed

2004-12-08 - Non-Final Action Written

2004-12-02 - Assigned To Examiner

2004-05-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Symphonia Systems, Inc.
1501 Lee Highway, Suite 204
Arlington, VA 22209
Phone Number: 703-812-7900
Fax Number: 703-812-0900

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 17:07:37 ET

Serial Number: 78467399 Assignment Information

Registration Number: 3190972

Mark

DIGILOG

(words only): DIGILOG

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2007-01-02

Filing Date: 2004-08-13

Transformed into a National Application: No

Registration Date: 2007-01-02

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: 2007-01-02

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

1. Digilog UK Limited

Address:

Digilog UK Limited
St. Mary's Court Amersham
Buckinghamshire HP7 0UT
United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Software for assessment of integrity of applications and claims in the insurance and financial services sectors as well as other sectors; software for assessment of integrity in conversation-based transactions, negotiations, discussions and investigations

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 035

Class Status: Active

Business services, namely analyzing the integrity of applications and claims in the insurance, financial services, and recruitment sectors, as well as other sectors, including analyzing the integrity of benefit claims and workers compensation claims; analyzing the integrity of conversation-based transactions, negotiations, discussions and investigations in the insurance, financial and recruitment industries

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 3909124

Foreign Registration Number: 003909124

Foreign Registration Date: 2005-11-07

Country: Erpn Cmnty TM Ofc

Foreign Filing Date: 2004-06-30

Foreign Expiration Date: 2014-06-30

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2007-01-02 - Registered - Principal Register

2006-10-17 - Published for opposition

2006-09-27 - Notice of publication

2006-09-01 - Examiner's amendment mailed

2006-08-31 - Law Office Publication Review Completed

2006-08-31 - Approved for Pub - Principal Register (Initial exam)

2006-08-31 - Examiner's Amendment Entered

2006-08-31 - Examiners Amendment -Written
2006-08-31 - Previous allowance count withdrawn
2006-08-29 - Assigned To LIE
2006-08-23 - Approved for Pub - Principal Register (Initial exam)
2006-08-18 - Teas/Email Correspondence Entered
2006-08-10 - Communication received from applicant
2006-08-10 - TEAS Response to Office Action Received
2006-05-01 - Report Completed Suspension Check Case Still Suspended
2005-10-24 - Correspondence Mailed
2005-10-24 - Suspension Letter Written
2005-09-30 - Teas/Email Correspondence Entered
2005-09-20 - Communication received from applicant
2005-09-21 - TEAS Change Of Owner Address Received
2005-09-20 - TEAS Response to Office Action Received
2005-03-21 - Non-final action mailed
2005-03-18 - Non-Final Action Written
2005-03-17 - Assigned To Examiner
2004-08-23 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Sarah Otte Graber

Correspondent

SARAH OTTE GRABER
WOOD, HERRON & EVANS
441 VINE ST
2700 CAREW TOWER
CINCINNATI OH 45202-2806
Phone Number: 513-241-2324
Fax Number: 513-241-6234

Domestic Representative

Sarah Otte Graber
Phone Number: 513-241-2324

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 1056

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 17:07:49 ET

Serial Number: 78393613 Assignment Information

Registration Number: 3190909

Mark

Monograms+
digitizing software

(words only): MONOGRAMS+ DIGITIZING SOFTWARE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2007-01-02

Filing Date: 2004-03-30

Transformed into a National Application: No

Registration Date: 2007-01-02

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: 2007-01-02

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

1. Notcina Corporation

Address:

Notcina Corporation
951 Harmsted Court
St. Charles, MO 63301
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Missouri

Phone Number: 636-724-5800

Fax Number: 636-724-6448

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for automatically digitizing and converting monogram patterns to stitches, for use in home and industrial type embroidery machines

Basis: 1(a)

First Use Date: 2004-01-15

First Use in Commerce Date: 2004-03-01

ADDITIONAL INFORMATION

Disclaimer: "MONOGRAMS" and "DIGITIZING SOFTWARE"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2007-01-02 - Registered - Principal Register

2006-10-17 - Published for opposition

2006-09-27 - Notice of publication

2006-08-29 - Law Office Publication Review Completed

2006-08-22 - Approved for Pub - Principal Register (Initial exam)

2006-08-02 - Amendment From Applicant Entered

2006-07-17 - Communication received from applicant

2006-07-17 - PAPER RECEIVED

2006-01-19 - NON-FINAL ACTION E-MAILED

2006-01-19 - Non-Final Action Written

2006-01-04 - Amendment From Applicant Entered

2005-12-29 - Communication received from applicant

2005-12-30 - Assigned To LIE

2005-12-28 - TEAS Response to Office Action Received

- 2005-12-28 - Petition To Revive-Granted
- 2005-12-28 - TEAS Petition To Revive Received
- 2005-12-27 - Abandonment Notice Mailed - Failure To Respond
- 2005-12-24 - Abandonment - Failure To Respond Or Late Response
- 2005-05-18 - NON-FINAL ACTION E-MAILED
- 2005-05-18 - Non-Final Action Written
- 2005-05-13 - Assigned To Examiner
- 2005-04-28 - Amendment From Applicant Entered
- 2005-04-07 - Communication received from applicant
- 2005-04-28 - Assigned To LIE
- 2005-04-07 - PAPER RECEIVED
- 2004-10-25 - Non-final action e-mailed
- 2004-10-25 - Non-Final Action Written
- 2004-10-17 - Assigned To Examiner
- 2004-04-08 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Notcina Corporation
951 Harmsted Court
St. Charles, MO 63301
Phone Number: 636-724-5800
Fax Number: 636-724-6448

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 1057

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 17:07:59 ET

Serial Number: 78446985 Assignment Information

Registration Number: 3188674

Mark

DIGITREK

(words only): DIGITREK

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-12-26

Filing Date: 2004-07-07

Transformed into a National Application: No

Registration Date: 2006-12-26

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: 2006-12-26

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

1. Style Asia Inc.

Address:

Style Asia Inc.
101 Moonachie Ave
Moonachie, NJ 07074
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New Jersey

Phone Number: 201-460-9611

Fax Number: 201-460-8152

GOODS AND/OR SERVICES**International Class:** 009**Class Status:** Active

Compact Disks Cases

Basis: 1(a)**First Use Date:** 2004-07-01**First Use in Commerce Date:** 2004-07-01**ADDITIONAL INFORMATION**

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-12-26 - Registered - Principal Register

2006-11-07 - Opposition terminated for Proceeding

2006-11-07 - Opposition dismissed for Proceeding

2006-02-27 - Opposition instituted for Proceeding

2006-02-27 - Opposition papers filed

2006-02-14 - Published for opposition

2006-01-25 - Notice of publication

2006-01-03 - Law Office Publication Review Completed

2005-12-16 - Assigned To LIE

2005-12-10 - Approved for Pub - Principal Register (Initial exam)

2005-12-01 - Teas/Email Correspondence Entered

2005-11-22 - Communication received from applicant

2005-11-22 - TEAS Response to Office Action Received

2005-09-19 - Final refusal e-mailed

2005-09-19 - Final Refusal Written

2005-08-29 - Amendment From Applicant Entered

2005-08-11 - Communication received from applicant

2005-08-11 - TEAS Response to Office Action Received
2005-04-16 - NON-FINAL ACTION E-MAILED
2005-04-16 - Non-Final Action Written
2005-03-02 - Amendment From Applicant Entered
2005-02-17 - Communication received from applicant
2005-02-17 - TEAS Response to Office Action Received
2005-02-12 - Non-final action e-mailed
2005-02-12 - Non-Final Action Written
2005-02-09 - Assigned To Examiner
2004-07-13 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

STYLE ASIA INC.
101 MOONACHIE AVE.
MOONACHIE, NJ 07074-1820
Phone Number: 201-460-9611
Fax Number: 201-460-8152

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 1058

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 17:08:15 ET

Serial Number: 78496826 Assignment Information

Registration Number: 3182546

Mark



(words only): SHUPRA DIGITAL PHOTOGRAPHY SOLUTIONS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-12-12

Filing Date: 2004-10-08

Transformed into a National Application: No

Registration Date: 2006-12-12

Register: Principal

Law Office Assigned: LAW OFFICE 107

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-12-12

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

1. Shupra Inc.

Address:

Shupra Inc.
2742 Gateshead Drive
Naperville, IL 60564
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Illinois

Phone Number: 630-566-9045

Fax Number: 847-965-7744

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

computer software that enables the online storage of digital images in a database, graphical manipulation and editing of those images, and printing of those digital images, Computer e-commerce software to allow users to perform electronic business transactions via a global computer network; Photographic cameras, Digital cameras, Camera cases, Camera closures, Camera containing a linear image sensor, Camera filters, Camera flashes, Camera hoods, Camera tripods, Cameras, Cameras for self-developing film, Cameras shutters, Cases for photographic apparatus, Cinematographic cameras, Cinematographic machines and apparatus, Cinematographic projectors, Computer cameras, Disposable cameras, Exposed camera film, Exposed cinematographic film, Exposed slide films, Film portrait cameras, Flash lamps for cameras, Film cameras, Motion picture cameras, Motion-picture cameras for self-developing film, Photographic cameras, Photographic flash units, Photographic flashbulbs, Photographic projectors, Photographic viewfinders, Photographic slide transparencies, Photography darkroom lamps, Photometers, Phototelegraphy apparatus, Shutter releases, Tripods, 35mm cameras

Basis: 1(a)

First Use Date: 2004-01-19

First Use in Commerce Date: 2004-01-19

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) white, black, blue, yellow, orange and green is/are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The upper portion of the left wing of the butterfly is orange, the left inner portion of the left wing is yellow, the deep left upper corner is green, the lower portion is orange and the left inner portion yellow. The upper portion of the right wing of the butterfly is orange, the right inner portion yellow and the deep right upper corner green. The body of the butterfly is black, as is the outline of the wings and the mid-portion of the wings. The tail is orange and yellow. The wording is in white, with a black shadow used for the wording "SHUPRA". A white cloud appears behind the butterfly, and the flight shadow is shown in yellow and orange.

Disclaimer: "DIGITAL PHOTOGRAPHY"

Description of Mark: The mark consists of wording and a butterfly design against a blue sky background.

Design Search Code(s):

03.23.01 - Butterflies; Moths

03.23.24 - Stylized insects, spiders and micro-organisms

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

26.11.21 - Rectangles that are completely or partially shaded

26.17.02 - Bands, wavy; Bars, wavy; Lines, wavy; Wavy line(s), band(s) or bar(s)

26.17.07 - Heat, lines depicting; Lines depicting speed, propulsion, heat or wind; Propulsion, lines depicting; Speed, lines depicting; Wind, lines depicting

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-12-12 - Registered - Principal Register
2006-09-26 - Published for opposition
2006-09-06 - Notice of publication
2006-08-02 - Law Office Publication Review Completed
2006-07-28 - Assigned To LIE
2006-07-27 - Approved for Pub - Principal Register (Initial exam)
2006-06-30 - Amendment From Applicant Entered
2006-06-12 - Communication received from applicant
2006-06-12 - PAPER RECEIVED
2005-12-16 - NON-FINAL ACTION E-MAILED
2005-12-16 - Non-Final Action Written
2005-11-25 - Amendment From Applicant Entered
2005-11-15 - Communication received from applicant
2005-11-15 - PAPER RECEIVED
2005-05-26 - Non-final action e-mailed
2005-05-26 - Non-Final Action Written
2005-05-12 - Assigned To Examiner
2004-10-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

SHUPRA INC.
2742 GATESHEAD DR
NAPERVILLE IL 60564-8984
Phone Number: 630-566-9045
Fax Number: 847-965-7744

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 1059

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 17:08:29 ET

Serial Number: 78365295 Assignment Information

Registration Number: 3185037

Mark

THE DIGITAL EASEL

(words only): THE DIGITAL EASEL

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-12-12

Filing Date: 2004-02-10

Transformed into a National Application: No

Registration Date: 2006-12-12

Register: Supplemental

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: 2006-12-12

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

1. Foto Fantasy, Inc.

Address:

Foto Fantasy, Inc.
8 Commercial Street
Hudson, NH 03051
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 603-324-3240

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

self-service vending machines, booths, and kiosks for photography, photo-processing, and image processing

Basis: 1(a)

First Use Date: 2002-11-00

First Use in Commerce Date: 2003-06-00

ADDITIONAL INFORMATION

Disclaimer: DIGITAL

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-12-12 - Registered - Supplemental Register

2006-11-03 - Law Office Registration Review Completed

2006-10-27 - Assigned To LIE

2006-10-25 - Allowed for Registration - Supplemental Register (SOU accepted)

2006-08-12 - Amendment From Applicant Entered

2006-08-01 - Communication received from applicant

2006-08-01 - PAPER RECEIVED

2006-07-06 - NON-FINAL ACTION E-MAILED

2006-07-06 - SU - Non-Final Action - Written

2006-04-13 - Statement of use processing complete

2006-03-27 - Amendment to Use filed

2006-03-27 - TEAS Statement of Use Received

2005-09-27 - Notice of allowance - mailed

2005-07-05 - Published for opposition

2005-06-15 - Notice of publication

- 2005-03-21 - Law Office Publication Review Completed
- 2005-03-18 - Assigned To LIE
- 2005-03-11 - Approved for Pub - Principal Register (Initial exam)
- 2005-03-10 - Teas/Email Correspondence Entered
- 2005-03-07 - Communication received from applicant
- 2005-03-07 - TEAS Response to Office Action Received
- 2004-09-16 - Non-final action e-mailed
- 2004-09-16 - Non-Final Action Written
- 2004-09-01 - Assigned To Examiner
- 2004-04-22 - TEAS Change Of Correspondence Received
- 2004-02-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Patricia M. Mathers

Correspondent

Patricia M. Mathers

Bohan Mathers & Associates, LLC

P.O. Box 17707

Portland ME 04112-8707

Phone Number: 207-773-3132

Fax Number: 207-773-4585

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 1060

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 17:08:39 ET

Serial Number: 78206569 Assignment Information

Registration Number: 3175945

Mark (words only): DIGITALLFREEDOM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-11-28

Filing Date: 2003-01-23

Transformed into a National Application: No

Registration Date: 2006-11-28

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: 2006-11-28

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

1. Samsung Electronics Co., Ltd.

Address:

Samsung Electronics Co., Ltd.
416, Maetan-dong, Paldal-ku
Suwon-city, Kyungki-do
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

Computers and notebook computers

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Registration Number: 0584535
Foreign Registration Date: 2003-01-22
Country: Republic of Korea
Foreign Expiration Date: 2014-06-08

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-11-28 - Registered - Principal Register
2006-09-12 - Published for opposition
2006-08-23 - Notice of publication
2006-07-19 - Case Returned To Examination
2005-06-22 - Notice of Allowance canceled
2006-06-21 - Extension 2 granted
2006-06-21 - Extension 2 filed
2006-06-21 - TEAS Extension Received
2005-12-20 - Extension 1 granted
2005-12-20 - Extension 1 filed
2005-12-20 - TEAS Extension Received
2005-12-20 - TEAS Change Of Correspondence Received
2005-08-30 - Attorney Review/Decision On Amendment Required
2005-08-22 - Petition To Director - Change Basis - Granted
2005-07-28 - Petition To Director Received
2005-07-28 - PAPER RECEIVED
2005-06-21 - Notice of allowance - mailed
2005-03-29 - Published for opposition
2005-03-09 - Notice of publication

- 2004-09-28 - Law Office Publication Review Completed
- 2004-09-14 - Assigned To LIE
- 2004-09-07 - Approved for Pub - Principal Register (Initial exam)
- 2004-09-02 - Report Completed Suspension Check Case Still Suspended
- 2004-03-31 - Letter of suspension mailed
- 2004-01-12 - Communication received from applicant
- 2004-01-12 - PAPER RECEIVED
- 2003-07-14 - Non-final action mailed
- 2003-07-01 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Robert B. Chickering

Correspondent

Diane Mason
Dorsey & Whitney LLP
555 California Street, Suite 1000
San Francisco CA 94104
Phone Number: (415) 781-1989
Fax Number: (415) 398-3249

Domestic Representative

Robert B. Chickering
Phone Number: (415) 781-1989
Fax Number: (415) 398-3249

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 1061

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 17:08:51 ET

Serial Number: 78447579 Assignment Information

Registration Number: 3042833

Mark



(words only): DL DIGITAL LIFE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-01-10

Filing Date: 2004-07-08

Transformed into a National Application: No

Registration Date: 2006-01-10

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: 2005-12-01

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

1. ACHIEVER USA CORPORATION

Address:

ACHIEVER USA CORPORATION
2555 SOUTH 900 WEST
SALT LAKE CITY, UT 84119
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Nevada

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital cameras; digital cameras containing CMOS, or sensors, and scanning array features; digital camera accessories, namely, carrying cases and memory cards

Basis: 1(a)

First Use Date: 2005-02-01

First Use in Commerce Date: 2005-02-18

ADDITIONAL INFORMATION

Disclaimer: "Digital"

Design Search Code(s):

26.11.02 - Plain single line rectangles; Rectangles (single line)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-11-22 - Automatic Update Of Assignment Of Ownership

2006-01-10 - Registered - Principal Register

2005-11-30 - Law Office Registration Review Completed

2005-11-25 - Assigned To LIE

2005-11-24 - Allowed for Registration - Principal Register (SOU accepted)

2005-11-15 - Statement of use processing complete

2005-10-31 - Amendment to Use filed

2005-10-31 - TEAS Statement of Use Received

2005-10-25 - Notice of allowance - mailed

2005-08-02 - Published for opposition

2005-07-13 - Notice of publication

2005-04-13 - Law Office Publication Review Completed

2005-04-01 - Assigned To LIE

2005-03-30 - Approved for Pub - Principal Register (Initial exam)

2005-03-28 - Amendment From Applicant Entered

2005-03-03 - Communication received from applicant

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

2005-02-14 - Non-final action e-mailed

2005-02-14 - Non-Final Action Written

2005-02-11 - Assigned To Examiner

2004-07-14 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

GRANDWAY USA CORP.
15023 ST. GEORGE CIRCLE
DRAPER, UT 84020
Phone Number: 801-201-7776
Fax Number: 801-495-1145

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 1062

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 17:09:02 ET

Serial Number: 78474765 Assignment Information

Registration Number: 3175004

Mark

DIGITAL DEVIL SAGA

(words only): DIGITAL DEVIL SAGA

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-11-21

Filing Date: 2004-08-27

Transformed into a National Application: No

Registration Date: 2006-11-21

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: 650 -Publication And Issue Section

Date In Location: 2006-10-17

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

1. Atlus U.S.A., Inc.

Address:
Atlus U.S.A., Inc.
15255 Alton Parkway, Suite 100
Irvine, CA 92618
United States
Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: (949) 788-0455

Fax Number: 949-788-0433

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Video and computer game programs, cartridges and discs and instruction manuals sold as a unit; program-recorded substrates featuring video games for use with television video game machines

Basis: 1(a)

First Use Date: 2005-03-29

First Use in Commerce Date: 2005-03-29

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-11-21 - Registered - Principal Register

2006-10-13 - Law Office Registration Review Completed

2006-10-02 - Assigned To LIE

2006-09-20 - Allowed for Registration - Principal Register (SOU accepted)

2006-09-20 - Statement of use processing complete

2006-08-18 - Amendment to Use filed

2006-08-18 - PAPER RECEIVED

2006-03-07 - Notice of allowance - mailed

2005-12-13 - Published for opposition

2005-11-23 - Notice of publication

2005-10-17 - Law Office Publication Review Completed

2005-10-12 - Approved for Pub - Principal Register (Initial exam)

2005-10-12 - Teas/Email Correspondence Entered

2005-10-03 - Communication received from applicant

2005-10-12 - Assigned To LIE
2005-10-03 - TEAS Response to Office Action Received
2005-08-13 - TEAS Change Of Correspondence Received
2005-04-05 - Non-final action mailed
2005-04-04 - Non-Final Action Written
2005-03-28 - Assigned To Examiner
2004-09-03 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Joseph W. Price

Correspondent

Joseph W. Price
Snell and Wilmer
Suite 1400
600 Anton Boulevard
Costa Mesa CA 92626
Phone Number: 714-427-7420
Fax Number: 714-427-7799

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 1063

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 17:09:49 ET

Serial Number: 78477247 Assignment Information

Registration Number: 3160154

Mark

OPTODIGITAL

(words only): OPTODIGITAL

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-10-17

Filing Date: 2004-09-01

Transformed into a National Application: No

Registration Date: 2006-10-17

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: 2006-09-14

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

1. Leader Wireless Inc.

Address:

Leader Wireless Inc.
5175 Commerce Dr.
Baldwin Park, CA 91706
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Blank DVDs

Basis: 1(a)

First Use Date: 2004-08-00

First Use in Commerce Date: 2004-08-13

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-17 - Registered - Principal Register

2006-09-12 - Law Office Registration Review Completed

2006-09-08 - Assigned To LIE

2006-09-05 - Allowed for Registration - Principal Register (SOU accepted)

2006-08-28 - Statement of use processing complete

2006-07-17 - Amendment to Use filed

2006-07-17 - PAPER RECEIVED

2006-01-31 - Notice of allowance - mailed

2005-11-08 - Published for opposition

2005-10-19 - Notice of publication

2005-09-15 - Law Office Publication Review Completed

2005-09-09 - Assigned To LIE

2005-09-02 - Approved for Pub - Principal Register (Initial exam)

2005-09-02 - Examiner's Amendment Entered

2005-09-01 - EXAMINERS AMENDMENT E-MAILED

2005-09-01 - Examiners Amendment - Written

2005-03-30 - Non-final action e-mailed

2005-03-30 - Non-Final Action Written

2005-03-30 - Assigned To Examiner

2004-09-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Thomas J. Daly

Correspondent

THOMAS J. DALY

CHRISTIE, PARKER & HALE, LLP

PO BOX 7068

PASADENA, CA 91109-7068

Phone Number: (626) 795-9900

Fax Number: (626) 577-8800

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 17:10:01 ET

Serial Number: 78083770 Assignment Information

Registration Number: 3155955

Mark (words only): DIGITECH

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-10-17

Filing Date: 2001-09-13

Transformed into a National Application: No

Registration Date: 2006-10-17

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: 2006-10-17

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

1: HAGLOF SWEDEN AKTIEBOLAG

Address:
HAGLOF SWEDEN AKTIEBOLAG
KLOCKARGATAN 8 BOX 28
LANGSELE 882 21
Sweden

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

GOODS AND/OR SERVICES

International Class: 009
Class Status: Active
Electronic tree counter for use in the forest industry

Basis: 44(e)
First Use Date: (DATE NOT AVAILABLE)
First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: SE01-02579
Foreign Registration Number: 2372803
Foreign Registration Date: 2003-08-04
Country: Erpn Cmnty TM Ofc
Foreign Filing Date: 2001-04-18
Foreign Expiration Date: 2011-04-18

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-10-17 - Registered - Principal Register
2006-09-08 - Opposition terminated for Proceeding
2004-06-16 - Opposition instituted for Proceeding
2004-03-26 - TEAS Change Of Correspondence Received
2004-03-11 - Extension Of Time To Oppose Received
2004-03-05 - FAX RECEIVED
2004-02-17 - Published for opposition
2004-01-28 - Notice of publication
2003-12-12 - Approved for Pub - Principal Register (Initial exam)
2003-10-08 - Communication received from applicant
2003-10-08 - ITU claim deleted
2003-10-10 - Communication received from applicant
2003-11-09 - Case File In TICRS
2003-10-10 - PAPER RECEIVED
2003-05-22 - INQUIRY TO SUSPENSION E-MAILED
2002-06-24 - Communication received from applicant
2002-06-24 - PAPER RECEIVED
2002-06-24 - Letter of suspension mailed

2002-05-24 - Assigned To Examiner

2002-05-08 - Communication received from applicant

2002-05-08 - PAPER RECEIVED

2001-11-19 - Non-final action e-mailed

2001-11-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mark I. Peroff,

Correspondent

MARK I. PEROFF

KIRKPATRICK & LOCKHART LLP

599 LEXINGTON AVENUE

NEW YORK, NY 10022-6030

Phone Number: 212-536-3900

Fax Number: 212-536-3901

Domestic Representative

TRADEMARK & PATENT COUNSELORS OF AMERICA

Phone Number: (212) 387-0247

Fax Number: (212) 387-0167

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 1065

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 17:10:16 ET

Serial Number: 78476602 Assignment Information

Registration Number: 3152829

Mark

DIGILASE

(words only): DIGILASE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-10-10

Filing Date: 2004-08-31

Transformed into a National Application: No

Registration Date: 2006-10-10

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: 650 -Publication And Issue Section

Date In Location: 2006-10-10

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

1. DATALASE LIMITED

Address:
DATALASE LIMITED
UNIT 3, WHELDON ROAD, WIDNESS
CHESHIRE WA8 8FW
United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

International Class: 001

Class Status: Active

Chemicals used in industry; chemicals and additives used in the production of specialized inks, coatings and plastics; indicators, namely, chemicals capable of changing color to indicate the presence of a mark in response to heat or radiation, especially laser radiation, for use in science and industry; plastics masterbatches consisting primarily of unprocessed plastics

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 002

Class Status: Active

Varnishes; lacquers; coatings containing chemicals capable of changing color to indicate the presence of a mark in response to heat or radiation, especially laser radiation

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 009

Class Status: Active

Apparatus and instruments for laser imaging and thermal imaging, and for printing, marking and coding, namely, lasers and thermal imagers, not for medical use

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 016

Class Status: Active

Labels and indicator labels, made of paper and paperboard, coated with chemicals capable of changing color to indicate the presence of a mark in response to heat or radiation, especially laser radiation; packaging, namely, paper, paperboard, and plastic bags coated with chemicals capable of changing color to indicate the presence of a mark in response to heat or radiation, especially laser radiation; marking ink containing biologics for use in the authentication of objects

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 040

Class Status: Active

Printing; laser imaging not for medical purposes; applying markings and codings to products by irradiation or heat; material treatment services in the nature of marking and coding of paper, metals, board, plastics, glass, confectionery and pharmaceuticals

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Registration Number: 003366069

Foreign Registration Date: 2004-12-17

Country: Erpn Cmnty TM Ofc

Foreign Expiration Date: 2013-09-16

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

- 2006-10-10 - Registered - Principal Register
- 2006-07-18 - Published for opposition
- 2006-06-28 - Notice of publication
- 2006-05-25 - Law Office Publication Review Completed
- 2006-05-24 - Assigned To LIE
- 2006-05-03 - Approved for Pub - Principal Register (Initial exam)
- 2006-04-28 - Teas/Email Correspondence Entered
- 2006-04-18 - Communication received from applicant
- 2006-04-18 - TEAS Response to Office Action Received
- 2006-04-18 - FAX RECEIVED
- 2005-10-18 - Correspondence E-Mailed
- 2005-10-18 - Final Refusal Written
- 2005-09-27 - Amendment From Applicant Entered
- 2005-09-14 - Communication received from applicant
- 2005-09-14 - PAPER RECEIVED
- 2005-03-30 - Non-final action e-mailed
- 2005-03-30 - Non-Final Action Written
- 2005-03-29 - Assigned To Examiner
- 2004-09-08 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Cynthia C. Weber

Correspondent

CYNTHIA C. WEBER
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVE NW STE 800
WASHINGTON DC 20037-3200
Phone Number: 202-293-7060
Fax Number: 202-293-7860

Domestic Representative

Cynthia C. Weber
Phone Number: 202-293-7060
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.

Opposer

v.

DIGIPOS SYSTEMS INC.

Applicant

) MARK: DIGIPOS

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EXHIBIT 1066

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 17:10:28 ET

Serial Number: 78347880 Assignment Information

Registration Number: 3146253

Mark

Connecting the
Digital World to the
Global Network

(words only): CONNECTING THE DIGITAL WORLD TO THE GLOBAL NETWORK

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-09-19

Filing Date: 2004-01-05

Transformed into a National Application: No

Registration Date: 2006-09-19

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: 2006-08-07

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

1. TriQuint Semiconductor, Inc.

Address:

TriQuint Semiconductor, Inc.
2300 N.E. Brookwood Parkway
Hillsboro, OR 97124
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 503-615-9000

Fax Number: 503-615-8900

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Integrated Circuits

Basis: 1(a)

First Use Date: 2006-06-16

First Use in Commerce Date: 2006-06-16

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-19 - Registered - Principal Register

2006-07-31 - Law Office Registration Review Completed

2006-07-28 - Assigned To LIE

2006-07-26 - Allowed for Registration - Principal Register (SOU accepted)

2006-07-25 - Changes/Corrections After Pub Approval Entered

2006-07-24 - Statement of use processing complete

2006-06-20 - Amendment to Use filed

2006-06-22 - PAPER RECEIVED

2006-01-24 - Extension 2 granted

2005-12-21 - Extension 2 filed

2005-12-27 - PAPER RECEIVED

2005-06-02 - Extension 1 granted

2005-06-02 - Extension 1 filed

2005-06-02 - TEAS Extension Received

2004-12-21 - Notice of allowance - mailed
2004-09-28 - Published for opposition
2004-09-08 - Notice of publication
2004-07-29 - Law Office Publication Review Completed
2004-07-29 - Assigned To LIE
2004-07-21 - Approved for Pub - Principal Register (Initial exam)
2004-07-21 - Assigned To Examiner
2004-01-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Lisa M. Caldwell

Correspondent

LISA M. CALDWELL
KLARQUIST SPARKMAN, LLP
ONE WORLD TRADE CENTER, SUITE 1600
121 S.W. SALMON STREET
PORTLAND, OREGON 97204
Phone Number: (503) 226-7391

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 1067

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 17:10:41 ET

Serial Number: 78288049 Assignment Information

Registration Number: 3146196

Mark (words only): DIGI-REEL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-09-19

Filing Date: 2003-08-15

Transformed into a National Application: No

Registration Date: 2006-09-19

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: 2006-08-09

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

1. Digi-Key Corporation

Address:

Digi-Key Corporation
701 Brooks Avenue South
Thief River Falls, MN 56701
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Minnesota

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic components, namely, capacitors, semiconductors, diodes, rectifiers, field-effect transistors, transistors, filters, electro magnetic interference filters, inductors, coils, chokes, storage module device, surface-mount device, integrated circuits, analog to digital converters, amplifiers, analog front end, digital to analog converters, DC/DC converters and controllers, decoders, encoders, multiplexers, digital potentiometers, display drivers, digital signal

processors, microcontrollers, switches, temperature sensor, transceivers, resistors, networks, arrays, sensors, transducers, optoisolators, sold mounted on a backing and carried on spools for use by manufacturers in automated assembly of finished products

Basis: 1(a)

First Use Date: 2003-09-12

First Use in Commerce Date: 2003-09-12

ADDITIONAL INFORMATION

Prior Registration Number(s):

1487965

1900329

2734969

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-19 - Registered - Principal Register

2006-08-03 - Law Office Registration Review Completed

2006-07-14 - Assigned To LIE

2006-06-30 - Allowed for Registration - Principal Register (SOU accepted)

2006-06-21 - Statement of use processing complete

2006-06-21 - Extension 1 granted

2006-06-05 - Extension 1 filed

2006-06-05 - Amendment to Use filed

2006-06-05 - TEAS Extension Received

2006-06-05 - TEAS Statement of Use Received

2005-12-20 - Notice of allowance - mailed

2005-09-27 - Published for opposition

2005-09-07 - Notice of publication

2005-06-13 - Law Office Publication Review Completed

2005-06-04 - Approved for Pub - Principal Register (Initial exam)

2005-05-26 - Teas/Email Correspondence Entered

- 2005-05-11 - Communication received from applicant
- 2005-05-26 - Assigned To LIE
- 2005-05-11 - TEAS Response to Office Action Received
- 2004-11-25 - NON-FINAL ACTION E-MAILED
- 2004-11-25 - Non-Final Action Written
- 2004-08-26 - Amendment From Applicant Entered
- 2004-08-19 - Communication received from applicant
- 2004-08-26 - Assigned To LIE
- 2004-08-19 - TEAS Response to Office Action Received
- 2004-02-23 - Non-final action e-mailed
- 2004-02-17 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Eric D. Paulsrud

Correspondent

Eric D. Paulsrud
Leonard, Street and Deinard
150 South 5th Street Suite 2300
Minneapolis, MN 55402
Phone Number: 612-335-1448
Fax Number: 612-335-1657

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 1068

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 17:10:55 ET

Serial Number: 78475574 Assignment Information

Registration Number: 3143185

Mark



(words only): MGDI META GENUINE DIGITAL IMAGE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-09-12

Filing Date: 2004-08-30

Transformed into a National Application: No

Registration Date: 2006-09-12

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: 2006-08-01

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

1. Daewoo Electronics Corporation

Address:

Daewoo Electronics Corporation
686, Ahyeon-dong, Mapo-gu
Seoul

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

Television sets; integrated circuit chips for use as a component of display devices; computer monitors; television monitors; video monitors; and voice display monitors

Basis: 1(a)

First Use Date: 2004-10-01

First Use in Commerce Date: 2004-10-01

ADDITIONAL INFORMATION

Disclaimer: "GENUINE DIGITAL IMAGE"

Description of Mark: The mark consists of the stylized letters MGDI above the words META GENUINE DIGITAL IMAGE.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-12 - Registered - Principal Register

2006-07-24 - Law Office Registration Review Completed

2006-07-14 - Assigned To LIE

2006-07-10 - Allowed for Registration - Principal Register (SOU accepted)

2006-06-26 - Non-final action mailed

2006-06-26 - SU - Non-Final Action - Written

2006-05-31 - Statement of use processing complete

2006-05-17 - Amendment to Use filed

2006-05-17 - PAPER RECEIVED

2005-11-29 - Notice of allowance - mailed

2005-09-06 - Published for opposition

2005-08-17 - Notice of publication

2005-07-25 - Law Office Publication Review Completed

- 2005-07-22 - Assigned To LIE
- 2005-07-21 - Approved for Pub - Principal Register (Initial exam)
- 2005-07-20 - Amendment From Applicant Entered
- 2005-07-13 - Communication received from applicant
- 2005-07-13 - TEAS Response to Office Action Received
- 2005-03-30 - Non-final action mailed
- 2005-03-29 - Non-Final Action Written
- 2005-03-29 - Assigned To Examiner
- 2004-09-08 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Keith Barritt

Correspondent

KEITH BARRITT
FISH & RICHARDSON P.C.
1425 K ST NW STE 1100
WASHINGTON, DC 20005-3682
Phone Number: 202-783-5070
Fax Number: 202-783-2331

Domestic Representative

Keith Barritt
Phone Number: 202-783-5070
Fax Number: 202-783-2331

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 1069

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 17:11:08 ET

Serial Number: 78260833 Assignment Information

Registration Number: 3142841

Mark



(words only): DIGITAL FIRST

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-09-12

Filing Date: 2003-06-11

Transformed into a National Application: No

Registration Date: 2006-09-12

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: 2006-07-31

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

1. Karl Storz GmbH & Co. KG

Address:
Karl Storz GmbH & Co. KG
Mittelstrasse 8
D-78532 Tuttlingen
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

(Based on 44(e)) COMPUTER SOFTWARE AND DATA PROCESSORS FOR USE WITH ENDOSCOPIC VIDEO CAMERAS THAT MEASURE, RECORD, TRANSMIT, REPRODUCE, AND PROCESS IMAGES, USED IN THE FIELD OF MEDICAL PROCEDURES

Basis: 1(a), 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 010

Class Status: Active

(Based on 44(e)) MEDICAL INSTRUMENTS AND APPARATUS, NAMELY, VIDEO CAMERAS, IN PARTICULAR CCD (CHARGED COUPLED DEVICE) CAMERAS FOR USE IN MEDICAL PROCEDURES

Basis: 1(a), 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 016

Class Status: Active

PRINTED MATTER, NAMELY, BROCHURES, CATALOGS, POSTERS, PROSPECTUS, ALL CONCERNING MEDICAL TECHNOLOGY

Basis: 1(a), 44(e)

First Use Date: 2002-01-00

First Use in Commerce Date: 2002-01-00

ADDITIONAL INFORMATION

Disclaimer: DIGITAL

Design Search Code(s):

26.11.21 - Rectangles that are completely or partially shaded

Foreign Application Number: 30260966.009

Foreign Registration Number: 30260966

Foreign Registration Date: 2003-04-10

Country: Fed Rep Germany

Foreign Filing Date: 2002-12-12

Foreign Expiration Date: 2012-12-31

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-12 - Registered - Principal Register

2006-07-24 - Law Office Registration Review Completed

2006-07-19 - Assigned To LIE

2006-07-11 - Allowed for Registration - Principal Register (SOU accepted)

2006-05-31 - Statement of use processing complete

2006-03-13 - Amendment to Use filed

2006-05-31 - Review Of Correspondence Complete

2006-05-25 - FAX RECEIVED

2006-03-13 - PAPER RECEIVED

2006-01-30 - Review Of Correspondence Complete

2005-11-14 - TEAS Delete 1(B) Basis Received

2005-09-13 - Notice of allowance - mailed

2005-06-21 - Published for opposition

2005-06-01 - Notice of publication

2005-03-01 - Law Office Publication Review Completed

2005-02-25 - Assigned To LIE

2005-02-23 - Approved for Pub - Principal Register (Initial exam)

2005-02-18 - Amendment From Applicant Entered

2005-01-31 - Communication received from applicant

2005-01-31 - PAPER RECEIVED

2004-08-02 - PAPER RECEIVED

2004-07-20 - Non-final action mailed

2004-06-07 - Communication received from applicant

2004-06-07 - Communication received from applicant

2004-06-07 - PAPER RECEIVED

2004-03-09 - Letter of suspension mailed

2004-02-02 - Communication received from applicant

2004-01-29 - Communication received from applicant

Latest Status Info

2004-02-02 - PAPER RECEIVED

2003-11-24 - Non-final action mailed

2003-11-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Wesley W. Whitmyer, Jr.

Correspondent

Wesley W. Whitmyer, Jr.
ST ONGE STEWARD JOHNSTON
986 BEDFORD ST STE 1
STAMFORD CT 06905-5619
Phone Number: 203-324-6155
Fax Number: 203-327-1096

Domestic Representative

Wesley W. Whitmyer, Jr.
Phone Number: 203-324-6155
Fax Number: 203-327-1096

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 1070

TO APPLICANT'S NOTICE OF RELIANCE

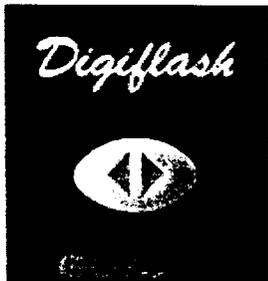
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 17:11:21 ET

Serial Number: 78282192 Assignment Information

Registration Number: 3137814

Mark



(words only): DIGIFLASH GOSEN

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-09-05

Filing Date: 2003-08-01

Transformed into a National Application: No

Registration Date: 2006-09-05

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: 2006-09-05

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

1. GOSEN Foto- u. Lichtmeßtechnik GmbH

Address:

GOSEN Foto- u. Lichtmeßtechnik GmbH
Thomas-Mann-Straße 16-20
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 and light meter for photography

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Color(s) Claimed: The colors blue, white, red and grey are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The color blue appears on a square design with the word DIGIFLASH in white cursive lettering, the word GOSSEN in red block letters and grey on the button design with arrows in the center of the mark.

Design Search Code(s):

24.15.04 - Arrowheads

24.15.10 - Arrows, more than one; More than one arrow

26.03.21 - Ovals that are completely or partially shaded

26.05.13 - Triangles, exactly two triangles; Two triangles

26.05.21 - Triangles that are completely or partially shaded

26.09.21 - Squares that are completely or partially shaded

Foreign Application Number: 30309109.6

Foreign Registration Number: 30309109

Foreign Registration Date: 2003-03-24

Country: Fed Rep Germany

Foreign Filing Date: 2003-02-20

Foreign Expiration Date: 2013-02-28

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-05 - Registered - Principal Register

2006-06-13 - Published for opposition

2006-05-24 - Notice of publication

2006-04-25 - Law Office Publication Review Completed

2006-04-14 - Assigned To LIE

2006-04-10 - Approved for Pub - Principal Register (Initial exam)

2006-04-10 - Examiner's Amendment Entered
2006-04-10 - EXAMINERS AMENDMENT E-MAILED
2006-04-10 - Examiners Amendment -Written
2006-04-06 - Previous allowance count withdrawn
2006-04-05 - Approved for Pub - Principal Register (Initial exam)
2006-04-05 - Previous allowance count withdrawn
2006-04-03 - Withdrawn From Pub - Og Review Query
2006-03-03 - Law Office Publication Review Completed
2006-02-06 - Approved for Pub - Principal Register (Initial exam)
2006-02-06 - EXAMINERS AMENDMENT E-MAILED
2006-02-06 - Examiners Amendment -Written
2006-02-06 - Previous allowance count withdrawn
2006-01-13 - Amendment From Applicant Entered
2004-08-09 - Communication received from applicant
2004-10-21 - Assigned To LIE
2004-08-09 - PAPER RECEIVED
2004-08-07 - Law Office Publication Review Completed
2004-08-07 - Assigned To LIE
2004-08-02 - Approved for Pub - Principal Register (Initial exam)
2004-07-29 - Amendment From Applicant Entered
2004-07-19 - Communication received from applicant
2004-07-19 - PAPER RECEIVED
2004-01-27 - Non-final action e-mailed
2004-01-21 - 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 1071

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 17:11:37 ET

Serial Number: 78499704 Assignment Information

Registration Number: 3134482

Mark

Digital Librarian

(words only): DIGITAL LIBRARIAN

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-08-22

Filing Date: 2004-10-14

Transformed into a National Application: No

Registration Date: 2006-08-22

Register: Supplemental

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: 2006-08-22

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

1. InterCom Network

Composed Of:

composed of Frank Resta, United States citizen

Address:

InterCom Network
4210 Fairfax Corner West, Suite 215
Fairfax, VA 22030

United States

Legal Entity Type: Sole Proprietorship

State or Country Where Organized: Virginia

Phone Number: 703-449-0101

Fax Number: 703-449-0547

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer document archival and viewing software used to archive electronic drawings and technical documents and view them through an interface that allows one to search, locate and view a specific document and digitally monitor physical versions of the archived documents, as they are borrowed and returned by users through a check-in, return mechanism and inventory capabilities

Basis: 1(a)

First Use Date: 2005-01-01

First Use in Commerce Date: 2005-06-28

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-22 - Registered - Supplemental Register

2006-07-13 - Law Office Publication Review Completed

2006-07-07 - Assigned To LIE

2006-06-30 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2006-06-30 - Amendment to Use approved

2006-06-14 - Teas/Email Correspondence Entered

2006-06-06 - Communication received from applicant

2006-06-06 - TEAS Response to Office Action Received

2005-12-08 - AMENDMENT OF ALLEGED USE DISAPPROVED

2005-12-08 - NON-FINAL ACTION E-MAILED

2005-12-08 - Non-Final Action Written

2005-11-16 - Amendment to use processing complete

- 2005-11-03 - Amendment to Use filed
- 2005-11-07 - Teas/Email Correspondence Entered
- 2005-11-03 - Communication received from applicant
- 2005-11-03 - TEAS Amendment of Use Received
- 2005-11-03 - TEAS Response to Office Action Received
- 2005-05-25 - Non-final action e-mailed
- 2005-05-25 - Non-Final Action Written
- 2005-05-18 - Assigned To Examiner
- 2004-10-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

INTERCOM NETWORK
FAIRFAX
4210 FAIRFAX CORNER WEST AVE STE 215
FAIRFAX VA 22030-8620
Phone Number: 703-449-0101
Fax Number: 703-449-0547

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 1072

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 17:11:49 ET

Serial Number: 78256739 Assignment Information

Registration Number: 3131834

Mark (words only): DIGITAL SURF

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-08-22

Filing Date: 2003-06-02

Transformed into a National Application: No

Registration Date: 2006-08-22

Register: Principal

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-08-22

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

1. DIGITAL SURF

Address:
DIGITAL SURF
16, rue Lavoisier
Besancon 25000
France

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

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for measuring, mapping, charting, creating digital surface models of and analyzing of objects; measuring instruments not for medical use, namely devices for measuring and mapping profile, roughness, waviness, roundness, cylindricity, sphericity and thickness, instruments for measuring deviations from the truly circular of articles of nominally circular cross section; scanners in the nature of multi-sensor metrology instruments; optical inspection and

measurement apparatus for industrial and not for medical use

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

Testing, analysis and evaluation of materials and products of others used in industry and scientific research for the purpose of certification; quality control for others

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Registration Number: 1753082

Foreign Registration Date: 1989-08-22

Country: France

Foreign Expiration Date: 2009-08-22

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-22 - Registered - Principal Register

2006-05-30 - Published for opposition

2006-05-10 - Notice of publication

2006-04-07 - Law Office Publication Review Completed

2006-04-07 - Assigned To LIE

2006-03-17 - Assigned To LIE

2006-03-10 - Approved for Pub - Principal Register (Initial exam)

2006-03-10 - Teas/Email Correspondence Entered

2006-02-27 - Communication received from applicant

2006-02-27 - TEAS Response to Office Action Received

2005-11-18 - Final refusal mailed

2005-11-18 - Final Refusal Written

2005-08-04 - Amendment From Applicant Entered

2005-07-27 - Communication received from applicant

2005-07-27 - PAPER RECEIVED

2005-01-24 - Non-final action mailed

2005-01-21 - Non-Final Action Written

2004-12-20 - Petition To Revive-Granted

2004-08-16 - Petition To Revive-Received

2004-08-16 - PAPER RECEIVED

2004-08-11 - Abandonment - Failure To Respond Or Late Response

2003-12-15 - Non-final action mailed

2003-11-07 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

George A. Pelletier, Jr.

Correspondent

George A. Pelletier, Jr.

Cantor Colburn, LLP

55 Griffin Road South

Bloomfield, CT 06002

Phone Number: 860-286-2929

Fax Number: 860-286-0115

Domestic Representative

George A. Pelletier, Jr.

Phone Number: 860-286-2929

Fax Number: 860-286-0115

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 1073

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 17:12:39 ET

Serial Number: 78488844 Assignment Information

Registration Number: 3130924

Mark



(words only): WD

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-08-15

Filing Date: 2004-09-23

Transformed into a National Application: No

Registration Date: 2006-08-15

Register: Principal

Law Office Assigned: LAW OFFICE 104

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-07-05

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

1. Western Digital Technologies, Inc.

Address:

Western Digital Technologies, Inc.
20511 Lake Forest Drive
Lake Forest, CA 92630
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 and disk drives

Basis: 1(a)

First Use Date: 2004-09-15

First Use in Commerce Date: 2004-09-15

ADDITIONAL INFORMATION

Design Search Code(s):

26.11.21 - Rectangles that are completely or partially shaded

Prior Registration Number(s):

2255308

2332545

2340973

2521071

2530435

2856017

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-15 - Registered - Principal Register

2006-06-23 - Law Office Registration Review Completed

2006-06-16 - Assigned To LIE

2006-06-12 - Allowed for Registration - Principal Register (SOU accepted)

2006-05-22 - Statement of use processing complete

2006-04-27 - Amendment to Use filed

2006-05-02 - PAPER RECEIVED

2006-02-07 - Assigned To Examiner

2005-12-06 - Notice of allowance - mailed

2005-09-13 - Published for opposition

2005-08-24 - Notice of publication

- 2005-06-28 - Law Office Publication Review Completed
- 2005-06-24 - Assigned To LIE
- 2005-06-22 - Approved for Pub - Principal Register (Initial exam)
- 2005-06-22 - Amendment From Applicant Entered
- 2005-06-13 - Communication received from applicant
- 2005-06-13 - PAPER RECEIVED
- 2005-03-09 - Amendment From Applicant Entered
- 2005-02-23 - Unresponsive/Duplicate Paper Received
- 2005-02-23 - PAPER RECEIVED
- 2004-12-13 - Examiner's Amendment And/Or Priority Action Mailed
- 2004-12-10 - Examiners Amendment And/Or Priority Action - Completed
- 2004-12-10 - Examiners Amendment And/Or Priority Action - Completed
- 2004-11-28 - Assigned To Examiner
- 2004-10-01 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Steven J. Natuapsky

Correspondent

STEVEN J. NATAUPSKY
KNOBBE, MARTENS, OLSON & BEAR LLP
2040 MAIN STREET, 14TH FL
IRVINE, CA 92614
Phone Number: (949) 760-0404

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 1074

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 17:12:53 ET

Serial Number: 78427387 Assignment Information

Registration Number: 3127711

Mark



(words only): THEATER DIGITAL INCORPORATED

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-08-08

Filing Date: 2004-05-29

Transformed into a National Application: No

Registration Date: 2006-08-08

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: 2006-06-27

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

1. THEATER DIGITAL INCORPORATED

Address:
 THEATER DIGITAL INCORPORATED
 2764 Lake Sahara Drive #111
 Las Vegas, NV 89117
 United States
Legal Entity Type: Corporation

State or Country of Incorporation: Nevada

Phone Number: 818 906-2678

Fax Number: 207 470-8515

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

audio and video electronic components, namely, surround sound processors and amplifiers; computer software used for operating audio and video electronic components, namely, surround sound processors and amplifiers

Basis: 1(a)

First Use Date: 2006-03-01

First Use in Commerce Date: 2006-03-01

ADDITIONAL INFORMATION

Color(s) Claimed: The color BLUE is claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The mark consists of BLACK DASHED LINES, BLUE TRIANGLE AND AN ARROW.

Disclaimer: "THEATER DIGITAL INCORPORATED"

Design Search Code(s):

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

24.15.25 - Other arrows

26.05.21 - Triangles that are completely or partially shaded

26.17.03 - Dotted line(s); Lines, dotted

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

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

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

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-08 - Registered - Principal Register

2006-06-21 - Law Office Registration Review Completed

2006-06-16 - Assigned To LIE

2006-06-11 - Allowed for Registration - Principal Register (SOU accepted)

2006-06-01 - Statement of use processing complete

2006-05-22 - Amendment to Use filed

Latest Status Info

- 2006-05-22 - TEAS Statement of Use Received
- 2006-02-13 - Extension 1 granted
- 2006-01-19 - Extension 1 filed
- 2006-01-31 - Extension Received With TEAS Petition
- 2006-01-31 - Petition To Revive-Granted
- 2006-01-31 - TEAS Petition To Revive Received
- 2005-07-19 - Notice of allowance - mailed
- 2005-04-26 - Published for opposition
- 2005-04-06 - Notice of publication
- 2005-02-04 - Law Office Publication Review Completed
- 2005-01-28 - Assigned To LIE
- 2005-01-21 - Approved for Pub - Principal Register (Initial exam)
- 2005-01-21 - Examiner's Amendment Entered
- 2005-01-19 - Examiners amendment e-mailed
- 2005-01-19 - Examiners Amendment -Written
- 2005-01-03 - Assigned To Examiner
- 2004-06-04 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

PROCESS MARK S
 2764 Lake Sahara Drive #111
 Las Vegas, NV 89117
 Phone Number: 818 906-2678
 Fax Number: 207 470-8515

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 1075

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 17:13:03 ET

Serial Number: 78201657 Assignment Information

Registration Number: 3122545

Mark (words only): DIGITAL VINYL CD-R

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-08-01

Filing Date: 2003-01-09

Transformed into a National Application: No

Registration Date: 2006-08-01

Register: Principal

Law Office Assigned: LAW OFFICE 104

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-08-01

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

1. Verbatim Corporation

Address:

Verbatim Corporation
1200 WT Harris Blvd.
Charlotte, NC 28262
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Blank and preformatted recording media, namely, recordable optical compact disks and recordable compact disks

Basis: 1(a)

First Use Date: 2002-09-01

First Use in Commerce Date: 2002-09-01

ADDITIONAL INFORMATION

Disclaimer: DIGITAL and CD-R

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-08-01 - Ex parte appeal terminated

2006-08-01 - Registered - Principal Register

2006-05-09 - Published for opposition

2006-04-19 - Notice of publication

2006-03-20 - Law Office Publication Review Completed

2006-03-17 - Assigned To LIE

2006-03-17 - Assigned To LIE

2006-03-12 - Approved for Pub - Principal Register (Initial exam)

2006-03-06 - Jurisdiction Restored To Examining Attorney

2005-10-11 - ACTION DENYING REQ FOR RECON E-MAILED

2005-10-11 - Continuation of final refusal mailed

2005-09-19 - Ex parte appeal - Instituted

2005-09-19 - Jurisdiction Restored To Examining Attorney

2005-09-16 - EXPARTE APPEAL RECEIVED AT TTAB

2005-03-08 - Final refusal e-mailed

2005-03-08 - Final Refusal Written

2004-10-29 - PAPER RECEIVED

2005-01-06 - Amendment From Applicant Entered

2004-12-15 - Communication received from applicant

2004-10-29 - PAPER RECEIVED

2004-12-15 - PAPER RECEIVED

2004-06-21 - NON-FINAL ACTION E-MAILED

2004-03-30 - Communication received from applicant

2004-03-30 - PAPER RECEIVED

2003-10-06 - Non-final action e-mailed

2003-10-02 - Previous allowance count withdrawn

2003-07-02 - Approved for Pub - Principal Register (Initial exam)

2003-06-21 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jeffrey H. Kaufman

Correspondent

JEFFREY H. KAUFMAN

Oblon, Spivak, McClelland, Maier, and Ne

1940 Duke Street

Alexandria VA USA 22314

Phone Number: 703-413-3000

Fax Number: 703-413-2220

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 1076

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 17:13:14 ET

Serial Number: 78364701 Assignment Information

Registration Number: 3119117

Mark



(words only): SW SILVERWIRE DIGITAL IMAGING SOLUTIONS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-07-25

Filing Date: 2004-02-09

Transformed into a National Application: No

Registration Date: 2006-07-25

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: 2006-07-25

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

1. Silverwire

Address:

Silverwire
54 Rue Ernest Bloch
Geneva 1207
Switzerland

Legal Entity Type: Corporation

State or Country of Incorporation: Switzerland

Phone Number: 41 22 737 8500

Fax Number: 41 22 737 8590

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software used for image acquisition, image distribution, image editing, image file management, image printing, image processing, image sharing, image viewing, and the creation of documents incorporating images, and user manuals sold as a unit therewith

Basis: 1(a)

First Use Date: 2003-01-09

First Use in Commerce Date: 2003-02-01

International Class: 042

Class Status: Active

Computer programming services; computer consulting services; computer software design, customization, integration, analysis, and consulting services; computer software programming, maintenance, installation, and updating services; computer systems and network design, customization, integration, analysis, and consulting services; technical support services, namely, troubleshooting of software problems; design, customization, implementation and maintenance of network web pages and web sites for others; consulting services relating to web application design and development, all of the aforementioned services for the photo imaging and telecommunication industries

Basis: 1(a)

First Use Date: 2003-01-09

First Use in Commerce Date: 2003-02-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL IMAGING SOLUTIONS"

Lining and Stippling: The stippling is for shading purposes only.

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.

26.09.21 - Squares that are completely or partially shaded

26.09.25 - Squares with curved sides

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-26 - Attorney Revoked And/Or Appointed

2006-07-26 - TEAS Revoke/Appoint Attorney Received

2006-07-25 - Registered - Principal Register

2006-05-02 - Published for opposition

2006-04-12 - Notice of publication

2006-03-08 - Law Office Publication Review Completed

2006-03-07 - Assigned To LIE

2006-02-13 - Approved for Pub - Principal Register (Initial exam)

2006-02-10 - Examiner's Amendment Entered

2006-02-08 - EXAMINERS AMENDMENT E-MAILED

2006-02-08 - Examiners Amendment -Written

2006-02-05 - Final refusal e-mailed

2006-02-05 - Final Refusal Written

2006-01-13 - Teas/Email Correspondence Entered

2005-12-22 - Communication received from applicant

2006-01-05 - Attorney Revoked And/Or Appointed

2006-01-05 - TEAS Revoke/Appoint Attorney Received

2005-12-22 - TEAS Response to Office Action Received

2005-11-22 - NON-FINAL ACTION E-MAILED

2005-11-22 - Non-Final Action Written

2005-11-01 - Teas/Email Correspondence Entered

2005-10-28 - Communication received from applicant

2005-10-28 - TEAS Response to Office Action Received

2005-07-01 - Applicant/Correspondence Changes (Non-Responsive) Entered

2005-06-20 - TEAS Response to Office Action Received

2005-05-12 - NON-FINAL ACTION E-MAILED

2005-05-12 - Non-Final Action Written

2005-04-20 - Petition To Revive-Granted

2005-04-20 - TEAS Petition To Revive Received

2005-04-20 - TEAS Change Of Correspondence Received

Latest Status Info

2005-04-18 - Abandonment Notice Mailed - Failure To Respond

2005-04-18 - Abandonment - Failure To Respond Or Late Response

2004-09-01 - Non-final action e-mailed

2004-09-01 - SU - Non-Final Action - Written

2004-09-01 - Assigned To Examiner

2004-02-20 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

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

Domestic Representative

Stephanie Blanchard

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 1077

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 17:13:26 ET

Serial Number: 78430246 Assignment Information

Registration Number: 3053353

Mark

DIGIKIDS

(words only): DIGIKIDS

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-31

Filing Date: 2004-06-04

Transformed into a National Application: No

Registration Date: 2006-01-31

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: 650 -Publication And Issue Section

Date In Location: 2006-01-31

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

1. Franchise One, Inc.

Address:

Franchise One, Inc.
9463 Hwy 377 South Box 111
Fort Worth, TX 76126
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Texas**Phone Number:** 817-249-2126

GOODS AND/OR SERVICES

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

Computer software for creation of media containing identification information used to aid in the recovery of missing persons and pets; computer communications software for transmission of identification information used to aid in the recovery of missing persons and pets; computer media, namely, CD-ROM Disks, USB Flash Drives and Floppy Disks, used to aid recovery of missing persons and pets

Basis: 1(a)**First Use Date:** 2003-01-07**First Use in Commerce Date:** 2003-01-07**International Class:** 020**Class Status:** Active

Plastic and paper identification cards for collection, storage and display of identification information used to aid in the recovery of missing persons and pets

Basis: 1(a)**First Use Date:** 2003-01-07**First Use in Commerce Date:** 2003-01-07**International Class:** 045**Class Status:** Active

Identification verification services, namely, providing authentication of personal identification information via secure storage and transmitting such information via the Internet; providing pet identification tags; security printing, namely, encoding identification information on valuable documents and products; Collection of identification information, namely photographs, age, date of birth, weight, height, color hair, color eyes, sex, eyeglass/contacts, and special marks/scars/identifiers used to aid in the recovery of missing persons and pets; creation of media containing identification information used to aid in the recovery of missing persons and pets

Basis: 1(a)**First Use Date:** 2003-01-07**First Use in Commerce Date:** 2003-01-07

ADDITIONAL INFORMATION

Prior Registration Number(s):

2797737

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-19 - Assignment Of Ownership Not Updated Automatically

2006-01-31 - Registered - Principal Register

2005-11-08 - Published for opposition

- 2005-10-19 - Notice of publication
- 2005-09-20 - Law Office Publication Review Completed
- 2005-09-20 - Assigned To LIE
- 2005-09-08 - Approved for Pub - Principal Register (Initial exam)
- 2005-08-02 - Amendment From Applicant Entered
- 2005-06-22 - Communication received from applicant
- 2005-06-22 - TEAS Response to Office Action Received
- 2005-06-22 - TEAS Change Of Correspondence Received
- 2005-06-28 - Non-final action e-mailed
- 2005-01-07 - Non-Final Action Written
- 2005-01-06 - Assigned To Examiner
- 2004-12-09 - PAPER RECEIVED
- 2004-06-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Bruce E. Weir

Correspondent

Michael Childs
Franchise One, Inc.
9463 Hwy 377 South #111
Fort Worth TX 76126
Phone Number: 8172492126
Fax Number: 8178862598

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 1078

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 17:13:38 ET

Serial Number: 78323277 Assignment Information

Registration Number: 3113633

Mark

ANYDVD

(words only): ANYDVD

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-07-11

Filing Date: 2003-11-05

Transformed into a National Application: No

Registration Date: 2006-07-11

Register: Principal

Law Office Assigned: LAW OFFICE 117

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-07-11

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

1. Elaborate Bytes AG

Address:

Elaborate Bytes AG
Riedstrasse 7
Cham CH6330
Switzerland

Legal Entity Type: Joint Stock Company

State or Country Where Organized: Switzerland

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computers and computer hardware; computer software, namely computer software for copying and burning DVD-Discs; recording medium and data carriers provided with computer software, namely computer software for copying and burning DVD-Discs; disk drives for copying and burning DVD-discs; electrical apparatus for recording, transmission, and replay of sound and picture, namely DVD-recorders; disks, namely blank optical storage disks, blank overwriteable and erasable computer storage disks

Basis: 1(a)

First Use Date: 2003-03-07

First Use in Commerce Date: 2003-03-07

ADDITIONAL INFORMATION

Foreign Application Number: 003158359

Country: Erpn Cmnty TM Ofc

Foreign Filing Date: 2003-05-08

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-11 - Registered - Principal Register

2006-04-18 - Published for opposition

2006-03-29 - Notice of publication

2006-02-27 - Law Office Publication Review Completed

2006-02-27 - Assigned To LIE

2006-02-26 - Assigned To LIE

2006-02-24 - Assigned To LIE

2006-01-27 - Examiner's amendment mailed

2006-01-26 - Approved for Pub - Principal Register (Initial exam)

2006-01-26 - Examiners Amendment -Written

2006-01-26 - Amendment to Use approved

2006-01-18 - Amendment to use processing complete

Latest Status Info

2006-01-06 - Amendment to Use filed
2006-01-18 - Amendment From Applicant Entered
2006-01-06 - Communication received from applicant
2006-01-06 - PAPER RECEIVED
2005-07-06 - Inquiry as to suspension mailed
2005-07-05 - Suspension Inquiry - Completed
2005-07-01 - LIE Checked Susp - To Atty For Action
2004-11-26 - Letter of suspension mailed
2004-11-24 - Suspension Letter Written
2004-11-14 - Amendment From Applicant Entered
2004-11-04 - Communication received from applicant
2004-11-14 - Assigned To LIE
2004-11-04 - PAPER RECEIVED
2004-06-17 - Non-final action mailed
2004-06-01 - Assigned To Examiner
2003-12-02 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Robert W. Becker

Correspondent

Robert W. Becker
Robert W. Becker & Associates
707 Highway 66 East, Suite B
Tijeras, NM 87059
Phone Number: 505-286-3511
Fax Number: 505-286-3524

Domestic Representative

Robert W. Becker
Phone Number: 505-286-3511
Fax Number: 505-286-3524

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 1079

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 17:13:51 ET

Serial Number: 78321245 Assignment Information

Registration Number: 3112612

Mark



(words only): X DIGITAL MEDIA

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-07-04

Filing Date: 2003-10-30

Transformed into a National Application: No

Registration Date: 2006-07-04

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: 2006-05-23

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

1. X Digital Media, Inc.

Address:

X Digital Media, Inc.
27762 Antonio Parkway L1, Ste. 603
Ladera Ranch, CA 92694
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: 949-218-3165

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital media computer peripheral products, namely, compact flash cards, blank secure digital cards, and USB flash drives

Basis: 1(a)

First Use Date: 2003-11-01

First Use in Commerce Date: 2003-11-01

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL MEDIA"

Design Search Code(s):

24.15.25 - Other arrows

26.09.21 - Squares that are completely or partially shaded

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

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-07-04 - Registered - Principal Register

2006-05-18 - Law Office Registration Review Completed

2006-05-05 - Assigned To LIE

2006-05-02 - Allowed for Registration - Principal Register (SOU accepted)

2006-04-24 - Amendment From Applicant Entered

2006-03-23 - Communication received from applicant

2006-03-23 - PAPER RECEIVED

2006-02-27 - TEAS Change Of Correspondence Received

2005-11-07 - NON-FINAL ACTION E-MAILED

2005-11-07 - SU - Non-Final Action - Written

2005-08-05 - Statement of use processing complete

2005-08-05 - Amendment to Use filed

2005-08-05 - TEAS Statement of Use Received
2005-05-31 - Attorney Revoked And/Or Appointed
2005-05-31 - TEAS Revoke/Appoint Attorney Received
2005-04-12 - Notice of allowance - mailed
2005-01-18 - Published for opposition
2004-12-29 - Notice of publication
2004-11-15 - Law Office Publication Review Completed
2004-11-05 - Assigned To LIE
2004-11-04 - Approved for Pub - Principal Register (Initial exam)
2004-11-04 - Amendment From Applicant Entered
2004-12-21 - Communication received from applicant
2004-10-21 - PAPER RECEIVED
2004-08-19 - Final refusal e-mailed
2004-08-06 - Amendment From Applicant Entered
2004-07-30 - Communication received from applicant
2004-07-30 - PAPER RECEIVED
2004-05-20 - Non-final action e-mailed
2004-05-19 - Assigned To Examiner
2003-12-31 - TEAS Change Of Correspondence Received
2003-11-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Constance I. Rimmer

Correspondent

James M. Hester
BORCHARD & BAUR, APC
25909 Pala, Suite 300
Mission Viejo CA 92691
Phone Number: 949.457.9505
Fax Number: 949.457.1666

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 1080

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 17:14:01 ET

Serial Number: 78474705 Assignment Information

Registration Number: 3110706

Mark

DIGITAL PRACTICE

(words only): DIGITAL PRACTICE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-06-27

Filing Date: 2004-08-27

Transformed into a National Application: No

Registration Date: 2006-06-27

Register: Supplemental

Law Office Assigned: LAW OFFICE 117

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-06-27

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

1. Eklin Medical Systems, Inc.

Address:
Eklin Medical Systems, Inc.
Suite 1 532 Weddell Dr.
Sunnyvale, CA 94089
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital medical and veterinary image storage devices, namely, computer workstations comprising a hard drive, apparatus for recording, transmission or reproduction of images, central processing unit for processing information, data, or images, and preloaded computer software for digital medical image processing and management; monitors; blank magnetic, digital and optical data carriers for storing medical images; digital image generators and processors; digital image panels; X-ray panel sensors; dry film printers; sensors

Basis: 1(a)

First Use Date: 2004-12-31

First Use in Commerce Date: 2004-12-31

International Class: 010

Class Status: Active

digital radiography equipment for veterinary and human medical practices, namely, X ray machines, X ray heads; X ray panel cases, grids, tunnels and bumpers

Basis: 1(a)

First Use Date: 2004-12-31

First Use in Commerce Date: 2004-12-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-27 - Registered - Supplemental Register

2006-05-12 - Law Office Publication Review Completed

2006-05-12 - Assigned To LIE

2006-04-20 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2006-04-20 - Amendment to Use approved

2006-04-19 - Teas/Email Correspondence Entered

2006-03-31 - Communication received from applicant

2006-04-19 - Amendment to use processing complete

2006-03-31 - Amendment to Use filed

2006-04-11 - TEAS Response to Office Action Received

2006-03-31 - TEAS Amendment of Use Received

2005-11-15 - Final refusal e-mailed

2005-11-15 - Final Refusal Written

2005-10-27 - Amendment From Applicant Entered

2005-10-03 - Communication received from applicant

2005-10-03 - PAPER RECEIVED

2005-03-30 - Non-final action e-mailed

2005-03-30 - Non-Final Action Written

2005-03-28 - Assigned To Examiner

2004-09-03 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Michael K. Bosworth

Correspondent

MICHAEL K. BOSWORTH

BURNS, DOANE, SWECKER & MATHIS, LLP

PO BOX 1404

ALEXANDRIA VA 22313-1404

Phone Number: (650) 622-2354

Fax Number: (650) 622-2499

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 1081

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 17:14:12 ET

Serial Number: 78252960 Assignment Information

Registration Number: 3105828

Mark



(words only): 35 DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-06-20

Filing Date: 2003-05-22

Transformed into a National Application: No

Registration Date: 2006-06-20

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: 2006-06-20

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

1. P+S TECHNIK GmbH

Address:

P+S TECHNIK GmbH
Rosenheimer Strasse 139
Munich D-81671

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

image converters for digital video cameras and digital video camcorders

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Section 2(f)

Foreign Application Number: 30257449.2/0

Foreign Registration Number: 30257449

Foreign Registration Date: 2003-03-19

Country: Fed Rep Germany

Foreign Filing Date: 2002-11-22

Foreign Expiration Date: 2012-11-30

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-20 - Ex parte appeal terminated

2006-06-20 - Registered - Principal Register

2006-03-28 - Published for opposition

2006-03-08 - Notice of publication

2006-02-09 - Withdrawn From Pub - Image Review Required

2006-01-24 - Law Office Publication Review Completed

2006-01-13 - Assigned To LIE

2006-01-10 - Approved for Pub - Principal Register (Initial exam)

2005-12-08 - Teas/Email Correspondence Entered

2005-11-23 - Communication received from applicant

2005-11-23 - TEAS Response to Office Action Received

2005-05-25 - Action denying request for reconsideration - mailed - Initial exam

- 2005-05-25 - Continuation of final refusal mailed
- 2005-04-20 - Attorney Review/Decision On Amendment Required
- 2005-04-06 - TEAS Response to Office Action Received
- 2005-04-06 - Ex parte appeal - Instituted
- 2005-04-06 - Jurisdiction Restored To Examining Attorney
- 2005-04-06 - EXPARTE APPEAL RECEIVED AT TTAB
- 2004-12-17 - Action denying request for reconsideration - mailed - Initial exam
- 2004-12-17 - Continuation of final refusal mailed
- 2004-11-05 - Teas/Email Correspondence Entered
- 2004-10-07 - Communication received from applicant
- 2004-10-07 - TEAS Response to Office Action Received
- 2004-10-06 - Final refusal mailed
- 2004-10-05 - Final Refusal Written
- 2004-05-06 - Communication received from applicant
- 2004-05-06 - TEAS Response to Office Action Received
- 2003-07-15 - Unresponsive/Duplicate Paper Received
- 2003-11-06 - Non-final action mailed
- 2003-11-05 - Assigned To Examiner
- 2003-07-15 - TEAS Preliminary Amendment Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John J. O'Malley

Correspondent

John J. O'Malley

Volpe and Koenig, P.C.

United Plaza, Suite 1600 30 South 17th S

Philadelphia, PA 19103

Phone Number: 215-568-6400

Fax Number: 215-568-6499

Domestic Representative

John J. O'Malley

Latest Status Info

Phone Number: 215-568-6400

Fax Number: 215-568-6499

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 17:14:23 ET

Serial Number: 78481063 Assignment Information

Registration Number: 3105099

Mark

RMXDIGITAL

(words only): RMXDIGITAL

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-06-13

Filing Date: 2004-09-09

Transformed into a National Application: No

Registration Date: 2006-06-13

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: 2006-05-03

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

1. Harris Corporation

Address:

Harris Corporation
1025 West NASA Boulevard
Melbourne, FL 32919
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Audio consoles for use in broadcasting studios

Basis: 1(a)

First Use Date: 2004-12-16

First Use in Commerce Date: 2004-12-16

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-13 - Registered - Principal Register

2006-05-01 - Law Office Registration Review Completed

2006-04-28 - Assigned To LIE

2006-04-26 - Allowed for Registration - Principal Register (SOU accepted)

2006-04-26 - Statement of use processing complete

2006-04-11 - Amendment to Use filed

2006-04-11 - TEAS Statement of Use Received

2006-03-03 - TEAS Change Of Correspondence Received

2005-10-11 - Notice of allowance - mailed

2005-07-19 - Published for opposition

2005-06-29 - Notice of publication

2005-04-11 - Law Office Publication Review Completed

2005-04-08 - Assigned To LIE

2005-04-07 - Approved for Pub - Principal Register (Initial exam)

2005-04-07 - Assigned To Examiner

2004-09-16 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Donald S. Showalter

Correspondent

Donald S. Showalter

GrayRobinson, P.A.

Suite 1850

401 East Las Olas Blvd.

Ft. Lauderdale FL 33301

Phone Number: 954-761-7473

Fax Number: 954-761-8112

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 1083

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 17:14:35 ET

Serial Number: 78465731 Assignment Information

Registration Number: 3102395

Mark

DIGITAL PROPANE INJECTION

(words only): DIGITAL PROPANE INJECTION

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-06-06

Filing Date: 2004-08-11

Transformed into a National Application: No

Registration Date: 2006-06-06

Register: Supplemental

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: 2006-06-06

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

1. Autotronic Controls Corporation

Address:

Autotronic Controls Corporation
1490 Henry Brennan Drive
El Paso, TX 79936
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Texas

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Fumigation control system for diesel engines comprised of a propane vaporizer/regulator, electronic control unit, pulse width modulated control valve, manifold absolute pressure sensor, a temperature/pressure sensor, a pressure switch, a sonic or choked flow orifice for injection of propane, and a wiring harness

Basis: 1(a)

First Use Date: 2004-11-30

First Use in Commerce Date: 2004-11-30

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-06-06 - Registered - Supplemental Register

2006-04-25 - Law Office Publication Review Completed

2006-04-21 - Assigned To LIE

2006-04-21 - Assigned To LIE

2006-04-19 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2006-03-24 - Amendment From Applicant Entered

2006-03-01 - Communication received from applicant

2006-03-01 - PAPER RECEIVED

2006-02-08 - Attorney Revoked And/Or Appointed

2006-02-08 - TEAS Revoke/Appoint Attorney Received

2006-02-06 - TEAS Change Of Correspondence Received

2005-08-30 - NON-FINAL ACTION E-MAILED

2005-08-30 - Non-Final Action Written

2005-08-30 - Amendment to Use approved

2005-08-12 - Amendment to use processing complete

2005-08-02 - Amendment to Use filed

2005-08-02 - PAPER RECEIVED

2005-03-16 - Non-final action e-mailed

2005-03-16 - Non-Final Action Written

2005-03-15 - Assigned To Examiner

2004-08-20 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Stephen L. Sapp

Correspondent

Stephen L. Sapp

Locke Liddell & Sapp LLP

2200 Ross Avenue Suite 2200

Dallas TX 75201-6776

Phone Number: 214-740-8570

Fax Number: 214-756-8570

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 1084

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 17:14:47 ET

Serial Number: 78255651 Assignment Information

Registration Number: 3092165

Mark (words only): DIGITAL STOREFRONT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-05-16

Filing Date: 2003-05-29

Transformed into a National Application: No

Registration Date: 2006-05-16

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: 2006-05-16

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

1. ELECTRONICS FOR IMAGING, INC.

Address:

ELECTRONICS FOR IMAGING, INC.
303 VELOCITY WAY
FOSTER CITY, CA 94404
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software that enables commercial print providers to monitor and manage document printing via the Internet

Basis: 1(a)

First Use Date: 2001-06-00

First Use in Commerce Date: 2001-06-00

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-16 - Ex parte appeal terminated

2006-05-16 - Registered - Principal Register

2006-03-03 - Attorney Revoked And/Or Appointed

2006-03-03 - TEAS Revoke/Appoint Attorney Received

2006-02-21 - Published for opposition

2006-02-01 - Notice of publication

2006-01-06 - Law Office Publication Review Completed

2006-01-03 - Assigned To LIE

2005-12-08 - Approved for Pub - Principal Register (Initial exam)

2005-12-08 - EXAMINERS AMENDMENT E-MAILED

2005-12-08 - Examiners Amendment - Written

2005-10-24 - Jurisdiction Restored To Examining Attorney

2005-09-29 - TEAS Change Of Correspondence Received

2005-08-17 - ACTION DENYING REQ FOR RECON E-MAILED

2005-08-17 - Continuation of final refusal mailed

2005-08-11 - Attorney Review/Decision On Amendment Required

2005-08-08 - Assigned To Examiner

2005-08-05 - TEAS Change Of Correspondence Received

2005-08-05 - TEAS Response to Office Action Received

2005-08-05 - Ex parte appeal - Instituted

2005-08-05 - Jurisdiction Restored To Examining Attorney

2005-08-05 - EXPARTE APPEAL RECEIVED AT TTAB
2005-02-07 - Final refusal e-mailed
2005-02-07 - Final Refusal Written
2005-01-18 - Petition To Revive-Granted
2004-09-30 - Petition To Revive-Received
2004-09-30 - PAPER RECEIVED
2004-09-22 - TEAS Change Of Correspondence Received
2004-08-08 - Abandonment - Failure To Respond Or Late Response
2003-12-26 - Non-final action e-mailed
2003-12-13 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Susan L. Heller and Amanda Laura Nye

Correspondent

Susan L. Heller
Greenberg Traurig, LLP
2450 Colorado Avenue, Suite 400E
Santa Monica CA 90404
Phone Number: (310) 586-7700
Fax Number: (310) 586-0564

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)
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EXHIBIT 1085

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 17:15:55 ET

Serial Number: 78374302 Assignment Information

Registration Number: 3091096

Mark

USDigital

(words only): USDIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-05-09

Filing Date: 2004-02-26

Transformed into a National Application: No

Registration Date: 2006-05-09

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: 2006-03-27

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

1. U.S. Digital Television, Inc.

Address:

U.S. Digital Television, Inc.
12552 South 125 West
Draper, UT 84020

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Utah

Phone Number: 801-748-2464

Fax Number: 801-748-0671

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Television hardware, computer hardware, computer software, and electronic apparatus for transmitting, receiving, viewing, storing, securing, converting, carrying, and processing digital electronic signals for subsequent display on a television set; set-top box, converters, monitors and controllers for facilitating the display of digital television signal

Basis: 1(a)

First Use Date: 2004-03-01

First Use in Commerce Date: 2004-03-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-05-09 - Registered - Principal Register

2006-03-23 - Law Office Registration Review Completed

2006-03-17 - Assigned To LIE

2006-03-09 - Allowed for Registration. - Principal Register (SOU accepted)

2006-02-28 - Statement of use processing complete

2006-02-09 - Amendment to Use filed

2006-02-09 - TEAS Statement of Use Received

2005-10-08 - Extension 1 granted

2005-09-08 - Extension 1 filed

2006-01-09 - Extension Received With TEAS Petition

2006-01-09 - Petition To Revive-Granted

2006-01-09 - TEAS Petition To Revive Received

2005-11-08 - Abandonment Notice Mailed - No Use Statement Filed

2005-11-08 - Abandonment - No use statement filed

2005-03-08 - Notice of allowance - mailed

2004-12-14 - Published for opposition

2004-11-24 - Notice of publication

2004-10-05 - Law Office Publication Review Completed

2004-10-05 - Assigned To LIE

2004-09-18 - Approved for Pub - Principal Register (Initial exam)

2004-09-15 - Assigned To Examiner

2004-03-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

BRENT T. WINDER

JONES WALDO HOLBROOK & MCDONOUGH, PC

170 SOUTH MAIN STREET, SUITE 1500

SALT LAKE CITY UT 84101

Phone Number: 801-521-3200

Fax Number: 801-328-0537

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 **1076**

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 17:16:08 ET

Serial Number: 78498560 Assignment Information

Registration Number: 3028230

Mark

DIGITAL PRAISE

(words only): DIGITAL PRAISE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-12-13

Filing Date: 2004-10-12

Transformed into a National Application: No

Registration Date: 2005-12-13

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: 2005-12-13

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

1. Digital Praise, Inc.

Address:

Digital Praise, Inc.
40455 Encyclopedia Circle
Fremont, CA 94538
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Interactive multimedia computer game programs

Basis: 1(a)

First Use Date: 2004-09-14

First Use in Commerce Date: 2004-09-14

International Class: 042

Class Status: Active

Providing custom computer game development services for others

Basis: 1(a)

First Use Date: 2003-05-27

First Use in Commerce Date: 2003-05-27

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-12-13 - Registered - Principal Register

2005-09-20 - Published for opposition

2005-08-31 - Notice of publication

2005-05-31 - Law Office Publication Review Completed

2005-05-20 - Assigned To LIE

2005-05-17 - Approved for Pub - Principal Register (Initial exam)

2005-05-16 - Examiner's amendment mailed

2005-05-16 - Examiners Amendment -Written

2005-05-14 - Assigned To Examiner

2004-10-19 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Patricia L. Cotton

Correspondent

PATRICIA L. COTTON
PILLSBURY WINTHROP LLP
2475 HANOVER ST
PALO ALTO CA 94304-1114
Phone Number: 650.233.4500
Fax Number: 650.233.4545

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 1687

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 17:16:20 ET

Serial Number: 78491071 Assignment Information

Registration Number: 3051860

Mark

POWERPDA

(words only): POWERPDA

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-24

Filing Date: 2004-09-28

Transformed into a National Application: No

Registration Date: 2006-01-24

Register: Supplemental

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: 2006-01-24

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

1. Gale Banks Engineering

Address:

Gale Banks Engineering
546 Duggan Avenue
Azusa, CA 91702
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: 626.969.9600

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Diagnostic units for land vehicle engines and drive trains and control units for land vehicle engine and drive train controllers in the form of Personal Digital Assistant (PDA)

Basis: 1(a)

First Use Date: 2005-10-06

First Use in Commerce Date: 2005-10-20

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-03-24 - TEAS Change Of Correspondence Received

2006-01-24 - Registered - Supplemental Register

2005-12-14 - Law Office Publication Review Completed

2005-12-02 - Assigned To LIE

2005-11-28 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2005-11-28 - Examiner's Amendment Entered

2005-11-28 - EXAMINERS AMENDMENT E-MAILED

2005-11-28 - Examiners Amendment -Written

2005-11-23 - Amendment to Use approved

2005-11-03 - Amendment to use processing complete

2005-10-27 - Amendment to Use filed

2005-11-01 - Teas/Email Correspondence Entered

2005-10-27 - Communication received from applicant

2005-10-27 - TEAS Response to Office Action Received

2005-10-27 - TEAS Amendment of Use Received

2005-04-28 - Non-final action e-mailed

2005-04-28 - Non-Final Action Written

2005-04-28 - Assigned To Examiner

2004-10-05 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John D. McConaghy

Correspondent

John D. McConaghy

Connolly Bove Lodge & Hutz LLP

South Tower, Suite 3150

355 South Grand Avenue

Los Angeles CA 90071-1560

Phone Number: (213) 787-2500

Fax Number: (213) 687-0498

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 1088

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 17:16:35 ET

Serial Number: 78487350 Assignment Information

Registration Number: 3040756

Mark

WESTERN DIGITAL

(words only): WESTERN DIGITAL

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-10

Filing Date: 2004-09-21

Transformed into a National Application: No

Registration Date: 2006-01-10

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: 2006-01-10

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

1. Western Digital Technologies, Inc.

Address:

Western Digital Technologies, Inc.
20511 Lake Forest Drive
Lake Forest, CA 92630
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 and disk drives

Basis: 1(a)

First Use Date: 1989-00-00

First Use in Commerce Date: 1989-00-00

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Prior Registration Number(s):

1016514

2256629

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-10 - Registered - Principal Register

2005-10-18 - Published for opposition

2005-09-28 - Notice of publication

2005-08-29 - Law Office Publication Review Completed

2005-08-19 - Assigned To LIE

2005-08-18 - Approved for Pub - Principal Register (Initial exam)

2005-08-18 - Teas/Email Correspondence Entered

2005-08-11 - Communication received from applicant

2005-08-11 - TEAS Response to Office Action Received

2005-06-03 - TEAS Change Of Correspondence Received

2005-05-05 - Non-final action mailed

2005-05-05 - Non-Final Action Written

2005-04-20 - Assigned To Examiner

2005-02-23 - PAPER RECEIVED

2004-09-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Jane Shay Wald, Esq.

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

EXHIBIT 1089

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 17:16:50 ET

Serial Number: 78485253 Assignment Information

Registration Number: 3020449

Mark

KORG DIGITAL RECORDING STUDIO

(words only): KORG DIGITAL RECORDING STUDIO

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-11-29

Filing Date: 2004-09-17

Transformed into a National Application: No

Registration Date: 2005-11-29

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: 2005-11-29

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

1. KORG, INC.

Address:

KORG, INC.
15-12, Shimotakaido 1-chome, Suginami-ku
Tokyo 168-0073
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

Phone Number: 302-658-9141

Fax Number: 302-658-5614

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

electronic sound recording equipment and musical instrument effectors, namely, sound amplifiers, sequencers, signal processors, signal delays, electronic echo units, and parts therefor; digital audio recorders; digital audio sound editor; digital audio sound mixer

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL RECORDING"

Section 2(f), in part, as to "DIGITAL RECORDING STUDIO"

Prior Registration Number(s):

1235191

2300402

2894122

Foreign Registration Number: 4613907

Foreign Registration Date: 2002-10-18

Country: Japan

Foreign Expiration Date: 2012-10-18

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-29 - Registered - Principal Register

2005-09-06 - Published for opposition

2005-08-17 - Notice of publication

2005-05-18 - Law Office Publication Review Completed

2005-05-13 - Assigned To LIE

2005-05-06 - Approved for Pub - Principal Register (Initial exam)

2005-05-05 - Teas/Email Correspondence Entered

- 2005-04-25 - Communication received from applicant
- 2005-04-25 - TEAS Response to Office Action Received
- 2005-04-21 - Non-final action e-mailed
- 2005-04-21 - Non-Final Action Written
- 2005-04-18 - Assigned To Examiner
- 2004-09-23 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Michael L. Lovitz, Esq.

Correspondent

MICHAEL L. LOVITZ, ESQ.
CONNOLLY BOVE LODGE & HUTZ LLP
PO BOX 2207
WILMINGTON DE 19899-2207
Phone Number: 302-658-9141
Fax Number: 302-658-5614

Domestic Representative

Michael L. Lovitz, Esq.
Phone Number: 302-658-9141
Fax Number: 302-658-5614

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 1090

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 17:17:03 ET

Serial Number: 78460594 Assignment Information

Registration Number: 2998072

Mark



(words only): DD

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-09-20

Filing Date: 2004-08-02

Transformed into a National Application: No

Registration Date: 2005-09-20

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: 2005-09-20

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

1. Donohoe Digital LLC

Composed Of:

J. Douglas Donohoe

Address:

Donohoe Digital LLC

2109 Meeting Street

Wayzata, MN 55391

United States

Legal Entity Type: Ltd Liab Co**State or Country Where Organized:** Colorado**Phone Number:** 303.688.0520**Fax Number:** 303.200.7940

GOODS AND/OR SERVICES

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

Computer game software for poker

Basis: 1(a)**First Use Date:** 2004-01-01**First Use in Commerce Date:** 2004-06-01

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) Green, yellow and white. is/are claimed as a feature of the mark.**Description of Mark and Any Color Part(s):** The color green appears in the letters D D and in the circle portion along, and the color yellow also appears in the circle portion.**Description of Mark:** The mark consists of The letters "DD", colored green, overlapping and in an italic, cursive font.**Design Search Code(s):**

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

26.01.21 - Circles that are totally or partially shaded.

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-19 - Applicant/Correspondence Changes (Non-Responsive) Entered

2006-04-19 - TEAS Change Of Owner Address Received

2005-09-20 - Registered - Principal Register

2005-06-28 - Published for opposition

2005-06-08 - Notice of publication

2005-03-18 - Law Office Publication Review Completed

2005-03-11 - Assigned To LIE

2005-03-07 - Approved for Pub - Principal Register (Initial exam)

2005-03-07 - Examiners amendment e-mailed

2005-03-07 - Examiners Amendment -Written

2005-03-06 - Assigned To Examiner

2004-08-11 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

DONOHUE DIGITAL LLC

2109 Meeting Street

Wayzata MN 55391

Phone Number: 952-476-7376

Fax Number: 952-216-0050

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 1091

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 2007-01-17 10:44:24 ET

Serial Number: 78455954 Assignment Information

Registration Number: 2997837

Mark

DIGISIZER

(words only): DIGISIZER

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-09-20

Filing Date: 2004-07-23

Transformed into a National Application: No

Registration Date: 2005-09-20

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: 2005-09-20

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

1. Burandt, Jason T.

Address:

Burandt, Jason T.
23015 N. 15th Avenue, #104

Phoenix, AZ 85027

United States

Legal Entity Type: Individual

Country of Citizenship: United States

2. Burandt, Charlotte L.

Address:

Burandt, Charlotte L.

23015 N. 15th Avenue, #104

Phoenix, AZ 85027

United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Instruments for measuring length; Instruments for measuring hat size, clothing size, jewelry size, watchband size, watch case lug size, and body dimensions

Basis: 1(a)

First Use Date: 2004-07-20

First Use in Commerce Date: 2004-07-20

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-20 - Registered - Principal Register

2005-06-28 - Published for opposition

2005-06-08 - Notice of publication

2005-03-18 - Law Office Publication Review Completed

2005-03-08 - Assigned To LIE

2005-02-28 - Approved for Pub - Principal Register (Initial exam)

2005-02-27 - Assigned To Examiner

2004-08-03 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Martin L. Stoneman

Correspondent

MARTIN L. STONEMAN
STONEMAN LAW OFFICES, LTD.
3113 N 3RD ST
PHOENIX AZ 85012-2601
Phone Number: 602-263-9200
Fax Number: 602-277-4883

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 1092

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 17:19:32 ET

Serial Number: 78453750 Assignment Information

Registration Number: 3049343

Mark

Darden Digital

(words only): DARDEN DIGITAL

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-24

Filing Date: 2004-07-20

Transformed into a National Application: No

Registration Date: 2006-01-24

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: 2006-01-24

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

1. Darden Digital Corporation

Address:

Darden Digital Corporation
Suite 200 1850 Gateway Blvd.
Concord, CA 945203275
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: (877) 432-7336

Fax Number: (925) 808-6503

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computers

Basis: 1(a)

First Use Date: 1984-12-16

First Use in Commerce Date: 1984-12-16

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Section 2(f)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-24 - Registered - Principal Register

2005-11-01 - Published for opposition

2005-10-12 - Notice of publication

2005-09-07 - Law Office Publication Review Completed

2005-09-02 - Assigned To LIE

2005-08-29 - Approved for Pub - Principal Register (Initial exam)

2005-08-29 - Teas/Email Correspondence Entered

2005-08-23 - Communication received from applicant

2005-08-23 - TEAS Response to Office Action Received

2005-02-24 - Non-final action e-mailed

2005-02-24 - Non-Final Action Written

2005-02-22 - Assigned To Examiner

2004-07-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

DARDEN DIGITAL CORPORATION

1850 GATEWAY BLVD STE 200

CONCORD CA 94520-3279

Phone Number: (877) 432-7336

Fax Number: (925) 808-6503

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

1093

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 17:19:59 ET

Serial Number: 78446469 Assignment Information

Registration Number: 3058761

Mark

DORS

(words only): DORS

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-02-14

Filing Date: 2004-07-06

Transformed into a National Application: No

Registration Date: 2006-02-14

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: 2006-02-14

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

1. Whatif Productions LLC

Address:

Whatif Productions LLC
69 Trapelo Road
Belmont, MA 02478
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 the creation, playback, secure distribution and customization of resuseable rich-media digital content and its components parts

Basis: 1(a)

First Use Date: 2003-01-17

First Use in Commerce Date: 2003-01-17

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-02-14 - Registered - Principal Register

2005-11-22 - Published for opposition

2005-11-02 - Notice of publication

2005-10-04 - Law Office Publication Review Completed

2005-09-30 - Assigned To LIE

2005-09-29 - Approved for Pub - Principal Register (Initial exam)

2005-09-13 - Amendment From Applicant Entered

2005-08-16 - Communication received from applicant

2005-08-16 - PAPER RECEIVED

2005-07-27 - Final refusal mailed

2005-07-26 - Final Refusal Written

2005-07-07 - Amendment From Applicant Entered

2005-07-01 - Communication received from applicant

2005-07-01 - PAPER RECEIVED

2005-06-16 - Non-final action mailed

- 2005-06-15 - Non-Final Action Written
- 2005-05-26 - Amendment From Applicant Entered
- 2005-05-06 - Communication received from applicant
- 2005-05-06 - PAPER RECEIVED
- 2005-02-09 - Non-final action mailed
- 2005-02-09 - Non-Final Action Written
- 2005-02-08 - Assigned To Examiner
- 2004-07-13 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Karen A. McGee

Correspondent

KAREN A. MCGEE
BARNES & THORNBURG
750 17TH ST NW STE 900
WASHINGTON DC 20006-4607
Phone Number: 202-289-1313
Fax Number: 202-289-1330

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 1094

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 17:20:11 ET

Serial Number: 78438390 Assignment Information

Registration Number: 3080667

Mark

DIGIANTIX

(words only): DIGIANTIX

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-04-11

Filing Date: 2004-06-21

Transformed into a National Application: No

Registration Date: 2006-04-11

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: 2006-03-02

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

1. Digiantix

Address:

Digiantix
15930 West Road
Los Gatos, CA 95030
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Applications software, namely, programs for list management, high frequency data manipulation, golf statistical tracking and analysis, and portal communications, all for use with mobile communications devices

Basis: 1(a)

First Use Date: 2003-07-28

First Use in Commerce Date: 2003-07-28

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-11 - Registered - Principal Register

2006-02-28 - Law Office Registration Review Completed

2006-02-24 - Assigned To LIE

2006-02-21 - Allowed for Registration - Principal Register (SOU accepted)

2006-02-05 - Statement of use processing complete

2006-01-12 - Amendment to Use filed

2006-01-12 - TEAS Statement of Use Received

2005-09-13 - Notice of allowance - mailed

2005-06-21 - Published for opposition

2005-06-01 - Assigned To Examiner

2005-06-01 - Notice of publication

2005-05-31 - Assigned To Examiner

2005-03-21 - Assigned To Examiner

2005-03-10 - Law Office Publication Review Completed

2005-03-08 - Assigned To Examiner

2005-03-07 - Assigned To Examiner
2005-03-01 - Assigned To LIE
2005-02-23 - Approved for Pub - Principal Register (Initial exam)
2005-02-18 - Examiner's Amendment Entered
2005-02-09 - Examiners amendment e-mailed
2005-02-09 - Examiners Amendment -Written
2005-01-26 - Assigned To Examiner
2004-06-28 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Michael J. Hughes

Correspondent

Michael J. Hughes
IPLO Intellectual Property Law Offices
1901 South Bascom Avenue, Suite 660
Campbell, CA 95008
Phone Number: 408-558-9950
Fax Number: 408-558-9960

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 1095

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 17:20:24 ET

Serial Number: 78438064 Assignment Information

Registration Number: 3062297

Mark

WD

(words only): WD

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-02-28

Filing Date: 2004-06-18

Transformed into a National Application: No

Registration Date: 2006-02-28

Register: Principal

Law Office Assigned: LAW OFFICE 104

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-02-28

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

1. Western Digital Technologies, Inc.

Address:

Western Digital Technologies, Inc.
20511 Lake Forest Drive
Lake Forest, CA 92630
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: 1996-00-00

First Use in Commerce Date: 1996-00-00

ADDITIONAL INFORMATION

Prior Registration Number(s):

2255308

2332545

2521071

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-02-28 - Registered - Principal Register

2006-02-07 - Assigned To Examiner

2006-01-17 - Extension Of Time To Oppose Process - Terminated

2005-11-01 - Extension Of Time To Oppose Received

2005-10-18 - Published for opposition

2005-09-28 - Notice of publication

2005-06-28 - Law Office Publication Review Completed

2005-06-24 - Assigned To LIE

2005-06-21 - Approved for Pub - Principal Register (Initial exam)

2005-06-21 - Amendment From Applicant Entered

2005-06-13 - Communication received from applicant

2005-06-13 - PAPER RECEIVED

2005-02-23 - Unresponsive/Duplicate Paper Received

2005-02-23 - PAPER RECEIVED

2004-12-10 - Examiner's Amendment And/Or Priority Action Mailed

2004-12-10 - Examiners Amendment And/Or Priority Action - Completed

2004-11-28 - Assigned To Examiner

2004-06-24 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Steven J. Nataupsky

Correspondent

Steven J. Nataupsky

Knobbe, Martens, Olson & Bear LLP

2040 Main Street, 14th Floor

Irvine, California 92614

Phone Number: (949) 760-0404

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 1096

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 17:20:40 ET

Serial Number: 78432431 Assignment Information

Registration Number: 2976165

Mark

Digi Max

(words only): DIGI MAX

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-07-26

Filing Date: 2004-06-09

Transformed into a National Application: No

Registration Date: 2005-07-26

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: 2005-07-26

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

1. Absolute Process Instruments, Inc.

Address:

Absolute Process Instruments, Inc.
1220 American Way
Libertyville, IL 60048
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Illinois

Phone Number: 800-942-0315

Fax Number: 800-949-7502

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital pressure and vacuum gauges with the capability of displaying minimum and maximum readings

Basis: 1(a)

First Use Date: 2003-11-14

First Use in Commerce Date: 2004-02-20

ADDITIONAL INFORMATION

Disclaimer: "DIGI"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-26 - Registered - Principal Register

2005-05-03 - Published for opposition

2005-04-13 - Notice of publication

2005-02-10 - Law Office Publication Review Completed

2005-01-28 - Assigned To LIE

2005-01-27 - Approved for Pub - Principal Register (Initial exam)

2005-01-26 - Teas/Email Correspondence Entered

2005-01-19 - Communication received from applicant

2005-01-19 - TEAS Response to Office Action Received

2005-01-10 - Non-final action e-mailed

2005-01-10 - Non-Final Action Written

2005-01-10 - Assigned To Examiner

2004-06-16 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

ABSOLUTE PROCESS INSTRUMENTS, INC.

1220 AMERICAN WAY

LIBERTYVILLE, IL 60048-3936

Phone Number: 800-942-0315

Fax Number: 800-949-7502

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 1097

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 17:20:53 ET

Serial Number: 78426093 Assignment Information

Registration Number: 3067506

Mark

DIGITAL PHOTO LAB

(words only): DIGITAL PHOTO LAB

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-03-14

Filing Date: 2004-05-27

Transformed into a National Application: No

Registration Date: 2006-03-14

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: 2006-03-14

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

1. Kwan Software Engineering, Inc.

Address:

Kwan Software Engineering, Inc.
2118 Walsh Avenue, Suite 110
Santa Clara, CA 950502561
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: (408) 496-1200

Fax Number: (408) 496-1269

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software for creating, displaying, manipulating, organizing, printing, and archiving digital photos

Basis: 1(a)

First Use Date: 2001-05-22

First Use in Commerce Date: 2001-05-22

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL PHOTO"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-03-14 - Registered - Principal Register

2005-12-20 - Published for opposition

2005-11-30 - Notice of publication

2005-11-01 - Law Office Publication Review Completed

2005-10-28 - Assigned To LIE

2005-10-24 - Approved for Pub - Principal Register (Initial exam)

2005-07-13 - Amendment From Applicant Entered

2005-07-05 - Communication received from applicant

2005-07-05 - PAPER RECEIVED

2004-12-30 - Non-final action e-mailed

2004-12-30 - Non-Final Action Written

2004-12-30 - Assigned To Examiner

2004-06-02 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Gregory Scott Smith

Correspondent

Gregory Scott Smith

Gregory Smith & Associates

3900 Newpark Mall Road Third Floor, Suit

Newark, CA 94560

Phone Number: (510) 742-7417

Fax Number: (510) 742-7419

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 1098

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 17:21:05 ET

Serial Number: 78404566 Assignment Information

Registration Number: 3001289

Mark

D I G I . T R A M

(words only): DIGI TRAM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-09-27

Filing Date: 2004-04-20

Transformed into a National Application: No

Registration Date: 2005-09-27

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: 2005-09-27

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

1. Delaware Capital Formation, Inc.

Address:

Delaware Capital Formation, Inc.
Suite 102 1403 Foulk Road
Wilmington, DE 198032755
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Mechanical and computerized measuring device namely, an electronic memory bank and computer software for identifying and analyzing structural damage to vehicles

Basis: 1(a)

First Use Date: 2003-12-05

First Use in Commerce Date: 2003-12-05

ADDITIONAL INFORMATION

Design Search Code(s):

26.01.21 - Circles that are totally or partially shaded.

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

2005-09-27 - Registered - Principal Register

2005-07-05 - Published for opposition

2005-06-15 - Notice of publication

2005-03-28 - Law Office Publication Review Completed

2005-03-25 - Assigned To LIE

2005-03-18 - Approved for Pub - Principal Register (Initial exam)

2005-03-16 - Amendment From Applicant Entered

2005-03-01 - Communication received from applicant

2005-03-01 - PAPER RECEIVED

2004-11-14 - Non-final action e-mailed

2004-11-14 - Non-Final Action Written

2004-11-14 - Assigned To Examiner

2004-04-29 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Roberta L. Christensen

Correspondent

Roberta L. Christensen

Koley Jessen P.C.

Suite 800

One Pacific Place 1125 S 103rd St.

Omaha, NE 68124

Phone Number: (402) 390-9500

Fax Number: (402) 390-9005

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 1099

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 17:21:19 ET

Serial Number: 78393132 Assignment Information

Registration Number: 3026845

Mark

TAG DIGITAL MEDIA

(words only): TAG DIGITAL MEDIA

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-12-13

Filing Date: 2004-03-30

Transformed into a National Application: No

Registration Date: 2005-12-13

Register: Principal

Law Office Assigned: LAW OFFICE 104

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: 2005-12-13

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

1. TRELLION TECHNOLOGIES, INC.

Address:

TRELLION TECHNOLOGIES, INC.

Suite 470 3655 Nobel Drive

San Diego, CA 92122

United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Prerecorded CD-Audio, CDs, DVDs and DVDROMs containing product use and advertising information used as retail merchandise inserts, product merchandise attachments, direct mail inserts, magazine and newspaper inserts and as event promotional items for use by others

Basis: 1(a)

First Use Date: 2003-04-30

First Use in Commerce Date: 2003-09-30

International Class: 035

Class Status: Active

Business consulting services in relation to product distribution and logistics services; interactive multimedia creative services, namely marketing services in the nature of the creation of interactive multimedia marketing tools for others; consumer research; merchandise packaging for use in direct mail advertising; promotional marketing services featuring a consumer rewards sweepstakes; marketing and advertising services all for others; order fulfillment services

Basis: 1(a)

First Use Date: 2002-12-31

First Use in Commerce Date: 2002-12-31

International Class: 039

Class Status: Active

Packaging articles for transportation in the field of direct mail

Basis: 1(a)

First Use Date: 2002-12-31

First Use in Commerce Date: 2002-12-31

International Class: 040

Class Status: Active

Duplication of CD-Audio, CDs, DVDs and DVDROMs for others

Basis: 1(a)

First Use Date: 2002-12-31

First Use in Commerce Date: 2002-12-31

International Class: 042

Class Status: Active

Design of interactive websites for others for advertising purposes; graphic art design; packaging design for others; data mining services for others

Basis: 1(a)

First Use Date: 2002-12-31

First Use in Commerce Date: 2002-12-31

ADDITIONAL INFORMATION

Disclaimer: DIGITAL MEDIA

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-12-13 - Registered - Principal Register
2005-09-20 - Published for opposition
2005-08-31 - Notice of publication
2005-06-09 - Law Office Publication Review Completed
2005-05-27 - Assigned To LIE
2005-05-23 - Approved for Pub - Principal Register (Initial exam)
2005-05-23 - EXAMINERS AMENDMENT E-MAILED
2005-05-23 - Examiners Amendment -Written
2005-05-05 - Teas/Email Correspondence Entered
2005-04-21 - Communication received from applicant
2005-04-21 - TEAS Response to Office Action Received
2005-04-21 - TEAS Change Of Correspondence Received
2005-01-31 - Withdrawal Of Attorney Granted
2005-01-31 - TEAS Withdrawal Of Attorney Received
2004-10-21 - Non-final action e-mailed
2004-10-21 - Non-Final Action Written
2004-10-18 - Assigned To Examiner
2004-08-31 - TEAS Change Of Correspondence Received
2004-04-08 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Thomas D. Foster
TD Foster
Suite 300
12760 High Bluff Drive
San Diego CA 92130
Phone Number: 858.922.2170
Fax Number: 8582596008

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 **1100**

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 17:22:39 ET

Serial Number: 78392316 Assignment Information

Registration Number: 3022000

Mark

DIGI CONNECT WI-EM

(words only): DIGI CONNECT WI-EM

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-11-29

Filing Date: 2004-03-29

Transformed into a National Application: No

Registration Date: 2005-11-29

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: 2005-10-21

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

1. Digi International Inc.

Address:

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

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer Network Connectivity Hardware, Namely, Wireless Device Server Modules

Basis: 1(a)

First Use Date: 2005-04-01

First Use in Commerce Date: 2005-04-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

2317478

2319992

2630891

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-29 - Registered - Principal Register

2005-10-17 - Law Office Registration Review Completed

2005-10-07 - Assigned To LIE

2005-09-30 - Allowed for Registration - Principal Register (SOU accepted)

2005-09-14 - Statement of use processing complete

2005-08-31 - Amendment to Use filed

2005-09-02 - PAPER RECEIVED

2005-03-01 - Notice of allowance - mailed

2004-12-07 - Published for opposition

2004-11-17 - Notice of publication

2004-09-30 - Law Office Publication Review Completed

2004-09-27 - Assigned To LIE

2004-09-22 - Approved for Pub - Principal Register (Initial exam)

2004-09-22 - Assigned To Examiner

2004-04-26 - PAPER RECEIVED

2004-04-23 - TEAS Change Of Correspondence Received

2004-04-06 - New Application Entered In Tram

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 1101

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 17:22:56 ET

Serial Number: 78392292 Assignment Information

Registration Number: 3021998

Mark

DIGI CONNECT WI-ME

(words only): DIGI CONNECT WI-ME

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-11-29

Filing Date: 2004-03-29

Transformed into a National Application: No

Registration Date: 2005-11-29

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: 2005-10-21

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

1. Digi International Inc.

Address:

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

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer Network Connectivity Hardware, Namely, Wireless Device Server Modules

Basis: 1(a)

First Use Date: 2005-04-01

First Use in Commerce Date: 2005-04-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

2317478

2319992

2630891

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-29 - Registered - Principal Register

2005-10-17 - Law Office Registration Review Completed

2005-10-07 - Assigned To LIE

2005-09-30 - Allowed for Registration - Principal Register (SOU accepted)

2005-09-16 - Statement of use processing complete

2005-09-01 - Amendment to Use filed

2005-09-02 - PAPER RECEIVED

2005-03-01 - Notice of allowance - mailed

2004-12-07 - Published for opposition

2004-11-17 - Notice of publication

2004-09-30 - Law Office Publication Review Completed

2004-09-27 - Assigned To LIE

2004-09-22 - Approved for Pub - Principal Register (Initial exam)

2004-09-22 - Assigned To Examiner

2004-04-26 - PAPER RECEIVED

2004-04-23 - TEAS Change Of Correspondence Received

2004-04-05 - New Application Entered In Tram

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 1102

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 17:23:10 ET

Serial Number: 78387138 Assignment Information

Registration Number: 3040196

Mark



(words only): ROCKET DVD PROFESSIONAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-01-10

Filing Date: 2004-03-18

Transformed into a National Application: No

Registration Date: 2006-01-10

Register: Principal

Law Office Assigned: LAW OFFICE 107

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-01-10

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

1. VtoDVD Systems, LLC

Address:
VtoDVD Systems, LLC
2100 196th St. SW, Ste. 119
Lynnwood, WA 98036
United States

Legal Entity Type: LIMITED LIABILITY CORPORATION

State or Country Where Organized: Washington

Phone Number: 425-776-9067

Fax Number: 425-712-8787

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software featuring an automated DVD authoring and production PC based system that combines industry standard PC hardware with proprietary software

Basis: 1(a)

First Use Date: 2003-08-22

First Use in Commerce Date: 2003-08-22

ADDITIONAL INFORMATION

Color(s) Claimed: The colors yellow, orange and red are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The mark consists of the words Rocket, DVD (italicized) and the acronym DVD as one word i.e. "Rocket DVD" in black lettering. The acronym "DVD" is placed in a yellow and orange circle. The mark has a orange and yellow swoosh going from the lower portion of the yellow and orange circle through the "O" in Rocket and ends up at the tail end of a black stylized figure of a rocket which penetrates the upper portion of the yellow and orange circle. The word "Professional" is in red under the word Rocket and is italicized the length of which is from the "R" in rocket to the "K" in rocket.

Disclaimer: "DVD" and "PROFESSIONAL"

Design Search Code(s):

26.01.01 - Circles as carriers or as single line borders

26.01.21 - Circles that are totally or partially shaded.

26.11.01 - Rectangles as carriers or rectangles as single or multiple line borders

26.11.21 - Rectangles that are completely or partially shaded

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-10 - Registered - Principal Register

2005-10-18 - Published for opposition

2005-09-28 - Notice of publication

2005-06-27 - Law Office Publication Review Completed

2005-06-24 - Assigned To LIE

2005-06-17 - Approved for Pub - Principal Register (Initial exam)

2005-06-16 - Previous allowance count withdrawn
2005-06-03 - Withdrawn Before Publication
2005-03-18 - Law Office Publication Review Completed
2005-03-11 - Approved for Pub - Principal Register (Initial exam)
2005-03-11 - Examiner's Amendment Entered
2005-03-10 - EXAMINERS AMENDMENT E-MAILED
2005-03-10 - Examiners Amendment -Written
2005-02-23 - Previous allowance count withdrawn
2005-02-17 - Assigned To LIE
2005-02-07 - Approved for Pub - Principal Register (Initial exam)
2005-01-26 - Amendment From Applicant Entered
2005-01-12 - Communication received from applicant
2005-01-12 - PAPER RECEIVED
2004-12-17 - Final refusal e-mailed
2004-12-17 - Final Refusal Written
2004-12-16 - Teas/Email Correspondence Entered
2004-12-13 - Communication received from applicant
2004-12-13 - TEAS Response to Office Action Received
2004-09-29 - Non-final action e-mailed
2004-09-29 - Non-Final Action Written
2004-09-28 - Assigned To Examiner
2004-03-31 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

VtoDVD Systems, LLC
2100 196th St. SW, Ste. 119
Lynnwood, WA 98036
Phone Number: 425-776-9067
Fax Number: 425-712-8787

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 1103

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 17:23:24 ET

Serial Number: 78385499 Assignment Information

Registration Number: 2975940

Mark



(words only): HOLLYWOOD DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-26

Filing Date: 2004-03-16

Transformed into a National Application: No

Registration Date: 2005-07-26

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: 2005-07-26

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):

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

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

26.17.25 - Other lines, bands or bars

Prior Registration Number(s):

1858473

2625480

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-26 - Registered - Principal Register

2005-05-03 - Published for opposition

2005-04-13 - Notice of publication

2005-02-09 - Law Office Publication Review Completed

2005-02-04 - Assigned To LIE

2005-02-03 - Approved for Pub - Principal Register (Initial exam)

2005-02-03 - Amendment From Applicant Entered

2005-01-14 - Communication received from applicant

2005-01-14 - PAPER RECEIVED
2005-01-05 - Final refusal e-mailed
2005-01-05 - Final Refusal Written
2004-12-23 - Assigned To Examiner
2004-11-16 - Amendment From Applicant Entered
2004-11-01 - Communication received from applicant
2004-11-01 - PAPER RECEIVED
2004-09-29 - Examiner's Amendment And/Or Priority Action E-Mailed
2004-09-29 - Examiners Amendment And/Or Priority Action - Completed
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 1104

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 17:23:36 ET

Serial Number: 78380060 Assignment Information

Registration Number: 3071921

Mark

DIGI CONNECT SP

(words only): DIGI CONNECT SP

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-03-21

Filing Date: 2004-03-08

Transformed into a National Application: No

Registration Date: 2006-03-21

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: 650 -Publication And Issue Section

Date In Location: 2006-02-07

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

1. Digi International Inc.

Address:

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

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer Network Connectivity Hardware, Namely, Device Servers

Basis: 1(a)

First Use Date: 2004-04-01

First Use in Commerce Date: 2004-04-01

ADDITIONAL INFORMATION

Prior Registration Number(s):

2317478

2319992

2630891

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-03-21 - Registered - Principal Register

2006-02-05 - Law Office Registration Review Completed

2006-02-03 - Assigned To LIE

2006-01-27 - Allowed for Registration - Principal Register (SOU accepted)

2006-01-17 - Statement of use processing complete

2005-12-19 - Amendment to Use filed

2005-12-19 - PAPER RECEIVED

2005-09-22 - Extension 1 granted

2005-09-22 - Extension 1 filed

2005-09-22 - TEAS Extension Received

2005-03-22 - Notice of allowance - mailed

2004-12-28 - Published for opposition

2004-12-08 - Notice of publication

2004-10-26 - Law Office Publication Review Completed

2004-10-04 - Assigned To LIE
2004-09-23 - Approved for Pub - Principal Register (Initial exam)
2004-09-22 - Assigned To Examiner
2004-04-26 - PAPER RECEIVED
2004-04-23 - TEAS Change Of Correspondence Received
2004-03-23 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Marsha Stolt

Correspondent

MARSHA STOLT,
MOSS & BARNETT, P.A.
4800 WELLS FARGO CT.
90 S. 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 1105

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 17:23:48 ET

Serial Number: 78375030 Assignment Information

Registration Number: 3021920

Mark

PDTALK

(words only): PDTALK

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-11-29

Filing Date: 2004-02-26

Transformed into a National Application: No

Registration Date: 2005-11-29

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: 2005-10-18

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

1. Su, Joseph

Address:

Su, Joseph
79 W. Camino Real
Arcadia, CA 91007
United States

Legal Entity Type: Individual

Country of Citizenship: Taiwan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Earphones; portable communication apparatus; namely, mobile phones; photographic cameras; digital cellular telephones; smartphones; and personal digital assistants

Basis: 1(a)

First Use Date: 2004-03-01

First Use in Commerce Date: 2004-03-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-29 - Registered - Principal Register

2005-10-12 - Law Office Registration Review Completed

2005-10-07 - Assigned To LIE

2005-10-03 - Allowed for Registration - Principal Register (SOU accepted)

2005-07-25 - Statement of use processing complete

2005-07-25 - Amendment to Use filed

2005-07-25 - TEAS Statement of Use Received

2005-06-14 - Notice of allowance - mailed

2005-03-22 - Published for opposition

2005-03-02 - Notice of publication

2004-09-27 - Law Office Publication Review Completed

2004-09-17 - Assigned To LIE

2004-09-15 - Approved for Pub - Principal Register (Initial exam)

2004-09-15 - Assigned To Examiner

2004-03-15 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Bin Li

Correspondent

Bin Li

Law Offices of Bin Li

940 E. Main Street

Alhambra, CA 91801

Phone Number: 626-588-2663

Fax Number: 636-281-7493

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 1106

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 17:24:00 ET

Serial Number: 78366910 Assignment Information

Registration Number: 3012179

Mark

DigitalFlash

(words only): DIGITALFLASH

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-11-01

Filing Date: 2004-02-12

Transformed into a National Application: No

Registration Date: 2005-11-01

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: 2005-09-23

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

1. Sightic Vista LTD

Address:

Sightic Vista LTD
P.O. Box 8538, Poleg Industrial Park 8 Hamelacha St.
Netanya 42504
Israel

Legal Entity Type: Corporation

State or Country of Incorporation: Israel

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Image enhancers for use on cameras, video cameras, Video DSP (Digital Signal Processor) and surveillance and industrial imaging systems

Basis: 1(a)

First Use Date: 2004-02-06

First Use in Commerce Date: 2004-02-06

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-01 - Registered - Principal Register

2005-09-21 - Law Office Registration Review Completed

2005-09-16 - Assigned To LIE

2005-09-13 - Allowed for Registration - Principal Register (SOU accepted)

2005-08-08 - Statement of use processing complete

2005-08-08 - Extension 1 granted

2005-08-01 - Amendment to Use filed

2005-08-01 - Extension 1 filed

2005-08-01 - TEAS Extension Received

2005-08-01 - TEAS Statement of Use Received

2005-05-17 - Notice of allowance - mailed

2005-02-22 - Published for opposition

2005-02-02 - Notice of publication

2004-12-21 - Law Office Publication Review Completed

2004-12-17 - Assigned To LIE

2004-12-15 - Approved for Pub - Principal Register (Initial exam)

2004-12-14 - Teas/Email Correspondence Entered

2004-12-08 - Communication received from applicant

2004-12-08 - TEAS Response to Office Action Received

2004-09-08 - Non-final action e-mailed

2004-09-08 - Non-Final Action Written

2004-09-03 - Assigned To Examiner

2004-02-25 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Caroline H. Mead, Esq.

Correspondent

Caroline H. Mead, Esq.

Squire, Sanders & Dempsey L.L.P.

Suite 300

One Maritime Plaza

San Francisco, CA 94111

Phone Number: (415) 954-0200

Fax Number: (415) 393-9887

Domestic Representative

Caroline H. Mead, Esq.

Phone Number: (415) 954-0200

Fax Number: (415) 393-9887

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 1107

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 17:24:14 ET

Serial Number: 78358178 Assignment Information

Registration Number: 2996010

Mark

THE OFFICIAL DIGITAL CAMERA OF THE INTERNET AGE

(words only): THE OFFICIAL DIGITAL CAMERA OF THE INTERNET AGE

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-09-13

Filing Date: 2004-01-27

Transformed into a National Application: No

Registration Date: 2005-09-13

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: 2005-08-04

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

digital cameras

Basis: 1(a)

First Use Date: 2004-05-31

First Use in Commerce Date: 2004-05-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY.

2005-09-13 - Registered - Principal Register

2005-08-02 - Law Office Registration Review Completed

2005-07-28 - Assigned To LIE

2005-07-21 - Allowed for Registration - Principal Register (SOU accepted)

2005-07-18 - Teas/Email Correspondence Entered

2005-07-08 - Communication received from applicant

2005-07-08 - TEAS Response to Office Action Received

2005-05-31 - Non-final action e-mailed

2005-05-31 - SU - Non-Final Action - Written

2005-05-27 - Statement of use processing complete

2005-05-17 - Amendment to Use filed

2005-05-17 - TEAS Statement of Use Received

2004-12-21 - Notice of allowance - mailed

2004-09-28 - Published for opposition

2004-09-08 - Notice of publication

2004-07-30 - Law Office Publication Review Completed

2004-07-30 - Assigned To LIE

2004-07-23 - Approved for Pub - Principal Register (Initial exam)

2004-07-22 - Assigned To Examiner

2004-07-19 - PAPER RECEIVED

2004-02-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Shoko I. Leek, Reg. No. 43,746

Correspondent

Shoko I. Leek, Reg. No. 43,746

Christensen O'Connor Johnson Kindness PL

1420 Fifth Avenue, Suite 2800

Seattle, WA 98101-2347

Phone Number: 206.682.8100

Fax Number: 206.224.0779

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 1108

TO APPLICANT'S NOTICE OF RELIANCE

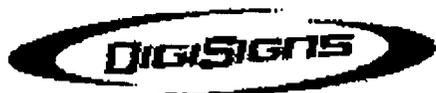
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 17:24:26 ET

Serial Number: 78352987 Assignment Information

Registration Number: 3048702

Mark



(words only): (DIGISIGNS)

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-01-24

Filing Date: 2004-01-16

Transformed into a National Application: No

Registration Date: 2006-01-24

Register: Principal

Law Office Assigned: LAW OFFICE 107

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-01-24

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

1. DigiSigns, Inc.

Address:

DigiSigns, Inc.
215 N.Old Manor
Wichita, KS 67208
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Kansas**Phone Number:** 316-706-8343

GOODS AND/OR SERVICES

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

Electric networked digital signs

Basis: 1(a)**First Use Date:** 2003-09-08**First Use in Commerce Date:** 2003-09-08

ADDITIONAL INFORMATION

Design Search Code(s):

26.03.03 - Incomplete ovals; Ovals, incomplete

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-24 - Registered - Principal Register

2005-11-01 - Published for opposition

2005-10-12 - Notice of publication

2005-08-12 - Law Office Publication Review Completed

2005-08-12 - Assigned To LIE

2005-08-05 - Assigned To LIE

2005-08-04 - Approved for Pub - Principal Register (Initial exam)

2005-06-27 - Previous allowance count withdrawn

2005-06-10 - Withdrawn Before Publication

2005-03-21 - Law Office Publication Review Completed

2005-03-18 - Assigned To LIE

2005-03-17 - Approved for Pub - Principal Register (Initial exam)

2005-03-01 - Amendment From Applicant Entered

2005-02-07 - Communication received from applicant

2005-02-07 - PAPER RECEIVED

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

2004-08-07 - Assigned To Examiner

2004-01-22 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Kent A. Meyerhoff

Correspondent

Kent A. Meyerhoff

Fleeson, Gooing, Coulson & Kitch, L.L.C.

125 N. Market, Suite 1600

Wichita, KS 67202

Phone Number: 316-267-7361

Fax Number: 316-267-1754

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 1109

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 17:24:37 ET

Serial Number: 78352221 Assignment Information

Registration Number: 2985154

Mark



(words only): DVD PLAY

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-08-16

Filing Date: 2004-01-15

Transformed into a National Application: No

Registration Date: 2005-08-16

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: 2005-08-16

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

1. DVDPlay, Inc.

Address:

DVDPlay, Inc.
750 University Avenue, Suite 280
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 vending machine that dispenses prerecorded media for sale or rental

Basis: 1(a)

First Use Date: 2001-02-00

First Use in Commerce Date: 2001-02-00

International Class: 035

Class Status: Active

Vending services of prerecorded media, namely vending of music, games, videos and other recorded materials via a stand-alone kiosk vending machine

Basis: 1(a)

First Use Date: 2001-02-00

First Use in Commerce Date: 2001-02-00

International Class: 041

Class Status: Active

on-line rental of music, games, videos and other recorded materials; rental of music, games, videos and other recorded materials via a stand-alone kiosk vending machine

Basis: 1(a)

First Use Date: 2001-02-00

First Use in Commerce Date: 2001-02-00

ADDITIONAL INFORMATION

Color(s) Claimed: The color(s) white, gray, red and black is/are claimed as a feature of the mark.

Description of Mark and Any Color Part(s): The mark consists of a white oval outlined in gray; a red circle with a white triangle in the center is in the left one-third of the oval; to the right of the red circle are the words DVD and PLAY in black block letter with DVD blocked above PLAY.

Disclaimer: DVD

Design Search Code(s):

24.15.04 - Arrowheads

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

26.01.21 - Circles that are totally or partially shaded.

26.05.02 - Plain single line triangles; Triangles, plain single line

26.11.21 - Rectangles that are completely or partially shaded

26.11.25 - Rectangles with one or more curved sides

26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)

Prior Registration Number(s):

2463432

2573752

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-08-16 - Registered - Principal Register

2005-05-24 - Published for opposition

2005-05-04 - Notice of publication

2005-03-25 - Assigned To Examiner

2005-02-01 - Law Office Publication Review Completed

2005-01-28 - Assigned To LIE

2005-01-24 - Approved for Pub - Principal Register (Initial exam)

2005-01-24 - EXAMINERS AMENDMENT E-MAILED

2005-01-24 - Examiners Amendment -Written

2005-01-12 - Previous allowance count withdrawn

2004-11-26 - Law Office Publication Review Completed

2004-11-19 - Assigned To LIE

2004-11-12 - Approved for Pub - Principal Register (Initial exam)

2004-11-12 - Examiner's Amendment Entered

2004-11-08 - EXAMINERS AMENDMENT E-MAILED

2004-11-08 - Examiners Amendment -Written

2004-10-25 - Previous allowance count withdrawn

2004-08-25 - Law Office Publication Review Completed

2004-08-18 - Assigned To LIE

2004-08-09 - Approved for Pub - Principal Register (Initial exam)

2004-08-09 - EXAMINERS AMENDMENT E-MAILED

2004-08-06 - Examiner's Amendment And/Or Priority Action Mailed

2004-08-06 - Assigned To Examiner

2004-01-21 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Curtis A. Vock

Correspondent

Curtis A. Vock

LATHROP & GAGE L.C.

4845 Pearl East Circle, Suite 300

Boulder, CO 80301

Phone Number: 720-931-3000

Fax Number: 720-931-3001

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 17:24:54 ET

Serial Number: 78347913 Assignment Information

Registration Number: 2995979

Mark

THE OFFICIAL DIGITAL CAMERA OF THE INTERNET

(words only): THE OFFICIAL DIGITAL CAMERA OF THE INTERNET

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-09-13

Filing Date: 2004-01-05

Transformed into a National Application: No

Registration Date: 2005-09-13

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: 2005-08-04

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

Digital cameras

Basis: 1(a)**First Use Date:** 2004-05-31**First Use in Commerce Date:** 2004-05-31

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-13 - Registered - Principal Register

2005-08-02 - Law Office Registration Review Completed

2005-07-28 - Assigned To LIE

2005-07-21 - Allowed for Registration - Principal Register (SOU accepted)

2005-07-18 - Teas/Email Correspondence Entered

2005-07-08 - Communication received from applicant

2005-07-08 - TEAS Response to Office Action Received

2005-05-31 - NON-FINAL ACTION E-MAILED

2005-05-31 - SU - Non-Final Action - Written

2005-05-27 - Statement of use processing complete

2005-05-17 - Amendment to Use filed

2005-05-17 - TEAS Statement of Use Received

2005-03-01 - Notice of allowance - mailed

2004-12-07 - Published for opposition

2004-11-17 - Notice of publication

2004-10-05 - Law Office Publication Review Completed

2004-09-29 - Assigned To LIE

2004-09-13 - Approved for Pub - Principal Register (Initial exam)

- 2004-09-08 - Amendment From Applicant Entered
- 2004-08-24 - Communication received from applicant
- 2004-08-24 - TEAS Response to Office Action Received
- 2004-08-03 - Case File In TICRS
- 2004-07-30 - Examiner's Amendment And/Or Priority Action Mailed
- 2004-08-19 - Amendment From Applicant Entered
- 2004-08-19 - Communication received from applicant
- 2004-07-19 - PAPER RECEIVED
- 2004-07-21 - Assigned To Examiner
- 2004-01-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Shoko I. Leek

Correspondent

SHOKO I. LEEK

CHRISTENSEN O'CONNOR JOHNSON KINDNESS

1420 5TH AVE STE 2800

SEATTLE WA 98101-2347

Phone Number: 206.682.8100

Fax Number: 206.224.0779

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 III

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 17:25:06 ET

Serial Number: 78344372 Assignment Information

Registration Number: 3000908

Mark

DigiTutor

(words only): DIGITUTOR

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2005-09-27

Filing Date: 2003-12-22

Transformed into a National Application: No

Registration Date: 2005-09-27

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: 2005-09-27

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

1. NIKON CORPORATION

Address:

NIKON CORPORATION
2-3, Marunouchi 3-chome Chiyoda-ku
Tokyo 100-8331
Japan

Legal Entity Type: Corporation

State or Country of Incorporation: Japan

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Pre-recorded electronic memory media, namely CD-ROMs, DVDs, micro hard disc drives, CF memory cards, SD memory cards, mini SD memory cards, memory sticks, and smart medias, containing instructions on operating digital cameras, cameras, and apparatus and instruments related to digital cameras

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 041

Class Status: Active

Photography instruction services; providing information in the field of digital photography, namely providing instructional information for operating digital cameras, cameras, and apparatus and instruments related to digital cameras, provided on web sites

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 2003-053954

Foreign Registration Number: 4769137

Foreign Registration Date: 2004-05-14

Country: Japan

Foreign Filing Date: 2003-06-27

Foreign Expiration Date: 2014-05-14

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-27 - Registered - Principal Register

2005-07-05 - Published for opposition

2005-06-15 - Notice of publication

2005-03-30 - Law Office Publication Review Completed

2005-03-25 - Assigned To LIE

2005-03-23 - Approved for Pub - Principal Register (Initial exam)

2005-03-11 - Amendment From Applicant Entered

Latest Status Info

2005-02-24 - Communication received from applicant
2005-02-24 - TEAS Response to Office Action Received
2005-02-16 - Final refusal mailed
2005-02-15 - Final Refusal Written
2005-02-14 - Amendment From Applicant Entered
2005-01-26 - Communication received from applicant
2005-01-26 - PAPER RECEIVED
2004-07-27 - Non-final action mailed
2004-07-14 - Assigned To Examiner
2004-03-26 - TEAS Change Of Correspondence Received
2004-01-09 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Mark I. Peroff

Correspondent

MARK I. PEROFF
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM
599 LEXINGTON AVE
NEW YORK, NY 10022-6030
Phone Number: 212-536-3900
Fax Number: 212-536-3901

Domestic Representative

Mark I. Peroff
Phone Number: 212-387-0247
Fax Number: 212-387-0167

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 1112

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 17:26:13 ET

Serial Number: 78328811 Assignment Information

Registration Number: 3071817

Mark

Digital Glass

(words only): DIGITAL GLASS

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-03-21

Filing Date: 2003-11-17

Transformed into a National Application: No

Registration Date: 2006-03-21

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: 2006-02-10

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

1. SJM Management Co., Inc.

Address:

SJM Management Co., Inc.
7661 S. Wellington St.
Centennial, CO 80122
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Colorado

Phone Number: (303)795-5246

Fax Number: (303)797-0899

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Videos featuring information in the field of spiritual enhancement

Basis: 1(a)

First Use Date: 2003-08-15

First Use in Commerce Date: 2004-03-01

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-03-21 - Registered - Principal Register

2006-02-09 - Law Office Registration Review Completed

2006-02-09 - Assigned To LIE

2006-01-31 - Allowed for Registration - Principal Register (SOU accepted)

2006-01-24 - Amendment From Applicant Entered

2005-12-21 - Communication received from applicant

2005-12-21 - PAPER RECEIVED

2005-10-07 - NON-FINAL ACTION E-MAILED

2005-10-07 - SU - Non-Final Action - Written

2005-08-03 - Statement of use processing complete

2005-07-26 - Amendment to Use filed

2005-07-26 - TEAS Statement of Use Received

2005-07-19 - Notice of allowance - mailed

2005-04-26 - Published for opposition

- 2005-04-06 - Notice of publication
- 2005-02-04 - Law Office Publication Review Completed
- 2005-02-04 - Assigned To LIE
- 2005-01-22 - Approved for Pub - Principal Register (Initial exam)
- 2005-01-19 - Examiner's Amendment Entered
- 2004-12-21 - EXAMINERS AMENDMENT E-MAILED
- 2004-12-21 - Examiners Amendment - Written
- 2004-12-16 - TEAS Change Of Correspondence Received
- 2004-06-11 - Non-final action e-mailed
- 2004-06-01 - Assigned To Examiner
- 2003-12-10 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Sally Morgenthaler
SJM Management Co., Inc.
7661 S. Wellington St.
Centennial CO 80122
Phone Number: (303)870-7680
Fax Number: (303)797-0899

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 1113

TO APPLICANT'S NOTICE OF RELIANCE

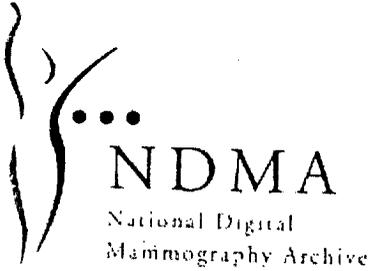
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 17:26:26 ET

Serial Number: 78319097 Assignment Information

Registration Number: 3026540

Mark



(words only): NDMA NATIONAL DIGITAL MAMMOGRAPHY ARCHIVE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-12-13

Filing Date: 2003-10-27

Transformed into a National Application: No

Registration Date: 2005-12-13

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: 2005-12-13

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

1. i3ARCHIVE, Inc.

Address:

i3ARCHIVE, Inc.
c/o CTT 3160 Chestnut Street, Suite 200
Philadelphia, PA 19104
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer programs for storage, retrieval and distribution of breast images for clinical and research purposes

Basis: 1(a)

First Use Date: 2001-12-30

First Use in Commerce Date: 2001-12-30

International Class: 039

Class Status: Active

electronic storage of data relating to medical imaging

Basis: 1(a)

First Use Date: 2001-12-30

First Use in Commerce Date: 2001-12-30

ADDITIONAL INFORMATION

Disclaimer: "NATIONAL DIGITAL MAMMOGRAPHY ARCHIVE"

Design Search Code(s):

- 02.03.02 - Silhouettes of women; Women depicted as shadows or silhouettes of women
- 02.03.26 - Grotesque women formed by letters, numbers, punctuation or geometric shapes
- 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

2005-12-13 - Registered - Principal Register

2005-09-20 - Published for opposition

2005-08-31 - Notice of publication

2005-08-11 - Law Office Publication Review Completed

2005-08-05 - Assigned To LIE

2005-08-02 - Examiner's amendment mailed

2005-08-01 - Approved for Pub - Principal Register (Initial exam)

2005-08-01 - Examiners Amendment - Written

2005-07-29 - Teas/Email Correspondence Entered

- 2005-06-22 - Communication received from applicant
- 2005-06-22 - TEAS Response to Office Action Received
- 2005-05-04 - Attorney Revoked And/Or Appointed
- 2005-05-04 - TEAS Revoke/Appoint Attorney Received
- 2005-02-18 - TEAS Change Of Correspondence Received
- 2005-02-18 - NON-FINAL ACTION E-MAILED
- 2005-02-18 - Non-Final Action Written
- 2005-02-15 - Previous allowance count withdrawn
- 2004-12-27 - Law Office Publication Review Completed
- 2004-12-17 - Assigned To LIE
- 2004-12-13 - Approved for Pub - Principal Register (Initial exam)
- 2004-12-08 - Teas/Email Correspondence Entered
- 2004-12-01 - Communication received from applicant
- 2004-12-01 - TEAS Response to Office Action Received
- 2004-11-23 - NON-FINAL ACTION E-MAILED
- 2004-11-23 - Non-Final Action Written
- 2004-11-19 - Teas/Email Correspondence Entered
- 2004-11-12 - Communication received from applicant
- 2004-11-12 - TEAS Response to Office Action Received
- 2004-05-12 - Non-final action e-mailed
- 2004-05-09 - Assigned To Examiner
- 2003-11-20 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Daniel N. Calder

Correspondent

Daniel N. Calder

RatnerPrestia

One Westlakes, Berwyn, Suite 301

Latest Status Info

P.O. Box 980

Valley Forge PA 19482-0980

Phone Number: (610) 407-0700

Fax Number: (610) 407-0701

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 1114

TO APPLICANT'S NOTICE OF RELIANCE

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 1121

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 17:26:39 ET

Serial Number: 78312063 Assignment Information

Registration Number: 3018796

Mark (words only): DIRECT DIGITAL DUB

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-11-22

Filing Date: 2003-10-10

Transformed into a National Application: No

Registration Date: 2005-11-22

Register: Supplemental

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: 2005-11-22

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

1. LSI Logic Corporation

Address:

LSI Logic Corporation
Legal 1621 Barber Lane
Milpitas, CA 95035
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 408-433-7475

Fax Number: 408-433-7460

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer hardware for digital video processing and transfer, namely, integrated circuits, digital video equipment, namely, digital video processors; and computer software for video processing and transfer

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=3018796&action=Request+Status>

1/16/2007

Basis: 1(a)**First Use Date:** 2004-03-01**First Use in Commerce Date:** 2004-03-01

ADDITIONAL INFORMATION

Disclaimer: "DUB"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-22 - Registered - Supplemental Register

2005-10-07 - Law Office Publication Review Completed

2005-10-07 - Assigned To LIE

2005-09-28 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2005-09-28 - Amendment to Use approved

2005-08-10 - Amendment to use processing complete

2005-06-23 - Amendment to Use filed

2005-08-04 - Amendment From Applicant Entered

2005-06-23 - Communication received from applicant

2005-06-23 - TEAS Response to Office Action Received

2005-06-23 - TEAS Amendment of Use Received

2005-04-10 - NON-FINAL ACTION E-MAILED

2005-04-10 - Non-Final Action Written

2005-03-11 - Teas/Email Correspondence Entered

2005-02-23 - Communication received from applicant

2005-03-11 - Assigned To LIE

2005-02-23 - TEAS Response to Office Action Received

2005-02-14 - NON-FINAL ACTION E-MAILED

2005-02-14 - Non-Final Action Written

2005-01-07 - Petition To Revive-Granted

2005-01-07 - TEAS Petition To Revive Received

2004-11-22 - Abandonment Notice Mailed - Failure To Respond

2004-11-22 - Abandonment - Failure To Respond Or Late Response

2004-04-23 - Non-final action e-mailed

2004-04-23 - Assigned To Examiner

2004-03-24 - TEAS Change Of Correspondence Received

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Sandeep Jaggi
LSI Logic Corporation
MS D-106
1621 Barber Lane
Milpitas CA 95035
Phone Number: 408-954-4923
Fax Number: 408-433-7460

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 115

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 17:26:50 ET

Serial Number: 78310589 Assignment Information

Registration Number: 3053069

Mark (words only): DIGITUS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-01-31

Filing Date: 2003-10-07

Transformed into a National Application: No

Registration Date: 2006-01-31

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: 2006-01-31

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

1. Assmann Electronics, Inc.

Address:

Assmann Electronics, Inc.
1849 W DRAKE DR #101
Tempe, AZ 85283
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Arizona

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer accessories, namely, microphones, headphones, headsets, mouse pads, and notebook computer cases; disc storage containers, namely, CD-ROM and DVD cases; USB drive cases; protection cowlings, namely dust covers for computers; computer screen filters for monitors; modular telephone outlet; computer cursor control devices, namely, mouse and trackballs, joysticks and keypads; computer cables and cable accessories, namely extenders, adapters,

gender changers, splitters, connectors, terminators, cable testers and cable holders; photographic input apparatus, namely scanners; recording apparatus, namely blank floppy computer discs, digital memory cards, digital cameras, and memory card drivers; computer, laser, and ink-jet printers; data transmission apparatus, namely, modems; data cards, namely, computer modem and computer facsimile cards; USB hubs; computer card readers; computer sharing switches and adapters; USB sharing switches and adapters; multi-function computer panels for connecting USB and audio computer peripherals; controllers, namely RAID, IDE, ATA, SCSI and hard drive controllers; amplifiers; parallel port switches; video splitters and converters; mobile drive bays; keyboard, video, and mouse switches; computer network adapters; computer card adaptors; hard drive frames; floppy drive frames; notebook computer car power converters; Ethernet and broadband adapters, switches, routers, wireless access points for connecting network computer users, and print servers; computer fax modem cards; USB, parallel, serial, and infrared interface cards

Basis: 1(a)

First Use Date: 1993-08-11

First Use in Commerce Date: 1993-08-11

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-31 - Registered - Principal Register

2005-11-08 - Published for opposition

2005-10-19 - Notice of publication

2005-09-16 - Law Office Publication Review Completed

2005-09-16 - Assigned To LIE

2005-09-15 - Approved for Pub - Principal Register (Initial exam)

2005-09-14 - Teas/Email Correspondence Entered

2005-09-06 - Communication received from applicant

2005-09-06 - TEAS Response to Office Action Received

2005-09-06 - TEAS Change Of Correspondence Received

2005-05-17 - Report Completed Suspension Check Case Still Suspended

2004-11-17 - Letter of suspension mailed

2004-11-17 - Suspension Letter Written

2004-10-23 - Teas/Email Correspondence Entered

2004-10-18 - Communication received from applicant

2004-10-18 - TEAS Response to Office Action Received

2004-04-20 - Non-final action mailed

2004-03-19 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Sandra L. Etherton

Correspondent

Sandra L. Etherton

Etherton Law Group, LLC

Suite 100

5555 E. Van Buren St.

Phoenix AZ 85008-3422

Phone Number: 602-681-3331

Fax Number: 602-681-3339

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 1116

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 17:27:05 ET

Serial Number: 78310453 Assignment Information

Registration Number: 3061309

Mark (words only): ALASKA DVD POSTCARD

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-02-21

Filing Date: 2003-10-07

Transformed into a National Application: No

Registration Date: 2006-02-21

Register: Supplemental

Law Office Assigned: LAW OFFICE 106

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-02-21

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

1. Alaska Video Postcards, Inc.

Address:

Alaska Video Postcards, Inc.

P.O. Box 112808

Anchorage, AK 99511

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Alaska

Phone Number: 907 349 8002

Fax Number: 907 349 2208

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DVD video packaged within postcard featuring travel destinations, scenery, wildlife, nature, human interest and cultural history

Basis: 1(a)

First Use Date: 2004-05-01

First Use in Commerce Date: 2004-05-01

ADDITIONAL INFORMATION

Disclaimer: "DVD Postcard"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-02-21 - Registered - Supplemental Register

2006-01-11 - Law Office Publication Review Completed

2005-12-23 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2005-12-23 - Amendment to Use approved

2005-12-21 - Amendment From Applicant Entered

2005-12-14 - Communication received from applicant

2005-12-21 - Amendment to use processing complete

2005-12-13 - Amendment to Use filed

2005-12-21 - Assigned To LIE

2005-12-14 - FAX RECEIVED

2005-12-13 - TEAS Amendment of Use Received

2005-06-30 - Final refusal e-mailed

2005-06-30 - Final Refusal Written

2004-12-01 - Amendment From Applicant Entered

2004-11-08 - Communication received from applicant

2004-11-18 - PAPER RECEIVED

2004-05-06 - Non-final action e-mailed

2004-03-18 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Faye L. Tomlinson

Correspondent

FAYE L. TOMLINSON

CHRISTENSEN O'CONNOR JOHNSON ET AL

1420 FIFTH AVENUE SUITE 2800

SEATTLE, WA 98101

Phone Number: 907 349 8002

Fax Number: 907 349 2208

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 1117

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 17:27:17 ET

Serial Number: 78291706 Assignment Information

Registration Number: 3075523

Mark (words only): NERO DIGITAL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-04-04

Filing Date: 2003-08-25

Transformed into a National Application: No

Registration Date: 2006-04-04

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: 2006-04-04

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

I. NERO AG

Address:
NERO AG
IM STOCKMADLE18
KARLSBAD-ITTERSACH 76307
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

Electrical apparatus for recording, transmission and replay of sound and picture, namely DVD recorders, DVD players, digital video recorders, video recorders, video tape recorders; video tape players; combination DVD/video tape players; combination DVD/video tape player-recorders; Electrical apparatus for communication and or digital and audiovisual signal transmission, namely wireless phones, modems, and radio telephones, computers and parts therefore; Electronic

data input and output equipment, namely computer printers, graphic projection screens, electronic drawing units, namely computer mice, graphic tablets, trackballs, joysticks, and optical scanners, graphic shields, namely graphic cards, computer graphic software and computer keyboards; Electrical cables, wires, conductors and connection armatures; combination drives for CD and DVD; external and internal drives, namely CD-drives, CD-R drives, CD-RW drives, DVD-drives, exchangeable goods, namely CD-drives, CD-R drives, CD-RW drives, DVD-drives, and their parts; Blank machine readable data carriers, namely blank magnetic computer tapes, DAT-tapes, magnetic tape cassettes, blank compact disks for read and overwrite of data, blank hard disks, removable hard disks for computers, blank floppy disks, blank optical storage disks, namely CO-ROMs, CD-Rs, CD-RWs, DVD-RAMs, DVD-Rs, DVD-RWs, DVD+RWs, DVD-ROMs, DVD-Audios, DVD-Videos, Mini-DVDs, Photo-CDs, Audio-CDs, Super-Audio CDs, Video-CDs, Super-Video CDs and Extended Video CDs; pre-recorded compact disks featuring audio data, image data, video data, text data, documents stored in ASC II, ANS I or a markup language, database data and program codes; Blank mechanical data carriers with pre-recorded programming designed to copy, erase, manage, compress, decompress and restore data; blank mechanical data carriers with pre-recorded programming designed to read, inscribe and erase readable and inscribable data carriers, namely over-writable compact disks, magnetic disks and hard disks; mechanical data carriers with pre-recorded programs to make CD recordings, CD-R recordings, CD-RW recordings, DVD recordings; Computer and data processing equipment, namely personal computers, computer disk drives for use with floppy disks, DVD-ROMs; DVD-RAMs, DVD-RWs, DVD+RWs, DVD-Audios, DVD-Videos, Mini-DVDs, Photo-CDs, Audio-CDs, Super-Audio-CDs, Video-CDs, Super-Video CDs, Extended Video CDs, CD-Rs, CD-RWs, CD-ROMs, CD-RW disks, digital video disks, storage disks and parts thereof; Computer programs/software to copy, erase, administer, compress, decompress, and restore data; Computer programs/software to read, explain, write, burn and erase readable and inscribable data carriers, namely, blank magnetic computer tapes, DAT tapes, magnetic tape cassettes, blank compact disks for read and overwrite of data, blank hard disks, removable hard disks for computers, blank floppy disks; blank optical storage disks, namely CD-ROMs, CD-Rs; CD-RWs, DVD-RAMs, DVD-Rs, DVD-RWs, DVD+RWs, DVD-ROMs, DVD-Audios, DVD-Videos; Mini-DVDs, Photo-CDs, Audio-CDs, Super-Audio CDs, Video CDs, Super-Video CDs, Extended Video CDs and CD Interactive; pre-recorded compact disks featuring audio data, image data, video data, text data, documents stored in ASC II, ANS I or a markup language, database in the field of computer programming available on CD-ROM or DVD-ROM and program codes; blank overwriteable compact disks, magnetic disks and hard drives; Computer software, namely video authoring software; Computer software for encoding video file in other formats, namely in DVD and SVCD formats; Computer software for creating videos, DVDs, VCDS and SVCDs; programs/software to prepare mechanical data carriers, namely formatting mechanical data carriers for inscribing data and software; Operating system software; Computer software workflow management systems for use in database management, for use as a spreadsheet, and for word processing and for computer based translation for document management systems, computer and video recording, namely reading, writing, copying, erasing, transferring and reproducing audio data and video data, and playback; Application software designed to emulate telecommunication functions, namely telephonic, telefax, shortmessaging services, paging, electronic posting and e-mail for use in computers, televisions, set top boxes and data carrier networks, featuring AD/DA transfer, data compression, mistake monitoring and correction, authentication, encoding and decoding; Security software to prevent and defend against viruses and hacker attacks, namely, firewalls; Software to store and archive data; Software, namely BIOS-; Software for reading downloading, copying, and transferring data and information from the Intranet/Local Area Networks or from the Internet; Software to print labels covers, inlays and booklets; Language translation software

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

Prior Registration Number(s):

2178869

Foreign Application Number: 003053451

Foreign Registration Number: 003053451

Foreign Registration Date: 2004-04-27

Country: Erpn Cmnty TM Ofc

Foreign Filing Date: 2003-02-27

Foreign Expiration Date: 2013-02-27

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-04-04 - Registered - Principal Register

2006-01-10 - Published for opposition

2005-12-21 - Notice of publication

2005-11-23 - Law Office Publication Review Completed

2005-11-18 - Assigned To LIE

2005-11-15 - Examiner's amendment mailed

2005-11-15 - Approved for Pub - Principal Register (Initial exam)

2005-11-15 - Examiners Amendment -Written

2005-10-10 - Previous allowance count withdrawn

2005-09-23 - Withdrawn From Pub - Og Review Query

2005-07-06 - Law Office Publication Review Completed

2005-07-01 - Assigned To LIE

2005-06-26 - Approved for Pub - Principal Register (Initial exam)

2005-06-13 - Amendment From Applicant Entered

2005-04-26 - Communication received from applicant

2005-04-26 - FAX RECEIVED

2005-01-14 - Final refusal mailed

2005-01-13 - Final Refusal Written

2004-11-18 - Amendment From Applicant Entered

2004-10-29 - Communication received from applicant

2004-10-29 - PAPER RECEIVED

2004-10-26 - Non-final action mailed

- 2004-10-25 - Non-Final Action Written
- 2004-10-06 - Amendment From Applicant Entered
- 2004-09-20 - Communication received from applicant
- 2004-09-20 - PAPER RECEIVED
- 2004-08-13 - Letter of suspension mailed
- 2004-08-12 - Amendment From Applicant Entered
- 2004-07-26 - Communication received from applicant
- 2004-07-26 - PAPER RECEIVED
- 2004-02-10 - Non-final action mailed
- 2004-02-06 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Robert W. Becker

Correspondent

Robert W. Becker

ROBERT W. BECKER & ASSOCIATES

707 Highway 66 East, Suite B

Tijeras, NM 87059

Phone Number: 505-286-3511

Fax Number: 505-286-3524

Domestic Representative

Robert W. Becker

Phone Number: 505-286-3511

Fax Number: 505-286-3524

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 17:27:29 ET

Serial Number: 78286620 Assignment Information

Registration Number: 3007231

Mark



(words only): DBI DIGITAL BRIDGES

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-10-18

Filing Date: 2003-08-13

Transformed into a National Application: No

Registration Date: 2005-10-18

Register: Principal

Law Office Assigned: LAW OFFICE 104

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: 2005-10-18

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

1. Digital Bridges Limited

Address:

Digital Bridges Limited
3 Pitreavie Court Pitreavie Business Park
Dunfermline KY11 8UU
United Kingdom

Legal Entity Type: LIMITED COMPANY

State or Country Where Organized: United Kingdom

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Electronic publications, namely web pages which features information on computer game software; computer hardware; computer software for use in providing computer game entertainment solutions; computer software supplied from a computer database or a global communications network for use in providing computer game entertainment solutions; computer entertainment software for wireless handsets and games consoles, namely, computer game software; computer games programs and software downloadable from a global communications network for providing computer games entertainment solutions to cellular, mobile and wireless telephone handsets; computer programs for providing computer game entertainment solutions; CDs, CD-ROMs, interactive CD-ROMs featuring computer game software; records, discs, tapes, cassettes, cartridges and cards, all bearing or for use in bearing data, sound, images, games, graphics, text, programs or information; mobile telephones enabled to operate using Wireless Application Protocols; computer apparatus, namely computer software and programs for use in providing computer game entertainment solutions via wireless communications means

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 016

Class Status: Active

Printed publications, namely guides and manuals relating to computer games; books, magazines, periodicals and supplements relating to computer games; fact sheets, pamphlets and leaflets; stationery, namely, pens, pencils, crayons, pencil cases, erasers, rulers, posters, markers, pencil sharpeners, pictures and prints, stickers, paperweights, diaries and calendars; printed computer manuals on the subject matter of computer game entertainment solutions; printed computer programs

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 028

Class Status: Active

Games, toys and playthings, namely, arcade games, coin-operated video games, party games, card games, role-playing games; handheld units for playing electronic games

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 038

Class Status: Active

Telecommunications services, namely, electronic transmission of computer game software and programs, and data relating to computer games; mobile and wireless telephone communication services, namely, electronic transmission of computer game software and programs, and data relating to computer games via wireless communications means; provision of electronic mail and messaging services; providing user access and telecommunications connections to global communication networks; computer network communication services, namely, electronic delivery of computer games, data relating to computer games and images via a global communications network; leasing of telecommunications lines for use in electronic transmission of computer game software and programs, and data relating to computer games; leasing of telecommunications lines for access to computer networks; consultancy services relating to electronic transmission of computer game software and programs, and data relating to computer games

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 041**Class Status:** Active

Entertainment services, namely, electronic publishing services for the publishing of computer games of others; providing entertainment services via a global computer network; providing information relating to entertainment and electronic games; providing information relating to entertainment and electronic games services via a global communications network or a computer database; online publication of computer games software and programs

Basis: 44(e)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class:** 042**Class Status:** Active

Computer services, namely, design, development, installation and maintenance of computer software including beta testing; design, development, installation and maintenance of games entertainment software; design, drawing and commissioned writing, all for compilation of web pages for presentation by means of a global communications network; web site hosting, development and maintenance for others; computer networking services, namely, services for permitting multiple users of computer games to play simultaneously using a global communications network; computer consultation

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):**

26.01.21 - Circles that are totally or partially shaded.

26.17.07 - Heat, lines depicting; Lines depicting speed, propulsion, heat or wind; Propulsion, lines depicting; Speed, lines depicting; Wind, lines depicting

26.17.09 - Bands, curved; Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved

Foreign Application Number: 003091337**Foreign Registration Number:** 3091337**Foreign Registration Date:** 2004-08-24**Country:** Erpn Cmnty TM Ofc**Foreign Filing Date:** 2003-03-11**Foreign Expiration Date:** 2013-03-11

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-10-18 - Registered - Principal Register

2005-07-26 - Published for opposition

2005-07-06 - Notice of publication

2005-04-18 - Law Office Publication Review Completed

2005-04-18 - Assigned To LIE

2005-04-18 - Approved for Pub - Principal Register (Initial exam)

2005-04-13 - Previous allowance count withdrawn

2005-04-04 - Law Office Publication Review Completed

2005-04-04 - Assigned To LIE

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

2005-04-04 - Amendment From Applicant Entered

2005-02-09 - Communication received from applicant

2005-04-01 - Previous allowance count withdrawn

2005-02-09 - PAPER RECEIVED

2005-02-11 - Law Office Publication Review Completed

2005-02-07 - Assigned To LIE

2004-12-21 - Approved for Pub - Principal Register (Initial exam)

2004-12-06 - Amendment From Applicant Entered

2004-11-24 - Communication received from applicant

2004-12-06 - Assigned To LIE

2004-11-24 - PAPER RECEIVED

2004-11-23 - LIE Checked Susp - To Atty For Action

2004-05-10 - LETTER OF SUSPENSION E-MAILED

2004-04-22 - Communication received from applicant

2004-04-26 - Email Received

2004-02-13 - Non-final action e-mailed

2004-02-12 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

DAVID KENNEDY

KENNEDYS

801 INTERNATIONAL PKWY 5TH FL

<http://tarr.uspto.gov/servlet/tarr?regser=registration&entry=3007231&action=Request+Status>

1/16/2007

LAKE MARY FL 32746

Domestic Representative

David Kennedy

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 1119

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 17:27:40 ET

Serial Number: 78286571 Assignment Information

Registration Number: 3010519

Mark (words only): DIGITAL GROOVE

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-11-01

Filing Date: 2003-08-13

Transformed into a National Application: No

Registration Date: 2005-11-01

Register: Principal

Law Office Assigned: LAW OFFICE 107

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: 2005-11-01

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

1. Thrasher, Marc

Address:

Thrasher, Marc
1448 Orpheus Ave.
San Diego, CA 92024
United States

Legal Entity Type: Individual

Country of Citizenship: United States

Phone Number: 760-942-7112

Fax Number: 760-942-7112

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Sound recordings featuring Music

Basis: 1(a)

First Use Date: 2000-05-06**First Use in Commerce Date:** 2000-05-06

ADDITIONAL INFORMATION

Disclaimer: "DIGITAL"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-01 - Registered - Principal Register
2005-08-09 - Published for opposition
2005-07-20 - Notice of publication
2005-04-19 - Law Office Publication Review Completed
2005-04-19 - Assigned To LIE
2005-04-05 - Examiner's amendment mailed
2005-04-04 - Approved for Pub - Principal Register (Initial exam)
2005-04-04 - Examiners Amendment -Written
2005-02-16 - Petition To Revive-Granted
2004-10-29 - Petition To Revive-Received
2004-10-29 - PAPER RECEIVED
2004-10-15 - TEAS Change Of Correspondence Received
2004-08-22 - Abandonment - Failure To Respond Or Late Response
2004-01-08 - Non-final action e-mailed
2004-01-08 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

Marc Thrasher

1448 Orpheus Ave.

San Diego CA 92024

Phone Number: 760-942-7112

Fax Number: 760-942-7112

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 1120

TO APPLICANT'S NOTICE OF RELIANCE

Latest Status Info

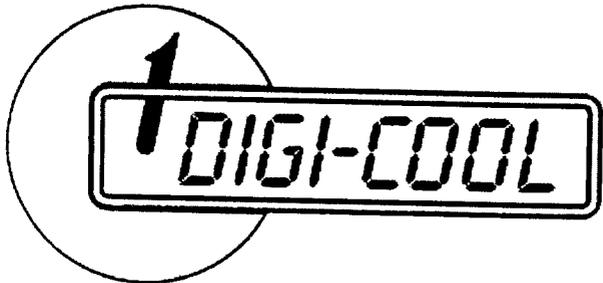
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-01-16 17:28:36 ET

Serial Number: 78280598 Assignment Information

Registration Number: 3000719

Mark



(words only): DIGI-COOL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-09-27

Filing Date: 2003-07-29

Transformed into a National Application: No

Registration Date: 2005-09-27

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: 2005-09-27

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

1. Digi-Cool Industries, Ltd.

Address:

Digi-Cool Industries, Ltd.
 P.O. Box 784
 Duncan, British Columbia V9L 3Y1
 Canada

Legal Entity Type: Corporation

State or Country of Incorporation: Canada

Phone Number: 250-748-1783

Fax Number: 250-748-1743

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Digital monitors for measuring refrigerant status of refrigeration units

Basis: 1(a), 44(e)

First Use Date: 1989-12-00

First Use in Commerce Date: 2003-06-00

ADDITIONAL INFORMATION

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.

26.11.25 - Rectangles with one or more curved sides

Foreign Application Number: 1,166,379

Foreign Registration Number: TMA624,133

Foreign Registration Date: 2004-11-01

Country: Canada

Foreign Filing Date: 2003-01-29

Foreign Expiration Date: 2019-11-01

Foreign Renewal Date: 2019-11-01

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-27 - Registered - Principal Register

2005-07-05 - Published for opposition

2005-06-15 - Notice of publication

2005-04-11 - Law Office Publication Review Completed

2005-03-22 - Assigned To LIE

2005-03-16 - Approved for Pub - Principal Register (Initial exam)

2005-03-16 - Amendment From Applicant Entered

2005-03-10 - Communication received from applicant

2005-03-10 - TEAS Response to Office Action Received

2005-02-22 - INQUIRY TO SUSPENSION E-MAILED

2005-02-22 - Suspension Inquiry - Completed

2004-08-19 - LETTER OF SUSPENSION E-MAILED

2004-08-19 - LETTER OF SUSPENSION E-MAILED

2004-07-29 - Amendment From Applicant Entered

2004-07-20 - Communication received from applicant

2004-07-20 - TEAS Response to Office Action Received

2004-01-29 - Non-final action e-mailed

2004-01-22 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Todd N. Hathaway

Correspondent

Todd N. Hathaway

TODD N HATHAWAY

119 N COMMERCIAL ST STE 620

BELLINGHAM WA 98225-4447

Phone Number: 360-647-1976

Fax Number: 360-647-4530

Domestic Representative

Todd N. Hathaway

Phone Number: 360-647-1976

Fax Number: 360-647-4530

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 1121

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 17:28:49 ET

Serial Number: 78279380 Assignment Information

Registration Number: 2975698

Mark

DigitBall

(words only): DIGITBALL

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-26

Filing Date: 2003-07-27

Transformed into a National Application: No

Registration Date: 2005-07-26

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: 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 Road, Neihu Chiu
Taipei, Taiwan
China

Legal Entity Type: Corporation

State or Country of Incorporation: China

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 DIGITBALL in stylized form.**Design Search Code(s):**

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

26.17.25 - Other lines, bands or bars

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-09-01 - Review Of Correspondence Complete

2006-08-21 - PAPER RECEIVED

2005-07-26 - Registered - Principal Register

2005-05-03 - Published for opposition

2005-04-13 - Notice of publication

2005-02-09 - Law Office Publication Review Completed

2005-02-07 - Assigned To LIE

2005-01-14 - Approved for Pub - Principal Register (Initial exam)

2005-01-13 - Teas/Email Correspondence Entered

2005-01-10 - Communication received from applicant

2005-01-13 - Assigned To LIE

2005-01-10 - TEAS Response to Office Action Received

2004-07-23 - Non-final action mailed

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

666 3RD AVE 10TH FL

NEW YORK NY 10017

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 1122

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 17:29:01 ET

Serial Number: 78276669 Assignment Information

Registration Number: 3056210

Mark

DIGITALCLARITY

(words only): DIGITALCLARITY

Standard Character claim: Yes

Current Status: Registered.

Date of Status: 2006-01-31

Filing Date: 2003-07-21

Transformed into a National Application: No

Registration Date: 2006-01-31

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: 650 -Publication And Issue Section

Date In Location: 2005-12-19

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

1. Micron Technology, Inc.

Address:

Micron Technology, Inc.
8000 S. Federal Way
Boise, ID 83716
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

DIGITAL IMAGING DEVICES, NAMELY, SEMICONDUCTOR IMAGE SENSORS

Basis: 1(a)

First Use Date: 2005-06-15

First Use in Commerce Date: 2005-06-15

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-31 - Registered - Principal Register

2005-12-14 - Law Office Registration Review Completed

2005-12-13 - Assigned To LIE

2005-12-02 - Allowed for Registration - Principal Register (SOU accepted)

2005-12-02 - EXAMINERS AMENDMENT E-MAILED

2005-12-02 - SU-Examiner's Amendment Written

2005-11-14 - Statement of use processing complete

2005-10-27 - Amendment to Use filed

2005-10-27 - TEAS Statement of Use Received

2005-05-03 - Notice of allowance - mailed

2004-10-30 - Extension Of Time To Oppose Process - Terminated

2004-06-15 - Extension Of Time To Oppose Received

2004-06-01 - Published for opposition

2004-05-12 - Notice of publication

2004-03-22 - Approved for Pub - Principal Register (Initial exam)

2004-02-27 - Communication received from applicant

2004-02-27 - TEAS Response to Office Action Received

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

2003-12-03 - Assigned To Examiner

2003-09-15 - TEAS Change Of Correspondence Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

John C. Cain

Correspondent

JOHN C. CAIN

WONG, CABELLO, LUTSCH, RUTHERFORD, ET AL

20333 TOMBALL PARKWAY SUITE 600

HOUSTON TX 77070

Phone Number: 832 446 2400

Fax Number: 832 446 2424

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 1123

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 17:29:13 ET

Serial Number: 78257639 Assignment Information

Registration Number: 3044317

Mark

digitalram

(words only): DIGITALRAM

Standard Character claim: No

Current Status: Registered.

Date of Status: 2006-01-17

Filing Date: 2003-06-03

Transformed into a National Application: No

Registration Date: 2006-01-17

Register: Principal

Law Office Assigned: LAW OFFICE 104

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

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-01-17

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

1. Digital Darwin B.V.B.A.

Address:

Digital Darwin B.V.B.A.

Vijverstraat 62

Wetteren 9230

Belgium

Legal Entity Type: PRIVATE LTD LIAN CO

State or Country Where Organized: Belgium

Phone Number: 212-697-3750

Fax Number: 212-949-1690

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

COMPUTER SOFTWARE FOR USE BY THE MEDICAL, PHARMACEUTICAL AND PARA-PHARMACEUTICAL INDUSTRIES FOR USE IN REGULATORY AFFAIRS MANAGEMENT, NAMELY, FOR PLANNING, COMMUNICATION, FILE PREPARATION, CREATION, MAINTENANCE AND DOCUMENT MANAGING OF PHARMACEUTICAL AND PARA-PHARMACEUTICAL PRODUCT REGISTRATION PROCESSES; PRE-RECORDED COMPUTER SOFTWARE IN THE FORM OF CD-ROMS, CD-I AND ELECTRONIC DATA CARRIERS USED FOR TRAINING AND REGULATORY AFFAIRS MANAGEMENT WITH RESPECT TO PHARMACEUTICAL AND PARA-PHARMACEUTICAL PRODUCT REGISTRATION PROCESSES

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

International Class: 042

Class Status: Active

COMPUTER SOFTWARE DEVELOPMENT AND DESIGN, UPDATING OF SOFTWARE, AND SOFTWARE RENTAL FOR THE PHARMACEUTICAL AND PARA-PHARMACEUTICAL PRODUCT REGISTRATION PROCESSES; COMPUTER CONSULTATION IN THE FIELD OF MANAGING REGULATORY PROCESSES FOR PHARMACEUTICAL AND PARA-PHARMACEUTICAL PRODUCTS; IMPLEMENTATION AND INSTALLATION OF COMPUTER SOFTWARE FOR MANAGING REGULATORY AFFAIRS FOR THE PHARMACEUTICAL AND PARA-PHARMACEUTICAL INDUSTRY AS IT RELATES TO PRODUCT REGISTRATION PROCESSES

Basis: 44(e)

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

ADDITIONAL INFORMATION

Foreign Application Number: 1024391

Foreign Registration Number: 0729328

Foreign Registration Date: 2002-12-23

Country: Benelux

Foreign Filing Date: 2002-12-23

Foreign Expiration Date: 2012-12-23

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-17 - Registered - Principal Register

2005-10-25 - Published for opposition

- 2005-10-05 - Notice of publication
- 2005-07-20 - Law Office Publication Review Completed
- 2005-07-20 - Amendment From Applicant Entered
- 2005-02-03 - Communication received from applicant
- 2005-04-22 - Assigned To LIE
- 2005-04-19 - 1(B) Basis Deleted; New Basis Approved
- 2005-02-03 - Notice of Allowance canceled
- 2005-02-03 - PAPER RECEIVED
- 2004-08-24 - Notice of allowance - mailed
- 2004-06-01 - Published for opposition
- 2004-05-12 - Notice of publication
- 2004-02-22 - Approved for Pub - Principal Register (Initial exam)
- 2004-01-05 - Communication received from applicant
- 2004-01-05 - PAPER RECEIVED
- 2003-11-12 - Non-final action e-mailed
- 2003-11-10 - Assigned To Examiner
- 2003-06-18 - TEAS Preliminary Amendment Received

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

DAVID B KIRSCHSTEIN

Correspondent

DAVID B KIRSCHSTEIN
KIRSCHSTEIN OTTINGER ISRAEL ET AL
489 5TH AVE 17TH FL
NEW YORK NY 10017-6105
Phone Number: 212-697-3750
Fax Number: 212-949-1690

Domestic Representative

David B. Kirschstein
Phone Number: 212-697-3750
Fax Number: 212-949-1690

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 1124

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 17:29:25 ET

Serial Number: 78247781 Assignment Information

Registration Number: 2978796

Mark (words only): DIGITAL CONTRAST AGENT

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-26

Filing Date: 2003-05-09

Transformed into a National Application: No

Registration Date: 2005-07-26

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: 2005-06-16

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

1. General Electric Company

Address:

General Electric Company
1 River Road
Schenectady, NY 12345
United States

Legal Entity Type: Corporation

State or Country of Incorporation: New York

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Computer software that provides image processing for medical imaging apparatus, namely, computer tomography, magnetic, resonance imaging, ultrasound, nuclear medicine, position emission tomography, functional medical imaging and x-ray

Basis: 1(a)

First Use Date: 2004-11-28

First Use in Commerce Date: 2004-11-28

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-26 - Registered - Principal Register

2005-06-07 - Law Office Registration Review Completed

2005-05-27 - Assigned To LIE

2005-05-11 - Allowed for Registration - Principal Register (SOU accepted)

2005-05-05 - Statement of use processing complete

2005-04-14 - Amendment to Use filed

2005-04-14 - TEAS Statement of Use Received

2004-10-26 - Notice of allowance - mailed

2004-08-03 - Published for opposition

2004-07-14 - Notice of publication

2004-05-17 - Approved for Pub - Principal Register (Initial exam)

2004-03-12 - Communication received from applicant

2004-03-12 - PAPER RECEIVED

2003-10-12 - Non-final action e-mailed

2003-10-09 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Catherine Mennenga

Correspondent

Catherine Mennenga

General Electric Company

Latest Status Info

W3C2
3135 Easton Turnpike
Fairfield, CT 06828
Phone Number: 203-373-2895
Fax Number: 203-373-2181

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 1125

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 17:30:34 ET

Serial Number: 78218591 Assignment Information

Registration Number: 2978558

Mark (words only): ONE TOUCH DIGITAL PRINTS

Standard Character claim: No

Current Status: Registered.

Date of Status: 2005-07-26

Filing Date: 2003-02-25

Transformed into a National Application: No

Registration Date: 2005-07-26

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: 2005-06-15

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

1. Pixel Magic Imaging, Inc.

Address:

Pixel Magic Imaging, Inc.
631 Mill Street
San Marcos, TX 78666
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: 800-467-4935

Fax Number: 512-396-8767

GOODS AND/OR SERVICES

International Class: 009

Class Status: Active

Self-service computer kiosk for the photographic retail industry comprised of computer hardware and software for digital image reproduction, enlargement, enhancement, and transformation to photographs, printed material, CDs,

DVDs, and video CDs

Basis: 1(a)

First Use Date: 2003-05-31

First Use in Commerce Date: 2003-05-31

International Class: 035

Class Status: Active

Computerized online ordering services for the photographic retail industry, featuring reproduction, enlargement, enhancement, and transformation of digital images to other media such as photographs, printed material, CDs, DVDs, SVCDs, and Video CDs

Basis: 1(a)

First Use Date: 2003-05-31

First Use in Commerce Date: 2003-05-31

International Class: 040

Class Status: Active

Digital image services for the photographic retail industry, namely reproduction, enlargement, enhancement, and transformation to other media such as photographs, printed material, CDs, DVDs, SVCDs, and Video CDs

Basis: 1(a)

First Use Date: 2003-05-31

First Use in Commerce Date: 2003-05-31

ADDITIONAL INFORMATION

Disclaimer: "TOUCH DIGITAL PRINTS"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-26 - Registered - Principal Register

2005-06-10 - Law Office Registration Review Completed

2005-05-23 - Assigned To LIE

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

2005-05-09 - Statement of use processing complete

2005-04-20 - Amendment to Use filed

2005-04-20 - Extension 1 granted

2005-04-20 - Extension 1 filed

2005-04-20 - TEAS Extension Received

2005-04-20 - TEAS Statement of Use Received

Latest Status Info

- 2005-04-14 - TEAS Change Of Correspondence Received
- 2004-11-02 - Notice of allowance - mailed
- 2004-08-10 - Published for opposition
- 2004-07-21 - Notice of publication
- 2004-06-05 - Approved for Pub - Principal Register (Initial exam)
- 2004-02-18 - Communication received from applicant
- 2004-02-18 - TEAS Response to Office Action Received
- 2003-08-28 - Non-final action e-mailed
- 2003-08-15 - Assigned To Examiner

ATTORNEY/CORRESPONDENT INFORMATION

Attorney of Record

Matthew J. Booth

Correspondent

Matthew J Booth
Matthew J Booth and Associates PLLC
PO Box 50010
Austin TX 78763-0010
Phone Number: 512-474-8488
Fax Number: 512-474-7996