

ESTTA Tracking number: **ESTTA117655**

Filing date: **01/03/2007**

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

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Hon Hai Precision Industry Co., Ltd.		
Entity	Corporation	Citizenship	Taiwan
Address	No. 2, Tzu Yu Street Tu-Cheng City, Taipei, Hsien, TAIWAN		

Domestic Representative	Patrick J. Jennings Attorney Pillsbury Winthrop Shaw Pittman, LLP 2300 N Street, N.W. Washington, DC 20037 UNITED STATES va-logocops@pillsburywinthrop.com Phone:202-663-8000
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### Applicant Information

Application No	76659219	Publication date	12/05/2006
Opposition Filing Date	01/03/2007	Opposition Period Ends	01/04/2007
Applicant	International Communications Manufacturing Corp. 6260 Downing Street Denver, CO 802161226 UNITED STATES		

### Goods/Services Affected by Opposition

Class 009. First Use: 1994/06/06 First Use In Commerce: 1994/06/06  
All goods and services in the class are opposed, namely: CABLE CONNECTORS FOR DIGITAL HOME THEATERS, SECURITY/STRUCTURED WIRING AND SATELLITE CONNECTIONS

Attachments	F-Conn Opposition 4.pdf ( 5 pages )(281044 bytes ) Foxconn Registrations.pdf ( 10 pages )(951166 bytes )
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Signature	/Pat Jennings/
Name	Patrick J. Jennings
Date	01/03/2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hon Hai Precision Industry Co., Ltd., )  
 )  
 Opposer, )  
 )  
 v. ) Ser. No. 76/659,219  
 )  
 International Communications )  
 Manufacturing Corp. )  
 )  
 )  
 Applicant. )

NOTICE OF OPPOSITION

Commissioner for Trademarks  
Trademark Trial and Appeal Board  
United States Patent and Trademark Office  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Sir:

Hon Hai Precision Industry Co., Ltd. (“Opposer”), a corporation organized and existing under the laws of Taiwan, with an address at No. 2, Tzu Yu Street, Tu-Cheng City, Taipei, Hsien, Taiwan, is or will be damaged by the registration of the trademark F-CONN, which is set forth in application Serial No. 76/659,219 and owned by International Communications Manufacturing Corp. (“Applicant”), and hereby opposes the same.

As grounds for the opposition, Opposer, by its attorneys, avers as follows:

1. Opposer owns three registrations (Reg. Nos. 1,371,115; 2,203,444; and 2,503,457) and two pending applications (Serial Nos. 78/834,127 and 78/859,583) for the trademark FOXCONN.

2. Reg. No. 1,371,115 was issued by the United States Patent and Trademark Office on November 19, 1985. The registration is statutorily incontestable and covers “computer cable assemblies, subminiature connectors, edgecard connectors, header for computer and phone use, modular jack and phone plug.” Opposer has been using the mark in commerce in connection with these goods since at least as early as February 28, 1984.

3. Reg. No. 2,203,444 was issued by the United States Patent and Trademark Office on November 17, 1998. The registration is statutorily incontestable and covers “electrical cables; electrical connector conductors; electrical contacts; insulated electrical copper wire; insulated electrical wires; electric plugs; electric sockets; electric connectors; telephone transmitters; telegraph wires; telephone fiber optic wire/cable; enclosures and casings for computers and computer peripherals; electric extension memory cards, namely, computer memories for computers or computer peripherals; computer peripherals; computers; computer components, namely, micro-motors for computers and computer peripherals; integrated circuit chips and lead frames for integrated circuit chips; heat sink components for computers and computer peripherals, namely, radiators used to release heat generated from integrated computer chips or computer peripherals; micro-fans for cooling computers and computer peripherals; electrical switches for electrical devices; computer keyboards and parts therefor.” Opposer has been using the mark in commerce in connection with these goods since at least as early as February 28, 1984.

4. Reg. No. 2,503,457 was issued by the United States Patent and Trademark Office on November 6, 2001. The registration covers “server computers comprised of motherboards, disc drivers and computer peripheral enclosures for network access; electric communication equipment and systems for use in computers, servers, and portable personal telephones, namely

notebook pcs, mobile phones, wireless phones, personal digital assistants and set-top boxes; and heat pipes for use in notebook computers and heat plates for use in notebook computers.”

Opposer has been using the mark in commerce in connection with these goods since at least as early as February 28, 1984.

5. Serial No. 78/834,127 was filed in the United States Patent and Trademark Office on March 10, 2006. The application covers “desktop computers; notebook computers; computer barebone devices comprising motherboards, computer enclosure, namely, computer chassis, power supply; computer peripheral devices, namely, keyboards, mouse, touch pads, electronic card readers, flash card readers; computer components devices, namely, electric connectors, optical connectors, cables, electric wires, electric switches, radiators, computer hard discs, computer disc drives, blank recordable floppy discs, floppy disc drives, blank recordable optical discs, optical disc drives, network interface cards, random-access memory (RAM), central processing unit (CPU), video display cards, battery chargers; servers, namely, network attached storage (NAS), and storage area network (SAN); wireless communication devices, namely, mobile phones and handsets; mobile phone components, namely mobile phone enclosure housings, electric connectors, cables and wires, keypad, stylus, print circuit boards (PCB), hinges for joining mobile phone main housings and covers, antennas, batteries, battery chargers, microphones, speakers; network communication equipment, namely, routers, switches, gateways allowing a host on a subnet to talk with other hosts on different subnets, modems, LAN (Local Area Network) access points for connecting network computer users, voice over IP phones, hubs, network bridges; DVD players; DVD player components, namely, disk drives; DVD player peripherals, namely, blank recordable CD discs, blank recordable DVD discs, DVD burners, DVD recording apparatus; cameras, namely, digital cameras; digital camera components,

namely, lenses and CMOS image sensors; personal digital assistants; MP3 players, video game consoles for use with television receivers; monitors, namely, computer CRT monitors, LCD monitors used for computers, mobile phones”; “custom manufacturing and contract assembly of computers, handsets, DVD players, digital cameras and their components and modules”; and “research and development for computers, mobile phones, handsets, DVD players and digital cameras; design for computers, mobile phones, handsets, DVD players and digital cameras; computer hardware consultancy; computer software design; computer programming; engineering; material testing; quality control for others.” Opposer has been using the mark in commerce in connection with these goods and services since at least as early as February 28, 1984. The application is still pending.

6. Serial No. 78/859,583 was filed in the United States Patent and Trademark Office on April 12, 2006. The application covers “import-export agencies services; goods and services price quotations; retail store and wholesale distributorships featuring computers, communication products, consumable electronic products, and their parts and accessories; and order taking and order fulfillment services.” The application is still pending.

7. Opposer has attached printouts of its registrations from the United States Patent and Trademark Office’s Trademark Electronic Search System.

8. Opposer’s registrations are valid and subsisting and *prima facie* evidence of the validity and registration of the marks, Opposer’s ownership of the marks, and Opposer’s exclusive right to use the marks in commerce on or in connection with the goods specified in the registrations.

9. Opposer’s rights in the FOXCONN mark predate any rights that could be asserted by Applicant.

10. Upon information and belief, Applicant is a corporation organized and existing under the laws of Colorado, with an address at 6260 Downing Street, Denver, Colorado 80216-1226.

11. On April 27, 2006, Applicant filed an application (Serial No. 76/659,219) to register the F-CONN mark in the United States Patent and Trademark Office. The application covers “cable connectors for digital home theaters, security/structured wiring and satellite connections.” The application contains a June 6, 1994 date of first use in commerce.

12. On December 5, 2006, the United States Patent and Trademark Office published the F-CONN mark.

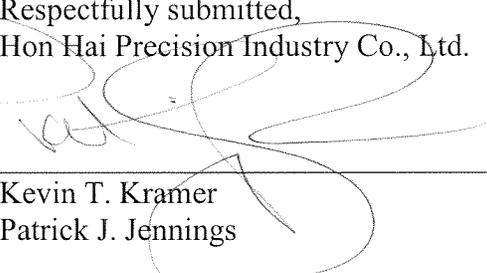
13. Opposer will be damaged by the registration of Applicant’s F-CONN mark because the mark so resembles Opposer’s mark as to be likely to cause confusion, or to cause mistake, or to deceive, under Lanham Act Section 2(d), 15 U.S.C. § 1052(d).

WHEREFORE, Opposer respectfully requests that the Trademark Trial and Appeal Board refuse to register the F-CONN mark.

Please charge any fees due in connection with this document to Deposit Account No. 03-3975, 7758/284547.

Respectfully submitted,  
Hon Hai Precision Industry Co., Ltd.

By:

  
\_\_\_\_\_  
Kevin T. Kramer  
Patrick J. Jennings

Opposer’s Attorneys  
Pillsbury Winthrop Shaw Pittman, LLP  
2300 N Street, N.W.  
Washington, D.C. 20037  
(202) 663-8000



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# FOXCONN

**Word Mark**                      **FOXCONN**

**Goods and Services**                      IC 009. US 021 026. G & S: COMPUTER CABLE ASSEMBLIES, SUBMINIATURE CONNECTORS, EDGE CARD CONNECTORS, HEADER FOR COMPUTER & PHONE USE, MODULAR JACK & PHONE PLUG. FIRST USE: 19840228. FIRST USE IN COMMERCE: 19840228

**Mark Drawing Code**                      (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Design Search Code**

**Serial Number**                      73538131

**Filing Date**                      May 17, 1985

**Current Filing Basis**                      1A

**Original Filing Basis**                      1A

**Published for Opposition**                      September 10, 1985

**Registration Number**                      1371115

**Registration Date**                      November 19, 1985

**Owner**                      (REGISTRANT) HON HAI PRECISION INDUSTRY CO., LTD. CORPORATION TAIWAN NO. 2, TZU YU STREET GU CHENG CITY, PAIPEI HSIEN TAIWAN

Type of Mark TRADEMARK  
Register PRINCIPAL  
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20051005.  
Renewal 1ST RENEWAL 20051005  
Live/Dead Indicator LIVE

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**FOXCONN**

**Word Mark** FOXCONN  
**Goods and Services** IC 009. US 021 023 026 036 038. G & S: electrical cables; electrical connector conductors; electrical contacts; insulated electrical copper wire; insulated electrical wires; electric plugs; electric sockets; electric connectors; telephone transmitters; telegraph wires; telephone fiber optic wire/cable; enclosures and casings for computers and computer peripherals; electric extension memory cards, namely, computer memories for computers or computer peripherals; electric extension memory cards, namely, computer memories for computers or computer peripherals; computer peripherals; computers; computer components, namely, micro-motors for computers and computer peripherals; integrated circuit chips and lead frames for integrated circuit chips; heat sink components for computers and computer peripherals, namely, radiators used to release heat generated from integrated computer chips or computer peripherals; micro-fans for cooling computers and computer peripherals; electrical switches for electrical devices; computer keyboards and parts therefor. FIRST USE: 19840228. FIRST USE IN COMMERCE: 19840228

**Mark Drawing Code** (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Design Search Code**

**Serial Number** 75073578

**Filing Date** March 15, 1996

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** April 21, 1998

**Registration Number** 2203444  
**Registration Date** November 17, 1998  
**Owner** (REGISTRANT) Hon Hai Precision Industry Co., Ltd. LTD LIAB CO TAIWAN 66, Chung Shan Rd., Tu-Chen City Taipei Hsien TAIWAN  
**Prior Registrations** 1371115  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Affidavit Text** SECT 15. SECT 8 (6-YR).  
**Live/Dead Indicator** LIVE

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# FOXCONN

**Word Mark**                      **FOXCONN**

**Goods and Services**                      IC 009. US 021 023 026 036 038. G & S: SERVER COMPUTERS COMPRISED OF MOTHERBOARDS, DISC DRIVERS AND COMPUTER PERIPHERAL ENCLOSURES FOR NETWORK ACCESS; ELECTRIC COMMUNICATION EQUIPMENT AND SYSTEMS FOR USE IN COMPUTERS, SERVERS, AND PORTABLE PERSONAL TELEPHONES, NAMELY NOTEBOOK PCS, MOBILE PHONES, WIRELESS PHONES, PERSONAL DIGITAL ASSISTANTS AND SET-TOP BOXES; AND HEAT PIPES FOR USE IN NOTEBOOK COMPUTERS AND HEAT PLATES FOR USE IN NOTEBOOK COMPUTERS. FIRST USE: 19840228. FIRST USE IN COMMERCE: 19840228

**Mark Drawing Code**                      (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Design Search Code**

**Serial Number**                      75709802

**Filing Date**                      May 19, 1999

**Current Filing Basis**                      1A

**Original Filing Basis**                      1A

**Published for Opposition**                      August 14, 2001

**Registration Number**                      2503457

**Registration**

**Date** November 6, 2001  
**Owner** (REGISTRANT) HON HAI PRECISION INDUSTRY CO., LTD. CORPORATION TAIWAN No. 66,  
 Chung-Shan Rd., Tu-Cheng City Taipei Hsien TAIWAN  
**Attorney of Record** C.P. Chang  
**Prior Registrations** 1371115  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# FOXCONN

**Word Mark**  
**Goods and Services**

**FOXCONN**

IC 009. US 021 023 026 036 038. G & S: Desktop computers; notebook computers; computer barebone devices comprising motherboards, computer enclosure, namely, computer chassis, power supply; computer peripheral devices, namely, keyboards, mouse, touch pads, electronic card readers, flash card readers; computer components devices, namely, electric connectors, optical connectors, cables, electric wires, electric switches, radiators, computer hard discs, computer disc drives, blank recordable floppy discs, floppy disc drives, blank recordable optical discs, optical disc drives, network interface cards, random-access memory (RAM), central processing unit (CPU), video display cards, battery chargers; servers, namely, network attached storage (NAS), and storage area network (SAN); wireless communication devices, namely, mobile phones and handsets; mobile phone components, namely mobile phone enclosure housings, electric connectors, cables and wires, keypad, stylus, print circuit boards (PCB), hinges for joining mobile phone main housings and covers, antennas, batteries, battery chargers, microphones, speakers; network communication equipment, namely, routers, switches, gateways allowing a host on a subnet to talk with other hosts on different subnets, modems, LAN (Local Area Network) access points for connecting network computer users, voice over IP phones, hubs, network bridges; DVD players; DVD player components, namely, disk drives; DVD player peripherals, namely, blank recordable CD discs, blank recordable DVD discs, DVD burners, DVD recording apparatus; cameras, namely, digital cameras; digital camera components, namely, lenses and CMOS image sensors; personal digital assistants; MP3 players, video game consoles for use with television receivers; monitors, namely, computer CRT monitors, LCD monitors used for computers, mobile phones. FIRST USE: 19840228. FIRST USE IN COMMERCE: 19840228

IC 040. US 100 103 106. G & S: Custom manufacturing and contract assembly of computers, handsets, DVD players, digital cameras and their components and modules. FIRST USE: 19840228. FIRST USE IN COMMERCE: 19840228

IC 042. US 100 101. G & S: Research and development for computers, mobiles phones, handsets, DVD players and digital cameras; design for computers, mobile phones, handsets, DVD players and digital cameras; computer hardware consultancy; computer software design; computer programming; engineering; material testing; quality control for others. FIRST USE: 19840228. FIRST USE IN

COMMERCE: 19840228

**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Design Search Code**  
**Serial Number** 78834127  
**Filing Date** March 10, 2006  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A  
**Owner** (APPLICANT) Hon Hai Precision Industry Co., Ltd. CORPORATION TAIWAN No. 2, Tzu Yu Street, Tu-Cheng City Taipei Hsien TAIWAN  
**Attorney of Record** Patrick J. Jennings  
**Prior Registrations** 1371115;2203444;2503457  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# FOXCONN

**Word Mark**                      **FOXCONN**

**Goods and Services**                      IC 035. US 100 101 102. G & S: Import-export agencies services; goods and services price quotations; retail store and wholesale distributorships featuring computers, communication products, consumable electronic products, and their parts and accessories; and order taking and order fulfillment services

**Mark Drawing Code**                      (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

**Design Search Code**

**Serial Number**                      78859583

**Filing Date**                      April 12, 2006

**Current Filing Basis**                      44E

**Original Filing Basis**                      44E

**Owner**                      (APPLICANT) Hon Hai Precision Industry Co., Ltd. CORPORATION TAIWAN No. 2, Tzu Yu Street, Tu-Cheng City Taipei Hsien TAIWAN

**Attorney of Record**                      Patrick J. Jennings

**Prior Registrations**                      1371115;2203444;2503457

**Type of Mark**                      SERVICE MARK

**Register**                      PRINCIPAL

**Live/Dead Indicator**                      LIVE

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