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

Proceeding	91179897
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----X
Information Builders, Inc.
Opposer,

V.

Bristol Technologies, Inc.,
Applicant
-----X

Opposition No. 91179897

Serial No. 78954755

APPLICANT'S NOTICE OF RELIANCE UNDER RULE 2.122 (e)

Applicant, Bristol Technologies, Inc., hereby gives notice that it will rely on the following copies of which are annexed hereto:

Applicant's Trademark Registration Application Number 78954755 of August 17, 2006 as amended on March 3, 2009, an official record of the United States Patent and Trademark office, downloaded from the United States Patent and Trademark on January 28, 2009. Applicant is relying on this document as evidence of all relevant aspects of Applicant's Application with particular emphasis on the definition of goods and services for which registration is applied.

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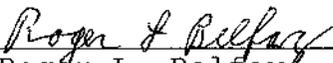
the definition of goods and services for which registration is applied. Specifically, the definition of "Operating System" is relevant.

Page 12, lines 8-15, of Software Engineering, A practitioner's Approach by Roger Pressman, Copyright 1987, McGraw Hill, Inc., a published work. Applicant is relying on this document as clarification of the definition of goods and services for which registration is applied and the relationship of those products to other software products. Specifically, the definition and relationship of "Operating Systems" is relevant.

Respectfully Submitted

Bristol Technologies, Inc.

Dated: January 29, 2010

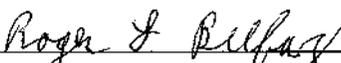


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CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing Notice of Reliance under Rule 2.122(e) has been forwarded, this January 29, 2010 by first class mail to

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Roger L. Belfay, Attorney at Law

der. 3. Vociferous; clamorous. —*open-mouth'ed-ly adv.*

—*open-mouth'ed-ness n.*

open season *n.* 1. A period when hunting is permitted for a specified game animal. 2. *Informal.* A situation in which criticism is unconstrained: *After the expose, it was open season on government officials.*

open secret *n.* Something ostensibly secret but in fact generally known.

open sentence *n.* A mathematical expression that contains at least one unknown quantity and that becomes true or false when a test value is substituted for the unknown.

open ses-a-me (sēs'a-mē) *n.* A seemingly unflinching means of gaining admittance or attaining success. [From the magical formula used by Ali Baba in the *Arabian Nights* to open the door of the robbers' cave.]

open shop *n.* A business establishment or factory in which workers are employed without regard to union membership.

open stock *n.* 1. A form of merchandising in which replacements for articles sold in sets are carried at all times. 2. Open stock collectively.

openwork (ō'pən-wŭrk) *n.* Ornamental or structural work containing numerous openings, usually in set patterns.

opera (ō'pə-rə, ō'pə-rə) *n.* 1. A form of theatrical presentation in which a dramatic performance is set to music. 2. A work of opera. 3. A theater designed primarily for operas. [Ital. < Lat., work produced < *opus*, work.]

opera (ō'pə-rə, ō'pə-rə) *n.* A plural of *opus*.

opera-ble (ō'pə-rə-bəl, ō'pə-rə) *adj.* 1. Capable of being used or operated: *an operable machine.* 2. Capable of being put into practice; practicable: *an operable plan.* 3. Capable of being treated by surgical operation: *an operable stage of cancer.* —*opera-ble-ly adv.* —*opera-ble-ty adv.*

opera bouffe (bōōf) *n.* A comic often satirical opera. [Fr. < Ital. *opera buffa*.]

opera buffa (ō'pə-rə bōōf'a, ō'pə-rə) also **opéra bouffe** (ō-pə-rā bōōf) *n.* A comic opera, esp. one of the 18th century. [Ital., comic opera.]

opéra comique (ō'pə-rə kō-mēk', ō'pə-rə, ō-pā-rā kō-mēk') *n.* Opera that, in addition to musical solos and ensembles, has dialogue that is spoken rather than sung. [Fr., comic opera.]

opera glasses *pl. n.* Small, low-powered binoculars for use esp. at a theatrical performance.

opera-go-er (ō'pə-rə-gō'ər, ō'pə-rə) *n.* A person who attends operas, esp. frequently.

opera hat *n.* A collapsible top hat.

opera house *n.* A theater designed chiefly for operas.

operand (ō'pə-rə-nd) *n.* A quantity on which a mathematical operation is performed. [< Lat. *operandum*, neuter gerund. of *operari*, to operate < *opus*, work.]

operant (ō'pə-rə-nt) *adj.* 1. Operating to produce effects; effective. 2. *Psychol.* Characterizing a response or behavior elicited by an environment rather than by a specific stimulus and identified by its consequences in the environment.

—*n.* 1. One that operates. 2. *Psychol.* An element of operant behavior. [Lat. *operans*, *operant*, pr. part. of *operari*, to work < *opus*, work.] —*oper-ant-ly adv.*

operate (ō'pə-rāt) *v.* —*at-ed*, —*at-ing*, —*ates*. —*intr.* 1. To function effectively; work. 2. To bring about a desired or proper effect. 3. To perform surgery. 4. To carry on a military or naval action or campaign. —*tr.* 1. To run or control the functioning of: *operate a machine.* 2. To conduct the affairs of; manage: *operate a business.* 3. To perform surgery upon. 4. To bring about or effect. [Lat. *operari*, *operat* < *opus*, work.]

operatic (ō'pə-rāt'ik) *adj.* 1. Of, related to, or typical of the opera: *an operatic aria.* 2. Historic or implausible in a way considered characteristic of grand opera. [< OPERA.] —*oper-atic-ly adv.*

operatics (ō'pə-rāt'iks) *n.* (used with a sing. or pl. verb). Historic.

operating system *n.* Computer software designed to complement the hardware of a specific data processing system.

operation (ō'pə-rā'shən) *n.* 1. An act, process, or way of operating. 2. The condition of being operative or functioning: *in operation.* 3. A process or series of acts performed to effect a certain purpose or result: *the operation of preparing a meal for 20.* 4. A process or method of productive activity.

5. *Med.* A procedure for remedying an injury, ailment, or dysfunction in a living body, esp. one performed with instruments. 6. *Math.* A process or action, such as addition, substitution, transposition, or differentiation, performed in a specified sequence and in accordance with specific rules of procedure. 7. *Computer Sci.* An action resulting from a single computer instruction. 8. a. A military or naval action, campaign, or project. b. *operations.* The office at an airport or air base where pilots file flight plans and where flying from the field is controlled. c. *operations.* The agency of a business organization that carries out planning and operating functions on an executive level: *a vice president of operations* [ME *operacioun* < OFr. *operacion* < Lat. *operatio* < *operari*, to work < *opus*, work.]

operational (ō'pə-rā'shə-nəl) *adj.* 1. Of or pertaining to an operation or a series of operations. 2. Of, for, or engaged in military operations. 3. a. Serviced and declared fit for proper functioning: *an operational aircraft.* b. Observed to

be properly functioning: *an operational computer.* —*oper-ation-ally adv.*

operational-ism (ō'pə-rā'shə-nā-liz'əm) *n.* *Philos.* The doctrine that the meanings of concepts are derived from or given by specific operations. —*operational-ist n.*

operations research *n.* Mathematical or scientific analysis of the systematic efficiency and performance of manpower, machinery, equipment, and policies used in a governmental, military, or commercial operation.

operative (ō'pə-rə-tiv, ō'pə-rə, -ə-rā'tiv) *adj.* 1. Exerting influence or force. 2. Functioning effectively; efficient. 3. Being in force, in effect, or in operation: *operative regulations.*

4. Engaged in, concerned with, or related to physical or mechanical activity. 5. Of, pertaining to, or resulting from a surgical operation. —*n.* 1. A skilled worker, esp. in industry.

2. a. A secret or trusted agent. b. A private detective. —*oper-ative-ly adv.*

oper-a-tor (ō'pə-rā'tər) *n.* 1. One that operates a mechanical device: *a telephone operator.* 2. The owner or director of a business or industrial concern. 3. A dealer in stocks or commodities. 4. A symbol, such as a plus sign, that represents a mathematical operation. 5. *Informal.* A shrewd and sometimes unscrupulous person who gets what he wants by devious means. 6. A chromosomal sequence that is the region of an operon responsible for regulation of structural genes.

opercu-la (ō-pŭr'kyə-lə) *n.* A plural of *operculum*.

opercu-late (ō-pŭr'kyə-li) also **opercu-lated** (-lā'tid) *adj.* Having an operculum.

opercu-lum (ō-pŭr'kyə-ləm) *n.* *pl.* -la (-lə) or -lums. 1. *Biol.* A lid or flap covering an aperture, such as the gill cover in some fishes or the horny shell cover in snails or other mollusks. 2. *Anat.* A flap or lid, such as the layer of tissue over an erupting tooth. [Lat., lid < *operire*, to cover.] —*opercu-lar adj.* —*opercu-lar-ly adv.*

opere-tta (ō'pə-rēt'a) *n.* A theatrical production that has many of the musical elements of opera, but is lighter and more popular in subject and style and contains spoken dialogue. [Ital., dim. of *opera*, opera.]

operon (ō'pə-rŏn) *n.* A cluster of genes in physical proximity to one another, together with a distant gene that regulates the cluster's production of a set of different but functionally related enzymes. [< OPERATE.]

oper-ose (ō'pə-rōs) *adj.* 1. Involving great labor; laborious. 2. Industrious; diligent. [Lat. *operosus* < *opus*, work.] —*oper-ose-ly adv.* —*oper-ose-ness n.*

ophi-d-i-an (ō-fid'ē-ən) *adj.* Of or pertaining to limbless reptiles or snakes; snakelike. —*n.* A member of the suborder Ophidia or Serpentes; snake. [< NLat. *Ophidia*, suborder name < Gk. *ophis*, snake.]

ophi-ol-ogy (ō'fē-ō'fə-jē, ō'fē-) *n.* A branch of herpetology dealing with snakes. [Gk. *ophis*, snake + *-LOGY*.] —**ophi-ol-og-ist** (ō-fə'jē-kəl) *adj.* —**ophi-ol-og-ist n.**

ophi-oph-a-gous (ō'fē-ō'fə-gəs) *adj.* Feeding on snakes.

oph-ite (ō'fīt, ō'fīt) *n.* 1. A mottled-green rock composed of diabase. 2. Any of various green rocks, such as serpentine. [Lat. *ophites* < Gk. *ophites* (*fitos*), serpentlike (stone) < *ophis*, serpent.]

ophit-ic (ō-fit'ik, ō-fit'ē) *adj.* 1. Of or pertaining to ophite. 2. Having a texture composed of plagioclase crystals in a matrix of pyroxene crystals.

Oph-i-u-chus (ō'fē-yōō'kəs, ō'fē-) *n.* A constellation in the equatorial region near Hercules and Scorpius. [Lat. < Gk. *ophiokhos* < *ophis*, serpent + *ekhein*, to hold.]

ophthalm- *pref.* Variant of *ophthalmo-*.

oph-thal-mia (ōf-thāl'mē-ə, ōp-) also **oph-thal-mi-tis** (ōf-thāl'mītis, -thāl-) *n.* Inflammation of the eye, esp. of the conjunctiva. [ME *obtalmia* < LLat. *ophthalmia* < Gk. < *ophthalmos*, eye.]

oph-thal-mic (ōf-thāl'mik, ōp-) *adj.* 1. Of or pertaining to the eye; ocular. 2. Having ophthalmia. [Gk. *ophthalmikos* < *ophthalmos*, eye.]

oph-thal-mi-tis (ōf-thāl'mītis, -thāl-) *n.* Variant of *ophthalmia*.

ophthalmo- or **ophthalm-** *pref.* Eye; eyeball: *ophthalmoscope*. [Gk. < *ophthalmos*, eye.]

oph-thal-mol-og-ist (ōf-thāl'mōl-ō-jist, ōf-thāl-, ōp-) *n.* A physician specializing in the treatment of diseases of the eye.

oph-thal-mol-og-y (ōf-thāl'mōl-ō-jē, ōf-thāl-, ōp-) *n.* The medical specialty encompassing the anatomy, functions, pathology, and treatment of the eye. —**oph-thal-mol-og-ic** (-thāl'mōl-ō-j'ik) *adj.* —**oph-thal-mol-og-ic-ly adv.**

oph-thal-mom-e-ter (ōf-thāl'mōm'tər, ōf-thāl-, ōp-) *n.* An optical instrument for measuring astigmatism. —**oph-thal-mo-metric** (ōf-thāl'mō-mē't'rik, ōp-), **oph-thal-mo-met-ri-cal adj.**

oph-thal-mo-scope (ōf-thāl'mō-skōp', ōp-) *n.* An instrument consisting essentially of a mirror with a central hole through which the eye is examined. —**oph-thal-mo-scop-ic** (-skōp'ik) *adj.* —**oph-thal-mo-scop-ic-ly adv.**

oph-thal-mo-scop-ic (ōf-thāl'mōskōp'ik, ōp-) *n.* —**opia** *suffix.* A visual condition or defect of a specified kind: *anisometropia*. [NLat. < Gk. *opia* < *ops*, eye.]

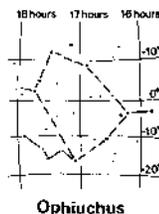
opi-ate (ō'pē-it, -ār') *n.* 1. Any of various sedative narcotics



opera glasses
"At the Opera" by
Mary Cassatt



opera hat
Above: Hat as worn
Below: Hat collapsed



Ophiuchus

executes algorithms that can be interrupted by external conditions; and produces output that varies as a function of environment and time. Applications with these characteristics are indeterminate.

It is somewhat difficult to develop meaningful generic categories for software applications. As software complexity grows, neat compartmentalization disappears. The following software areas indicate the breadth of potential applications.

SYSTEM SOFTWARE. System software is a collection of programs written to service other programs. Some system software (e.g., compilers, editors, and file management utilities) process complex, but determinate, information structures. Other systems applications (e.g., operating system components, drivers, telecommunications processors) process largely indeterminate data. In either case the systems software area is characterized by heavy interaction with computer hardware; heavy usage by multiple users; concurrent operation that requires scheduling, resource sharing, and sophisticated process management; complex data structures; and multiple external interfaces.

REAL-TIME SOFTWARE. Software that measures/analyzes/controls real-world events as they occur is called real-time. Elements of real-time software include a data gathering component that collects and formats information from an external environment, an analysis component that transforms information as required by the application, a control/output component that responds to the external environment, and a monitoring component that coordinates all other components so that real-time response (typically ranging from 1 millisecond to 1 minute) can be maintained. It should be noted that the term "real-time" differs from "interactive" or "timesharing." A real-time system *must* respond within strict time constraints. The response time of an interactive (or timesharing) system can normally be exceeded without disastrous results.

BUSINESS SOFTWARE. Business information processing is the largest single software application area. Discrete "systems" (e.g., payroll, accounts receivable/payable, inventory, etc.) have evolved into management information system (MIS) software that accesses one or more large data bases containing business information. Applications in this area restructure existing data in order to facilitate business operations or management decision making. In addition to conventional data processing tasks, business software applications also encompass interactive computing (e.g., point-of-sale transaction processing).

ENGINEERING AND SCIENTIFIC SOFTWARE. Engineering and scientific software has been characterized by "number crunching" algorithms. Applications range from astronomy to volcanology, from automotive stress analysis to space shuttle orbital dynamics, and from molecular biology to automated manufacturing. However, new applications within the engineering/scientific area are moving away from conventional numerical algorithms. Computer-aided design (CAD), system simulation, and other interactive applications have begun to take on real-time and even system software characteristics.

1: BRING ABOUT, EFFECT 2 a: to cause to function; WORK b: to put or keep in operation 3: to perform an operation on; esp: to perform surgery on

oper-atic \ä-pä-'rä-tik\ *adj* (1749) 1: of or relating to opera 2: grand, dramatic, or romantic in style or effect — **oper-atic-al-ly** \-ti-k(-ä)-l\ *adv*

operating *adj* (1808): of, relating to, or used for or in operations (~ expenses) (a hospital ~ room)

operating system *n* (1961): software that controls the operation of a computer and directs the processing of programs (as by assigning storage space in memory and controlling input and output functions)

oper-a-tion \ä-pä-'rä-shən\ *n* [ME *operacioun*, fr. MF *operacion*, fr. L *operatio*, *operatio*, fr. *operari*] (14c) 1: performance of a practical work or of something involving the practical application of principles or processes 2 a: an exertion of power or influence (the ~ of a drug) b: the quality or state of being functional or operative (the plant is now in ~) c: a method or manner of functioning (a machine of very simple ~) 3: EFFICACY, POTENCY — archaic except in legal usage 4: a procedure carried out on a living body usu. with instruments esp. for the repair of damage or the restoration of health 5: any of various mathematical or logical processes (as addition) of deriving one entity from others according to a rule 6 a: a usu. military action, mission, or maneuver including its planning and execution b *pl*: the office on the flight line of an airfield where pilots file clearance for flights and where flying from the field is controlled c *pl*: the agency of an organization charged with carrying on the principal planning and operating functions of a headquarters and its subordinate units 7: a business transaction esp. when speculative 8: a single step performed by a computer in the execution of a program

oper-a-tion-al \-shən-l\ *adj* (ca. 1909) 1: of or relating to operation or to an operation (the ~ gap between planning and production) 2: of, relating to, or based on operations 3 a: of, engaged in, or connected with execution of military or naval operations in campaign or battle b: ready for or in condition to undertake a destined function — **oper-a-tion-al-ly** *adv*

oper-a-tion-al-ism \-shən-l-i-zəm\ *n* (1931): a view that the concepts or terms used in nonanalytic scientific statements must be definable in terms of identifiable and repeatable operations — **oper-a-tion-al-ist** \-list\ *n* — **oper-a-tion-al-is-tic** \-rä-shən-'tis-tik\ *adj*

oper-a-tion-ism \ä-pä-'rä-shä-'ni-zəm\ *n* (1935): OPERATIONALISM — **oper-a-tion-ist** \-sh(-ə)-nist\ *n*

operations research *n* (1945): the application of scientific and esp. mathematical methods to the study and analysis of problems involving complex systems — called also *operational research*

oper-a-tive \ä-pä-'rä-tiv\ *adj* (185c) 1: producing an appropriate effect; EFFICACIOUS 2: exerting force or influence; OPERATING 3 a: having to do with physical operations (as of machines) b: WORKING (an ~ craftsman) 4: based on or consisting of an operation (~ dentistry) — **oper-a-tive-ly** *adv* — **oper-a-tive-ness** *n*

operative *n* (ca. 1810): OPERATOR; as a: ARTISAN, MECHANIC b: a secret agent c: PRIVATE DETECTIVE

oper-a-tor \ä-pä-'rä-tör\ *n* (1611) 1: one that operates; as a: one that operates a machine or device b: one that operates a business c: one that performs surgical operations d: one that deals in stocks or commodities 2 a: MOUNTBANK FRAUD b: a shrewd and skillful person who knows how to circumvent restrictions or difficulties 3 a: something and esp. a symbol that denotes or performs a mathematical or logical operation b: a mathematical function 4: a binding site in a DNA chain at which a genetic repressor binds to inhibit the initiation of transcription of messenger RNA by one or more nearby structural genes — called also *operator gene*; compare OPERON — **oper-a-tor-less** *adj*

oper-cu-lar \ä-'pör-kyä-lər\ *adj* (1830): of, relating to, or constituting an operculum

opercular *n* (ca. 1890): an opercular part (as a bone or scale)

oper-cu-late \ä-'pör-kyä-lət\ *also oper-cu-lat-ed* \-lä-təd\ *adj* (ca. 1775): having an operculum

oper-cu-lum \ä-'pör-kyä-ləm\ *n*, *pl* -la -l-ä\ *also* -lums [NL, fr. L, cover, fr. *operire* to shut, cover] (1752) 1: a body process or part that suggests a lid; as a: a horny or shelly plate on the posterior dorsal surface of the foot in many gastropod mollusks that closes the shell when the animal is retracted b: the covering of the gills of a fish — see FISH illustration 2: a lid or covering flap (as of a moss capsule or a pyxidium in a seed plant)

oper-et-ta \ä-pä-'re-tä\ *n* [It, dim. of *opera*] (1770): a usu. romantic comic opera that includes songs and dancing — **oper-et-tist** \-rist\ *n*

oper-on \ä-pä-'rän\ *n* [F *opéron*, fr. *opérer* to bring about, effect (fr. L *operari*) — *on* -ən] (1961): a group of closely linked genes that produces a single messenger RNA molecule in transcription and that consists of structural genes and regulating elements (as an operator and promoter)

oper-ose \ä-pä-'rös\ *adj* [L *operosus*, fr. *oper*, *opus* work — more at OPERATE] (1678): TEDIOUS, WEARISOME — **oper-ose-ly** *adv* — **oper-ose-ness** *n*

Ophe-lia \ä-'fel-yä\ *n*: the daughter of Polonius in Shakespeare's *Hamlet*

ophid-i-an \ä-'fi-dē-ən\ *adj* [ultim. fr. Gk *ophis*] (1883): of, relating to, or resembling snakes — **ophidian** *n*

Op-hir \ä-'fär\ *n* [Heb *Öphir*]: a biblical land of uncertain location but reputedly rich in gold

ophitic \ä-'fi-tik\ *adj* *ophitic* serpentine (stone), fr. L *ophites*, fr. Gk *ophites* (lithos), fr. *ophis* snakelike, fr. *ophis* snake; akin to Sikt ahi snake and prob. to L *anguis* snake, *anguilla* eel, Gk *enchelys* eel, *echidna* viper, *echinos* hedgehog, OE *igil* (1875): having or being a rock fabric in which lath-shaped plagioclase crystals are enclosed in later formed augite

ophi-u-roid \ä-'fi-yür-oid\ *n* [NL *Ophiuroidea*, group name, fr. *Ophura*, genus name, fr. Gk *ophis* + *oura* tail — more at ASS] (ca. 1879): BRITTLESTAR — **ophiuroid** *adj*

ophthalm or **ophthalmo-** *comb form* [Gk, fr. *ophthalmos*]: eye (*ophthalmology*)

oph-thal-mia \äf-'thal-mē-ä, äp-ä\ *n* [ME *obalimia*, fr. LL *ophthalmia*, fr. Gk, fr. *ophthalmos* eye; akin to Gk *ops* eye — more at EYE] (14c): inflammation of the conjunctiva or the eyeball

oph-thal-mic \-mik\ *adj* (ca. 1741) 1: of, relating to, or situated near the eye 2: supplying or draining the eye or structures in the region of the eye (~ artery)

oph-thal-mol-o-gist \äf-'thäl(-)-'mä-lä-jist, äp-, -'thal-\ *n* (1834): a physician that specializes in ophthalmology — compare OPTICIAN, OP-TOMETRIST

oph-thal-mol-ogy \-'mä-lä-jē-\ *n* (ca. 1842): a branch of medical science dealing with the structure, functions, and diseases of the eye — **oph-thal-mo-log-ic** \-mä-'lä-jik\ or **oph-thal-mo-log-ic-al** \-jī-käl-\ *adj* — **oph-thal-mo-log-i-cal-ly** \-jī-k(-ä)-l\ *adv*

oph-thal-mo-scope \äf-'thal-mä-'sköp, äp-ä\ *n* [ISV] (ca. 1857): an instrument for use in viewing the interior of the eye and esp. the retina — **oph-thal-mo-scop-ic** \äf-'thal-mä-'skä-pik, (-)äp-ä\ *adj* — **oph-thal-mo-sco-py** \äf-'thal-'mä-skä-pē, äp-, -'thal-\ *n*

opia *n comb form* [NL, fr. Gk *ōpia*, fr. *ōps*] 1: condition of having (such) vision (diplopia) 2: condition of having (such) a visual defect (hyperopia)

opi-ate \ä-pē-'ät, -ät\ *n* (15c) 1: a preparation or derivative of opium; broadly: a narcotic or opioid peptide 2: something that induces rest or inaction or quiets uneasiness

opiate *adj* (1543) 1 a: containing or mixed with opium b: of, relating to, binding, or being an opiate (~ receptors) 2 a: inducing sleep: NARCOTIC b: causing dullness or inaction

opine \ä-'pin\ *vb* *opined*; **opining** [ME, fr. MF *opiner*, fr. L *opinari* to have an opinion] *vi* (15c): to express opinions ~ *vt*: to state as an opinion

opin-ion \ä-'pin-yən\ *n* [ME, fr. MF, fr. L *opinion*-, *opinio*, fr. *opinari*] (14c) 1 a: a view, judgment, or appraisal formed in the mind about a particular matter b: APPROVAL ESTEEM 2 a: belief stronger than impression and less strong than positive knowledge b: a generally held view 3 a: a formal expression of judgment or advice by an expert b: the formal expression (as by a judge, court, or referee) of the legal reasons and principles upon which a legal decision is based — **opinion-ed** \-yənd\ *adj*

OPINION, **VIEW**, **BELIEF**, **CONVICTION**, **PERSUASION**, **SENTIMENT** mean: judgment one holds as true. **OPINION** implies a conclusion thought out yet open to dispute (each expert seemed to have a different *opinion*). **VIEW** suggests a subjective opinion (very assertive in stating his *views*). **BELIEF** implies often deliberate acceptance and intellectual assent (I firmly believe in her party's platform). **CONVICTION** applies to a firmly and seriously held belief (the *conviction* that animal life is as sacred a human). **PERSUASION** suggests a belief grounded on assurance (as by evidence) of its truth (was of the *persuasion* that everything changes). **SENTIMENT** suggests a settled opinion reflective of one's feelings (the *sentiment* she holds is well-known).

opin-ion-at-ed \-yə-nä-təd\ *adj* (1601): unduly adhering to one's own opinion or to preconceived notions — **opin-ion-at-ed-ly** *adv* — **opin-ion-at-ed-ness** *n*

opin-ion-a-tive \-nä-tiv\ *adj* (1536) 1: of, relating to, or consisting of opinion: DOCTRINAL 2: OPINIONATED — **opin-ion-a-tive-ly** *adv* — **opin-ion-a-tive-ness** *n*

opi-oid \ä-pē-'oid\ *adj* (1957) 1: possessing some properties characteristic of opiate narcotics but not derived from opium 2: of, involving, or induced by an opioid substance or an opioid peptide

opioid peptide *n* (1976): any of a group of endogenous neural polypeptides (as an endorphin or enkephalin) that bind esp. to opiate receptors and mimic some of the pharmacological properties of opiate drug — called also *opioid*

opis-tho-branch \ä-'pis-thä-brän-k\ *n*, *pl* -branches [NL *Opisthobranchia*, fr. Gk *opisthen* behind (akin to Gk *epi on*) + *branchia* gills — more at EPI] (ca. 1856): any of a subclass (Opisthobranchia) of marine gastropod mollusks that have the gills when present posterior to the heart and often lack a shell — **opisthobranch** *adj*

opium \ä-pē-'əm\ *n* [ME, fr. L, fr. Gk *opion*, fr. dim. of *opos* sap] (14 c): a bitter brownish addictive narcotic drug that consists of the dried juice of the opium poppy 2: something having an effect like that of opium

opium poppy *n* (1863): an annual Eurasian poppy (*Papaver somniferum*) cultivated since antiquity as the source of opium, for its edit oily seeds, or for its showy flowers

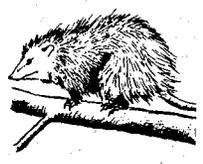
opos-sum \ä-'pä-səm\ *n*, *pl* **opossums** *also* **opossum** [Virginia Algonquian, lit., white animal] (1610) 1: any of a family (Didelphidae) of American marsupials that usu. have a pointed snout and prehensile tail; esp: a common omnivorous largely nocturnal and arboreal mammal (*Didelphis virginiana*) of No. America having grayish to blackish fur with white on the cheeks 2: any of several Australian phalangers

op-po-nent \ä-'pö-nənt\ *n* [L *opponent*-, *opponere*, prp. of *opponere*] (1588) 1: one that takes an opposite position (as in a debate, contest, or conflict) 2: a muscle that opposes or counteracts and limits the action another

opponent *adj* (1647) 1: ANTAGONISTIC, OPPOSING 2: situated front

op-por-tune \ä-pör-'tüən, -'tyün\ *adj* [ME, fr. MF *opportun*, fr. L *oppertunus*, fr. *ob-* toward + *portus* port, harbor — more at OB-, FORD] (1 c) 1: suitable or convenient for a particular occurrence (an ~ moment) 2: occurring at an appropriate time (an ~ offer of assistance) — **op-por-tune-ly** *adv* — **op-por-tune-ness** \-tyün-nəs\ *n*

op-por-tun-ism \-tü-'ni-zəm, -'tyün-\ *n* (1870): the art, policy, or pr



opossum 1

\ä\ about \ä\ kitten, F table \ä\ further \ä\ ash \ä\ ace \ä\ mop, n \ä\ out \ä\ chin \ä\ bet \ä\ easy \ä\ go \ä\ hit \ä\ ice \ä\ j \ä\ sing \ä\ go \ä\ law \ä\ boy \ä\ th \ä\ the \ä\ look \ä\ f \ä\ yet \ä\ vision \ä, ä, ö, œ, u, ü, \ä see Guide to Pronunciati

Trademark Snap Shot Amendment to Delete or Correct Basis

(Table presents the data on Amendment to Delete or Correct Basis)

OVERVIEW

SERIAL NUMBER	78954755	FILING DATE	08/17/2006
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	PERKINS, ELLEN J	L.O. ASSIGNED	110

PUB INFORMATION

RUN DATE	03/03/2009		
PUB DATE	09/25/2007		
STATUS	774-OPPOSITION PENDING		
STATUS DATE	10/05/2007		
LITERAL MARK ELEMENT	BRISTOL FOCUS		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPub 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	YES	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	BRISTOL FOCUS

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Bristol Technologies, Inc.
ADDRESS	134 Morgan Creek Lane Bozeman, MT 59718
ENTITY	03-CORPORATION
CITIZENSHIP	Montana

GOODS AND SERVICES

INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Computer operating programs; Computers and instructional manuals sold as a unit; Operating system programs

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	009	FIRST USE DATE	07/25/2006	FIRST USE IN COMMERCE DATE	07/25/2006	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/05/2008	DOCK	D	ASSIGNED TO EXAMINER	015
10/05/2007	OP.I	T	OPPOSITION INSTITUTED NO. 999999	014
10/05/2007	OPPF	T	OPPOSITION PAPERS RECEIVED AT TTAB	013
09/25/2007	PUBO	A	PUBLISHED FOR OPPOSITION	012
09/05/2007	NPUB	O	NOTICE OF PUBLICATION	011
08/22/2007	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	010
08/17/2007	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	009
08/01/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	008
07/15/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	007

08/01/2007	ALIE	A	ASSIGNED TO LIE	006
07/15/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	005
01/12/2007	GNRT	F	NON-FINAL ACTION E-MAILED	004
01/12/2007	CNRT	R	NON-FINAL ACTION WRITTEN	003
01/11/2007	DOCK	D	ASSIGNED TO EXAMINER	002
08/23/2006	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Roer L. Belfay
CORRESPONDENCE ADDRESS	ROER L. BELFAY 829 TUSCARORA AVE SAINT PAUL, MN 55102-3931
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Bristol Technologies, Inc.
ADDRESS	134 Morgan Creek Lane Bozeman, MT 59718
ENTITY	03-CORPORATION
CITIZENSHIP	Montana

Bristol Focus