

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

BUO

Mailed: August 25, 2014

Opposition No. 91208602

Oracle Am., Inc.

v.

Jefferson Audio Video Sys., Inc.

Benjamin U. Okeke, Interlocutory Attorney:

It has come to the Board's attention that the amendment entered by the Board's July 3, 2014 order, was in error, inasmuch as the order inaccurately identified the goods amended by applicant in its motion filed June 13, 2014. The Board regrets any inconvenience this may have caused the parties. By its motion applicant proposed to amend its application Serial Nos. 85531119, 85531110, with opposer's consent.

By the proposed amendment applicant seeks to amend the identification of goods in International Class 9 in both applications to reflect the following changes (deleted language shown as struck and added language shown underlined):

Application Serial No. 85531119

Video wrist monitor connected to a video camera;
assistive listening devices not for medical purposes,
namely, headphones, microphones, transmitters

and receivers; ~~computer servers~~; Internet Protocol video encoders; electrical cables; speaker distribution boxes to distribute audio input to multiple speakers.

Application Serial No. 85531110

~~Audio and video processors~~; cameras; microphones; amplifiers; ~~touchscreen monitors~~; digital audio/video recorders; ~~personal computers~~; digital signage; electrical power strips; electrical power transformers; audio and video distribution amplifiers; electrical control boxes with system control buttons; transcription devices, namely, a foot pedal that controls computer software for the transcription of audio and video recordings; proprietary computer software for controlling the operation of audio and video devices specifically enabled to run and execute the proprietary software; proprietary computer software for publishing to other media audio recordings and video recordings to other media specifically created by the proprietary software; computer software for scheduling audio recording sessions and video recording sessions; proprietary computer software for searching and locating audio and video recordings stored in a database and specifically created by the proprietary software; proprietary computer software to play back and/or view audio recordings and video recordings specifically created by the proprietary software; proprietary enterprise software for controlling and managing the storage and retrieval of audio and video recordings on a computer server and specifically created by the proprietary software; computer software for transcribing audio recordings and video recordings.

Inasmuch as the amendments are clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents, the amendments are **APPROVED** and **ENTERED**. See Trademark Rule 2.133(a).

If the amendment appropriately reflects the amendment envisioned by the parties, applicant is allowed until **TEN DAYS** from the mailing date of this order to so inform the Board. Should applicant fail to contact the Board within the time allowed the Board will presume that the amendment is acceptable and with respect to Application Serial No. 85531110,¹ the Board will forward the amendment to the Post Registration Branch of this Office for entry of the amendment in accordance with Section 7(e) of the Trademark Act. As to Application Serial No. 85531119, inasmuch as the amendment previously entered accurately reflects the amendment requested by the parties, no further action will be taken.

Proceedings are otherwise **SUSPENDED**.

¹ In view of the previous approval of the amendment, the application was returned to the trademark examination organization and subsequently matured into registration and a certificate of registration issued on August 12, 2014. Thus, the amendment must be entered as a post-registration amendment.

A copy of the Board's order granting the amendment, and respondent's declaration, will be forwarded electronically for uploading to the record of the registration.