

ESTTA Tracking number: **ESTTA590453**

Filing date: **03/04/2014**

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

Proceeding	91212472
Party	Plaintiff Prosper Business Development Corporation
Correspondence Address	MARIBETH DEEVERS ISAAC WILES BURKHOLDER & TEETOR LLC 2 MIRANOVA PLACE, SUITE 700 COLUMBUS, OH 43215 UNITED STATES mdeavers@isaacwiles.com, rperryman@isaacwiles.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Robert C. Perryman
Filer's e-mail	rperryman@isaacwiles.com
Signature	/Robert C. Perryman/
Date	03/04/2014
Attachments	Motion for Leave to File Second Amended Notice of Opposition.pdf(44674 bytes) Exhibit A; Deavers Affidavit.pdf(75775 bytes) Exhibit B.pdf(83990 bytes) Exhibit C; Second Amended Notice of Opposition.pdf(167340 bytes)

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

**IN THE MATTER OF Trademark Application Serial No. 79115344
for the mark BIGINSIGHTS;
Published in the Official Gazette on August 27, 2013**

PROSPER BUSINESS DEVELOPMENT CORPORATION	:	
	:	
	:	
Opposer,	:	
v.	:	
	:	Opposition No. 91212472
INTERNATIONAL BUSINESS MACHINES, CORPORATION	:	
	:	
	:	
Applicant.	:	

**MOTION FOR LEAVE TO FILE SECOND AMENDED NOTICE OF OPPOSITION
INSANTER**

Pursuant to Fed R. Civ. P. 15(a)(2) and TBMP Section 507.02, Opposer Prosper Business Development Corporation respectfully requests that the Board grant Opposer leave to file a Second Amended Notice of Opposition Instanter. A memorandum in support follows.

Respectfully submitted,

/s/ Maribeth Deavers

Maribeth Deavers (0055903)
mdeavers@isaacwiles.com
Robert C. Perryman (0088797)
rperryman@isaacwiles.com
ISAAC, WILES, BURKHOLDER & TEETOR LLC
Two Miranova Place, Suite 700
Columbus, Ohio 43215
(614) 221-2121 Phone
(614) 365-9516 Fax

MEMORANDUM

On September 11, 2013, Opposer filed a Notice of Opposition to Applicant's Application for Trademark Protection for the mark "BIGINSIGHT". This Notice of Opposition opposed registration for Applicant's mark as to International Class 009, 035 and 042. On January 17, 2014, Opposer filed its Amended Notice of Opposition with the Board, seeking to withdraw the claim for dilution that was included in the initial Notice of Opposition. See ¶ 4, Affidavit of Maribeth Deavers, attached as Exhibit A. Subsequent to filing the Amended Notice of Opposition, Ms. Deavers realized there was an incorrect exhibit included with the filing. See ¶ 4, Exhibit A. Ms. Deavers contacted the Trademark Assistance Center ("TAC") inquiring as to the best procedure for filing the correct exhibit. See ¶ 4, Exhibit A. The TAC advised that simply filing an Amended Notice of Opposition with the correct exhibit was appropriate. See ¶ 4, Exhibit A.

On that same day, Opposer served the Amended Notice of Opposition upon Applicant via email, attached as Exhibit B. In response, Applicant expressed uncertainty regarding the intent of the opposition. See Exhibit B. Rather than filing a Motion for a More Definite Statement pursuant to Fed. R. Civ. P. 12(e) and TBMP section 505, Applicant directly asked Opposer for clarification on its intentions. See Exhibit B. In withdrawing the claim for dilution, the Notice of Opposition no longer made specific reference to all three International Classes in which Opposer opposes Applicant's registration of its mark. See ¶ 4, Exhibit A.

In an effort to both clarify its intentions and rectify the error concerning the incorrect exhibit, Opposer filed its Second Amended Notice of Opposition immediately thereafter. On February 27, 2014, the Board issued an Order granting Opposer's Amended Notice of Opposition and denying its Second Amended Notice of Opposition.

Federal Rule of Civil Procedure 15(a)(1) provides “[a] party may amend its pleading once as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading....” Fed. R. Civ. P. 15(a)(1). Rule 15 goes on to provide that in all other cases, “a party may amend its pleading only with the opposing party’s written consent or the court’s leave. The court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). Justice requires that the Board grant Opposer leave to amend its Notice of Opposition once more.

Upon learning that an error was made in an attachment on the Amended Notice of Opposition, Opposer called the TAC seeking guidance on remedying the error. The TAC advised that simply refiled the amended notice would be sufficient. Also, at this time, Applicant expressed to Opposer its confusion regarding the intent of the Notice of Opposition. In following the Board’s instructions on remedying the error and in an effort to provide a clearer statement to Applicant, Opposer filed its Second Amended Complaint, which was then rejected by the Board.

Opposer is attempting to stay completely above board with its opposition and make its intentions clear not only to Applicant, but to the Board. A Second Amended Notice of Opposition would differ only cosmetically from the Amended Notice of Opposition, and would serve only to better communicate Opposer’s intent, not to change it. The Federal Rules provide that “a party may move for a more definitive statement of a pleading to which a responsive pleading is allowed but which is so vague or ambiguous that the party cannot reasonably prepare a response.” Fed. R. Civ. P. 15(e); TBMP section 505. While Applicant did not file such a motion with the Board, it did the functional equivalent by requesting clarification from Opposer via email. See Exhibit B. It is in the interest of justice to grant Opposer leave to file a Second

Amended Complaint to give Applicant the clarity it desires in order to adequately defend its application. Applicant IBM has yet to file an answer to Opposer's Amended Notice of Opposition and would not be prejudiced in any way if Opposer was granted leave to amend.

Based upon the foregoing, Opposer respectfully requests that the Board grant it leave to file a Second Amended Notice of Opposition Instantly, attached hereto as Exhibit C.

/s/ Maribeth Deavers

Maribeth Deavers (0055903)

mdeavers@isaacwiles.com

Robert C. Perryman (0088797)

rperryman@isaacwiles.com

ISAAC, WILES, BURKHOLDER & TEETOR LLC

Two Miranova Place, Suite 700

Columbus, Ohio 43215

(614) 221-2121 Phone

(859) 365-9516 Fax

CERTIFICATE OF SERVICE

A copy of the foregoing Motion has been filed electronically through the ESTTA and served via First Class mail, postage prepaid, on March 4, 2014, to the following counsel of record:

Barbara Solomon
Fross, Zelnick, Lehrman & Zissu, P.C.
866 United Nations Plaza at First Avenue & 48th Street
New York, N.Y. 10017

/s/ Maribeth Deavers

Maribeth Deavers (0055903)

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

**IN THE MATTER OF Trademark Application Serial No. 79115344
for the mark BIGINSIGHTS;
Published in the Official Gazette on August 27, 2013**

PROSPER BUSINESS DEVELOPMENT CORPORATION	:	
	:	
	:	
Opposer,	:	
v.	:	
	:	Opposition No. 91212472
INTERNATIONAL BUSINESS MACHINES, CORPORATION	:	
	:	
	:	
Applicant.	:	

AFFIDAVIT OF MARIBETH DEAVERS

I, Maribeth Deavers, upon being duly sworn and cautioned state the following upon personal knowledge and belief:

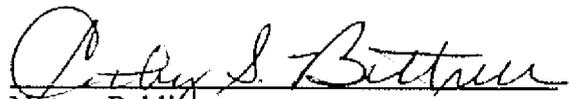
1. I am an attorney in good standing licensed by the Supreme Court, State of Ohio.
2. I am an attorney of record on behalf of Opposer in the above captioned proceeding.
3. On September 11, 2013, I filed a Notice of Opposition on behalf of Opposer with the Trademark Trial and Appeal Board in this proceeding. The Notice of Opposition opposed registration for Applicant's mark as to International Class 009, 035 and 042.
4. On January 17, 2014, I sought to withdraw the claim for dilution from the Notice of Opposition through an amended Notice of Opposition. Subsequent to that filing, that same day, I realized I attached an incorrect exhibit. I telephoned the Trademark Assistance Center and inquired as to the best procedure for filing the correct exhibit. I was advised to file an amended Notice of Opposition with the correct exhibit. At the same time, I received an e-mail from

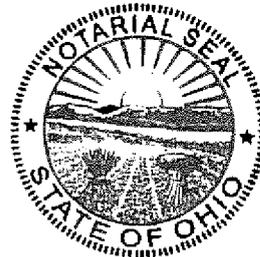
Counsel for Applicant inquiring whether the first Amended Notice of Opposition applied to all three classes. Alerted to the confusion presented by the first Amended Notice of Opposition now lacking a specific reference to all three classes, I filed the second Amended Notice of Opposition clarifying the intent, consistent with the initial Notice of Opposition, to include all three classes as the basis for the opposition. It was not new matter.

FURTHER AFFIANT SAYETH NAUGHT.


Maribeth Deavers (0055903)

Duly sworn before me by Maribeth Deavers this 4th day of March, 2014.


Notary Public



Cathy S. Bitner
Notary Public, State of Ohio
My Commission Expires 06-23-2018

Robert C. Perryman

From: Maribeth Deavers
Sent: Thursday, February 27, 2014 2:31 PM
To: Robert C. Perryman
Subject: FW: Prosper Business V IBM Notice of Opposition [WBBB-DMS.FID1635407]

From: Barbara Solomon [<mailto:bsolomon@fzlz.com>]
Sent: Friday, January 17, 2014 12:01 PM
To: Maribeth Deavers
Subject: RE: Prosper Business V IBM Notice of Opposition [WBBB-DMS.FID1635407]

This is utterly confusing. Are you opposing the mark in all 3 classes or only in Class 35?

Barbara A. Solomon
Fross Zelnick Lehrman & Zissu
866 United Nations Plaza
New York, New York, 10017
Ph: 212-813-5900
Fax: 212- 813-5901

From: Maribeth Deavers [<mailto:mdeavers@isaacwiles.com>]
Sent: Friday, January 17, 2014 11:59 AM
To: Barbara Solomon
Cc: Robert C. Perryman; Kimberly Russell-Denney
Subject: Prosper Business V IBM Notice of Opposition [WBBB-DMS.FID1635407]

Barbara, please see the attached Amended Notice of Opposition filed today with the TTAB.

Cordially,



Maribeth Deavers

Isaac Wiles Burkholder & Teetor, LLC
2 Miranova Place
Suite 700
Columbus, Ohio 43215

Direct Dial: 614-220-5120
Mobile: 740-972-3335
mdeavers@isaacwiles.com

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ESTTA Tracking number: **ESTTA582427**

Filing date: **01/17/2014**

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

Proceeding	91212472
Party	Plaintiff Prosper Business Development Corporation
Correspondence Address	MARIBETH DEEVERS ISAAC WILES BURKHOLDER & TEETOR LLC 2 MIRANOVA PLACE, SUITE 700 COLUMBUS, OH 43215 UNITED STATES mdeavers@isaacwiles.com, rperryman@isaacwiles.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Maribeth Deavers
Filer's e-mail	mdeavers@isaacwiles.com
Signature	/Maribeth Deavers/
Date	01/17/2014
Attachments	Second Amended Notice of Opposition.pdf(49604 bytes) Prosper Exhibit A.pdf(100052 bytes) Prosper Exhibit B.pdf(24192 bytes)

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

**IN THE MATTER OF Trademark Application Serial No. 79115344
for the mark BIGINSIGHTS;
Published in the Official Gazette on August 27, 2013**

PROSPER BUSINESS DEVELOPMENT CORPORATION	:	
	:	
	:	
Opposer,	:	
	:	
v.	:	
	:	Opposition No. 91212472
	:	
INTERNATIONAL BUSINESS MACHINES, CORPORATION	:	
	:	
	:	
Applicant.	:	

SECOND AMENDED NOTICE OF OPPOSITION

PROSPER BUSINESS DEVELOPMENT CORPORATION, a corporation organized under the laws of the State of Ohio, believes that it will be damaged by the registration of the mark BIGINSIGHTS (U.S. Ser. No. 79115344) (the “Application”) to International Business Machines Corporation (“IBM”, also referred to as the “Applicant”) and hereby opposes the same.

As grounds for opposition, it is alleged that:

1. Opposer is an international business acceleration company providing consulting services to businesses, namely advising on marketing strategies, developing innovations to increase market leadership, providing consumer insights and analysis and publishing real time consumer behavior studies.

2. Opposer has been providing these various consulting and marketing services for over 20 years and Opposer and its services are recognized worldwide. Opposer provides information about its marketing and consulting services on its websites www.goproper.com,

www.bigresearch.com, and www.biginsight.com among others. Websites of third parties also include information about the Opposer's goods and services.

3. Opposer began providing certain consulting services in commerce to the general public under the trademark "BIGINSIGHT" on April 5, 2011.

4. Opposer owns the trademark registration for BIGINSIGHT which registered on April 16, 2013, U.S. Reg. No. 4320032 ("Opposer's Mark") (See Exhibit A attached).

5. Opposer's Mark has been used in connection with "providing news, information and analysis compiled from multiple global sources in the field of current events related to marketing strategies and consumer behavior for businesses" as early as April 5, 2011 (See Exhibit A). Such mark is currently in use with respect to such services.

6. Opposer also owns the trademark application for the design mark BIGinsights, Application Serial No. 85/806210, filed December 19, 2012.

7. Opposer has invested significant sums of money marketing and promoting its services under the BIGINSIGHT mark. As a result of these investments and its worldwide use, Opposer's Mark has acquired valuable goodwill and distinction and is a very strong mark in the field of marketing and business consulting services.

8. Applicant filed a section 66(a) trademark application pursuant to 35 U.S.C. § 1141f which was assigned Application Serial No. 79/115344 with an International Registration Date of May 21, 2012, for the purpose of extending protection of an international trademark registration to the United States and with an intent to use the mark BIGINSIGHTS in commerce. Applicants claimed Paris Priority date is January 11, 2012. (See Exhibit B attached).

9. IBM's Application was published for opposition in the *Official Gazette* on August 27, 2013.

10. Applicant's mark is used in connection with "advice on company management and business advice; business development services; conducting marketing studies; implementing and conducting commercial exhibitions in the field of computers, computing services, information technology and electronic business transactions via global computer networks" in Class 35. It is also used for goods and services in Class 009 ("...computer software for providing an analytics platform for storing, managing and analyzing massive volumes of structured, semi-structured and unstructured data in their native formats;...performing complex large scale analytics on data...") and 042 ("...computer services, namely, providing search platforms to allow users to store, manage, search and analyze massive volumes of structured, semi-structured and unstructured data in their native formats;... managing and analyzing massive volumes of structured, semi-structured and unstructured data in their native formats...") (See Exhibit B).

11. Applicant's mark is identical to Opposer's Mark in appearance, sound, connotation and commercial impression.

12. Applicant's proposed services are overlapping and/or legally identical to services provided by Opposer under Opposer's Mark, particularly business development services, conducting marketing services, and implementing and conducting commercial exhibitions in the field of computers in International Class 035. (See Exhibit B). Opposer further opposes the use of the mark for the goods described in Class 009 and 042 as such use further contributes to the likelihood of confusion because the described goods and services are attendant to the goods and services described in Class 35. Consumers of the services described in Class 35 are often the same targeted consumers of the goods described in Class 009 and 042 and it is highly likely they

will confuse the source of the goods described in Class 35 with the source of those goods described in Class 009 and 042.

13. Applicant and Opposer operate in substantially similar trade channels and their goods and services are viewed by the same customers. Purchasers familiar with Opposer's services are likely to mistakenly believe that Applicant's services are sponsored, authorized, endorsed, affiliated with or otherwise approved by the Opposer because the IBM mark sought to be registered and used by Applicant is identical to or confusingly similar to the Opposer's Mark.

14. Opposer's Mark has been in continuous use in commerce in the United States prior to IBM's use of the applied for mark and has already acquired significant distinctiveness and good will.

15. Because of the substantial similarities of Applicant's mark to Opposer's Mark there is a substantial likelihood of confusion to the public.

16. For the aforementioned reasons, the registration sought by Applicant is contrary to the provisions of Section 2 of the Lanham Act and Opposer believes it would be damaged thereby.

17. Applicant's mark should be refused from registration under the Lanham Act for all International Classes set forth in its Application.

18. As the owner of Opposer's Mark, Opposer has a present and prospective right to use the mark BIGINSIGHT. This right would be impaired by registration of Applicant's mark.

WHEREFORE, Opposer believes that it has a real interest in this proceeding and will be irreparably damaged by the registration of Applicant's mark, and respectfully requests that the Board sustain this Opposition and refuse the registration of the Applicant's mark.

DATED: January 17, 2014

Respectfully submitted,

/s/ Maribeth Deavers

Maribeth Deavers (0055903)

mdeavers@isaacwiles.com

Robert C. Perryman (0088797)

rperryman@isaacwiles.com

ISAAC, WILES, BURKHOLDER & TEETOR LLC

Two Miranova Place, Suite 700

Columbus, Ohio 43215

(614) 221-2121 Phone

(859) 365-9516 Fax

CERTIFICATE OF SERVICE

A copy of the foregoing Second Amended Notice of Opposition has been filed electronically through the ESTTA and served via First Class mail, postage prepaid, on January 14, 2014, to the following counsel of record:

Barbara Solomon
Fross, Zelnick, Lehrman & Zissu, P.C.
866 United Nations Plaza at First Avenue & 48th Street
New York, N.Y. 10017

/s/ Maribeth Deavers

Maribeth Deavers (0055903)

United States of America
United States Patent and Trademark Office

BIGINSIGHT

Reg. No. 4,320,032

Registered Apr. 16, 2013

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

PROSPER BUSINESS DEVELOPMENT CORPORATION (OHIO CORPORATION)
400 WEST WILSON BRIDGE ROAD
STE 200
WORTHINGTON, OH 43085

FOR: PROVIDING NEWS, INFORMATION AND ANALYSIS COMPILED FROM MULTIPLE GLOBAL SOURCES IN THE FIELD OF CURRENT EVENTS RELATED TO MARKETING STRATEGIES AND CONSUMER BEHAVIOR FOR BUSINESSES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-5-2011; IN COMMERCE 4-5-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-620,362, FILED 5-9-2012.

MATTHEW GALAN, EXAMINING ATTORNEY



Sean Street Lee

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

REQUEST FOR EXTENSION OF PROTECTION

SERIAL NUMBER: 79115344

FILING DATE: 05/21/2012

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
IMAGE	\\TICRS\EXPORT16\IMAGEOUT16\791\153\79115344\xml1\APP0002.JPG
COLLECTIVE, CERTIFICATE OR GUARANTEE MARK	NO
MARK IN STANDARD CHARACTERS	YES
MARK IN COLOR	NO
THREE DIMENSIONAL MARK	NO
SOUND MARK	NO
TM IMAGE: COLOR	NO
IMAGE FILE NAME	\\TICRS\EXPORT16\IMAGEOUT16\791\153\79115344\xml1\APP0002.JPG
TYPE (IMAGE TYPE)	JPG
TEXTUAL ELEMENTS OF MARK	BIGINSIGHTS
HOLDER DETAILS	
CLIENT IDENTIFIER	348649
NOTIFICATION LANGUAGE	FRENCH
NAME	International Business Machines Corporation
ADDRESS	New Orchard Road Armonk, New York 10504
COUNTRY	United States of America
ENTITLEMENT ESTABLISHMENT	France

ENTITLEMENT
ADDRESS

IBM France

17 avenue de l'Europe
Bois-Colombes Cedex

ENTITLEMENT
COUNTRY

France

LEGAL NATURE

Corporation

LEGAL NATURE:
PLACE
INCORPORATED

Corporation constituée et régie par les lois de l'Etat de New York, USA

CORRESPONDENCE
INDICATOR

YES

LIMITATION DETAILS

DESIGNATED
CONTRACTING
PARTY CODE

United States of America

GOODS AND
SERVICES LIMITED
TO

09

Computing equipment and computer programs; computing equipment, namely, computers, servers and storage apparatus; ; computer programs for connecting to networks and computers systems, servers and apparatus for storage of different kinds ; operating system software; computer programs for connecting computers to each other and for allowing computer activities across a global computer network; computer programs for managing systems, software and processes in an information technology environment, instruction manuals sold with the products above in this class.

GOODS AND
SERVICES LIMITED
TO

GOODS AND
SERVICES LIMITED
TO

35

Advice on company management and business advice; business development services; marketing studies; and computer services; implementing and conducting commercial exhibitions in the field of computers, computing services, information technology and electronic business transactions via global computer networks in this class .

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SERVICES LIMITED
TO

GOODS AND
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TO

42

Computer services; computer system integration services; computer consultation services; consulting services in the field of design, selection, implementation and use of computer hardware and software systems for

GOODS AND
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TO

others; technical support services, namely troubleshooting computers, servers and computer programs (computer services); computer system design services for others; computer system analysis; interconnecting computers and computer programs, namely, integrating computer systems and computer networks; testing computer programs and compute equipment, namely, computer, server and software testing; installation, updating and maintenance of computer programs; computer programming services for others in this class; and computer services.

BASIC GOODS AND SERVICES

VERSION OF NICE
CLASSIFICATION
USED

10

NICE
CLASSIFICATION

09

GOODS AND
SERVICES

Computers; computing equipment, namely magnetic tape units (for computers), magnetic tapes, printed circuits, integrated circuits, computer keyboards, compact disks (audio-video), optical disks, couplers (for computers), floppy disks, magnetic data media, video screens, scanners, printers for use with computers, interfaces (for computers), readers (for computers), computer software (recorded programs), microprocessors, modems, monitors (computer hardware), computers, computer memories, computer peripheral devices, recorded computer programs and software; adapters for computers; computer components; data processing equipment; semiconductors; electronic data media that can be processed by machine; magnetic disks; hard disk drives; tape recorders; calculating machines; cash registers; facsimile machines; video recorders; videotapes; all kinds of batteries; computer chips; boards for integrated circuits; computer accessories, namely communication servers; carrying cases for computers; interface cards for computers; computer cables and computer cable parts; fax modem cards for computers; computer accessories, namely, screen filters, computer mouse pads, electric converters, namely, digital-to-analogue, analogue-to-digital and step-by-step voltage switches, pagers, computer controllers, computer mice; electronic publications, namely books, magazines and handbooks containing information in connection with computer technology; integrated circuit cards (smart cards) and smart cards, adaptors for integrated circuits and adaptors for smart cards; adaptors for integrated circuits and adaptors for smart cards; microcomputers; power supply systems; projectors; remote controllers for computer; inverters, surge protectors and devices for uninterruptible power supply; point of sale terminals; computer operating system software; computer software for access to a global computer network; computer database management software; computer document management software; software for locating, recovering and receiving text, electronic documents, graphic illustrations and audiovisual information via company-scale internal computing networks and on local, wide-area and global computer networks; computer software for developing and computer software for designing websites and user manuals, in electronic format, sold as a set; documentation and instruction manuals recorded on electronic data

	media that can be operated by machine and relating to computers or computer programs.
NICE CLASSIFICATION	35
GOODS AND SERVICES	Advertising; promotion activity; business management and consultancy; business information; distribution of flyers; distribution of samples; arranging newspaper subscriptions for others; book-keeping; document reproduction; data management processing; arrangement of exhibitions for commercial or advertising purposes.
NICE CLASSIFICATION	42
GOODS AND SERVICES	Computer programming; computer software design, updating and maintenance; computer software and hardware design for third parties, and support services concerning computers provided by computer specialists, computing services, namely the creation, design and maintenance of web sites for third parties; analysis of computer systems, integration of computer systems and networks, computer programming services for others, all relating to commercial interactions via global computer networks; technical support services, namely the repair of operating systems and computer programmes by computer technicians; interconnecting of computers and computer software; computer and computer software testing services; technical project studies in the field of computer hardware and computer software; computer consulting in connection with computer hardware, namely consulting in computer research and development; computer system analysis; computer advice and assistance concerning Internet use; rental of computers and computer software; scientific and industrial research, namely research and development of new products, biological research, bacteriological research, chemical research, cosmetic research, mechanical research, geological research, technical research, pharmaceutical research, scientific research for medical purposes.

PARIS PRIORITY DETAILS

PARIS PRIORITY CODE:	France
PARIS PRIORITY APPLICATION NUMBER	12/3888066
PARIS PRIORITY APPLICATION DATE	01/11/2012

BASE REGISTRATION DETAILS

BASE APPLICATION NUMBER	12/3888066
BASE APPLICATION DATE	01/11/2012

REPRESENTATIVE DETAILS

CLIENT IDENTIFIER	748141
NAME	MARTIN Sylvie, IBM France
ADDRESS	C.E.R. La Gaude - Dept. de Propriété Intellectuelle F-06610 La Gaude
COUNTRY	France

INTENT TO USE GROUP

CONTRACTING PARTY CODE	United States of America
------------------------	--------------------------

DESIGNATIONS

DESIGNATIONS UNDER THE PROTOCOL	United States of America
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INTERNATIONAL REGISTRATION DETAILS

INTERNATIONAL REGISTRATION NUMBER	1122540
INTERNATIONAL REGISTRATION DATE OF MARK	05/21/2012
INTERNATIONAL REGISTRATION EXPIRY DATE	05/21/2022
EFFECTIVE DATE OF MODIFICATION	05/21/2012
NOTIFICATION DATE	08/09/2012
DATE OF RECORDAL IN INTERNATIONAL REGISTER	07/23/2012
IB DOCUMENT ID	671953701
OFFICE OF ORIGIN CODE	France
OFFICE REFERENCE	79115344
TRANSACTION TYPE VALUES	Initial Designation

ORIGINAL LANGUAGE	FRENCH
INSTRUMENT UNDER WHICH CONTRACTING PARTY IS DESIGNATED	Protocol
HOLDER REFERENCE	BIGINSIGHTS
DURATION OF MARK (YEARS)	10

BIGINSIGHTS