

ESTTA Tracking number: **ESTTA612196**

Filing date: **06/25/2014**

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	MicroVision, Inc.
Granted to Date of previous extension	06/25/2014
Address	6244 185th Avenue NE, Suite 100 Redmond, WA 98052 UNITED STATES

Attorney information	PATCHEN M HAGGERTY PERKINS COIE LLP 1201 THIRD AVENUE, SUITE 4900 SEATTLE, WA 98101-3099 UNITED STATES pctrademarks@perkinscoie.com, phaggerty@perkinscoie.com, cmacgregor@perkinscoie.com Phone:(206) 359-8000
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Applicant Information

Application No	85948566	Publication date	02/25/2014
Opposition Filing Date	06/25/2014	Opposition Period Ends	06/25/2014
International Registration No.	NONE	International Registration Date	NONE
Applicant	Hermes Microvision, Inc. 7F., No. 18, Puding Rd., East District Hsinchu City, 300 TAIWAN		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Electronic imaging platforms in the field of inspection of semiconductor materials, namely, semiconductor wafers and reticles; computer hardware and software for inspection of semiconductor materials, namely, semiconductor wafers and reticles

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	86248278	Application Date	04/10/2014
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Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MICROVISION		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2009/01/07 First Use In Commerce: 2009/01/07 Embedded component, namely, a miniature projector enabling the projection of images and data onto an external surface		

U.S. Application No.	86248265	Application Date	04/10/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MICROVISION		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Computer software and hardware featuring technology that enables portable projection		

Attachments	86248278#TMSN.jpeg(bytes) 86248265#TMSN.jpeg(bytes) Notice of Opposition against 85948566 MICROVISION 6-25-2014.pdf(176438 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address

record by Overnight Courier on this date.

Signature	/Patchen M. Haggerty/
Name	PATCHEN M HAGGERTY
Date	06/25/2014

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

MICROVISION, INC.,

Opposer,

v.

HERMES MICROVISION, INC.,

Applicant.

Opposition No.: _____

NOTICE OF OPPOSITION

Application Serial No.: 85/948566

NOTICE OF OPPOSITION

Opposer, MicroVision, Inc. (“MicroVision” or “Opposer”) seeks the refusal of registration of the mark MICROVISION (“Applicant’s Mark”) as applied for in Class 9 in application Serial No. 85/948566 (the “Application”) by Hermes Microvision, Inc. (“Applicant”), and hereby opposes the Application on the following basis.

The Parties

1. Opposer is a Delaware corporation with its principal place of business at 6244 185th Avenue, NE, Redmond, WA 98052.
2. On information and belief, Applicant is a corporation incorporated under the laws of Taiwan with its principal place of business at 7F., No. 18, Puding Rd., East District, Hsinchu City 300 TAIWAN.

Opposer’s Mark

3. Opposer owns the mark MICROVISION (“Opposer’s Mark”), which is the subject of Opposer’s U.S. application Serial Nos. 86/248278 and 86/248265.

4. MicroVision offers embedded miniature projector component products and computer software and hardware featuring technology that enables portable projection (collectively, “Opposer’s Goods”).

The Applications

5. Applicant is the record owner of the Application, which covers “Electronic imaging platforms in the field of inspection of semiconductor materials, namely, semiconductor wafers and reticles; computer hardware and software for inspection of semiconductor materials, namely, semiconductor wafers and reticles” in Class 9, as set forth in detail in the body of the Application (together, “Applicant’s Goods”).

6. The opposed Application was filed on June 3, 2013 (the “Application Filing Date”), under Section 44(e) of the Lanham Act based on claim of priority to Taiwanese Registration No. 01611363.

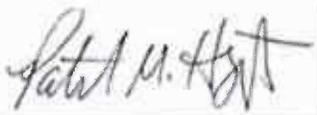
7. The Application was published for opposition on February 25, 2014. Extensions of these deadlines were obtained until June 25, 2014. Accordingly, this Opposition is timely filed.

Prayer for Relief

WHEREFORE, Opposer believes that it will be damaged by registration of the Applicant’s Mark as reflected in the Application and respectfully requests that the Application be refused and registration of the Applicant’s Mark for all of Applicant’s Goods in Class 9 be denied. This Notice of Opposition is filed according to the rules governing electronic

submissions to the Trademark Trial and Appeal Board, including payment of the requisite filing fee.

DATED: June 25, 2014.

<p>CERTIFICATE OF SERVICE</p> <p>I hereby certify that this NOTICE OF OPPOSITION is being deposited with the United Parcel Service on June 26, 2014 in an envelope addressed to the listed correspondent for the Application:</p> <p>Signature:  Printed Name: <u>Colin MacGregor</u></p>	<p>Respectfully submitted,</p> <p>PERKINS COIE LLP</p> <p></p> <hr/> <p>Patchen M. Haggerty Heidi L. Sachs Attorneys for Opposer 1201 Third Avenue, Suite 4900 Seattle, Washington 98101-3099 (206) 359-8000</p>
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