

ESTTA Tracking number: **ESTTA627773**

Filing date: **09/17/2014**

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	Overland Storage, Inc.
Granted to Date of previous extension	09/17/2014
Address	9112 Spectrum Center Blvd. San Diego, CA 92123 UNITED STATES

Attorney information	Jeffrey Van Hoosear Knobbe, Martens, Olson & Bear LLP 2040 Main Street, Fourteenth Floor Irvine, CA 92614 UNITED STATES efiling@knobbe.com Phone:9497600404
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### Applicant Information

Application No	85710934	Publication date	05/20/2014
Opposition Filing Date	09/17/2014	Opposition Period Ends	09/17/2014
Applicant	Remote 2nd Floor Pittsburgh, PA 15212 UNITED STATES		

### Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Database management, namely, remote database administration by skilled personnel of the in-house database applications of businesses in the financial services, healthcare, manufacturing, retail, government and higher education fields
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### Applicant Information

Application No	85710910	Publication date	05/20/2014
Opposition Filing Date	09/17/2014	Opposition Period Ends	
Applicant	Remote DBA Experts, LLC 2nd Floor Pittsburgh, PA 15212 UNITED STATES		

### Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0
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All goods and services in the class are opposed, namely: Database management, namely, remote database administration by skilled personnel of the in-house database applications of businesses in the financial services, healthcare, manufacturing, retail, government and higher education fields

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	common law rights as asserted in the notice of opposition

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3118065	Application Date	04/29/2004
Registration Date	07/18/2006	Foreign Priority Date	NONE
Word Mark	RDX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2005/11/00 First Use In Commerce: 2005/11/00 REMOVABLE BLANK MAGNETIC COMPUTER DISK CARTRIDGES; COMPUTER AND DATA STORAGE SYSTEMS PRIMARILY COMPOSED OF BLANK COMPUTER DISK CARTRIDGES; COMPUTER SOFTWARE FOR USE IN DATA STORAGE AND BACKUP; COMPUTER FIRMWARE FOR USE IN MAGNETIC COMPUTERDISK CARTRIDGES, DATA STORAGE SYSTEMS AND COMPUTER STORAGE SYSTEMS		

U.S. Registration No.	3750735	Application Date	09/01/2005
Registration Date	02/16/2010	Foreign Priority Date	NONE
Word Mark	RDXPRO		

Design Mark	<h1>RDXPRO</h1>
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2009/11/20 First Use In Commerce: 2009/11/20 REMOVABLE DATA CARTRIDGES; COMPUTER HARDWARE, DATA STORAGE SYSTEMS PRIMARILY COMPOSED OF COMPUTER DISK CARTRIDGES AND COMPUTER STORAGE SYSTEMS PRIMARILY COMPOSED OF COMPUTER DISK CARTRIDGES; COMPUTERSOFTWARE FOR USE IN DATA STORAGE AND BACKUP; COMPUTER FIRMWARE FOR USE IN REMOVABLE DATA CARTRIDGES

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	RDX and RDXPRO		
Goods/Services	As asserted in the notice of opposition		

Attachments	78410281#TMSN.png( bytes ) 78705584#TMSN.png( bytes ) Notice of Opposition OVERLND.224M.pdf(70913 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 First Class Mail on this date.

Signature	/JVH/
Name	Jeffrey Van Hoosear
Date	09/17/2014

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

Overland Storage, Inc.	)	Serial Nos.: 85/710934 and
	)	85/710910
Opposer,	)	
	)	
v.	)	
	)	
Remote DBA Experts, LLC,	)	
	)	
Applicant.	)	

**CONSOLIDATED NOTICE OF OPPOSITION**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir or Madam:

Overland Storage, Inc., a California Corporation, located and doing business at 9112 Spectrum Center Boulevard, San Diego, CA 92123 (hereinafter referred to as “Opposer”) believes that it and its wholly-owned subsidiary Tandberg Data Holdings S.A.R.L. will be damaged by the registration of U.S. Trademark Application Serial No. 85/710,934 for the mark  in International Class 35 for “database management, namely, remote database administration by skilled personnel of the in-house database applications of businesses in the financial services, healthcare, manufacturing, retail, government and higher education fields” and U.S. Trademark Application Serial No. 85/710,910 for the mark RDX in International Class 35 for “database management, namely, remote database administration by skilled personnel of the in-house database applications of businesses in the financial services, healthcare, manufacturing, retail, government and higher education fields” (the “Applications”), both filed on August 23, 2012 by Remote DBA Experts, LLC, a

Delaware limited liability company with an address of 100 Sandusky Street, 2<sup>nd</sup> Floor, Pittsburgh, PA 15122 (hereinafter referred to as “Applicant”) and therefore opposes the same.

As grounds for opposition, it is alleged:

1. Opposer’s wholly-owned subsidiary offers various goods in connection with its RDX and RDXPRO trademarks (collectively referred to as the “Opposer’s RDX Marks”).

2. Among the goods offered by the Opposer and its wholly-owned subsidiary in connection with the Opposer’s RDX Marks are removable blank magnetic computer disk cartridges, computer and data storage systems primarily composed of blank computer disk cartridges, computer software for use in data storage and backup, computer firmware for use in magnetic computer disk cartridges, computer firmware for use in removable data cartridges, data storage systems, computer storage systems, removable data cartridges, computer hardware. Additionally, Opposer and its wholly-owned subsidiary commonly provide database management products and services regarding database management, as well as providing and implementing data storage systems, computer software for use in data storage and market these relevant goods and services under the Opposer’s RDX Marks.

3. Opposer’s wholly-owned subsidiary is the owner of and relies upon incontestable United States Trademark Registration No. 3,118,065 for the mark RDX.<sup>®</sup> for “removable blank magnetic computer disk cartridges; computer and data storage systems primarily composed of blank computer disk cartridges; computer software for use in data storage and backup; computer firmware for use in magnetic computer disc cartridges; data storage systems and computer storage systems” in International Class 9. The application for this mark was filed on April 29, 2004 and registered on July 18, 2006. This RDX mark was first used November of 2005, well before the Applicant filed the Applications.

4. Opposer's wholly-owned subsidiary is the owner of and relies upon incontestable United States Trademark Registration No. 3,750,735 for the mark RDXPRO<sup>®</sup> for "removable data cartridges, computer hardware, data storage systems primarily composed of computer disk cartridges, computer storage systems primarily composed of computer disk cartridges, computer software for use in data storage and backup, computer firmware for use in removable data cartridges" in International Class 9. The application for this mark was filed on September 1, 2005 and registered on February 16, 2010. The RDXPRO mark was first used November 20, 2009, well before Applicant filed the Applications.

5. Opposer's wholly-owned subsidiary has continuously and consistently used Opposer's RDX Marks in interstate commerce in connection with its goods. Opposer's RDX Marks, by virtue of their substantial use, have acquired great value as an identification of both Opposer and its wholly-owned subsidiary, as well as of the goods and services of Opposer and its wholly-owned subsidiary, and distinguishes them from the goods of others.

6. Opposer and its wholly-owned subsidiary through sales, advertising and promotion of their goods and services under Opposer's RDX Marks has built up, at great expense and effort, valuable goodwill symbolized by Opposer's RDX Marks.

7. Opposer and its wholly-owned subsidiary has invested substantial amounts of time, effort and money in the Opposer's RDX Marks throughout the United States. Opposer and its wholly-owned subsidiary has used Opposer's RDX Marks throughout the United States and such use has been continuous since at least as early as the dates of first use listed above. As such, in addition to the protection afforded Opposer and its wholly-owned subsidiary by the RDX and RDXPRO federal trademark registrations, Opposer and its wholly-owned subsidiary have extensive, non-registered statutory and common-law rights in Opposer's RDX Marks for its goods throughout the United States. Further, the common law

rights of Opposer and its wholly-owned subsidiary predate in Opposer's RDX Marks predate the filing date of Applicant's applications.

8. The registrations of RDX and RDXPRO as specified in Paragraphs 3 and 4 above are incontestable. As such, they constitute conclusive evidence of the validity of the registered marks and of the registration of the marks, of Opposer and its wholly-owned subsidiary ownership of the RDX and RDXPRO marks, and of Opposer and its wholly-owned subsidiary's exclusive right to use the registered RDX and RDXPRO marks in commerce as provided in Section 33 of the Lanham Act, 15 U.S.C. § 1115.

9. The registrations for RDX and RDXPRO as specified in Paragraphs 3, and 4 are valid, subsisting, unrevoked, uncanceled, and not abandoned. As such, they constitute *prima facie* evidence of the validity of the registered marks and of the registrations thereof, Opposer and its wholly-owned subsidiary ownership of the marks shown therein, and Opposer and its wholly-owned subsidiary exclusive right to use the marks in commerce in connection with the goods named therein, without condition or limitation. Said registrations also constitute notice to Applicant of Opposer and its wholly-owned subsidiary claims of ownership of the marks shown therein, all as provided in Sections 7(b), 22 and 33(a) of the Trademark Act of 1946, as amended. True and correct copies of printouts from the electronic database records (TSDR) of the U.S. Patent and Trademark Office showing the current status and title of the registrations for the marks discussed in Paragraphs 3 and 4 are attached hereto.

10. In view of the similarity of the respective marks, and the related nature of the goods and services of the respective parties, it is alleged that Applicant's marks so resemble the registered and common law RDX and RDXPRO Marks, previously used in the United States and not abandoned, as to be likely to cause confusion or to cause mistake or deceive.

11. Applicant's RDX and  marks are virtually identical to Opposer's RDX Marks. As such, when the RDX and  marks are used on or in connection with Applicant's services, it is likely to cause confusion, or to cause mistake or to deceive within the meaning of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d).

Applicant's RDX and  marks, and use thereof, is likely to cause confusion in, or to cause mistake by, or to deceive the trade and purchasing public into believing that Applicant's services originate with either Opposer and/or its wholly-owned subsidiary or are otherwise authorized, licensed or sponsored by Opposer or its wholly-owned subsidiary.

12. The dates of first use, and the filing dates, for the above-referenced registrations for RDX and RDXPRO owned by Opposer and its wholly-owned subsidiary predate the filing date of the Applications.

13. By reason of the foregoing, Opposer and its wholly-owned subsidiary will be damaged by the registration of U.S. Trademark Application Serial No. 85/710,934 for the mark  and U.S. Trademark Application Serial No. 85/710,910 for the mark RDX.

14. Applicant has no license, consent or permission from either Opposer or its wholly-owned subsidiary to use or register the RDX and  marks.

WHEREFORE, Opposer, and its wholly-owned subsidiary, requests that U.S. Trademark Application Serial No. 85/710,934 for the mark  and U.S. Trademark Application Serial No. 85/710,910 for the mark RDX be rejected and stricken, that no registrations be issued thereon to Applicant, and this opposition be sustained in

favor of Opposer and its wholly-owned subsidiary.

Please charge Deposit Account No. 11-1410 to cover any additional fees which may be required, including any fees for additional extension of time, or credit any overpayment to this account.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 17, 2014

By: /JVH/\_\_\_\_\_

Jeffrey L. Van Hoosear

2040 Main Street

Fourteenth Floor

Irvine, CA 92614

(949) 760-0404

efiling@knobbe.com

Attorneys for Opposer, Overland Storage, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **CONSOLIDATED NOTICE OF OPPOSITION** upon Applicant's counsel by depositing one copy thereof in the United States Mail, first-class postage prepaid, on September 17, 2014, addressed as follows:

Eric D. Ruka  
Richard W. James  
Spilman Thomas & Battle, PLLC  
One Oxford Centre  
301 Grant Street  
Suite 3440  
Pittsburgh, PA 15219

/MWS/ \_\_\_\_\_  
Megan Sheetz

18697223  
082014



Attorney Name: Thomas D. Franklin

Docket Number: 93505-691228

Attorney Primary Email Address: [denverteas@kilpatricktownsend.com](mailto:denverteas@kilpatricktownsend.com)

Attorney Email Authorized: Yes

**Correspondent**

**Correspondent Name/Address:** Thomas D. Franklin  
Kilpatrick Townsend & Stockton LLP  
1400 Wewatta Street, Suite 600  
Denver, COLORADO 80202  
UNITED STATES

Phone: 303.571.4000

Fax: 303.571.4321

Correspondent e-mail: [denverteas@kilpatricktownsend.com](mailto:denverteas@kilpatricktownsend.com)

Correspondent e-mail Authorized: Yes

**Domestic Representative - Not Found**

**Prosecution History**

Date	Description	Proceeding Number
Sep. 26, 2012	POST REGISTRATION ACTION MAILED NO RESPONSE REQUIRED	69471
Sep. 26, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Sep. 12, 2012	PAPER RECEIVED	
Aug. 03, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Aug. 03, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Aug. 03, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Jul. 18, 2012	TEAS SECTION 8 & 15 RECEIVED	
Jul. 20, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 13, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 11, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 16, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 18, 2006	REGISTERED-PRINCIPAL REGISTER	
Jun. 05, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	73787
May 31, 2006	ASSIGNED TO LIE	73787
May 17, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 25, 2006	STATEMENT OF USE PROCESSING COMPLETE	64657
Apr. 11, 2006	USE AMENDMENT FILED	64657
Apr. 11, 2006	TEAS STATEMENT OF USE RECEIVED	
Mar. 14, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Dec. 20, 2005	PUBLISHED FOR OPPOSITION	
Nov. 30, 2005	NOTICE OF PUBLICATION	
Oct. 26, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787
Oct. 26, 2005	ASSIGNED TO LIE	73787
Oct. 15, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 06, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	71373
Sep. 16, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	71373
Sep. 16, 2005	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 16, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 19, 2005	NON-FINAL ACTION E-MAILED	6325
Jun. 19, 2005	NON-FINAL ACTION WRITTEN	74677
Jun. 01, 2005	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
May 27, 2005	WITHDRAWN BEFORE PUBLICATION	
Mar. 04, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76523
Mar. 04, 2005	ASSIGNED TO LIE	76523
Feb. 21, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 17, 2005	AMENDMENT FROM APPLICANT ENTERED	73859

Jan. 20, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	73859
Jan. 20, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 04, 2005	AMENDMENT FROM APPLICANT ENTERED	70217
Dec. 06, 2004	UNRESPONSIVE/DUPLICATE PAPER RECEIVED	70217
Dec. 06, 2004	PAPER RECEIVED	
Nov. 26, 2004	NON-FINAL ACTION E-MAILED	6325
Nov. 26, 2004	NON-FINAL ACTION WRITTEN	74677
Nov. 26, 2004	ASSIGNED TO EXAMINER	74677
May 06, 2004	NEW APPLICATION ENTERED IN TRAM	

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

## TM Staff and Location Information

### TM Staff Information - None File Location

**Current Location:** TMO LAW OFFICE 112

**Date in Location:** Sep. 26, 2012

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 6

**Registrant:** PROSTOR SYSTEMS, INC.

### Assignment 1 of 6

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** [2984/0734](#)

**Pages:** 4

**Date Recorded:** Dec. 06, 2004

**Supporting Documents:** [assignment-tm-2984-0734.pdf](#)

### Assignor

**Name:** [PROSTOR, INC.](#)

**Execution Date:** Dec. 02, 2004

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

### Assignee

**Name:** [PROSTOR SYSTEMS, INC.](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** DELAWARE

**Address:** 5555 CENTRAL AVENUE, #100  
BOULDER, COLORADO 80301

### Correspondent

**Correspondent Name:** THOMAS D. FRANKLIN

**Correspondent Address:** TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94111

### Domestic Representative - Not Found

### Assignment 2 of 6

**Conveyance:** SECURITY AGREEMENT

**Reel/Frame:** [3235/0341](#)

**Pages:** 9

**Date Recorded:** Oct. 11, 2005

**Supporting Documents:** [assignment-tm-3235-0341.pdf](#)

### Assignor

**Name:** [PROSTOR SYSTEMS, INC.](#)

**Execution Date:** Sep. 29, 2005

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** No Place Where Organized Found

### Assignee

**Name:** [VENTURE LENDING & LEASING IV, INC.](#)

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** MARYLAND

Organized:

Address: 2010 NORTH FIRST STREET  
SAN JOSE, CALIFORNIA 95131

**Correspondent**

**Correspondent Name:** GREENE RADOVSKY MALONEY & SHARE LLP  
**Correspondent Address:** RUSSELL D. POLLOCK, ESQ.  
FOUR EMBARCADERO CENTER, SUITE 4000  
SAN FRANCISCO, CA 94111

**Domestic Representative - Not Found**

**Assignment 3 of 6**

**Conveyance:** RELEASE  
**Reel/Frame:** [3368/0967](#) **Pages:** 2  
**Date Recorded:** Jul. 12, 2006  
**Supporting Documents:** [assignment-tm-3368-0967.pdf](#)

**Assignor**

**Name:** [PROSTOR SYSTEMS, INC.](#) **Execution Date:** Jun. 20, 2006  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** No Place Where Organized Found

**Assignee**

**Name:** [VENTURE LENDING & LEASING IV, INC.](#)  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** MARYLAND

**Address:** 2010 NORTH FIRST STREET  
SAN JOSE, CALIFORNIA 95131

**Correspondent**

**Correspondent Name:** RUSSELL D. POLLOCK, ESQ.  
**Correspondent Address:** GREENE RADOVSKY MALONEY & SHARE LLP  
FOUR EMBARCADERO CENTER, SUITE 4000  
SAN FRANCISCO, CA 94111

**Domestic Representative - Not Found**

**Assignment 4 of 6**

**Conveyance:** CORRECTIVE ASSIGNMENT TO CORRECT THE REVERSAL OF CONVEYING & RECEIVING PARTIES ON COVER SHEET AND ADD MISSING SCH. 1 TO RELEASE OF SECURITY INTEREST IN TRADEMARKS PREVIOUSLY RECORDED ON REEL 003368 FRAME 0967. ASSIGNOR(S) HEREBY CONFIRMS THE RELEASE OF SECURITY INTEREST IN TRADEMARKS.  
**Reel/Frame:** [4533/0307](#) **Pages:** 5  
**Date Recorded:** May 03, 2011  
**Supporting Documents:** [assignment-tm-4533-0307.pdf](#)

**Assignor**

**Name:** [VENTURE LENDING & LEASING IV, INC.](#) **Execution Date:** Jun. 20, 2006  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** MARYLAND

**Assignee**

**Name:** [PROSTOR SYSTEMS, INC.](#)  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** DELAWARE

**Address:** 5555 CENTRAL AVENUE, SUITE 100  
BOULDER, COLORADO 80301

**Correspondent**

**Correspondent Name:** JEFFREY T. KLUGMAN  
**Correspondent Address:** FOUR EMBARCADERO CENTER, SUITE 4000  
SAN FRANCISCO, CA 94111

**Domestic Representative - Not Found**

**Assignment 5 of 6**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST  
**Reel/Frame:** [4576/0444](#) **Pages:** 8  
**Date Recorded:** Jul. 06, 2011  
**Supporting Documents:** [assignment-tm-4576-0444.pdf](#)

**Assignor**

**Name:** [PROSTOR SYSTEMS, INC.](#) **Execution Date:** May 12, 2011  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [TANDBERG DATA HOLDINGS S.A. R.L.](#)  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** LUXEMBOURG  
**Address:** 46A, AVENUE J.F. KENNEDY  
L-1855 GRAND DUCHY OF LUXEMBOURG, LUXEMBOURG

**Correspondent**

**Correspondent Name:** GREGORY S. SHATAN  
**Correspondent Address:** 599 LEXINGTON AVENUE  
NEW YORK, NY 10022

**Domestic Representative - Not Found****Assignment 6 of 6**

**Conveyance:** ASSIGNS THE ENTIRE INTEREST  
**Reel/Frame:** [4583/0238](#) **Pages:** 8  
**Date Recorded:** Jul. 14, 2011  
**Supporting Documents:** [assignment-tm-4583-0238.pdf](#)

**Assignor**

**Name:** [PROSTOR SYSTEMS, INC.](#) **Execution Date:** May 12, 2011  
**Legal Entity Type:** CORPORATION **State or Country Where Organized:** DELAWARE

**Assignee**

**Name:** [TANDBERG DATA HOLDINGS S.A. R.L.](#)  
**Legal Entity Type:** LIMITED LIABILITY COMPANY **State or Country Where Organized:** LUXEMBOURG  
**Address:** 46A, AVENUE J.F. KENNEDY  
L-1855 LUXEMBOURG, LUXEMBOURG

**Correspondent**

**Correspondent Name:** THOMAS D. FRANKLIN  
**Correspondent Address:** 1400 WEWATTA STREET, SUITE 600  
DENVER, CO 80202

**Domestic Representative - Not Found**

Generated on: This page was generated by TSDR on 2014-09-17 18:44:46 EDT

Mark: RDXPRO

# RDXPRO

**US Serial Number:** 78705584      **Application Filing Date:** Sep. 01, 2005  
**US Registration Number:** 3750735      **Registration Date:** Feb. 16, 2010  
**Register:** Principal  
**Mark Type:** Trademark  
**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.  
**Status Date:** Feb. 16, 2010  
**Publication Date:** Oct. 24, 2006      **Notice of Allowance Date:** Jan. 16, 2007

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## Mark Information

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**Mark Literal Elements:** RDXPRO  
**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.  
**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

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## Goods and Services

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**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** REMOVABLE DATA CARTRIDGES; COMPUTER HARDWARE, DATA STORAGE SYSTEMS PRIMARILY COMPOSED OF COMPUTER DISK CARTRIDGES AND COMPUTER STORAGE SYSTEMS PRIMARILY COMPOSED OF COMPUTER DISK CARTRIDGES; COMPUTER SOFTWARE FOR USE IN DATA STORAGE AND BACKUP; COMPUTER FIRMWARE FOR USE IN REMOVABLE DATA CARTRIDGES

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Nov. 20, 2009

**Use in Commerce:** Nov. 20, 2009

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## Basis Information (Case Level)

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<b>Filed Use:</b> No	<b>Currently Use:</b> Yes	<b>Amended Use:</b> No
<b>Filed ITU:</b> Yes	<b>Currently ITU:</b> No	<b>Amended ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44D:</b> No	<b>Amended 44D:</b> No
<b>Filed 44E:</b> No	<b>Currently 44E:</b> No	<b>Amended 44E:</b> No
<b>Filed 66A:</b> No	<b>Currently 66A:</b> No	
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No	

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## Current Owner(s) Information

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**Owner Name:** TANDBERG DATA HOLDINGS S.A. R.L.  
**Owner Address:** 46A, AVENUE J.F. KENNEDY  
L-1855 GRAND DUCHY OF LUXEMBOURG  
LUXEMBOURG  
**Legal Entity Type:** LIMITED LIABILITY COMPANY      **State or Country Where Organized:** LUXEMBOURG

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## Attorney/Correspondence Information

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### Attorney of Record

**Attorney Name:** Thomas D. Franklin      **Docket Number:** 40252-002000  
**Attorney Primary Email Address:** [denverteas@townsend.com](mailto:denverteas@townsend.com)      **Attorney Email Authorized:** No

### Correspondent

**Correspondent** Thomas D. Franklin  
**Name/Address:** Townsend and Townsend and Crew LLP  
1400 Wewatta Street, Suite 600  
Denver, COLORADO 80202  
UNITED STATES

**Phone:** 303.571.4000

**Fax:** 303.571.4321

**Correspondent e-mail:** [denverteas@townsend.com](mailto:denverteas@townsend.com)

**Correspondent e-mail** No  
**Authorized:**

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Jul. 20, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 13, 2011	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 11, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 16, 2010	REGISTERED-PRINCIPAL REGISTER	
Jan. 13, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	68552
Jan. 13, 2010	ASSIGNED TO LIE	68552
Dec. 24, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 04, 2009	STATEMENT OF USE PROCESSING COMPLETE	66154
Nov. 30, 2009	USE AMENDMENT FILED	66154
Nov. 30, 2009	TEAS STATEMENT OF USE RECEIVED	
Oct. 19, 2009	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 14, 2009	EXTENSION 5 GRANTED	66154
Jun. 22, 2009	EXTENSION 5 FILED	66154
Jul. 14, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Jun. 22, 2009	TEAS EXTENSION RECEIVED	
Jan. 16, 2009	EXTENSION 4 GRANTED	98765
Jan. 16, 2009	EXTENSION 4 FILED	98765
Jan. 16, 2009	TEAS EXTENSION RECEIVED	
Jun. 24, 2008	EXTENSION 3 GRANTED	98765
Jun. 24, 2008	EXTENSION 3 FILED	98765
Jun. 24, 2008	TEAS EXTENSION RECEIVED	
Dec. 21, 2007	EXTENSION 2 GRANTED	98765
Dec. 21, 2007	EXTENSION 2 FILED	98765
Dec. 21, 2007	TEAS EXTENSION RECEIVED	
Jun. 26, 2007	EXTENSION 1 GRANTED	98765
Jun. 26, 2007	EXTENSION 1 FILED	98765
Jun. 26, 2007	TEAS EXTENSION RECEIVED	
Jan. 16, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 24, 2006	PUBLISHED FOR OPPOSITION	
Oct. 04, 2006	NOTICE OF PUBLICATION	
Sep. 09, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Sep. 01, 2006	ASSIGNED TO LIE	77976
Aug. 28, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 16, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 04, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	68658
Apr. 20, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	68658
Apr. 20, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 18, 2006	NON-FINAL ACTION E-MAILED	6325
Mar. 18, 2006	NON-FINAL ACTION WRITTEN	75589

## TM Staff and Location Information

### TM Staff Information - None File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 13, 2010

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 5

Registrant: ProStor Systems, Inc.

### Assignment 1 of 5

Conveyance: SECURITY AGREEMENT

Reel/Frame: [3235/0341](#)

Pages: 9

Date Recorded: Oct. 11, 2005

Supporting Documents: [assignment-tm-3235-0341.pdf](#)

### Assignor

Name: [PROSTOR SYSTEMS, INC.](#)

Execution Date: Sep. 29, 2005

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

### Assignee

Name: [VENTURE LENDING & LEASING IV, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MARYLAND

Address: 2010 NORTH FIRST STREET  
SAN JOSE, CALIFORNIA 95131

### Correspondent

Correspondent Name: GREENE RADOVSKY MALONEY & SHARE LLP

Correspondent Address: RUSSELL D. POLLOCK, ESQ.  
FOUR EMBARCADERO CENTER, SUITE 4000  
SAN FRANCISCO, CA 94111

### Domestic Representative - Not Found

### Assignment 2 of 5

Conveyance: RELEASE

Reel/Frame: [3368/0967](#)

Pages: 2

Date Recorded: Jul. 12, 2006

Supporting Documents: [assignment-tm-3368-0967.pdf](#)

### Assignor

Name: [PROSTOR SYSTEMS, INC.](#)

Execution Date: Jun. 20, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

### Assignee

Name: [VENTURE LENDING & LEASING IV, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MARYLAND

Address: 2010 NORTH FIRST STREET  
SAN JOSE, CALIFORNIA 95131

### Correspondent

Correspondent Name: RUSSELL D. POLLOCK, ESQ.

Correspondent Address: GREENE RADOVSKY MALONEY & SHARE LLP  
FOUR EMBARCADERO CENTER, SUITE 4000  
SAN FRANCISCO, CA 94111

### Domestic Representative - Not Found

### Assignment 3 of 5

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE REVERSAL OF CONVEYING & RECEIVING PARTIES ON COVER SHEET AND ADD MISSING SCH. 1 TO RELEASE OF SECURITY INTEREST IN TRADEMARKS PREVIOUSLY RECORDED ON REEL 003368 FRAME 0967. ASSIGNOR(S) HEREBY CONFIRMS THE RELEASE OF SECURITY INTEREST IN TRADEMARKS.

Reel/Frame: [4533/0307](#)

Pages: 5

Date Recorded: May 03, 2011

Supporting Documents: [assignment-tm-4533-0307.pdf](#)

**Assignor**

Name: [VENTURE LENDING & LEASING IV, INC.](#) Execution Date: Jun. 20, 2006  
Legal Entity Type: CORPORATION State or Country Where Organized: MARYLAND

**Assignee**

Name: [PROSTOR SYSTEMS, INC.](#)  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE  
Address: 5555 CENTRAL AVENUE, SUITE 100  
BOULDER, COLORADO 80301

**Correspondent**

Correspondent Name: JEFFREY T. KLUGMAN  
Correspondent Address: FOUR EMBARCADERO CENTER, SUITE 4000  
SAN FRANCISCO, CA 94111

**Domestic Representative - Not Found**

**Assignment 4 of 5**

Conveyance: ASSIGNS THE ENTIRE INTEREST  
Reel/Frame: [4576/0444](#) Pages: 8  
Date Recorded: Jul. 06, 2011  
Supporting Documents: [assignment-tm-4576-0444.pdf](#)

**Assignor**

Name: [PROSTOR SYSTEMS, INC.](#) Execution Date: May 12, 2011  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

**Assignee**

Name: [TANDBERG DATA HOLDINGS S.A. R.L.](#)  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: LUXEMBOURG  
Address: 46A, AVENUE J.F. KENNEDY  
L-1855 GRAND DUCHY OF LUXEMBOURG, LUXEMBOURG

**Correspondent**

Correspondent Name: GREGORY S. SHATAN  
Correspondent Address: 599 LEXINGTON AVENUE  
NEW YORK, NY 10022

**Domestic Representative - Not Found**

**Assignment 5 of 5**

Conveyance: ASSIGNS THE ENTIRE INTEREST  
Reel/Frame: [4583/0238](#) Pages: 8  
Date Recorded: Jul. 14, 2011  
Supporting Documents: [assignment-tm-4583-0238.pdf](#)

**Assignor**

Name: [PROSTOR SYSTEMS, INC.](#) Execution Date: May 12, 2011  
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

**Assignee**

Name: [TANDBERG DATA HOLDINGS S.A. R.L.](#)  
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: LUXEMBOURG  
Address: 46A, AVENUE J.F. KENNEDY  
L-1855 LUXEMBOURG, LUXEMBOURG

**Correspondent**

Correspondent Name: THOMAS D. FRANKLIN  
Correspondent Address: 1400 WEWATTA STREET, SUITE 600  
DENVER, CO 80202

**Domestic Representative - Not Found**