Trademark Trial and Appeal Board Electronic Filing System. http://estta.uspto.gov

ESTTA Tracking number: ESTTA707501

> 11/09/2015 Filing date:

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	Deutsche Telekom AG
Granted to Date of previous ex- tension	11/08/2015
Address	Friedrich-Ebert-Allee 140 Bonn, 53113 GERMANY

Attorney informa-	Michael D. Adams
tion	Mayer Brown LLP
	71 S. Wacker Dr.
	Chicago, IL 60606
	UNITED STATES
	michaeladams@mayerbrown.com, gbarcelona@mayerbrown.com, sy-
	ovits@mayerbrown.com, ipdocket@mayerbrown.com Phone:3127017423

Applicant Information

Application No	86463378	Publication date	05/12/2015
Opposition Filing Date	11/09/2015	Opposition Peri- od Ends	11/08/2015
Applicant	Automation Anywhere, Inc. P.O. Box 41363 San Jose, CA 95160 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. First Use: 2014/06/05 First Use In Commerce: 2014/06/05

All goods and services in the class are opposed, namely: Computer software development tools; Computer software for application and database integration; Computer software for computer system and application development, deployment and management; Computersoftware, namely, software development tools for the creation of mobile internet applications and client interfaces; computer software platforms for software testing and test automation

Class 042. First Use: 2014/06/05 First Use In Commerce: 2014/06/05 All goods and services in the class are opposed, namely: Consulting services for others in the field of software testing and test automation; Software as a service (SAAS) services, namely, hosting software for software testing and test automation

Grounds for Opposition

Priority and likelihood of confusion

Trademark Act section 2(d)

Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	76252927	Application Date	05/07/2001
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	Т		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Us	e: 0 First Use In Com	nmerce: 0
	us and instruments, all for us producing sound, images or cessors and computers, nam central processors, computer als, computer interface board computer impact printers, con tems, computers and instruct apparatus, namely, computer puter peripherals and parts th in operating telecommunicati lated instruction manuals sole ners, optical character reade nal transmission, optic transm paratus, optic switches, optic switching and reception appara character recognition appara nications systems, namely, d and converters, radio and tel- ary, wireless and cellular tele munication transmission, rec transmitting sets, data transm us for electronic exchange of set-top units, cinematographi	e with telecommunica data, magnetic and o ely, microcomputers, monitors, computer s, computer memorie mputer dot matrix prir ional manuals sold a modems, computer nereof computer prog ons and business ma d as a unit; optical ca rs, optical discs, optic nitters, optic receivers networks comprising tatus, optical attenua tus, and parts thereof igitaland analogue si ephonetransmitters, r phone systems and a eiving and storage ap nitters, facsimile mack data imagesand mes c television andamus ve audio and video e providers of goods a	minicomputers, computer keyboards, computer termin- es, computer laser printers, nters, computer operating sys- s a unit, computer interface mouse and mouse pad, com- grams and data bases for use anagement systems and re- bles, optic filters, optical scan- cal fibers, optical glass for sig- s, optical signal processing ap- g communication transmission ators, optical amplifiers, optical audio, video and datacommu- gnal transmitters, receivers receivers and servers, station- answering machines, telecom- oparatus, telecommunications hines, electronic mail apparat- ssages, remote controls and sement equipment, namely, quipment to facilitate interac- and services, electrical wire,

circuit breakers, printed circuit boards, electric circuit boards, circuit connectors, electrical controllers, electrical converters, electrical fuses, electric luminescent display panels, electrical switch plates, electric plugs, antennas, electrical cables, computer cables, computer chips, silicon chips, chronographs for useas specialized time recording apparatus, electric coils, computer buffers, blank computer discs, blank computer floppy disks, computer floppy disks, computer hard discs, electrical conductors, acoustic conduits, electrical conduits, fiber optic conduits and parts thereof compactdisc players, audio and video tape recorders, audio and video tape players, audio and video cassette recorders, audio and video cassette players, blank audio and video tapes, cassettes, disc and microfiche; audio and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, personal and business management systems; video monitors, automatic vending machinesand timing mechanisms therefor, and parts thereof data processors and readers, word processors, magnetic coded card readers, magnetic cards, electronic encryption units, lasers, light emitting diodes, light emitting diode displays, microprocessors, blank magnetic data carriers, demagnetizers for magnetic tapes, and parts thereof communications and video transmission switching and reception apparatus; computer, data and video networkingand conferencing equipment, namely, teleconferencing equipment, audiovisual teaching equipment, overhead film, photographic and slide projectors, projection screens, computer based information display equipment, namely, computers which display information on an overhead screen, intercoms, telephones, telephone answering machines, telephone transmitters, telephone networks, telephone wires, teleprinters, teletypewriters, and parts thereof

Class 016. First use: First Use: 0 First Use In Commerce: 0

Printed matter, namely, printed and stamped plastic and cardboard greeting, blank, note, and index cards, as well as books or magazines on telecommunications; note paper and envelopes, stamps, name tags and labels made from paper or cardboard, notebooks, diaries, note papers, note pads, address books, folders for letters, files or loose paper, clear hole reinforcements, student calendars, stamp albums and photo-albums; paper weights, letter openers, blotting pads; desk traysnamely cases for stationery and office implements; printed instructional and teaching material on telecommunications; stationery, namely drawing and ungraduated rulers, erasers, staplers, staples, paper clips, book markers, cutout samples and stencils; transparent picture applications, scratch pictures, paper, PVC stickers, paperbacks, gift wrap paper; blackboards, chalk sticks, adhesives for stationery or household purposes; drawing and painting materials, namely, pencils, drawing pencils, pens, drawing pens, paint trays, painting sets for artists, painting sets for children, arts and craft paint kits; pencil cases

Class 035. First use: First Use: 0 First Use In Commerce: 0

Advertising services, namely, preparingand placing advertisements for others, direct mail advertising, electronic billboard advertising, preparing audio-visual presentations for use in advertising; business services, namely, business appraisals, business auditing, providing business information, namely, preparing business reports and conducting business research, analysis and surveys, business management planning, business management consultation, business management supervision, conducting business networking for others; licensing of computer softwareand hardware for online actors, for consumer facilitating and the administration of complex network systems; generationof data processing programs; professional consultancy in the field of data processing; rental of automatic vending machines; and organizing job fairs

Class 036. First use: First Use: 0 First Use In Commerce: 0

Clearing of secure financial transactions through online services; financial and monetary affairs, namely financial analysis and consultation, financial information, issuance of securities, commercial lending services, financial portfolio management, discount services, brokerageof shares, of sets and business ventures,

	brokerage of fund shares, securities consulting and safe keeping, brokerage of productive investments and funds; realestate affairs, namely brokerage, man- agement, leasing, appraisal of real property; customs brokerage for third parties; consultancy services relating to bank affairs; consultancy services relat- ing toinsurance affairs, namely information and brokerage of insurances; and monetaryexchange			
	Class 038. First use: First Use	e: 0 First Use In Com	merce: 0	
	Telecommunication services, namely, electric, digital, cellular and wireless transmission of voice, data, information, images, signals and messages; provid- ing telecommunications connections over a global communications network, electronic mail, voice mail and messaging services, audio and video teleconfer- encing, rental of telecommunications equipment, namely, equipment for elec- tronic access to global telecommunications network, equipment for transmitting receiving, recording and monitoring voice, data, information, images, signals, messages, comprised of data and word processors, and telecommunications hardware and software including components and peripherals thereof for use in the telecommunications industry, and for transmitting, receiving, recording and monitoring computer programs for use in operating and accessing telecommu- nications systems; audio and video broadcasting featuring entertainment in the nature of live visual and audio performances, and musical, variety, news and comedy shows; and providing access to computer information networks			
	Class 041. First use: First Use	e: 0 First Use In Com	merce: 0	
	munications and computers, a entertainment in the nature of band, rock group, gymnastic, services, namely, providing m global computer information n on-line computergames for ch ing and cultural events; public chures, and leaflets; organizin dio performances, namely, mu ballet performances	Education in the nature classes and seminars in the fields of business, telecom- munications and computers, and the distribution of course materials therewith; entertainment in the nature of visual andaudio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances; entertainment services, namely, providing musical, variety, news and comedy shows via a global computer information network; entertainment services, namely providing on-line computergames for children and adults; organization of community sport- ing and cultural events; publication of books, magazines,journals, manuals, bro- chures, and leaflets; organizing fairs and exhibitions inthe field of visual and au- dio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances		
	Class 042. First use: First Use: 0 First Use In Commerce: 0			
	Computer programming services for others; consulting in the field of telecommu- nication, rental of software and hardwarefor online access; services of an Inter- net trust center, namely assurance and administration of digital keys and/or di- gital certificates; rental of data processing equipment			
U.S. Registration	2472584	Application Date	08/24/1995	
0.5. Registration	2712004		00/27/1333	

U.S. Registration No.	2472584	Application Date	08/24/1995
Registration Date	07/31/2001	Foreign Priority Date	NONE
Word Mark	Т		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0
	[electric, electronic, optical, measuring, signalling, controlling or teachingappar- atus and instruments, all for use with telecommunications, namely, apparatus for producing sound, images or data, magnetic and optical data carriers, datapro- cessors and computers, namely, microcomputers, computer, computer central processors, computer monitors, computer keyboards, computer termin- als, computer interface boards, computer memories, computer laser printers, computer impactprinters, computer dot matrix printers, computer interface ap- paratus, namely, computer modems, computer mouse and mousepad, computer peripherals and parts thereof;] computer programs and data basesfor use in op- erating telecommunications; [and business management systems and related instruction manuals sold as a unit; optical cables, optic filters, optical scanners, optical character readers, optical discs, optical fibers, optical glass for signal transmission, optic transmitters, optica cables, optical amplifiers, optical character recognitionapparatus, and parts thereof;] audio,((video)) and data ((communications systems,)) namely, digital and analogue signal transmitters, receivers and converters, radio ((and telephone)) transmitters, receivers and ((servers,)) ((stationary,)) wireless and cellular ((telephone systems,)) [and an- swering machines,] telecommunication transmission, receiving and storage ap- paratus, telecommunicationstransmitting sets, data transmitters, [facsimile ma- chines,] electronic mail apparatus for electronic exchange of dataimages and messages, [remote controls and set-top units, cinematographic television and amusement equipment, namely, signal decoders and interactive audio andvideo equipment to facilitate interaction between consumers and providers of goods and services; electric live, electrical wire connectors, integrated circuits, prin- ted circuits, electric circuits, circuit brankers, printed circuit boards, electric circuit boards, circuit connectors, electrical wire connectors, integrated circui

hard discs, electrical conductors, acoustic conduits, electrical conduits, fiber op- tic conduitsand parts thereof; compact disc players, audio and video tape re- corders, audio and video tape players, audio and video tapes, cassette recorders, au- dio and video cassette players, blank audio and video tapes, cassettes, discs and microfiche; audio and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, personal and business manage- ment systems; video monitors, automatic vending machines and timing mechan- isms therefor, and parts thereof; data processors and readers, word processors, magnetic coded card readers, magnetic cards, electronic encryption units, lasers, light emitting diodes, light emitting diode displays, microprocessors, blank magnetic data carriers, demagnitizers for magnetic tapes, and parts there- of; communications and video transmission switching and reception apparatus; computer, data and video networking and conferencing equipment, namely, tele- conferencing equipment, audiovisual teaching equipment, overhead film, photo- graphic and slide projectors, projection screens, computer based information display equipment, namely, computers which display information on an over- head screen, intercoms;] telephones, [telephone answering machines,] tele- phone transmitters, * AND * telephone networks; [telephone wires, teleprinters, teletypewriters, and parts thereof, namely, calle videntification boxes, radio tele- phone equipment and accessories, namely, call boxes and systems, dialing as- semblies, telephone units, audio operated relays, signalling devices, receiving devices, termination equipment, filters, protectors and automatic signalling and control equipment, telemeters,] wireless and cellular telephones,((pagers, pa- ging equipment,)) portable computer devices, [facsimile transmittersand receiv- ers, wireless fax machines,]personal communications equipment, namely, Per- sonal Digital Assistants (PDA), [calculators] and related peripherals;
grams for children and adults
Class 014. First use: First Use: 0 First Use In Commerce: 0 [jewelry, horological instruments, namely, clocks and watches; chronometers and chronographs]
Class 016. First use: First Use: 0 First Use In Commerce: 0
[printed matter, namely, books or magazines on telecommunications; printed in- structional and teaching material on telecommunications; stationery]
Class 018. First use: First Use: 0 First Use In Commerce: 0
[umbrellas; parasols, goods made of leather and imitations of leather, namely,wallets, valises, carrying cases for credit cards, tickets, in particular, air travel tickets, or pocket calculators, purses, writing cases, namely, briefcase type portfolios, suitcases, travelling bags, and briefcases; trunks for travel and travel bags]
Class 025. First use: First Use: 0 First Use In Commerce: 0
[clothing, namely, shirts, dresses, pants, jackets, coats, T-shirts, shorts, head- wear, footwear]
Class 028. First use: First Use: 0 First Use In Commerce: 0
[video and computer game cartridges; board games, parlor games, card games, toy action figures, wind-up toys, stuffed toys, electrical and mechanical action toys, children's multiple activity toys; gymnastic apparatus; sporting articles, namely, cycling equipment and accessories, namely, stationary cycles, football equipment and accessories, namely, footballs, football shoulder pads, football girdles, football protectors, football knee, elbow, chest and leg pads, soccer equipment and accessories, namely, soccer balls, soccer ball goal nets, soccer ballknee pads, baseball equipment and accessories, namely, baseballs, base- ball bats, baseball bases, baseball mitts, baseball gloves, baseball bats, basket ball equipment and accessories, namely, basket ball goals, basket

ball nets, and all parts related thereto]
Class 036. First use: First Use: 0 First Use In Commerce: 0
financing services *, namely, FINANCINGOF WIRELESS TELECOMMUNICA- TION SERVICE PLANS AND PREPAID WIRELESS TELECOMMUNICATIONS SERVICE PLANS * [; real estate brokerage; real estate appraisal, real estate in- vestment; real estate listing; realestate management]
Class 037. First use: First Use: 0 First Use In Commerce: 0
[custom construction and building renovation; construction planning, construc- tion supervision;] ((maintenance and repair of telecommunications networks,)) apparatus and instruments; ((installation of telecommunications networks, ap- paratusand instruments;)) [installation, maintenance and repair of computer net- works and computer hardware]
Class 038. First use: First Use: 0 First Use In Commerce: 0
telecommunication services, namely, electronic mail services; [audio and videoteleconferencing;] electronic, electric and digital transmission of voice, data, information, images, signals and messages; [rental of apparatus for tele-communications, namely, rental of electronicaccess, transmission, receiver, recording and monitoring equipment comprised oftelecommunications hardware and software including components and peripherals thereof for use in the tele-communicationsindustry;] audio [and video] broadcasting featuring entertainment in the nature of [visual] * music * and audio performances [, and musical, variety, newsand comedy shows]
Class 041. First use: First Use: 0 First Use In Commerce: 0
[education in the nature of classes and seminars in the fields of business, tele- communications and computers, and the distribution of course materials there- with; entertainment in the nature of visual and audio performances, namely, mu- sical band, rock group, gymnastic, dance, and ballet performances;] entertain- ment services, namely, providing * music * [musical, variety, news and comedy shows]via a global computer information network; entertainment services, namely, providing on-line computer games for children and adults [; organiza- tion of community sporting and cultural events; publication of books, magazines, journals, manuals, brochures, and leaflets]
Class 042. First use: First Use: 0 First Use In Commerce: 0
[computer programming for others; leasing access time to a computer data base in the field of telecommunications; rental of data processing equipment; rental of computer hardware and software; design for others in the field of tele- communications equipment; installation, maintenance and repair of computer software]

U.S. Registration No.	3221551	Application Date	08/16/2005
Registration Date	03/27/2007	Foreign Priority Date	NONE
Word Mark	Т		

Design Mark	F		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 0 First Use In Commerce: 0 [Advertising services, namely, preparing and placing advertisements for others promoting the goods and services of others through printed advertising, printed directories, through encoded media, through the dissemination of promotional materials, through direct mail advertising,through electronic billboard advertising, preparing audio-visual presentations for use in advertising;] providing business information, namely, [preparing business reports and]conducting business re- search, analysis and surveys, providing information via the telephone and the global communication networks in the fieldof advertising and business marketing		
U.S. Registration No.	3538688	Application Date	08/16/2005
Registration Date	11/25/2008	Foreign Priority Date	02/17/2005

Word Mark

Т

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use [Computer programming serv namely, hosting computer soft tenton the Internet; hosting the global computer network; com formation available on comput phone and theglobal commun logy; [installation, maintenand formation at the specific reque communications networks; pro telecommunications software computer network	vices for others; appli- tware applications for e websites of others aputer services, name ter networks;] providi ication networks in the ce and repair of comp est of end-users by moviding temporary us	cation service provider, r others, hosting of digital con- on a computer server for a ely, creating indexes of in- ng information via the tele- he field of information techno- outer software;] providing in- heans of telephone or global e of online non-downloadable
U.S. Registration No.	2508277	Application Date	08/24/1995

U.S. Registration No.	2508277	Application Date	08/24/1995
Registration Date	11/20/2001	Foreign Priority Date	NONE
Word Mark	Т		

Design Mark	
Description of	NONE
Mark	NONE
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 electric, electronic, [optical, measuring, signalling, controlling or teach- ing]apparatus and instruments , all for usewith telecommunications, namely, ap- paratus for producing sound, images or data,[magnetic and optical data carriers, data processors and computers, namely, microcomputers, minicomputers, com- puter central processors, computer monitors, computer keyboards, computer terminals, computer interface boards, computer memories, computer laser print- ers, computer impact printers, computer dot matrix printers, computer operating systems, computersand instructional manuals sold as a unit, computer interface apparatus, namely,computer modems, computer mouse and mouse pad, com- puter peripherals and parts thereof; computer programs and data basesfor use in operating telecommunicationsand business management systems and related instruction manuals sold as a unit;optical cables, optic filters, optical scanners, optical character readers, optical discs, optical fibers, optical glass for signal transmission, optic transmitters, optic receivers, optical signal processing appar- atus, optic switches, optical networks comprising communication transmission switching and reception apparatus, optical attenuators, optical amplifiers, optical character recognition apparatus, optical attenuators, optical amplifiers, optical character recognition apparatus, optical attenuators, optical mansmisters, receiv- ers and converters, radio and telephone transmitters, receivers andservers, sta- tionary,] wireless and cellular telephone systems [and answering machines,] telecommunication transmission,[receiving and storage apparatus,] telecommu- nications transmitting sets, [data transmitters, facsimile machines,] electronic mail apparatus for electronic exchange of data images and messages, [remote controls and set-top units, cinematographic television and amusement equip- ment, namely, signal decoders and interactive audio and video equipment to fa- cilitate in

players, blank audioand video tapes, cassettes, discs and microfiche; audio and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, personal and business management systems;video monitors, automatic vending machines and timing mechanisms therefor, and parts thereof; data processors and readers, word processors, magnetic coded cardreaders, magnetic cards, electronic encryption units, lasers, light emitting diode, light emitting diode displays, microprocessors, blank magnetic data carriers, demagnitizers for magnetic tapes, and parts thereof; communications and video transmission switching and reception apparatus; computer, data and video networking and conferencing equipment, namely, teleconferencing equipment, audiovisual teaching equipment, overhead film, photographic and slide projectors, projection screens, computer based information display equipment, namely, computers which display information on an overhead screen, intercoms; telephones, telephone answering machines, telephone transmitters, telephone networks, telephone wires, teleprinters, teletypewriters, and parts thereof, namely, caller identification boxes,] radio telephone equipment and accessories, namely, [call boxes and systems, dialing and control equipment, filters, protectors and automatic signalling and control equipment, ippress and cellular telephones[, pagers, paging equipment,] portablecomputer devices, [facsimile transmitters and receivers, wireless fax machines, personal communications equipment, namely, Personal Digital Assistants (PDA), calculators and related peripherals; satellite processors, satellites and satellite communication earth stations both stationary and moveable; baseball batting helmets; prerecorded compact discs, audio cassette tapes, video cassette tapes, digital audio tapes and digital video disc featuring musical, variety, news andcomedy shows;] and computer game programs for children and adults
Class 014. First use: First Use: 0 First Use In Commerce: 0
[jewelry, horological instruments, namely, clocks and watches; chronometers and chronographs]
Class 016. First use: First Use: 0 First Use In Commerce: 0
[printed matter, namely, books or magazines on telecommunications; printed in- structional and teaching material on telecommunications;] stationery
Class 018. First use: First Use: 0 First Use In Commerce: 0
[umbrellas; parasols, goods made of leather and imitations of leather, namely,wallets, valises, carrying cases for credit cards, tickets, in particular, air travel tickets, or pocket calculators, purses, writing cases, namely, briefcase type portfolios, suitcases,] travelling bags, and briefcases [; trunks for travel and travel bags]
Class 025. First use: First Use: 0 First Use In Commerce: 0
clothing, namely, shirts, [dresses, pants,] jackets, coats, T-shirts, [shorts, head- wear footwear]
Class 028. First use: First Use: 0 First Use In Commerce: 0
[video and computer game cartridges; board games, parlor games, card games, toy action figures, wind-up toys, stuffed toys, electrical and mechanical action toys, children's multiple activity toys; gymnastic apparatus; sporting articles, namely, cycling equipment and accessories, namely, stationary cycles, football equipment and accessories, namely, football shoulder pads, football girdles, football protectors, football knee, elbow, chest and leg pads, soccer equipment and accessories, namely, soccer balls, soccer ball goal nets, soccer ballknee pads, baseball equipment and accessories, namely, baseballs, baseball bats, baseball bases, baseball mitts, baseball gloves, baseball bats, basket ball equipment and accessories, namely, basket balls, basket ball equipment and accessories, namely, basket balls, basket ball nets, and all parts related thereto]
Class 036. First use: First Use: 0 First Use In Commerce: 0
financing services [; real estate brokerage; real estate appraisal, real estate in-

vestment; real estate listing; real estate management]
Class 037. First use: First Use: 0 First Use In Commerce: 0
[custom construction and building renovation; construction planning, construc- tion supervision; maintenance and repair of telecommunications networks, ap- paratus and instruments; installation of telecommunications networks, apparatus and instruments; installation, maintenance andrepair of comuter networks and computerhardware]
Class 038. First use: First Use: 0 First Use In Commerce: 0
telecommunication services, namely, electronic mail services; [audio and video teleconferencing;] electronic, electric and digital transmission of voice, data,information, images, signals and messages [; rental of apparatus for tele-communications, namely, rental of electronic access, transmission, receiver, recordingand monitoring equipment comprised of telecommunications hardware and software including components and peripherals thereof for use in the tele-communications industry; audio and video broadcasting featuring entertainment in the nature of visual and audio performances, and musical, variety, news and comedy shows]
Class 041. First use: First Use: 0 First Use In Commerce: 0
[education in the nature of classes and seminars in the fields of business, tele- communications and computers, and the distribution of course materials there- with; entertainment in the nature of visual and audio performances, namely, mu- sical band, rock group, gymnastic, dance, and ballet performances; entertain- ment services, namely, providing musical, variety, news and comedy shows via a global computer information network; entertainment services, namely, provid- ing on-line computer games for children and adults; organization of community sporting and cultural events; publication of books, magazines, journals, manu- als, brochures, andleaflets]
Class 042. First use: First Use: 0 First Use In Commerce: 0
computer programming for others; [leasing access time to a computer data base in the field of telecommunications; rental of data processing equipment; rental of computer hardware and software; design for others in the field of tele- communications equipment; installation, maintenance and repair of computer software]

U.S. Registration No.	3153493	Application Date	08/16/2005
Registration Date	10/10/2006	Foreign Priority Date	02/17/2005
Word Mark	Т		
Design Mark	Ţ		
Description of	NONE		

Mark	
Goods/Services	Class 035. First use: First Use: 0 First Use In Commerce: 0 [Advertising services, namely, preparing and placing advertisements for other- spromoting the goods and services of others through printed advertising, printeddirectories, through encoded media, through the dissemination of promo- tional materials, through direct mail advertising, through electronic billboard ad- vertising, preparing audio-visual presentationsfor use in advertising;] providing
	business information, namely, [preparing business reports and] conducting business research, analysis and surveys; providing information via the tele- phone and the global communication networks in the field of advertising and business marketing

U.S. Registration No.	3216527	Application Date	08/16/2005
Registration Date	03/06/2007	Foreign Priority Date	NONE
Word Mark	Т		
Design Mark	Ţ		
Description of Mark	NONE		
Goods/Services	alcontent on the internet; hos for a global computer network information available on comp phone and the global commu logy; consulting services in th use of computer hardware an tenance and repair of computer	ces for others; [renta lata encryptionservice ter software applicati ting the websites of o c; [computer services outer networks;] prov- nication networks in t e field of design, sele d software systems f er software; technica equipment;] providing of telephone or glob- nline non-downloadal	al of computer software and es;] application service pro- ions for others, hosting of digit- others on a computer server s, namely, creating indexes of viding information via the tele- the field of information techno- ection, implementation and or others; [installation, main- il project planning services re- g information at the specific re- al communications networks; pletelecommunications soft-

U.S. Registration No.	3637434	Application Date	01/04/2008
Registration Date	06/16/2009	Foreign Priority Date	NONE
Word Mark	Т		

Design Mark		•••]	
Description of Mark	The color magenta appears i	n the letter"T" and in t	he square designs.
Goods/Services	atus and instruments, all for u producing sound, images or o cessors and computers, nam central processors; computer puter interface apparatus, na databases for use in operatin systems and related instruction namely, software used for the of telecommunications, software taining firewalls; computer pr and interactive computer com munications systems, namely and converters, radio and tele ary, wireless and cellular tele munication transmission, recu paratus for electronic exchan and set-top units; magnetical cards; teleconferencing equip screens and keyboard, video multimedia projectors, video	heasuring, signaling, c use with telecommunic data, magnetic and op ely, microcomputers, s and instructional ma mely, computer mode ig telecommunications on manuals sold as a e provision of online in are for network access ograms for accessing munications network <i>y</i> , digital and analogue ephone transmitters, r phone systems and a eiving and storage ap ge of data images and ly encoded telephone cameras; audiovisual cameras; intercoms; t ing machines, telephor munication towers; te nd accessories, name erated relays; wireles tions equipment, name	controlling and teaching appar- cations, namely, apparatusfor otical data carriers; data pro- minicomputers and computer anuals sold as a unit; com- ems, computer programs and s and business management unit; computer programs, formation services in the field s control, creating and main- a global computer network ; audio, video and data com- e signal transmitters, receivers receivers and servers, station- nswering machines, telecom- paratus, electronic mail ap- d messages, remote controls calling cards and blank smart ones, telephone sets with I teaching equipment, namely, elephones, telephone ne networks comprised of cel- lephone wires, teleprinters, s and cellular telephones, nely, personal digital assist-
U.S. Registration	3578791	Application Date	01/04/2008

U.S. Registration No.	3578791	Application Date	01/04/2008
Registration Date	02/24/2009	Foreign Priority Date	NONE
Word Mark	Т		
Design Mark		•••]	
Description of Mark	The mark consists of ten small squares with a stylized capital letter "T" appear- ing between the seventh and eighth square and all being in the color magenta.		

Goods/Services	Class 038. First use: First Use: 0 First Use In Commerce: 0
	Telecommunications services, namely, electric, digital, cellular and wireless transmission of voice, data, information, images, signals, messages and transmission of voice, data, images, audio, videoand information via telephone, [television] and global communication networks; providing telecommunications connections over a global communications network; electronic mail, voice mail and messaging services, namely, the recording and subsequent transmission of voice messagesby telephone; audio and video teleconferencing; rental of telecommunications network, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, information, images, signals and messages; [rental of equipment for transmitting, receiving, recording and monitoring computer programs for use in operating and accessing telecommunications systems;] providing high-speed access to computer information networks; personal communications services; [pager services;] electronic mail services; transmission and broadcast of audio and video programming via telephone, radio, internet, and television; providing multiple-user access to a globalcommunication network

U.S. Registration No.	3578790	Application Date	01/04/2008
Registration Date	02/24/2009	Foreign Priority Date	NONE
Word Mark	Т		-
Design Mark]	
Description of Mark	The mark consists of ten sma ing between the seventh and		
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0 Computer programming services for others, namely, developing and creating data processing programs for others; rental of computer software and hardware for online access; developing and creating dataprocessing programs by order of third parties; professional consultancy in the field of data processing technology; [web page hosting services;] operating electronic information networks; con- sulting and design services in the field of information technology, computer pro- gramming, telecommunications technology and global communication networks technology; installation, maintenance and repair of computer software		

U.S. Registration No.	3452974	Application Date	10/18/2007
Registration Date	06/24/2008	Foreign Priority Date	04/20/2007
Word Mark	Т		
Design Mark	• • • • • • •	••••	·T··

Description of Mark	The color magenta appears in the letter"T" and in the square designs
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0
	Class 009. First use: First Use: 0 First Use In Commerce: 0 Electric, electronic, optical, measuring, signaling, controlling and teaching appar- atus and instruments, all for use with telecommunications, namely, apparatusfor producing sound, images or data; blank magnetic and optical data carriers; data processors; computers, namely, microcomputers, minicomputers, computer central processors, computer laser printers, computer impact printers, computer memories, computer laser printers, computer impact printers, computer dot matrix printers, computer and instructional manuals sold as a unit; computer memory hardware; computer interface apparatus, namely, com- puter interface boards, computer mouse and mouse pad, computer peripherals and parts thereof; computer software programs for use in operating telecommu- nications and business management systems and related instruction manuals sold as a unit; computer software for financial accounting, for the provision of online information services in the fieldof news, sports, entertainment, culture, business and finance, weather and travel, network management, computer proxy, for controlling access and alarm monitoring of homes, apartments, build- ing and other properties, billing analysis, network access control and for creat- ing and maintaining firewalls; computer communications networks; optical scanners; optical character readers; optical ables; fiber optic cables; optical scanners, optical character readers; optical ables, fiber optic receivers for tele- phone, audio, video; optical signal processors; optica lephonne index, namely, doit, video; optical signal processors; optica lephone and systems, namely, digital and analogue signal transmitters; receivers and con- verters for use with telephone; audio, video; radio and lephone transmitters; communication receiversand servers for telephone, audio, video; telephone an- swering machines; teleprompters; Teletypewriters and parts thereof, namely, caller identification boxes, dialing assemblies, telephone, units, audio
	conduits and parts thereof; compact disc players; audio and video tape record-
	pheral equipment, namely, cameras, set top boxes, remote control units for in- teractive and non-interactive use; video monitors; automatic vending machines and timing mechanisms therefor and parts thereof; machine readable, magnetic- ally encoded cards, namely, prepaid telephone calling cards and credit cards; blank smart cards; magnetic coded card readers; data processors and readers; word processors; microprocessors; electronic encryption units; demag- netizers for magnetic tapes and parts thereof; lasers not for medical use; light
	emitting diodes; light emitting diode displays; computer, data and video network-

ing and conferencing equipment, namely, teleconferencing equipment and audiovisual teaching equipment in the nature of overhead film, photographic and slide projectors; projection screens; computer based information display equipment, namely, computers which display information on an overheadscreen; portable devices, namely, laptops, handheld and pocket computers, wireless fax machines; personal communications equipment, namely, personal digital assistants; calculators and related peripherals; satellite processors, satellite and satellite communication earth stations both stationary and moveable; computergame programs for children and adults; video and computer game cartridges; audio and video recordings in the field of news, sports, entertainment, culture, business and finance, weather and travel; prerecorded compact discs, audiocassette tapes, videocassette tapes, digital audiotapes and digital video discs featuringmusical, variety, news and comedy shows; carrying cases for pocket calculators and cellphones; telecommunications software, namely, software for wireless content delivery, software to enable the transmission of photographs to mobile telephones, software for accessing information directories that may be downloaded from the Internet, and computer application software for mobile phones

Registration Date 06/24/2008 Foreign Priority Date 04/20/2007 Word Mark T Descip Mark T Description of Mark The color magenta appears in the letter"T" and in the square designs. Class 038. First use: First Use: 0 First Use In Commerce: 0 Telecommunication and information technology services, namely, electric, digit- al, cellular and wireless transmission of voice, data, information images, signals and messages and transmission of voice, data, information network, elec- tronic store-and-forward messaging; [rental of telecommunications network, equipment for relectronic access to global clecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, in- formation images, signals, messages comprised of data and word processors, and telecommunications hardware components and peripherals thereof for use in the telecommunications systems; audio and video broadcasting; provid- ing multiple-user dial-up and dedicated access to the internet;] personal com- munications services; [pager services;] transmission and broadcast of audi- oand video programming; [leasing of telecommunications equipment, compon- ents and systems;] providing information via the telephone and the global com- munications networks in the field of telecommunications; consulting in the field of telecommunications	U.S. Registration No.	3452979	Application Date	10/18/2007
Design Mark The color magenta appears in the letter"T" and in the square designs. Goods/Services Class 038. First use: First Use: 0 First Use In Commerce: 0 Telecommunication and information technology services, namely, electric, digit- al, cellular and wireless transmission ofvoice, data, information images, signals and messages and transmission of voice, data, information networks; providing telecommunications connections over a globalcommunications equipment, namely, equipment for electronic access to global telecommunications network, elec- tronic store-and-forward messaging; [rental of telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, in- formation images, signals, messages comprised of data and word processors, and telecommunications shurk and ware components and peripherals thereof for use in the telecommunications systems; audio and video broadcasting; provid- ing multiple-user dial-up and dedicated access to the internet;] personal com- munication services; [pager services;] transmission and broadcast of audi- oand video programming; [leasing of telecommunications equipment, compon- ents and systems;] providing information via the telephone and the global com- munication networks in the field of telecommunications; consulting in the field of telecommunications	Registration Date	06/24/2008		04/20/2007
Description of Mark The color magenta appears in the letter"T" and in the square designs. Goods/Services Class 038. First use: First Use: 0 First Use In Commerce: 0 Telecommunication and information technology services, namely, electric, digit- al, cellular and wireless transmission of voice, data, information images, signals and messages and transmission of voice, data, information networks; providing telecommunications connections over a globalcommunications network, elec- tronic store-and-forward messaging; [rental of telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, in- formation images, signals, messages comprised of data and word processors, and telecommunications industry, and rental of equipment for transmitting, re- ceiving, recording and monitoring computer programs for use in operating and accessing telecommunications systems; audio and video broadcasting; provid- ing multiple-user dial-up and dedicated access to the internet;] personal com- munications services; [pager services;] transmission and broadcast of audi- oand video programming; [leasing of telecommunications equipment, compon- ents and systems;] providing information via the telephone and the global com- munication networks in the field of telecommunications; consulting in the field of telecommunications	Word Mark	Т		•
Mark Class 038. First use: First Use: 0 First Use In Commerce: 0 Telecommunication and information technology services, namely, electric, digital, cellular and wireless transmission ofvoice, data, information images, signals and messages and transmission of voice, data, images, audio, video and information via telephone, television and global communications network; providing telecommunications connections over a globalcommunications network, electronic store-and-forward messaging; [rental of telecommunications equipment, namely, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, information images, signals, messages comprised of data and word processors, and telecommunications industry, and rental of equipment for transmitting, receiving, recording and monitoring voice, data, ingormation systems; audio and video broadcasting; providing multiple-user dial-up and dedicated access to the internet;] personal communications services; [pager services;] transmission and broadcast of audioand video programming; [leasing of telecommunications equipment, components and systems;] providing information via the telephone and the global communications in the field of telecommunications; consulting in	Design Mark	• • • • • • •	••••	· T · ·
Telecommunication and information technology services, namely, electric, digit- al, cellular and wireless transmission of voice, data, information images, signals and messages and transmission of voice, data, images, audio, video and inform- ation via telephone, television and global communication networks; providing telecommunications connections over a globalcommunications network, elec- tronic store-and-forward messaging; [rental of telecommunications equipment, namely, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, in- formation images, signals, messages comprised of data and word processors, and telecommunications hardware components and peripherals thereof for use in the telecommunications industry, and rental of equipment for transmitting, re- ceiving, recording and monitoring computer programs for use in operating and accessing telecommunications systems; audio and video broadcasting; provid- ing multiple-user dial-up and dedicated access to the internet;] personal com- munications services; [pager services;] transmission and broadcast of audi- oand video programming; [leasing of telecommunications equipment, compon- ents and systems;] providing information via the telephone and the global com- munication networks in the field of telecommunications; consulting in the field of telecommunications		The color magenta appears ir	the letter"T" and in t	he square designs.
al, cellular and wireless transmission ofvoice, data, information images, signals and messages and transmission of voice, data, images, audio, video and inform- ation via telephone, television and global communication networks; providing telecommunications connections over a globalcommunications network, elec- tronic store-and-forward messaging; [rental of telecommunications equipment, namely, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, in- formation images, signals, messages comprised of data and word processors, and telecommunications hardware components and peripherals thereof for use in the telecommunications industry, and rental of equipment for transmitting, re- ceiving, recording and monitoring computer programs for use in operating and accessing telecommunications systems; audio and video broadcasting; provid- ing multiple-user dial-up and dedicated access to the internet;] personal com- munications services; [pager services;] transmission and broadcast of audi- oand video programming; [leasing of telecommunications equipment, compon- ents and systems;] providing information via the telephone and the global com- munication networks in the field of telecommunications; consulting in the field of telecommunications	Goods/Services	Class 038. First use: First Use	e: 0 First Use In Com	merce: 0
LLC Deviation 2601280		Telecommunication and information technology services, namely, electric, digit- al, cellular and wireless transmission ofvoice, data, information images, signals and messages and transmission of voice, data, images, audio, video and inform- ation via telephone, television and global communication networks; providing telecommunications connections over a globalcommunications network, elec- tronic store-and-forward messaging; [rental of telecommunications equipment, namely, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, in- formation images, signals, messages comprised of data and word processors, and telecommunications hardware components and peripherals thereof for use in the telecommunications industry, and rental of equipment for transmitting, re- ceiving, recording and monitoring computer programs for use in operating and accessing telecommunications systems; audio and video broadcasting; provid- ing multiple-user dial-up and dedicated access to the internet;] personal com- munications services; [pager services;] transmission and broadcast of audi- oand video programming; [leasing of telecommunications equipment, compon- ents and systems;] providing information via the telephone and the global com- munication networks in the field of telecommunications; consulting in the field of		
	U.S. Registration	3601280	Application Date	03/06/2008

U.S. Registration No.	3601280	Application Date	03/06/2008
Registration Date	04/07/2009	Foreign Priority Date	NONE
Word Mark	Т		

Design Mark	· · · · · · · · · · · · · · · · · · ·
Description of Mark	The mark consists of the letter "T" with sixteen small box shape dots in the color magenta.
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0 Computer programming services for others, namely, developing and creating data processing programs for others; rental of computer software and hardware for online access; developing and creating dataprocessing programs by order of third parties; professional consultancy in the field of data processing technology; [web page hosting services;] providing information at the specific request of end-users by means of telephone or global computer networks; consulting and design services in the field of information technology, computer programming, telecommunications technology and global communication networks technology; installation,maintenance and repair of computer software

U.S. Registration	3452981	Application Date	10/18/2007
No.			
Registration Date	06/24/2008	Foreign Priority Date	04/20/2007
Word Mark	Т	-	
Design Mark	• • • • • • •	••••	• T • •
Description of Mark	The color magenta appears in the letter"T" and in the square designs.		
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0		
	Computer programming services for others; [rental of computer software and hardware for online access;] data encryption services; [application service provider, namely, hosting computer software applications for others, hosting of digital content on the internet; hosting the websites of others on a computer server for a global computer network;] computer services, namely, creating indexes of information available on computer networks; providing information via the telephone and the global communication networks in the field of information technology; consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others; installation, maintenance and repair of computer software; technical project planning services related to telecommunications equipment; providing information at the specific request of end-users by means of telephone or globalcommunications networks; providing temporary use of online non-downloadable telecommunications software for providing multiple user access to the global computer network		

U.S. Registration No.	3594035	Application Date	03/06/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	Т		

Design Mark	••••• T ••
Description of Mark	The mark consists of the letter "T" with sixteen small box shape dots in the color magenta.
Goods/Services	Class 035. First use: First Use: 0 First Use In Commerce: 0 [Advertising services, namely, preparing and placing advertisements for others, promoting the goods and services of others through printed advertising, printed directories, encoded media, dissemination of promotional materials, direct mail advertising, electronic billboard advertising and preparing audio-visual presentations for use in advertising;] business information services in the field oftelecommunications, advertising, information technology

U.S. Registration No.	2941016	Application Date	04/23/1996
Registration Date	04/19/2005	Foreign Priority Date	NONE
Word Mark	T MOBILE	-	
Design Mark	T··N	lob	ile•
Description of Mark	NONE		
Goods/Services	atus and instruments, all for u producing sound, images or o processors and computers, n central processors, computer als, computer interface board computer impact printers, cor systems, computers and instr apparatus, namely, computer puter peripherals and parts th in operating telecommunication instruction manuals sold as a optical character readers, opt transmission, optic transmitte atus, optic switches, optical n switching and reception appara munications systems, namely and converters, radio and tele ary, wireless and cellular tele munication transmission, rece	leasuring, signalling, use with telecommuni data, [magnetic and amely, microcomputer monitors, computer ls, computer memorie mputer dot matrix prin ructional manuals sol modems, computer nereof; computer prog ons and business ma unit; [optical cables, tical discs, optical fibe ers, optic receivers, op tetworks comprising of aratus, optical attenua tus, and parts thereof <i>y</i> , digital and analogue ephone transmitters, phone systems and a eiving and storage ap nitters, [facsimile man of data images and m aphic television and a	controlling or teaching appar- ications, namely, apparatusfor optical data carriers,] data ers, minicomputers, [computer keyboards, computer termin- es, computer laser printers, nters,] computer operating d as aunit, computer interface mouse andmouse pad, com- grams and data bases for use inagement systems andrelated , optic filters, optical scanners, ers, optical glass for signal otical signal processing appar- communication transmission ators, optical amplifiers, optical f;] audio, video and data com- e signal transmitters, receivers receivers and servers, station- answeringmachines, telecom- oparatus, telecommunications chines,] electronic mail appar- nessages, [remote controls amusement equipment,

interaction between consumers and providers of goods and services; electrical wire, electrical wire connectors, integrated circuits, printed circuits, electric circuits, circuit breakers, printedcircuit boards, electric circuit boards, circuit connectors, electrical controllers, electrical converters, electrical fuses, electric luminescent display panels, electrical switch plates, electric plugs, antennas, electrical cables, computer cables, computer chips, silicon chips, chronographs for use as specialized time recording apparatus, electric colls, computer buffers, blank computer discs, blank computer floppy disks, computer hard discs, electrical and conductors, acoustic conduits, electrical conduits, fiber optic conduits and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, personal and business management systems; video monitors, automatic vending machines and timing mechanisms therefor, and parts thereof, data processors and readers, word processors, magnetic cade card readers, magnetic cards, electronic encryption units, lasers, light emitting diode displays, microprocessors, blank magnetic data carriers, demagnetizers for magnetic tapes, andparts thereof, communications and video reservers, computer based information display equipment, audiovisualteaching equipment, namely, teleconferencing equipment, namely, calle conferencing equipment, namely, callerone screens, computer based information display equipment, namely, calle toxes, telephone wires, telephone equipment, and-cessories, namely, calle boxes and systems, dialing assemblies, J telephone units, filter on cass and cellular telephone sequences, and equipment, and-y, ealer identification boxes, radio telephone equipment, acessories, and parts thereof, computers whichdisplay information on an overhead screene, intercors, j telephones, telephone wires, telephone receiving devices, termination equipment, filters, protectors and automatic signalling and control equipment, essistants (PDA), calculators and
Class 037. First use: First Use: 0 First Use In Commerce: 0
[Custom construction and building renovation; construction planning, construc- tion supervision;] maintenance and repair of telecommunications [networks,] apparatus and instruments; [installation of telecommunications networks, appar- atus and instruments; installation,] maintenance and repair of computer [net- worksand computer] hardware
Class 038. First use: First Use: 0 First Use In Commerce: 0
Telecommunication services, namely, electronic mail services; audio and video teleconferencing; electronic, electric and digital transmission of voice, data, information, images, signals and messages; [rental of apparatus for telecommunications, namely, rental of electronic access, transmission, receiver, recording and monitoring equipment comprised of telecommunications hardware and software including components and peripherals thereof for use in the telecommunic-

ations industry;] audio and video broadcasting featuring entertainment in the nature of visual and audio performances, and musical, variety, news and comedy shows
Class 041. First use: First Use: 0 First Use In Commerce: 0
[Education in the nature of classes and seminars in the fields of business, tele- communications and computers, and the distribution of course materials there- with;] entertainment in the nature of visual and audio performances, namely, musical band, rock group, [gymnastic, dance, and ballet] performances; enter- tainment services, namely, providing musical, variety, news and comedy shows via a global computer information network; entertainment services, namely, providing on-line computer games for children and adults; organization of com- munity sporting and cultural events; publication of [books,] magazines, journ- als, manuals, brochures, and leaflets
Class 042. First use: First Use: 0 First Use In Commerce: 0
[Computer programming for others;] leasing access time to a computer data base in the field of telecommunications; [rental of data processing equipment; rental of computer hardware and software; design for others in the field of tele- communications equipment;] installation, maintenance and repair of computer software

U.S. Registration No.	2911878	Application Date	04/23/1996
Registration Date	12/21/2004	Foreign Priority Date	NONE
Word Mark	T-MOBILE		
Design Mark			
	T-M	ob	ile
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Electric, electronic, optical, measuring, signalling, controlling or teaching appar- atus and instruments, all for use with telecommunications, namely, apparatusfor producing sound, images or data, magnetic and optical data carriers, data pro- cessors and computers, namely, microcomputers, minicomputers, [computer central processors, computer monitors, computer keyboards, computer termin- als, computer interface boards, computer memories,] [computer laser printers, computer impact printers, computer dot matrix printers,] computer operating systems, computers and instructional manuals sold as a unit, computer interface apparatus, namely, [computer modems, computer mouse andmouse pad,] computer peripherals and parts thereof; computer programs and databases for use in operating telecommunications and business management systems and related instruction manuals sold as aunit; [optical cables, optic filters, optical scanners,] [optical character readers, optical discs, optical fibers, optical glass for signal transmission, optic transmitters, optic receivers, optical signal pro- cessing apparatus, optic switches, optical networks comprising communication transmission switching and reception apparatus, and parts thereof;] audio, video and data communications systems, namely, digital and analogue signal transmitters, receivers and converters, radio and telephone transmitters, receiv- ers and servers, stationary, wireless and cellular telephone systems and an-		

swering machines, telecommunication transmission, receiving and storage apparatus, telecommunications transmitting sets, data transmitters, [facsimile r chines,]electronic mail apparatus for electronic exchange of data images and messages, [remote controls and set-top units,] cinematographic television a	na- I
amusement equipment, namely, signal decoders and interactive audio and vi equipment to facilitate interaction between consumersand providers of goods and services; [electrical wire, electrical wire connectors, integrated circuits, ted circuits, electric circuits, circuit breakers, printed circuit boards, electrical fuses, electrical cables, computer cables,] [computer chips, silicon chips chronographs for use asspecialized time recording apparatus, electrica colus, computer buffers,] [blank computer discs,] [blank computer floppy disks, cor puter hard discs, electrical conductors, acoustic conduits, electrical conduits, fiber optic conduits and parts thereof; compact disc players, audio and video tape recorders, audio and video tape players, audio and video tapes, cassette discs and microfiche; audio and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, personal and business management systems;] [video monitors,] [automatic vending machines and ing mechanisms therefor, and parts thereof;] data processors and readers, v processors, [magnetic coded card readers], magnetic cards, [electronic encry tion units, lasers, light emitting diodes, light emitting diode displays, micropro cessors, blank magnetic coded carieraders, ilemasmission switching and receptic apparatus; computer, data and video networking and conferencing equipment namely, teleconferencing equipment, audiovisual teachingequipment,] [over- head film, photographic and slide projectors,] [projection screens, computer based information display equipment, namely, computers which display infor tion on an overhead screen, intercoms; telephones, telephone answering ma- chines, telephone transmitters, telephone networks, telephone answering ma- chines, telephone transmitters, presonal communications equipment, name Personal Digital Assistants (PDA), calculators and eloutal relephones, pagers, paging equipment, portable computer devices, facsismile transmitters; receivers, wireless far machines, personal	deo ricuit ligs,][n- d-s, intop- n, na- int-]s, - ady, eves in- in-
tion supervision;] maintenance and repair of telecommunications networks, a paratus and instruments; installation of telecommunications networks, appara and instruments; installation, maintenance andrepair of computer networks a computer hardware	o- itus
Class 038. First use: First Use: 0 First Use In Commerce: 0	
Telecommunication services, namely, electronic mail services; audio and vide	90

teleconferencing; electronic, electric and digital transmission of voice, data, in- formation, images, signals and messages[; rental of apparatus for telecommu- nications, namely, rental of electronic access, transmission, receiver, recording and monitoring equipment comprised of telecommunications hardware and soft- ware including components and peripherals thereof for use in the telecommunic- ations industry; audio and video broadcasting featuring entertainment in the nature of visual and audio performances, and musical, variety, news and com- edy shows]
Class 041. First use: First Use: 0 First Use In Commerce: 0
[Education in the nature of classes and seminars in the fields of business, tele- communications and computers, and the distribution of course materials there- with;] [entertainment in the nature of visual and audio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances; entertain- ment services, namely, providing musical, variety, news and comedy shows via a globalcomputer information network; entertainment services, namely, provid- ing on-linecomputer games for children and adults; organization of community sporting and cultural events;] publication of books, magazines, journals, manu- als, brochures, and leaflets
Class 042. First use: First Use: 0 First Use In Commerce: 0
[Computer programming for others;] leasing access time to a computer data base in the field of telecommunications[; rental of data processing equipment; rentalof computer hardware and software; design for others in the field of tele- communications equipment; installation, maintenance and repair of computer software]

U.S. Registration No.	2460631	Application Date	04/23/1996
Registration Date	06/19/2001	Foreign Priority Date	NONE
Word Mark	T SYSTEM		
Design Mark	Ŧ••\$	System	
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Us	e: 0 First Use In Com	nmerce: 0
			controlling or teaching appar- ications, namely, apparatusfor

producing sound, images or data, [magnetic and optical data carriers, data processors and computers, namely, microcomputers, minicomputers, computer central processors, computer monitors, computer keyboards, computer terminals, computer interface boards, computer memories, computer laser printers, computer impact printers, computer dot matrix printers, computer operating systems, computers and instructional manuals sold as a unit, computer interface apparatus, namely, computer modems, computer mouse and mouse pad, computer peripherals and parts thereof; computer programs and data bases for use in operating telecommunications and business management systems and related instruction manuals sold as a unit; [optical cables, optic filters, optical scanners, optical character readers, optical discs, optical fibers, optical glassfor signal transmission, optic transmitters, optic receivers, optical signal processing apparatus, optic switches, optical networks comprising communication transmission switching and reception apparatus, optical attenuators, optical amplifiers, optical character recognition apparatus, and parts thereof;] audio, videoand data communications systems, namely, digital and analogue signal transmitters, receivers and converters, radio and telephone transmitters, receivers and servers, stationary, wireless and cellulartelephone systems [and answering machines, Itelecommunication transmission, receiving and storage apparatus, telecommunications transmitting sets, data transmitters, [facsimile machines] electronic mail apparatus for electronic exchange ofdata images and messages, [remote controls and set-top units,] cinematographic television and amusement equipment, namely, signal decoders and interactive audio and video equipment to facilitate interaction between consumers and providers of goods and services; [electrical wire, electrical wire connectors, integrated circuits, printed circuits, electric circuits, circuit breakers, printed circuitboards, electric circuit boards, circuit connectors, electrical controllers, electrical converters, electrical fuses, electric luminescent display panels, electrical switch plates, electric plugs, antennas, electrical cables, computer cables, computer chips, silicon chips, chronographs for use as specialized time recording apparatus, electric coils, computer buffers, blank computer discs, blank computer floppy disks, computer hard discs, electrical conductors, acoustic conduits, electrical conduits, fiber optic conduits and parts thereof; compact disc players, audio and video tape recorders, audio and video tape players, audio and video cassette recorders, audio and video cassette players, blank audio and video tapes, cassettes, discs and microfiche; audio and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, personal and business management systems; video monitors, automatic vending machines and timing mechanisms therefor, and parts thereof; data processors and readers, word processors, magnetic coded card readers, magnetic cards, electronic encryption units, lasers, light emitting diodes, light emitting diode displays, microprocessors, blank magnetic data carriers, demagnetizers for magnetic tapes, and parts thereof;] communications and video transmission switching and reception apparatus; computer, data and video networking and conferencing equipment, namely, teleconferencing equipment, [audiovisual teaching equipment, overhead film, photographic and slide projectors, projection screens, computer based information display equipment, namely, computers which display information on an overhead screen, intercoms;] telephones,[telephone answering machines,] telephone transmitters, telephone networks, [telephone wires, teleprinters, teletypewriters,] and parts thereof, namely, [caller identification boxes,] radio telephone equipment and accessories, namely, [call boxes and systems, dialing assemblies, telephone units,] audio operated relays, signalling devices, receiving devices, termination equipment, filters, protectors and automatic signalling and control equipment, telemeters, wireless and cellular telephones, pagers, paging equipment, portable computer devices, [facsimile transmitters and receivers, wireless fax machines, personal communications equipment, namely, Personal Digital Assistants (PDA), calculators and related peripherals;] satellite processors, satellites and satellite communication earth stations both stationary and moveable,[prerecorded compact discs, audio cassette tapes, video cassettetapes, digital audio tapes and digital video discs featuring musical, variety, news and comedy

shows; and computer gameprograms for children and adults]
Class 016. First use: First Use: 0 First Use In Commerce: 0
printed matter, namely, books or magazines on telecommunications [; printed in- structional and teaching material on telecommunications; stationery]
Class 036. First use: First Use: 0 First Use In Commerce: 0
financing services[; real estate brokerage; real estate appraisal, real estate in- vestment; real estate listing; real estate management]
Class 037. First use: First Use: 0 First Use In Commerce: 0
[custom construction and building renovation; construction planning, construc- tion supervision;] maintenance and repair of telecommunications networks, ap- paratus and instruments; installation of telecommunications networks, apparatus and instruments; installation, maintenance andrepair of computer networks and computer hardware
Class 038. First use: First Use: 0 First Use In Commerce: 0
telecommunication services, namely, electronic mail services; audio and video teleconferencing; electronic, electric and digital transmission of voice, data, information, images, signals and messages[; rental of apparatus for telecommunications, namely, rental of electronic access, transmission, receiver, recording and monitoring equipment comprised of telecommunications hardware and software including components and peripherals thereof for use in the telecommunications industry; audio and video broadcasting featuring entertainment in the nature of visual and audio performances, and musical, variety, news and comedy shows]
Class 041. First use: First Use: 0 First Use In Commerce: 0
[education in the nature of classes and seminars in the fields of business, tele- communications and computers, and the distribution of course materials there- with;] entertainment in the nature of visual and audio performances, namely, mu- sical band, rock group, gymnastic, dance, and ballet performances; entertain- ment services, namely, providing musical, variety, news and comedy shows via a global computer information network; entertainment services, namely, provid- ing on-line computer games for children and adults;[organization of community sporting and cultural events; publication of books, magazines, journals, manu- als, brochures, and leaflets]
Class 042. First use: First Use: 0 First Use In Commerce: 0
computer programming for others; [leasing access time to a computer data base in the field of telecommunications; rental of data processing equipment; rental of computer hardware and software;] design for others in the field of telecommunic- ations equipment; installation, maintenance and repair of computer software

U.S. Registration No.	3238547	Application Date	11/16/2000
Registration Date	05/08/2007	Foreign Priority Date	NONE
Word Mark	T-SYSTEMS		
Design Mark			
	T-S	ysten	15

Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0
GUUUS/GEIVICES	
	Electric, electronic, optical, measuring, signaling, controlling or teaching apparat- us and instruments, all for use with telecommunications, namely, blank magnetic
	and optical data carriers, data processors and computers, namely, microcom-
	puters, minicomputers, computer central processors, computer monitors, com-
	puter keyboards, computer terminals, computer interface boards, computer
	memories, computer laser printers, computer impact printers, computer dot mat-
	rix printers, computer operating systems, computers and instructional manuals
	sold as a unit, computer interface apparatus, namely, computer modems, com- puter mouse and mouse pad, computer peripherals and parts thereof, computer
	programs and data bases for use in operating telecommunications and business
	management systems and related instruction manuals sold as a unit, optical
	cables, optic filters, optical scanners, optical character readers, optical discs, op-
	tical fibers, optical glass for signal transmission, optic transmitters, optic receiv-
	ers, optical signal processors, optic switches, optical networks comprising com-
	munication transmission switches and receptors, optical attenuators,optical amplifiers, optical character readers and parts thereof, audio, video and data
	communication systems, namely, digital and analogue signal transmit-
	ters, receivers and converters, radio and telephone transmitters, receivers and
	servers, stationary, wireless and cellular telephones and answering machines,
	telecommunication transmitters and receivers, telecommunications transmitting
	sets, data transmitters, facsimile machines, electronic mail apparatus for elec-
	tronic exchange of data images and messages, remote controls and set-top boxes for televisions; remote control units for interactive and non-interactive use
	for video games; cinematographic television and amusement equipment,
	namely, signal decoders, electrical wire, electrical wire connectors, integrated cir-
	cuits, printed circuits, electric circuits, circuit breakers, printed circuit boards,
	electric circuit boards, circuit connectors, electrical controllers, electrical convert-
	ers, electrical fuses, electric luminescent display panels, electrical switch plates,
	electric plugs, antennas, electrical cables, computer cables, computer chips, sil- icon chips, chronographs for use as specialized time recording apparatus, elec-
	tric coils, computer buffers, blank computer discs, blank computer floppy disks,
	computer hard disks, electrical conductors, acoustic conduits, electrical con-
	duits, fiber optic conduits and parts thereof; compact disc players, audio and
	videotape recorders, audio and video tape players, audio and video cassette re-
	corders, audio and video cassette players, blank audio and video tapes, cas- settes, discs and microfiche; audio and video tapes, cassettes, discs and mi-
	crofiche featuring information concerning telecommunications and concerning
	personal and business management systems; video monitors, automatic vend-
	ing machines and timing mechanisms therefor and parts thereof, dataprocessors
	and readers, word processors, magnetic coded card readers, magnetic coded
	cards, electronic encryption units, lasers not for medical use, light emitting di-
	odes, light emitting diode displays, microprocessors, blank magnetic datacarri- ers, demagnetizers for magnetic tapes, and parts thereof, communications and
	video transmission switches and receptors; computer, data and video network-
	ing and conferencing equipment, namely, teleconferencing equipment and audi-
	ovisualteaching equipment, namely, overhead film, photographic and slide pro-
	jectors, projection screens, computer based information display equipment,
	namely, computers which display information on an overhead screen, intercoms, telephones, telephone answering machines, telephone transmitters, telephone
	networks, telephone wires, teleprinters, teletypewriters, andparts thereof, caller
	identification boxes; radio telephone equipment and accessories, namely, call
	boxes, dialing assemblies, telephone units, audio operated relays, receivers, au-
	dio/video signal and optical filters and protectors, telemeters, radio pagers; port-
	able devices, namely, laptops, handheld and pocket computers; facsimile trans-
	mitters and receivers, wireless fax machines, personal communications equip- ment, namely, personal digital assistants, calculators and related peripherals;
	satellite processors, satellites and satellite communication earth stations both
	stationary and moveable; prerecorded compact discs, audio cassette tapes,

 video cassette tapes, digitalaudio tapes an digital video discs featuring musical, variety, news and comedy shows; and computer game programs for children and adults; video and computer game cartridges Class 016. First use: First Use: 0 First Use In Commerce: 0 Printed matter, namely, printed and stamped plastic and cardboard greeting, blank, note, and index cards; books and magazines on telecommunications; note paperand envelopes, name tags and labels made from paper or cardboard, notebooks, diaries, note pads, address books, foldersfor letters, files or loose paper, clear hole reinforcements, student calendars, stamp albums and photo albums; printedinstructional and teaching material on telecommunications; stationery, book markers, cutout samples and stencils; transparent picture decals, scratch pictures,bond paper and art paper, PVC stickers,paperbacks on the subject of telecommunications, gift wrap paper Class 025. First use: First Use: 0 First Use In Commerce: 0
Printed matter, namely, printed and stamped plastic and cardboard greeting, blank, note, and index cards; books and magazines on telecommunications; note paperand envelopes, name tags and labels made from paper or cardboard, notebooks, diaries, note pads, address books, foldersfor letters, files or loose paper, clear hole reinforcements, student calendars, stamp albums and photo albums; printedinstructional and teaching material on telecommunications; sta- tionery, book markers, cutout samples and stencils; transparent picture decals, scratch pictures,bond paper and art paper, PVC stickers,paperbacks on the sub- ject of telecommunications, gift wrap paper Class 025. First use: First Use: 0 First Use In Commerce: 0
blank, note, and index cards; books and magazines on telecommunications; note paperand envelopes, name tags and labels made from paper or cardboard, notebooks, diaries, note pads, address books, foldersfor letters, files or loose paper, clear hole reinforcements, student calendars, stamp albums and photo albums; printedinstructional and teaching material on telecommunications; sta- tionery, book markers, cutout samples and stencils; transparent picture decals, scratch pictures,bond paper and art paper, PVC stickers,paperbacks on the sub- ject of telecommunications, gift wrap paper Class 025. First use: First Use: 0 First Use In Commerce: 0
Clathing namely abirth dragges name issues assets. Takirth charte based
Clothing, namely, shirts, dresses, pants, jackets, coats, T-shirts, shorts, head- wear, footwear
Class 028. First use: First Use: 0 First Use In Commerce: 0
Board games, parlor games, card games, toy action figures, wind-up toys, stuffed toys, electrical and mechanical actiontoys, children's multiple activity toys; gymnastic apparatus, namely, parallel bars, uneven bars, vaulting horses, balance beams, personal exercise mats; sporting articles, namely, cycling equip- ment and accessories, namely, stationary cycles, football equipment and ac- cessories, namely, footballs, football shoulder pads, football girdles, football body protectors, football knee, elbow, chest and leg pads, soccer equipment and accessories, namely, soccer balls, soccer ball goal nets, soccer ball knee pads, baseball equipment and accessories, namely baseballs, baseball bats, baseball bases, baseball mitts, baseball gloves, basket ballequipment and accessories, namely, basketballs, basketball goals, basketball nets, and all parts related thereto
Class 035. First use: First Use: 0 First Use In Commerce: 0
Advertising services, namely, preparing and placing advertisements for others, direct mail advertising, electronic billboard advertising, preparing audio-visual presentations for use in advertising; business management services, namely, business appraisals, business auditing, providing business information, namely, preparing business reports and conducting business research, analysis and sur- veys, business management planning, business management consultation and business management supervision; rental of data processing equipment
Class 036. First use: First Use: 0 First Use In Commerce: 0
Clearing secure financial transactions through online services; financial and monetary affairs, namely, financial analysis and consultation, providing financial information, issuance of securities, commercial lending services, financial portfo- lio management, discount brokerage services, brokerage of shares and venture- capital funding services to start-up companies, brokerage of fund shares, secur- ities consulting and safe keeping, brokerage of productive investments and funds; real estate affairs, namely brokerage,management, leasing, appraisal of real property; customs brokerage for third parties; consultancy services relating to bank affairs; consulting services relating to insurance affairs, namely, provid- ing information on insurance and brokerage of insurances in the field of home in- surance, accident insurance, and health insurance; and monetary exchange
Class 037. First use: First Use: 0 First Use In Commerce: 0
Custom construction and building renovation; construction planning, construc- tion supervision; maintenance and repair oftelecommunication networks, appar- atus and instruments; installation of telecommunications networks, apparatus and instruments; installation, maintenance and repair of computer networks and computer hardware
Class 038. First use: First Use: 0 First Use In Commerce: 0

Telecommunications services, namely, electric, digital, cellular and wireless transmission of voice, data, information, images, signals and messages; provid- ingtelecommunications connections over a global communications network, electronicmail, voice mail and messaging services, namely, the recording and storage and subsequent transmission of voice messages by telephone; audio and video teleconferencing, rental of telecommunications network, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, information, images, signals, messages, comprised of data and word processors, and telecommunications hardware and software including components and peripherals thereof for use in the telecommunications industry, and rental of equipment for transmitting, receiving, recordingand monitoring computer programs for use in operating and accessing telecommunications systems; audio and video broadcasting featuring entertainment in the nature of live visual and audio performances, and musical, variety, news and comedyshows; and providing access to computer information networks; database services, namely providing an online computer database in the field of telecommunications
Class 039. First use: First Use: 0 First Use In Commerce: 0
Warehouse storage of goods; electronic storage of information in the form of sound, picture and data
Class 041. First use: First Use: 0 First Use In Commerce: 0
Education in the nature classes and seminars in the fields of business, telecom- munications and computers, and the distribution of course materials therewith; entertainment in the nature of visual andaudio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances; entertainment services, namely, providing musical, variety, news and comedy shows via a global computer information network; entertainment services, namely providing on-line computergames for children and adults; organization of community sport- ing and cultural events; publication of books, magazines,journals, manuals, bro- chures, and leaflets; organizing fairs and exhibitions inthe field of visual and au- dio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances
Class 042. First use: First Use: 0 First Use In Commerce: 0
Computer programming services for others; production of data processing pro- grams for others; technical project planningservices related to telecommunica- tions equipment

			-
U.S. Registration No.	3491692	Application Date	10/23/2007
Registration Date	08/26/2008	Foreign Priority Date	04/24/2007
Word Mark	T MOBILE	•	
Design Mark	•••• T •	-Mobi	ile•••
Description of Mark	The mark consists of a rectangular magenta box containing a white "T", the word "Mobile" in black, and laterally aligned, square-shaped white dots.		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0		
	Electric, electronic, optical, measuring, signaling, controlling and teaching appar- atus and instruments, all for use with telecommunications, namely, apparatusfor producing sound, images or data; blank magnetic and optical data carriers; data processors; computers, namely, microcomputers, minicomputers, [computer central processors, computer monitors, computer keyboards, computer termin-		

als, computer memories, computer laser printers,] computer impact printers, [computer dot matrix printers, computers and instructional manuals sold as a unit; computer memory hardware;] computer interface apparatus, namely, [computer interface boards,] computer mouse and mouse pad, computer peripherals and parts thereof; computer software programs for use in operating telecommunications and business management systems and related instruction manuals sold as a unit; [computer software for financial accounting, for theprovision of online information services in the field of news, sports, entertainment, culture, business and finance, weather and travel, network management, computer proxy, for controlling access andalarm monitoring of homes, apartments, buildings and other properties, billing analysis, network access control and forcreating and maintaining firewalls;] computer software programs for accessing a global computer network and interactive computer communications networks; [optical fibers sold as a component of fiber optical cables; fiber optic cables; optical scanners; optical character readers; optical blank discs; optical glass for signal transmission; optic transmitters for radio, telephone; optic receivers for telephone, audio, video; optical signal processors; optic telecommunicationsswitches; optical attenuators; optical amplifiers; optical character recognition apparatus, for use in the telecommunications field, and parts thereof; telephone local area network operating softwareand hardware;] telecommunication audio, video and data communications systems, namely, digital and analogue signal transmitters; receivers and converters for use with telephone, audio, video; radio and telephone transmitters; communication receivers and servers for telephone, audio, video; telephone answering machines; [teleprompters;] Teletypewriters and parts thereof, namely, [caller identification boxes, dialing assemblies,] telephone units, [audio operated relays, audio/video signal and optical filters, protectors and automatic signaling and control equipment, telemeters,] wirelessand cellular telephones, [and radio pagers; intercoms; facsimile machine;] electronic mail apparatus for electronic exchange of data images and messages; [electrical wire; electrical wire connectors; integrated circuits; printed circuits; electric circuits; circuit breakers; printed circuit boards; circuit connectors for electronic circuits; electrical controllers; electrical converters; electrical conductors; electrical fuses; electric luminescent display panels; electrical switch plates; electric plugs; electric coils; antennas; electrical cables; computer cables; computer chips; siliconchips; chronographs for use as specialized time recording apparatus; computer buffers; blank computer discs; blank computer floppy disks; computer hard discs; acoustic conduits; electrical conduits; fiber optic light and image conduits andparts thereof; compact disc players; audio and video tape recorders; audio and videotape players; audio and videocassette recorders; audio and videocassette players; blank audio and videotapes, cassettes, discs and microfiche; audio and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, and concerning personal and business management systems;] audioand video recordings in the field of telecommunications, information technologyand safety; [television and televisionperipheral equipment, namely, cameras, set top boxes, remote control units for interactive and non-interactive use; video monitors; automatic vending machines and timing mechanisms therefor and partsthereof;] machine readable, magnetically encoded cards, namely, prepaid telephone calling cards and credit cards; [blank smart cards; magnetic coded card readers;] data processors and readers; [word processors; microprocessors; electronic encryption units; demagnetizers for magnetic tapes and parts thereof; lasersnot for medical use; light emitting diodes; light emitting diode displays; computer, data and video networking and conferencing equipment, namely, teleconferencing equipment and audiovisual teaching equipment in the nature of overhead film, photographic and slide projectors; projection screens; computer based information display equipment, namely, computerswhich display information on an overhead screen;] portable devices, namely, laptops, handheld and pocket computers, [wireless fax machines; personal communications equipment, namely, personal digital assistants; calculators and related peripherals; satellite processors, satellite and satellite communication earth stations both stationary and moveable; computer game

programs for children and adults; video and computer game cartridges;audio and video recordings in the fieldof news, sports, entertainment, culture, business and finance, weather and travel; prerecorded compact discs, audiocassette tapes, videocassette tapes, digitalaudiotapes and digital video discs featuring musical, variety, news and comedy shows;] carrying cases for [pocket calculat- ors and] cellphones; telecommunications software, namely, software for wire- less content delivery, software to enable the transmission of photographs to mo- bile telephones, software for accessing information directories that may be downloaded from the Internet, and computer application software for mobile
downloaded from the Internet, and computer application software for mobile phones

U.S. Registration No.	3491696	Application Date	10/23/2007
Registration Date	08/26/2008	Foreign Priority Date	04/24/2007
Word Mark	T MOBILE		
Design Mark	•••• T •	Mob	ile•••
Description of Mark	The mark consists of a rectar word"Mobile" in black, and lat		
Goods/Services	al, cellular and wireless trans and messages and transmiss ation via telephone, [televisio telecommunications connectii tronic store-and-forward mess namely, equipment for electro equipment for transmitting, re formation images, signals, me and telecommunications hard the telecommunications indus ing, recording and monitoring cessing telecommunications a multiple-user dial-up and ded ations services; [pager service programming; leasing of telect	mation technology se mission ofvoice, data, ion of voice, data, im on]and global commu- ons over a global com- saging; [rental of tele onic access to global eceiving, recording an essages comprised of ware components ar stry, and rental of equ of computer programs systems; audio and v icated access to the in ces; transmission and communications equip via the telephone and	ervices, namely, electric, digit- , information images, signals ages, audio, video and inform- unication networks; providing nmunications network, elec- ecommunications equipment, telecommunications network, idmonitoring voice, data, in- f dataand word processors, ad peripheralsthereof for use in uipment fortransmitting, receiv- for use in operating and ac- ideo broadcasting; providing internet;] personal communic- broadcast of audio and video pment, components andsys-

U.S. Registration No.	3487674	Application Date	10/23/2007
Registration Date	08/19/2008	Foreign Priority Date	04/24/2007
Word Mark	T MOBILE	-	
Design Mark	•••• T •	-Mobi	le•••
Description of	The mark consists of a rectan	gular magenta box c	ontaining a white "T"; laterally

Goods/Services Class 042. First use: First Use: 0 First Use In Commerce: 0 [Computer programming services for others; rental of computer software and hardware for online access; data encryptionservices; application service provider, namely, hosting computer software applications for others, hosting of digital content on the internet; hosting the websites of others on a computer server for a global computer network; computer services, namely, creating indexes of information available on computer networks;] providing information via the telephone and the global communication networks inthe field of information technology; consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others; [installation, maintenance and repair of computer software;] technical project planning services related to telecommunications equipment; providing information at the specific request of end-users by means of telephone or globalcommunications networks;
hardware for online access; data encryptionservices; application service pro- vider,namely, hosting computer software applications for others, hosting of digit- al content on the internet; hosting the websites of others on a computer server for a global computer network; computer services, namely, creating indexes of information available on computer networks;] providing information via the tele- phone and the global communication networks inthe field of information techno- logy; consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others; [installation, main- tenance and repair of computer software;] technical project planning services related to telecommunications equipment; providing information at the specific
providing temporary use of online non-downloadable telecommunications soft- ware for providing multiple user access to the global computer network

U.S. Registration No.	3608191	Application Date	01/11/2008
Registration Date	04/21/2009	Foreign Priority Date	07/12/2007
Word Mark	T MOBILE		
Design Mark	•••	Mol	oile-
Description of Mark	The mark consists of a mage thesmall squares and the lette guage "MOBILE."	er "T" and the color b	lack appearing in the lan-
Goods/Services	atus and instruments, all for u producing sound, images or o cessors and computers, nam central processors; computer puter interface apparatus, nau databases for use in operatin systems and related instruction namely, software used for the for network access control, cr grams for accessing a global munications network; audio, v digital and analogue signal tra telephone transmitters, receiving telephone systems and answ receiving and storage appara change of data images and m netically encodedtelephone c cing equipment, namely, telep audiovisual teaching equipment telephone switch works, telephone wires, telephone size	easuring, signaling, o ise with telecommuni data, magnetic and op ely, microcomputers, s and instructional me mely, computer mode g telecommunication on manuals sold as a provision of online in eating and maintainin computer network ar video and data comm ansmitters, receivers vers and servers, stat ering machines, telec tus, electronic mail a nessages, remote cor alling cards and blan obones, telephone se ent, namely, multimed es, telephone answe rinters, radio telephone	controlling and teaching appar- cations, namely, apparatusfor bical data carriers, data pro- minicomputers and computer anuals sold as a unit; com- ems, computer programs and s and business management unit; computer programs, nformation services, software ng firewalls; computer pro- nd interactive computer com- unications systems, namely, and converters, radio and ionary, wireless and cellular ommunication transmission, pparatus for electronic ex- ntrolsand set-top units; mag- k smartcards; teleconferen- ets with screen and keyboard; [dia projectors; intercoms;] ring machines telephone net-

wireless and cellular telephones, pagers, portable computer devices, namely,
mice; personal communications equipment, namely, personal digital assistants (PDA), calculators and related computer peripherals

U.S. Registration No.	3582357	Application Date	01/11/2008
Registration Date	03/03/2009	Foreign Priority Date	07/12/2007
Word Mark	T MOBILE		
Design Mark	• • T •	Mol	oile-
Description of Mark	The mark consists of a mage thesmall squares and the lette guage "MOBILE".		
Goods/Services	Class 038. First use: First Use	e: 0 First Use In Com	merce: 0
	equipment for transmitting,rea grams for use in operating an ing access to computer inform	formation, images, si s, audio, videoand in tion networks; provide unications network; e the recording and su e; audio and video tel namely, equipment for equipment for transr formation, images, s ceiving, [recording an d accessing telecom nation networks; pers tronic mail services; t	gnals, messages and trans- formation via telephone, tele- ing telecommunications con- lectronic mail, voice mail and ibsequent transmission of econferencing; rental of tele- or electronic access to global nitting, receiving, recording ignals and messages; rental of nd monitoring computer pro- munications systems;] provid- conal communications ser- ransmission and broadcast of

U.S. Registration No.	3608189	Application Date	01/11/2008
Registration Date	04/21/2009	Foreign Priority Date	07/12/2007
Word Mark	T MOBILE		
Design Mark	••• T •• Mobile•		
Description of Mark	The mark consists of a magenta background with the color white appearing in thesmall squares and the letter "T" and the color black appearing in the language "MOBILE."		
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0		merce: 0
	Computer programming services for others, namely, developing data processing programs for others; consulting in the field of telecommunication; rental of com-		

puter software and hardware for online access; development and creation of data processing programs; professional consultancy in the field of data processing; [web page hosting services;] operating electronic information networks; consulting and design services in the field of information technology,
computer programming, telecommunications and global communication net- works; installation, maintenance and repair of computer software

U.S. Registration No.	3545971	Application Date	10/23/2007
Registration Date	12/16/2008	Foreign Priority Date	04/24/2007
Word Mark	T-SYSTEMS	-	
Design Mark	•••• T ••Systems•••		
Description of Mark	The mark consists of a rectangular light-grey box containing a magenta "T", theword "Systems" in dark-grey, and laterally aligned, square-shaped magenta dots.		
Goods/Services	for producing sound, images data processors; computers, central processors, computer als, computer memories, com puter dot matrix printers, com computer memory hardware; interface boards, computer m parts thereof;] computersoftw tions and business managem as a unit; computer software formation services in the field and finance, weather and trav trolling access and alarm mon properties, billing analysis, ne taining firewalls; computer so network and interactive comp as a component of fiber optic al character readers; optical b optic transmitters for radio,tel optical signal processors; opt ors; optical amplifiers; optical communications field, and pa communication audio, video a and analogue signal transmitt phone, audio, video; radio an and servers for telephone, audio	measuring, signaling, or use with telecomm or data; blank magne namely, microcomput monitors, computer nputer laser printers, o puters and instructio computer interface a nouse and mouse pace vare programs for us ent systems and relat forfinancial accountin of news, sports, enter vel, network manager network access control ftware programs for a puter communications al cables; fiber optic plank discs; optical gl ephone; optic receive ic telecommunication character recognition rts thereof; telephone and data communication d telephone transmit idio,video; telephone and automatic signal all apparatus for elect all apparatus for elect all apparatus for elect all awire; electrical wire circuits; circuit break	controlling and teachingap- nunications, namely, apparatus etic and optical data carriers; ters, minicomputers, computer keyboards, computer termin- computer impact printers, com- nal manuals sold as a unit; apparatus, namely, computer d, computer peripherals and e in operating telecommunica- ated instruction manuals sold ng, for the provisionof online in- ertainment, culture, business ment, computer proxy, for con- artments, buildings and other l and for creating and main- accessing a global computer s networks; [optical fiberssold cables; optical scanners; optic- ass for signal transmission; ers for telephone, audio, video; ns switches; optical attenuat- n apparatus,for use in the tele- e local area networks; tele- tions systems, namely, digital onverters for use with tele- ters; communication receivers answering machines; tele- nely, caller identification boxes, ed relays, audio/video signal ing and control equipment, radio pagers; intercoms; fac- tronic exchange of data im- e connectors; integrated cir- ters; printed circuit

conductors; electrical fuses; electric luminescent display panels; electrical switch plates; electric plugs; electric coils; antennas; electrical cables; computer cables; computer touffers; blank computer discs; blank computer floppy disks; computer hard discs; acoustic conduits; electrical conduits; fiber optic conduits and parts thereof; compactdisc players; audio and video tape recorders; audio and videotape players; audio and videotapes, cassettes, discs and microfiche; audio and video tapes, cassettes, discs and microfiche featuring information concerning telecommunications, and concerning personal and business managementsystems;] audio and video recordings in the field of telecommunications, information technology and safety; [television and television peripheral equipment, namely, cameras, set top boxes, remote control units for interactive and non-interactive use; video monitors; automatic vending machines and timing mechanisms therefor and parts thereof; machine readable, magneticas; blank smart cards; magnetic coded card readers; data processors and readers; word processors; microprocessors; electronic encryption units; demagnetizers for magnetic tapes and parts thereof; computer, data and video networkingand conferencing equipment, namely, teleconferencing equipment and audiovisual teaching equipment in the nature of overhead film, photographic and slide projectors; projection screens; computer basedinformation display equipment, namely, computers which display information on an overhead screen; portable devices, namely, laptops, handheld and pocket computers, wireless fax machine; election screens; computer basedinformation display equipment, namely, computers which display information on an overhead screen; portable devices; namely, laptops, handheld and pocket computers, wireless fax machine; projection screens; computer basedinformation display ecomputer, lausis, calculators and related peripheral; satellite processors, satellite and satellite communications equipment, namely, computers which d	
DOODES	plates; electric plugs; electric coils; antennas; electrical cables; computer cables; computer chips; silicon chips;chronographs for use as specialized time recording apparatus; computer buffers;blank computer discs; blank computer floppy disks; computer hard discs; acoustic conduits; electrical conduits; fiber optic conduits and parts thereof; compactdisc players; audio and video tape recorders; audio and videotape players; audio and videotapes, cassettes, discs and microfiche; au- dio and video tapes, cassettes, discs and microfiche featuring information con- cerning telecommunications, and concerning personal and business manage- mentsystems;] audio and video recordings in the field of telecommunications, information technology and safety; [television and television peripheral equip- ment, namely, cameras, set top boxes, remote control units for interactive and non-interactive use; video monitors; automatic vending machines and timing mechanisms therefor and parts thereof; machine readable, magnetically en- coded cards, namely,prepaid telephone calling cards and credit cards; blank smart cards; magnetic coded card readers; data processors and readers; word processors; microprocessors; electronic encryption units; demagnetizers for magnetic tapes and parts thereof; lasers not for medical use; light emitting di- odes; light emitting diode displays; computer, data and video networkingand conferencing equipment, namely, teleconferencing equipment and audiovisual teaching equipment in the nature of overhead film, photographic and slide pro- jectors; projection screens; computer basedinformation display equipment, namely, computers which display information on an overhead screen; portable devices, namely, laptops, handheld and pocket computers, wireless fax ma- chines; personal communications both stationary and moveable; computer game programs for children and adults; video and computer game cartridges;] audio and video recordings in the field of [news, sports, entertainment, culture,] busi- ness and finance

U.S. Registration No.	3545974	Application Date	10/23/2007
Registration Date	12/16/2008	Foreign Priority Date	04/24/2007
Word Mark	T-SYSTEMS		
Design Mark	•••• T ••Systems•••		
Description of Mark	The mark consists of a rectangular light-grey box containing a magenta "T", theword "Systems" in dark-grey, and laterally aligned, square-shaped magenta dots.		
Goods/Services	Class 038. First use: First Use: 0 First Use In Commerce: 0		
	Telecommunication and information technology services, namely, electric, digit- al, cellular and wireless transmission ofvoice, data, information images, signals and messages and transmission of voice, data, images, audio, video and inform- ation via telephone, television and global communication networks; providing		

telecommunications connections over a globalcommunications network, elec- tronic store-and-forward messaging; [rental of telecommunications equipment, namely, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, in- formation images, signals, messages comprised of data and word processors, and telecommunications hardware components and peripherals thereof for use in the telecommunications industry, and rental of equipment for transmitting, re- ceiving, recording and monitoring computer programs for use in operating and accessing telecommunications systems; audio and video broadcasting; provid- ing multiple-user dial-up and dedicated access to the internet;] personal com- munications services;[pager services;] transmission and broadcast of audio and video programming; leasing of telecommunications equipment, components and systems; providing information via the telephone and the global communica- tion networks in the field of telecommunications; consulting in the field of tele-

	1	1	
U.S. Registration No.	3662562	Application Date	04/17/2008
Registration Date	08/04/2009	Foreign Priority Date	10/19/2007
Word Mark	T SYSTEMS		
Design Mark	•••• T ••Systems•••		
Description of Mark	The color magenta appears in the letter"T" and in the squares. The color dark grey appears in the wording "SYSTEMS". The color light grey appears in the rectangular box surrounding the mark.		
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0		
	Scientific research; technological research and design services in the fields of information technology, computer programming, telecommunications technology and global communication network technology; industrial analysis and research services in the fields of information technology, computer programming, tele- communications technology and global communication network technology; design and development of computer hardware, software anddatabases; main- tenance of computer software; technical consultancy in the fields of information technology, computer programming, telecommunications technology, computer programming, telecommunications technology, somputer programming, telecommunications technology, computer software; technical consultancy in the fields of information technology, computer programming, telecommunications technologyand global communication network technology; rental of data processing equipment; web- site design for others		

U.S. Registration No.	3662468	Application Date	01/04/2008
Registration Date	08/04/2009	Foreign Priority Date	NONE
Word Mark	T SYSTEMS		
Design Mark	•• T •	Syst	ems
Description of			the color magenta appearing

1			
	language "SYSTEMS".		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0		
	Electric, electronic, optical, measuring, signaling, controlling and teaching appar- atus and instruments, all for use with telecommunications, namely, apparatusfor producing sound, images or data, magnetic and optical data carriers, data pro- cessors and computers, namely, microcomputers, minicomputers and computer central processors; computers and instructional manuals sold as a unit; com- puter interface apparatus, namely, computer modems, computer programs and databases for use in operating telecommunications and business management systems and related instruction manuals sold as a unit; computer programs, namely, software used for the provision of online information services, software for network access control, creating and maintaining firewalls; computer pro- grams for accessing a global computer network and interactive computer com- munications network; audio, video and data communications systems, namely, digital and analogue signal transmitters, receivers and converters, radio and telephone transmitters, receivers and servers, stationary, wireless and cellular telephone systems and answering machines,telecommunication transmission, receiving and storage apparatus, electronic mail apparatus for electronic ex- change of data images and messages, remote controlsand set-top units; mag- netically encodedtelephone calling cards and blank smartcards; teleconferen- cing equipment, namely, telephones, telephone sets with screen and keyboard, video cameras; audiovisual teaching equipment, namely, multimedia projectors, video cameras; intercoms; telephone, telephone switches, telephone answering machines, telephone networks, telephone wires, telephone answering machines, telephone networks, telephone wires, telephone units and audio operated relays; wirelessand cellular telephones and pagers; person- al communications equipment, namely, personal digital assistants (PDA), calcu- lators and related peripherals		

r				
U.S. Registration No.	3656496	Application Date	01/04/2008	
Registration Date	07/21/2009	Foreign Priority Date	NONE	
Word Mark	T SYSTEMS			
Design Mark	• T • Systems•			
Description of Mark	The mark consists of a light grey background with the color magenta appearing in seven small squares and the letter "T"and the color dark grey appearing in the language "SYSTEMS".			
Goods/Services	Class 038. First use: First Use: 0 First Use In Commerce: 0			
	Telecommunications services, namely, electric, digital, cellular and wireless transmission of voice, data, information, images, signals, messages and trans- mission of voice, data, images, audio, videoand information via telephone, tele- vision and global communication networks; providing telecommunications con- nections over a global communications network; electronic mail, voice mail and messaging services, namely, the recording and subsequent transmission of voice messages by telephone; audio and video teleconferencing; rental of tele- communications network, equipment for electronic access to global telecommunications network, equipment for transmitting, receiving, recording and monitoring voice, data, information, images, signals and messages; rental of			

equipment for transmitting, receiving, recording and monitoring computer pro- grams for use in operating and accessing telecommunications systems; provid- ing access to computer information networks; personal communications ser- vices; pager services; electronic mail services; transmission and broadcast of audioand video programming; providing multiple-user access to a global com- municationnetwork
--

U.S. Registration No.	3662470	Application Date	01/04/2008	
Registration Date	08/04/2009	Foreign Priority Date	NONE	
Word Mark	T SYSTEMS	-		
Design Mark	• T • Systems•			
Description of Mark	The mark consists of a light grey background with the color magenta appearing in seven small squares and the letter "T"and the color dark grey appearing in the language "SYSTEMS".			
Goods/Services	Class 042. First use: First Use: 0 First Use In Commerce: 0			
	Computer programming services for others, namely, development of data pro- cessing programs for others; rental of software and hardware for online access; services of an internet trust center, namely, assurance and administration of di- gital keys and/or digital certificates; development of data processing programs by order for third parties; web page hosting services; consulting and design ser- vices in the field of information technology, computer programming, telecommu- nicationstechnology and global communication networks; installation, mainten- ance and repair of computer software			

Attachments	76252927#TMSN.png(bytes)
	74720652#TMSN.png(bytes)
	78693802#TMSN.png(bytes)
	78693813#TMSN.png(bytes)
	74720656#TMSN.png(bytes)
	78693688#TMSN.png(bytes)
	78693698#TMSN.png(bytes)
	77364668#TMSN.png(bytes)
	77364649#TMSN.png(bytes)
	77364641#TMSN.png(bytes)
	77307271#TMSN.png(bytes)
	77307277#TMSN.png(bytes)
	77415214#TMSN.png(bytes)
	77307280#TMSN.png(bytes)
	77415184#TMSN.png(bytes)
	75095186#TMSN.png(bytes)
	75093051#TMSN.png(bytes)
	75095185#TMSN.png(bytes)
	76166309#TMSN.png(bytes)
	77311132#TMSN.png(bytes)
	77311219#TMSN.png(bytes)
	77311144#TMSN.png(bytes)

77369466#TMSN.png(bytes)
77369381#TMSN.png(bytes)
77369351#TMSN.png(bytes)
77311520#TMSN.png(bytes)
77311529#TMSN.png(bytes)
77450737#TMSN.png(bytes)
77364393#TMSN.png(bytes)
77364412#TMSN.png(bytes)
77364493#TMSN.png(bytes)
Notice of Opposition - T TESTING ANYWHERE.pdf(167638 bytes)

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	/Michael D. Adams/
Name	Michael D. Adams
Date	11/09/2015

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

In the matter of trademark application Ser Filed: November 24, 2014 TESTING For the mark: Published in the Official Gazette on: May		
DEUTSCHE TELEKOM AG,)	
Opposer,)	
V.)	Opposition No.: Pending
AUTOMATION ANYWHERE, INC.)	
Applicant.)	

NOTICE OF OPPOSITION

Opposer, Deutsche Telekom AG, believes that it is being and will be damaged by

registration of the mark **TESTING** in Serial No. 86/463,378 for use in connection with computer software and related services in International Classes 09 and 42. Accordingly, Deutsche Telekom AG hereby opposes Serial No. 86/463,378 pursuant to Section 13(a) of the Trademark Act of 1946, as amended (the Lanham Act), 15 U.S.C. § 1063(a).

The Parties and the Marks

1. Deutsche Telekom AG is a corporation organized under the laws of the Federal Republic of Germany, with its principal place of business located at Friedrich-Ebert-Allee 140, Bonn, Germany 53113.

2. Deutsche Telekom AG and its affiliates, including T-Mobile USA Inc., T-Venture, T-Systems, N.A., and Telekom Innovation Laboratories (collectively, "DTAG") comprise one of the world's largest providers of telecommunication and information technology goods and services. DTAG offers a broad range of goods and services—including computer application software for mobile phones, and consulting and hosting services related to software applications—under DTAG's family of "T" marks, including the letter "T" itself, the "T" logo, "T-MOBILE," "T-SYSTEMS," and other "T" formatives (collectively, the "DTAG Marks"). In this regard, DTAG has extensively used and promoted the DTAG Marks in domestic and international commerce. Many of the DTAG Marks are registered trademarks (the "DTAG Registered Marks"). The DTAG Marks have been widely used and/or registered by DTAG on a worldwide basis for many years in a stand-alone form, as a stand-alone design element, in combination with additional words, numbers, designs and/or device elements, colored, and in black and white. (*See* Exhibit A for a non-exhaustive, representative sample of the DTAG Registered Marks in the United States). As a result of this extensive use, advertising, and promotion, the DTAG Marks have become well-known as distinctive indicators of the origin of DTAG's goods and services and have become valuable symbols of DTAG's goodwill.

3. The DTAG Marks constitute a series or family of marks that are owned by and are in the name of DTAG or its affiliates, are well-known trademarks, and are subject to a number of trademark applications and registrations worldwide, many of which are now incontestable under 15 U.S.C. § 1065.

4. On information and belief, applicant Automation Anywhere, Inc. ("Applicant") is a California corporation with a business address at 2580 N. 1st Street, Suite 460, San Jose, California 95131.

5. On November 24, 2014, Applicant filed U.S. Application Serial No. 86/463,378 (hereinafter, the "T Testing Anywhere Application") under Section 1(a) for the mark depicted below (hereinafter, the "T Testing Anywhere Mark"):



6. The dominant element of the T Testing Anywhere Mark is the letter "T." Indeed, the letter "T" is pronounced and larger than the words "Testing" and "Anywhere." Moreover, the Applicant has disclaimed the descriptive word "Testing."

7. Likewise, in the DTAG Marks, the letter "T" is the dominant—and often sole literal element. Accordingly, the T Testing Anywhere Mark is highly similar or identical to the DTAG Marks in sight, sound, and commercial impression.

8. Also, the T Testing Anywhere Application covers a variety of goods and services, including: "Computer software development tools; Computer software for application and database integration; Computer software for computer system and application development, deployment and management; Computer software, namely, software development tools for the creation of mobile internet applications and client interfaces; computer software platforms for software testing and test automation" in International Class 09; and "Consulting services for others in the field of software testing and test automation; Software as a service (SAAS) services, namely, hosting software for software testing and test automation" in International Class 42. These goods and services are highly similar or identical to goods and services offered by DTAG under the DTAG Marks.

<u>Likelihood of Confusion with DTAG's Prior Registrations</u> (Section 2(d), 15 U.S.C. § 1052(d))

9. DTAG repeats and re-alleges each and every allegation set forth in Paragraphs 1-

8.

10. The T Testing Anywhere Mark is predominated by a "T" that is highly similar, if not identical, to the "T" in many of the DTAG Registered Marks. *See* Exhibit A. Moreover, the words "Testing Anywhere" do not diminish the similarities between the T Testing Anywhere Mark and the DTAG Registered Marks. First, the word "Testing" is a common, descriptive word, and Applicant has disclaimed any exclusive rights to that word. Second, both the words "Testing" and "Anywhere" are understated in comparison to the pronounced "T." Accordingly, considering the primacy and predominance of the letter "T" in the T Testing Anywhere Mark, the T Testing Anywhere Mark is highly similar or identical to the DTAG Registered Marks in appearance and commercial impression, and consumers will mistakenly believe that the T Testing Anywhere Mark is another member of DTAG's family of "T" marks.

11. The highly similar or identical nature of the parties' respective marks is particularly pronounced given that many of the goods and services claimed in the T Testing Anywhere Application are highly similar or identical to goods and services covered by the DTAG Registered Marks. Indeed, DTAG's registrations for the DTAG Registered Marks cover numerous goods and services that encompass and overlap with Applicant's claimed goods. For example, U.S. Reg. No. 3216527 for DTAG's T mark covers "application service provider, namely, hosting computer software applications for others, hosting of digital content on the internet," and "consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others" in International Class 42. See also Exhibit <u>A</u>. Likewise, many of the DTAG Registered Marks cover computer software in International

Class 09, which are highly related to the goods claimed in the T Testing Anywhere Application. *See, e.g.*, U.S. Reg. No. 3452974 covering "*telecommunications software, namely* . . . *computer application software for mobile phones*." *See also* Exhibit A. As a result, the parties' goods and services, as well as the relevant consumers and channels of trade, are highly similar or identical.

12. DTAG's rights in the DTAG Registered Marks date back to at least as early as 1995 (*see, e.g.*, U.S. Reg. Nos. 2472584 and 2508277), and DTAG has used the DTAG Registered Marks in U.S. commerce since that time. On the other hand, the T Testing Anywhere Application was filed on November 24, 2014 under Section 1(a), claiming a first use in commerce date of June 5, 2014 for all goods and services. Therefore, DTAG has priority based on its senior use of the DTAG Registered Marks and its valid and subsisting registrations for the DTAG Registered Marks.

13. On information and belief, Applicant adopted the T Testing Anywhere Mark years after DTAG's established use and promotion of the DTAG Registered Marks in connection with its goods and services in the United States.

14. Applicant's junior use of a highly similar or identical trademark in connection with highly similar or identical goods and services overlaps and duplicates the distinctive DTAG Registered Marks and will inevitably lead consumers to mistakenly believe that DTAG is the source of Applicant's goods and services and that Applicant is affiliated with, endorsed by, or sponsored by DTAG, all in violation of DTAG's rights in the DTAG Registered Marks.

15. For the foregoing reasons, DTAG believes and alleges that it is being and will be damaged by the registration of the T Testing Anywhere Application.

16. Accordingly, the T Testing Anywhere Application should be refused pursuant to 15 U.S.C. § 1052(d).

<u>Likelihood of Confusion with DTAG's Common Law Rights</u> (Section 2(d), 15 U.S.C. § 1052(d))

17. DTAG repeats and re-alleges each and every allegation set forth in Paragraphs 1-16.

18. DTAG uses the DTAG Marks in connection with a vast array of goods and services related to telecommunications, information technology, mobile devices and related software. Based on DTAG's widespread and continuous use of the DTAG Marks in U.S. commerce, the DTAG Marks clearly and unmistakably indicate to consumers that DTAG is the one and only source of such goods and services. Accordingly, DTAG owns strong common law trademark rights in its DTAG Marks, and DTAG has not abandoned these common law rights.

19. The T Testing Anywhere Mark is predominated by a "T" that is highly similar, if not identical, to the "T" in many of the DTAG Marks. *See* Exhibit A. Moreover, the words "Testing Anywhere" do not diminish the similarities between the T Testing Anywhere Mark and the DTAG Registered Marks. First, the word "Testing" is a common, descriptive word, and Applicant has disclaimed any exclusive rights to that word. Second, both the words "Testing" and "Anywhere" are understated in comparison to the pronounced "T." Accordingly, considering the primacy and predominance of the letter "T" in the T Testing Anywhere Mark, the T Testing Anywhere Mark is highly similar to the DTAG Marks in appearance, sound, and commercial impression, and consumers will mistakenly believe that the T Testing Anywhere Mark is another member of DTAG's family of "T" marks.

20. The highly similar or identical nature of the parties' marks is particularly pronounced given the nature of the goods and services claimed in the T Testing Anywhere Application. As a result, the parties' goods and services, as well as the relevant consumers and channels of trade, are highly similar or identical.

21. DTAG's rights in the DTAG Marks date back to at least as early as 1995. Therefore, DTAG's rights in the DTAG Marks are senior to the filing date of the T Testing Anywhere Application (*i.e.*, November 24, 2014) and the claimed first use in commerce date of the T Testing Anywhere Application (*i.e.*, June 5, 2014).

22. On information and belief, Applicant adopted the T Testing Anywhere Mark years after DTAG began using the DTAG Marks in the United States.

23. Applicant's junior use of a highly similar trademark for use in connection with highly similar or identical goods and services overlaps and duplicates the DTAG Marks and will inevitably lead consumers to mistakenly believe that DTAG is the source of Applicant's goods and services and that Applicant is affiliated with, endorsed by, or sponsored by DTAG, all in violation of DTAG's rights in the DTAG Marks.

24. For the foregoing reasons, DTAG believes and alleges that it is being and will be damaged by the registration of the T Testing Anywhere Application.

25. Accordingly, the T Testing Anywhere Application should be refused pursuant to 15 U.S.C. § 1052(d).

WHEREFORE, DTAG respectfully requests that judgment in the present opposition be entered in favor of DTAG and against Applicant and that Serial No. 86/463,378 be refused registration due to likelihood of confusion.

Respectfully submitted,

DEUTSCHE TELEKOM AG

By: /Michael D. Adams/ Michael D. Adams Steven Yovits Guy W. Barcelona Jr. MAYER BROWN LLP P.O. Box 2828 Chicago, IL 60690-2828 (312) 701-8713

Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that, on the 9th day of November, 2015, the foregoing Notice of Opposition was sent via electronic mail and overnight courier to Applicant's listed Attorney/Correspondent at the address below:

> Ms. Simron K. Gill, Esq. Hanson Bridgett LLP 425 Market Street, Floor 26 San Francisco, CA 94105-5401 sgill@hansonbridgett.com

> > By: /Michael D. Adams/ Michael D. Adams Steven Yovits Guy W. Barcelona Jr. MAYER BROWN LLP P.O. Box 2828 Chicago, IL 60690-2828 (312) 701-8713

> > > Attorneys for Opposer

EXHIBIT A

Representative List of DTAG's U.S. Applications and Registrations

Mark	Serial/ Registration No.	Registration Date	Class(es)
Τ	76/252,927	n/a	9, 16, 35, 36, 38, 41, 42
Ŧ	2472584	7-31-2001	9, 36, 37, 38, 41
Ŧ	3221551	3-27-2007	35
Ŧ	3538688	11-25-2008	42
Ŧ··	2508277	11-20-2001	9, 16, 25, 36, 38, 42
Ŧ··	3153493	10-10-2006	35
Ŧ··	3216527	3-6-2007	42
····· T ···	3637434	6-16-2009	9
····· T ···	3578791	2-24-2009	38

Mark	Serial/ Registration No.	Registration Date	Class(es)
·····Ŧ··	3578790	2-24-2009	42
······Ŧ··	3452974	6-24-2008	9
······Ŧ··	3452979	6-24-2008	38
Ŧ	3601280	4-7-2009	42
······Ŧ··	3452981	6-24-2008	42
······Ŧ··	3594035	3-24-2009	35
Ŧ··Mobile·	2941016	4-19-2005	9, 16, 36, 37, 38, 41, 42
T-MOBILE	2911878	12-21-2004	9, 16, 36, 37, 38, 41, 42
T ・・System・	2460631	6-19-2001	9, 16, 36, 37, 38, 41, 42
T-Systems	3238547	5-8-2007	9, 16, 35, 36, 37, 38, 39, 42

Mark	Serial/ Registration No.	Registration Date	Class(es)
···· T ··Mobile···	3491692	8-26-2008	9
•••• T ••Mobile•••	3491696	8-26-2008	38
···· T ··Mobile···	3487674	8-19-2008	42
•• Ŧ••Mobile•	3608191	4-21-2009	9
•• Ŧ••Mobile•	3582357	3-3-2009	38
•• Ŧ••Mobile•	3608189	4-21-2009	42
•••• T ••Systems••••	3545971	12-16-2008	9
•••• T ••Systems••••	3545974	12-16-2008	38
••••• T ••Systems••••	3662562	8-4-2009	42
••• T •• Systems•	3662468	8-4-2009	9

Mark	Serial/ Registration No.	Registration Date	Class(es)
••• T •• Systems•	3656496	7-21-2009	38
••• T •• Systems•	3662470	8-4-2009	42