

ESTTA Tracking number: **ESTTA771105**

Filing date: **09/16/2016**

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	ADVANCED MICRO DEVICES, INC.
Granted to Date of previous extension	09/18/2016
Address	One AMD Place P.O. BOX 3453 Sunnyvale, CA 94088 UNITED STATES

Correspondence information	Bradley L. Cohn Attorney, Illinois Bar Member Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP 200 South Wacker Drive Suite 2900 Chicago, IL 60606 UNITED STATES pab@pattishall.com, blc@pattishall.com, lkn@pattishall.com, pam@pattishall.com, kep@pattishall.com Phone:312-554-8000
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Applicant Information

Application No	86791409	Publication date	03/22/2016
Opposition Filing Date	09/16/2016	Opposition Period Ends	09/18/2016
Applicant	UMBRA TECHNOLOGIES (HK) LIMITED Suite 2006, 20th Fl, Hua Qin Int'l Bldg. Hong Kong, HONG KONG		

Goods/Services Affected by Opposition

<p>Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Telecommunications hardware and software for the transmission of voice, data, audio, video, documents and images; downloadable electronic instructional materials, namely, manuals, guides, test materials, and magazines in the fields of network communications, and managing, operating and using communication networks; computer hardware and software for providing access to the Internet, telecommunication networks, and computer networks; communication computer terminals comprising hardware and software for providing video, audio, data, video game, documents, images, and telephone communications and/or transmissions; computer servers; communications servers; set-top boxes; software for transmitting, storing, managing and securing information, data, documents, voice, video and images; telecommunications hardware and software for accessing the Internet</p>
<p>Class 038. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Transmission services, namely, transmission of voice, audio, documents, visual images and data by telecommunications networks, wireless communication networks, the Internet, information services networks and data networks; providing access and telecommunications connections to the Internet, computer networks, computer applications,</p>

and computer databases; rental and leasing of communication equipment; Internet access services and consultation related thereto
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Grounds for Opposition

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

U.S. Registration No.	2749120	Application Date	07/13/1999
Registration Date	08/12/2003	Foreign Priority Date	NONE
Word Mark	GEODE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2000/06/20 First Use In Commerce: 2000/06/20 COMPUTER CHIPS AND MICROPROCESSORS		

Related Proceedings	91229867 and 91229869
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Attachments	Opposition against GEO-D Ser No 86791409.pdf(15284 bytes) Exhibit A - GEODE.pdf(61343 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Paul A. Borovay/
Name	Paul A. Borovay, Illinois Bar Member
Date	09/16/2016

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

In the Matter of Application Serial No. 86/791,409: GEO-D
Published on March 22, 2016, in International Classes 9 and 38

ADVANCED MICRO DEVICES, INC.,)	
)	
Opposer,)	
)	
v.)	Opp. No. _____
)	
UMBRA TECHNOLOGIES (HK) LIMITED,)	
)	
Applicant.)	

NOTICE OF OPPOSITION

Advanced Micro Devices, Inc. ("Opposer"), a California corporation located and doing business at One AMD Place, Sunnyvale, California 94088 believes it will be damaged by registration of the mark shown in intent-to-use Application Serial No. 86/791,409, and hereby opposes the same.

The grounds for the opposition are as follows:

1. Since long before the filing date of Applicant's application, Opposer has manufactured, distributed, advertised and sold computer-related products under the trademark GEODE.

2. Opposer has registered the mark GEODE in the United States Patent and Trademark Office, Registration No. 2,749,120, which registration issued on August 12, 2003, for "computer chips and microprocessors." A print-out from the United States Patent and Trademark Office records showing the current status of this registration is attached hereto as Exhibit A. Opposer filed the application to register GEODE on July 13, 1999, and Opposer first used the GEODE mark in commerce on or about June 20, 2000.

3. Opposer has sold millions of dollars' worth of products under the mark GEODE throughout the United States and has spent substantial sums advertising and promoting its GEODE mark throughout the United States.

4. By virtue of its extensive sales, advertising and promotion, Opposer now owns common law rights and valuable goodwill symbolized by its GEODE mark, in addition to its registration of GEODE, as noted above.

5. On October 19, 2015, Applicant filed Application Serial No. 86/791,409 ("the Opposed Application") to register the mark GEO-D for the following goods in International Class 9 and services in International Class 38:

"Telecommunications hardware and software for the transmission of voice, data, audio, video, documents and images; downloadable electronic instructional materials, namely, manuals, guides, test materials, and magazines in the fields of network communications, and managing, operating and using communication networks; computer hardware and software for providing access to the Internet, telecommunication networks, and computer networks; communication computer terminals comprising hardware and software for providing video, audio, data, video game, documents, images, and telephone communications and/or transmissions; computer servers; communications servers; set-top boxes; software for transmitting, storing, managing and securing information, data, documents, voice, video and images; telecommunications hardware and software for accessing the Internet" in International Class 9; and

"Transmission services, namely, transmission of voice, audio, documents, visual images and data by telecommunications networks, wireless communication networks, the Internet, information services networks and data networks; providing access and telecommunications connections to the Internet, computer networks, computer applications, and computer databases; rental and leasing of communication equipment; Internet access services and consultation related thereto" in International Class 38.

Applicant's application was filed on an intent-to-use basis, under § 1(b) of the Lanham Act.

6. Upon information and belief, neither Applicant nor any predecessor or related company of Applicant has any basis for claiming rights in the trademark GEO-D earlier than the filing date of the Opposed Application.

7. Applicant's proposed use of and application to register the mark GEO-D are without Opposer's consent.

8. Applicant's proposed use of and application to register GEO-D are likely to result in confusion, mistake or deception with Opposer's GEODE mark, or in the mistaken belief that Applicant or its GEO-D products are in some way legitimately connected with, licensed or approved by Opposer or related to Opposer's GEODE products.

WHEREFORE, registration by Applicant of GEO-D, as shown in Application Serial No. 86/791,409, would be damaging to Opposer.

Opposer submits the requisite filing fee of \$600. Please debit any deficiency or credit any overpayment to Deposit Account No. 16-0650. Please address all correspondence to Bradley L. Cohn, Pattishall, McAuliffe, Newbury, Hilliard & Geraldson LLP, 200 South Wacker Drive, Suite 2900, Chicago, Illinois 60606.

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON LLP

By: /Paul A. Borovay/
Bradley L. Cohn
Paul A. Borovay
200 South Wacker Drive, Suite 2900
Chicago, Illinois 60606

Attorneys for Opposer,
Advanced Micro Devices, Inc.

CERTIFICATE OF SERVICE

I, Paul A. Borovay, an attorney for Opposer, hereby certify that a copy of the foregoing **NOTICE OF OPPOSITION** was served upon Applicant's counsel, Jie (Lisa) Lo, Wilmer Cutler Pickering Hale Dorr LLP, 950 Page Mill Road, Palo Alto, California 94304, by first-class mail, on this 16th day of September, 2016, postage prepaid.

/Paul A. Borovay/

Exhibit A

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,749,120

United States Patent and Trademark Office

Registered Aug. 12, 2003

**TRADEMARK
PRINCIPAL REGISTER**

GEODE

NATIONAL SEMICONDUCTOR CORPORATION
(DELAWARE CORPORATION)
2900 SEMICONDUCTOR DRIVE
SANTA CLARA, CA 95051

FIRST USE 6-20-2000; IN COMMERCE 6-20-2000.

SER. NO. 75-749,616, FILED 7-13-1999.

FOR: COMPUTER CHIPS AND MICROPROCESSORS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

JOHN DWYER, EXAMINING ATTORNEY

1. The Post Registration "Maintenance Tab" has been temporarily disabled. It will return soon.

2. TSDR now displays information regarding [TM5 Common Status Descriptors](#).

STATUS

DOCUMENTS

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Mark: GEODE

No Image exists for this case.

US Serial Number: 75749616

Application Filing Date: Jul. 13, 1999

US Registration Number: 2749120

Registration Date: Aug. 12, 2003

Register: Principal

Mark Type: Trademark

**TM5 Common Status
Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the U.S. Patent and Trademark Office.

Status: The registration has been renewed.

Status Date: Nov. 01, 2013

Publication Date: May 20, 2003

Mark Information

Mark Literal Elements: GEODE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

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

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

For: COMPUTER CHIPS AND MICROPROCESSORS

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 20, 2000

Use in Commerce: Jun. 20, 2000

Basis Information (Case Level)

Filed Use: No	Currently Use: Yes	A
Filed ITU: Yes	Currently ITU: No	I
Filed 44D: No	Currently 44D: No	A
Filed 44E: No	Currently 44E: No	A
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: ADVANCED MICRO DEVICES, INC.	
Owner Address: ONE AMD PLACE P.O. BOX 3453 SUNNYVALE, CALIFORNIA UNITED STATES 94088	
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Bradley L. Cohn	Docket Number: 00444-000.00
Attorney Primary Email Address: blic@pattishall.com	Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Bradley L. Cohn Pattishall, McAuliffe, Newbury, Hilliard & Gerald 200 South Wacker Drive, Suite 2900 CHICAGO, ILLINOIS UNITED STATES 60606	
Phone: (312) 554-8000	Fax: (312) 554-8015
Correspondent e-mail: blic@pattishall.com	Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 01, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Nov. 01, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	73376
Nov. 01, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	73376
Nov. 01, 2013	ASSIGNED TO PARALEGAL	73376

Jul. 11, 2013	REVIEW OF CORRESPONDENCE COMPLETE 70131 - INFORMATION MADE OF RECORD	
Jul. 11, 2013	REVIEW OF CORRESPONDENCE COMPLETE 70131 - SEE NOTE TO FILE	
Jul. 10, 2013	TEAS SECTION 8 & 9 RECEIVED	
Aug. 29, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Aug. 17, 2009	ASSIGNED TO PARALEGAL	70131
Aug. 12, 2009	TEAS SECTION 8 & 15 RECEIVED	
Jul. 16, 2008	CASE FILE IN TICRS	
May 05, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 12, 2003	REGISTERED-PRINCIPAL REGISTER	
May 20, 2003	PUBLISHED FOR OPPOSITION	
Apr. 30, 2003	NOTICE OF PUBLICATION	
Mar. 22, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 22, 2003	USE AMENDMENT ACCEPTED	
Dec. 23, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 30, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 09, 2001	LETTER OF SUSPENSION MAILED	
Mar. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 15, 2001	AMENDMENT TO USE PROCESSING COMPLETE	
Mar. 26, 2001	USE AMENDMENT FILED	
Mar. 21, 2000	LETTER OF SUSPENSION MAILED	
Jan. 24, 2000	EXAMINER'S AMENDMENT MAILED	
Jan. 12, 2000	ASSIGNED TO EXAMINER	76081
Dec. 20, 1999	ASSIGNED TO EXAMINER	75599

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Aug. 12, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Nov. 01, 2013

[Assignment Abstract Of Title Information - Click to Load](#)

[Proceedings - Click to Load](#)