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Proceeding	92049973	
Party	Defendant Ectaco Inc.	
Correspondence Address	Ectaco Inc. Att: David Lubinitsky 31-21 31st Street Long Island City, NY 11106 UNITED STATES david@ectaco.com	
Submission	Answer	
Filer's Name	er's Name Boris Krol	
Filer's e-mail	e-mail borisk@ectacoinc.com	
Signature	ature /Boris Krol/	
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31-21 31 Street, Long Island City, NY 11106 • Tel. (718) 728-6110 • Fax. (718) 728-4023 • WWW.ECTACO.COM • WWW.SPEECHGUARD.COM

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P.O. Box 1451 Alexandria, VA 22313-1451

Copy:

Mr. Roy Ching Merit Law Group PC 800 W. El Camino Real #180 Mountain View, CA 94040

Mailed: November 4, 2008 Cancellation No. 92049973 Registration No. 3015325

REGISTRANT'S ANSWER

for Petition for Cancellation

Preliminary Summary for Petition for Cancellation

Registrant agrees with paragraphs 1, 2, 20 of the Petition for Cancellation.

Registrant rejects the rest of the paragraphs of Petition for Cancellation.

Petition for Cancellation must be refused.

I. The Parties.

- 1. ECTACO Inc. ("Registrant") is a corporation with its office in New York, and it is the owner of the United States Trademark Registration No. 3,015,325, for LINGVOSOFT.
- On information from the Petitioner, ABBYY SOFTWARE LTD. ("Petitioner") is a Limited company, legally organized under the laws of Cyprus, and having its place of business at Stasikratous 29, Office 202, Nicosia, Cyprus, 1065.

II. Registrant's Mark and Goods.

- 3. Registrant produces, sells, and distributes translation software, language learning software, electronic voice recognition programs, electronic handheld dictionaries ("Registrant's Goods") among other products, both distributed internationally and within the United States.
 - 4. The Registrant is a well-known company in USA and on the world market of computer linguistic tutorials, software, and pocket electronic devices since 1990. In this field, the Registrant is the world leader, and is granted numerous awards, widely known among consumers, and has a stable excellent reputation.
 - 5. The Registrant is the owner of the United States Trademark Registration No. 3,015,325, for LINGVOSOFT with priority from July 30, 2004 and use in commerce at least May 5, 2004.
 - 6. The term LINGVOSOFT is a concocted word, so the mark LINGVOSOFT is a word invention trademark.
- 7. The Registrant is using the mark "LINGVOSOFT" by itself and along with the other terms and symbols, as trademarks ("Registrant's Marks") in the United States and in other countries (for example, see Exhibit 1, 2).

III. Petitioner's Mark and Goods.

- 8. On information from the Petitioner, it produces, sells, and distributes dictionaries and translation software, language learning software, electronic voice recognition systems, electronic handheld dictionaries ("Petitioner's Goods"), among other products, both distributed internationally and within the United States.
- 9. On information from the Petitioner it has used the mark "LINGVO" by itself and in conjunction with other terms and symbols, as trademarks ("Petitioner's Marks") in the United States at least as early as February 10, 1995.
- 10. In accordance to the Petitioner, Petitioner's Marks are distinctive for Petitioner's Goods and have substantial goodwill.

IV. Respond to the Petitioner's Claims.

A. Priority of Marks in USA

- 11. In accordance to the Petitioner, the Petitioner has been using Petitioner's marks, including those in connection with Petitioner's goods, prior to the Registrant's use of Registrant's mark. In acknowledgement of the above mentioned statement, the Petitioner presents an advertising list for ABBYY Company (Petitioner's Exhibit "A").
- 12. Registrant's performed Investigation of the Petitioner's Exhibit "A" doesn't show any proof, that the Petitioner is using the mark LINGVO or mark ABBYY LINGVO (Marks) in USA, and moreover, it doesn't prove that the Petitioner is using it since 1995.

- 13. On information and belief, there are many companies on the market that have **ABBYY** abbreviation or grapheme in their business name.
- 14. On information and belief, the developer of electronic dictionaries (programs for PC) is **ABBYY**, **Russian** company, (see Exhibit 3 and the translation of its fragment Exhibit 4) and one of its goods is electronic dictionary software **ABBYY LINGVO**.
- 15. On information and belief the above-mentioned electronic dictionary is not a device, it is a translating software program from one language to another.
- 16. On information and belief, the Petitioner **is not a Russian** company, because it is legally organized under the laws of Cyprus, with its business location at Stasikratous 29, Office 202, Nicosia, Cyprus, 1065.
- 17. On information and belief, (see above) the Petitioner is not considered to be the developer of the electronic dictionary **ABBYY LINGVO**.
 - 18. Therefore, Petitioner's claims are not based on any reasonable points.
- 19. In accordance to the Petitioner, Petitioner's use of Petitioner's marks preceded Registrant's use of Registrant's mark in the United States.
- 20. In accordance to the Petitioner, Petitioner's first use of Petitioner's Marks in connection with its goods preceded the first Registrant's use as for the indicated date.
- 21. As following from the Petitioner's Exhibit "B", under the agreement for assignment of rights, registered by Rospatent on March 28, 2006, under No. RD 0007692, NLS Technologies Limited assigned rights to trademarks Nos. 224996 and 280687 to company ABBYY Software Limited. As a result on March 28, 2006, the Petitioner was announced a legal owner of the trademark "LINGVO".
- 22. Petitioner's statement declared, that the Petitioner has used the mark "LINGVO" prior the Registrant's use of Registrant's Mark in the United States (at least May 10, 2004), it means, that it happened before he became a rightholder of the mark "LINGVO" under the agreement for assignment of rights, registered by Rospatent on March 28, 2006, it is a proof that, the Petitioner broke the rights of the rightholder of the mark "LINGVO", to be exact, the rights of NLS Technologies Limited.
 - 23. Therefore, Petitioner's claims are not reasonable at this point as well.

- 24. Petitioner's statement that the Registrant was aware of Petitioner's marks prior to its application for the Registration and all statements connected with Petitioner's claims are not based on any reasonable points (see above). Moreover, the information of the existence of the registered trademark in Russia came out to the Registrant's attention after the Company NLS Technology Ltd. appealed to Arbitrage Court, therefore, not earlier than February, 2006.
- 25. Registrant's additional investigation has proved that the Petitioner is an Applicant of the U. S. application for the Trademark "ABBYY LINGVO" (Serial Number 79050166 with Priority Date April 24, 2007) and the U. S. application for the Trademark "LINGVO" (Serial Number 77357275 with Priority Date December 20, 2007).
- 26. The Registrant considers that the **true reason** for the submission of the Petition for Cancellation is that, USPTO has refused the above mentioned applications.
- 27. On information and belief, the Petitioner's registration for the Trademark "ABBYY LINGVO" USPTO has been provisionally refused, in particular, as follows:

Disclaimer

Applicant must disclaim the descriptive wording "LINGVO" apart from the mark as shown. The wording is translated to mean "language" and is merely descriptive because it describes a feature of the goods and services, namely, goods and services offering language translation as an option. Trademark Act Section 6, 15 U.S.C. §1056; TMEP §§1213 and 1213.03(a). The word "lingvo" is translated to mean "language" which is defined as "the human use of spoken or written words as a communication system." Please see the attached definition from Wiktionary.com and Encarta® World English Dictionary, North American Edition, respectively.

The English translation of non-English wording in the mark that is descriptive, deceptively misdescriptive, geographically descriptive, or generic in connection with the identified goods or services, is an unregistrable component of the mark and is subject to a proper disclaimer requirement in the same way that the English version would be subject to a disclaimer. TMEP §1213.08(d).

The format for the disclaimer statement must refer to the actual non-English wording that appears in the mark, not the English translation of that wording. TMEP §1213.08(d). A properly worded disclaimer would thus read as follows:

No claim is made to the exclusive right to use "LINGVO" apart from the mark as shown.

- 28. The Registrant absolutely agrees with arguments stated in Examiner's position.
- 29. On information and belief, the Petitioner was **not using** its Mark along with all huge quantity of goods and services identified in its application, in spite of its representation to the USPTO.
 - 30. On information and belief, the Petitioner was aware that the above representations were false.
- 31. On information and belief, the Petitioner's registration for the Trademark "LINGVO" USPTO has been refused, in particular, as follows:

Section 2(e) (1) - Descriptive Refusal

Additionally, the examining attorney refuses registration on the Principal Register because the proposed mark merely describes the goods and services. Trademark Act Section 2(e) (1), 15 U.S.C. §1052(e) (1); TMEP §\$1209 et seq.

Facts

In the instant case, applicant proposes the mark LINGVO for use in connection with "Educational software featuring instruction in languages; Pocket translators; Pocket translators, electronic; Electronic pocket translators; Computer software for language translation and learning;" "Dictionaries;" and "Language translation; Language interpretation; language instruction; Translation; Translation services."

Analysis

A mark is merely descriptive under Trademark Act Section 2(e) (1), 15 U.S.C. §1052(e) (1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods and/or services. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984); *In re Bright Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP §1209.01(b). A mark that describes an intended user of a product or service is also merely descriptive within the meaning of Section 2(e)(1). *Hunter Publishing Co. v. Caulfield Publishing Ltd.*, 1 USPQ2d 1996 (TTAB 1986); *In re Camel Mfg. Co.*, *Inc.*, 222 USPQ 1031 (TTAB 1984); *In re Gentex Corp.*, 151 USPQ 435 (TTAB 1966).

Furthermore, the foreign equivalent of a merely descriptive English word is not registrable under Section 2(e)(1) because it too is considered merely descriptive. *In re Oriental Daily News, Inc.*, 230 USPQ 637 (TTAB 1986); *In re Geo. A. Hormel& Co.*, 227 USPQ 813 (TTAB 1985); *In re Optica International*, 196 USPQ 775 (TTAB 1977); TMEP §1209.03(g).

Here, the term "LINGVO" is translated to mean "language" in the Esperanto language. *See* Internet evidence attached. The word "language" is merely descriptive of applicant's goods and services. For example, applicant proposes the mark in connection with software featuring instruction in languages, dictionaries, presumably, language dictionaries, and language translation services. Based on the goods and services identified in the application, language is a feature of the goods and services.

As evidenced by the specimen of record, the applicant is providing goods and services featuring languages. Therefore, the proposed mark LINGVO is then the foreign equivalent of a merely descriptive English word and the proposed mark merely describes a main feature of the applicant's goods and/or services. Registration on the Principal Register must be refused under Trademark Act Section 2(e) (1).

- 32. The Registrant absolutely agrees with arguments stated in Examiner's position.
- 33. On information and belief, the Petitioner was not using its Mark along with all goods and services identified in its application, in spite of its representation to the USPTO.
 - 34. On information and belief, the Petitioner was aware that the above representations were false.
- 35. On information and belief, the Petitioner (Applicant of the trademark LINGVO) in its Response to the Office Action dated 10.01.2008 (further Response) contends that its Mark is not descriptive. In confirmation of the statement, the Petitioner states that the Petitioner has used its Mark since February 10, 1995.
 - 36. In the above statements, the Registrant considers that the Petitioner's claims are not reasonable.
 - 37. On information and belief, the Petitioner in its Response, referring to the website

http://esperantopanorama-net/vortaro/eoen.htm, contend that "lingvo" seems capable of being defined as "tongue".

However, the Registrant finds that in the same dictionary in the glossary-section http://esperanto-

<u>panorama.net/angla/vortaro.htm</u> contains 552 **most frequent** Esperanto words and morphemes, and the term "lingvo" is translated as "language".

- 38. On information and belief, the Petitioner in its Response, referring to two other dictionaries (**Itanda** and **Sonja's Dictionary** *see* web-pages attached in its Response), contends that in these two dictionaries the word "**lingvo**" was completely omitted. In accordance to the Petitioner, as it's following from the content, it has to be taken into the consideration in the evaluation of the descriptive character of the proposed LINGVO Mark.
- 39. On information and belief, the Petitioner was aware or should have known that the above representations were false. **Sonja's Dictionary** is a project: "especially interested in solving "difficult" translations and terminology, because simple Esperanto vocabulary can be easily found in many other dictionaries and textbooks; however, basic words are also important to be included" (*see* About the Dictionary).
 - 40. On information and belief, the Petitioner deliberately misleads USPTO.
- 41. In the contrary to the Petitioner's given information, the research, conducted by the Registrant, concludes, that by entering an English word "language" in the above-mentioned Sonja's Dictionary, after clicking the "Search" button, the **translation** in Esperanto language appears the term "lingvo", to be exact, also in combination with other words, and also **derivatives** from this term ("lingvo"), connected **namely with language**. (see Exhibit 5).
- 42. In the contrary to the Petitioner's given information, the research, conducted by the Registrant, shows, that entering of Esperanto term "lingvo" in the above-mentioned Sonja's Dictionary, and clicking the "Search" button, gives us its following: English equivalent of Esperanto term "lingvo" the term "language" and numerous names of different languages, that are used by different nations and in different countries, while the name of those languages in English language include in itself the term "language", and in the translation into Esperanto of the term "lingvo" is its equivalent (see Exhibit 6).
- 43. According to the above mentioned information, the Petitioner states that **Itanda** dictionary **doesn't have in its content** the term **"lingvo"**. In Petitioner's Response Exhibit (*see*) it is clearly shown, that entering the word "**lingvo**" in the upper window of the dictionary gives the following message in the lower window: "There were no results from your search".
 - 44. On information and belief, the Petitioner was aware or should have known that the above representations were false.
- 45. **Itanda** is an **English**-Esperanto Dictionary; accordingly, while searching for words from Esperanto language in **Itanda** dictionary, the word has to be entered as its English equivalent. Therefore, in order to find the word "**lingvo**", it is necessary to enter an English equivalent "**language**". The following procedure was performed by the

Registrant. As a result (*see* Exhibit 7) **Itanda** gave the following translation: **Language** - lingvo, **Language** (speech) - lingvajo.

- 46. On information and belief, the Petitioner deliberately misleads USPTO.
- 47. On information and belief, the Petitioner in its Response (*see*), referring to Webster's online dictionary (http://www.merriam-webster.com/dictionary), also noted USPTO's examiner that there is no definition for "lingvo" in Webster's online dictionary nor any reference to "lingvo" in Webster's definition of "language".
- 48. On information and belief, the Petitioner in its Response deliberately did not inform USPTO's examiner that on the mentioned website Esperanto word "lingvo" can not be found "in principle, because "lingvo" is not an English word. With the same success on the said site it would be possible to search Russian words, Japanese words, Chinese words etc.
- 49. On information and belief, the Petitioner in its Response deliberately didn't notify the USPTO's examiner that on the website http://www.merriam-webster.com/dictionary/language there is a definition of the word "language", but not its translation into Esperanto.
- 50. On information and belief, the Petitioner knew or should have known that the above representations in the content of the given issue about the trademark LINGVO were false.
- 51. In the contrary to the information given by the Petitioner, the investigation held by the Registrant, shows, that by means of Webster's online dictionary (http://www.websters-online-dictionary.org/translation/lingvo), we can enter Esperanto term "lingvo", click on it and get the English equivalent the term "language" and the term tongue (see Exhibit 8).
 - 52. On information and belief, the Petitioner deliberately misleads USPTO.
- 53. Such fact, that the Petitioner has found out only three dictionaries for his search of Esperanto term "lingvo" is a surprise (however, on information and belief, it is not a surprise, that the Petitioner has undertaken appropriate actions, as shown above, in order to present a fact that this term is not found in the above mentioned dictionaries).
- 54. **For information**: there is a great number of Esperanto Dictionaries as hand-held so as the on-line (*see* Exhibits 9, 10, 11, 12).
- 55. For information: the word LINGVO is a commonly used Esperanto term since 1887, as it is a part of the name of this Language: "Lingvo Internacia" ("International Language"), "Lingvo Esperanto", and moreover, it is a

part of the name of books and tutorials of the founder of Esperanto language doctor L.L. Zamengof (Exhibits 13, 14, 15).

- 56. **For information:** Esperanto language is used in many spheres of every day life, as well as in commerce (*see*, for example, http://www.uea.org/dokumentoj/terminaroj ekde 1980.html#ekonomiko%20kaj%20komerco, http://users.skynet.be/sky53810/E.htm).
- 57. For information: according to some researches (*see*, for example,

 http://esperantio.narod.ru/pasho1/mevkurt.htm) Esperanto language is spoken by up to several millions of people in more than 100 world countries. According to other researches (*see*, for example,

 http://interes.yugsegodnya.ru/content/view/1168/) there are from 2 to 20 million people who speak this language in the whole world.
- 58. **For information:** the term LINGVO, as well as its Cyrillic transliteration ЛИНГВО, are **generic descriptors** (Generic terms), meaning **generic denotation**.
- 59. For information: In International Esperanto language such words as: lingv-o-scienc-o (linguistics, science of language); lingv-o-scienc-a (linguistic); lingv-o-scienc-ul-o (linguist) contain term LINGVO, which is a generic descriptor, with the meaning of generic denotation.
- 60. For information: In such Russian terms like, лингвогеография (linguistic geography), лингвокриминалистика (linguistic criminalistics), лингвокибернетика (linguistic cybernetics) etc.; in such terms from interlinguistics (see "Theory and objectives of lingvodesigning" http://garshin.ru/linguistics/model/crealinguistics.html), аs лингвотехнология (linguistic technology), лингвопроектирование (linguistic designing) ect., ЛИНГВО also means a generic denotation, being a meaningful and lexical significant component of the whole complex of the compound terms, reflecting the names of complex science fields, one of the component of which is linguistics.
- 61. **For information:** the term LINGVO is a component part **of the name** of the suggested selling goods, referring to linguistics (*see*, for example, Exhibits 9-12, 16).
- 62. In Registrant's opinion the term LINVGO and its transliteration ЛИНГВО can not be used as a trademark in reference to the goods and services, connected with the linguistic field of science and technology, because as a **marking, originally** they **don't have any distinctive abilities**, due to their origin, to their semantic meaning, having the meaning of "language" first of all; due to their wide use by **different people**, due to the wide use of words with the bases **ling/lingy/лингв** (Exhibits 17,18,13,14,19); due to the wide use of word elements LINGVO/ЛИНГВО as a part

of name of different spheres of linguistic science. (*see above*); due to their wide use as a part of **the name** of International Esperanto language – **Lingvo Internacia**, **Lingvo Esperanto** (*see* Exhibits 13-15); due to the wide use of the word **lingvo** in Latin transliteration of the linguistic terms and the names of the linguistic science, written in Cyrillic, for example: **Lingvo**-stilisticheskie osobennosti...., **Lingvo**didakticheskii poisk..... ect., (*see http://catnyp.nypl.org*); due to their wide use for the **names of products**, for example, **лингво**анализатор (transliteration – **lingvo**analizator, translation – linguistic analyzers), dictionaries, programs, electronic dictionaries for the translation from Esperanto language into another languages and vise versa (Exhibits 9 – 12, 16); finally, due to the reason, that LINGVO and ЛИНГВО, – are generic descriptors, **generic words**, meaning **generic denotation**.

- 63. In Registrant's opinion, in comparison of word elements LINGVO/ЛИНГВО with the goods and services, connected with linguistic field of science and technology, it is obvious, that they refer to the **type**, **quality** and the **purpose** of goods and services, because the most **significant feature** of those goods and services is **language**.
- 64. In Registrant's opinion, concepts, featuring goods and services, referring to their **peculiarity**, also referring to their type, quality and purpose give the objective characteristics of the product but can not **individualize it**. Therefore, as **marking** they **are not able to differentiate** goods and services of one juridical and physical parties from the same goods and service of another juridical and physical parties
- 65. On information and belief, the Petitioner is intending to monopolize a **generic word, generic descriptor,** that is a well known and distinctive linguistic term **LINGVO**, with the meaning of **generic denotation language.**
- 66. On information and belief, the Petitioner acquires significant and unlawful advantages over his competitors in case of the registration for the trademark of the well known and distinctive linguistic term **LINGVO**.
- 67. On information and belief, the registration for the trademark of the well known and distinctive linguistic term LINGVO (as well as its transliteration ЛИНГВО) will injure the rights and legitimate interests of the uncertain circle of people.
- 68. On information and belief, the registration of a well-known and characteristic for linguistics of the term LINGVO (as well as its transliteration ЛИНГВО) as a trade mark contradicts to **public interests**.
- 69. Therefore, registration of a well known and distinctive linguistic term LINGVO (as well as its transliteration ЛИНГВО) as a trademark is not acceptable.

V. About Russian trademark LINGVO registration № 224996

- 70. On information and belief, "ECTACO-RD" LLC Company went to the Chamber of Patent Disputes (further Chamber) with the Petition, dated 05.04.2006 about admission of ineffective registration № 224996 for the trademark LINGVO due to reason that the registration was conducted with the violation of the points 1, 2 of the Article 6 and points 1, 2 of Article 7 of the Act of Russian Federation from September 23rd, 1992 № 3520-1 «About trademarks, service marks and names of places of the product origin» (further Act of TM)
- 71. On information and belief, on 01.12.2006 after the conclusion was made by the Chamber about the refusal of the Petition, "ECTACO-RD" LLC Company went to Arbitration Court of Moscow city with the petition for recognition of Chamber's conclusion to be ineffective (case № A40-15206/07-26-115).
- 72. On information and belief, during the process of the case, "ECTACO-RD" LLC Company referred Arbitrage Court to the fact that, the owner applying for the trademark gave false statements, representing the word LINGVO as a concocted word.
- 73. On information and belief, the owner of the trade mark LINGVO (further the owner) in support of the position that LINGVO is **not a term**, has presented the verbal elements LINGVO/ЛИНГВО by a sequence of graphemes (i.e. simple sequence of the letters *Petitioner's Comment*), which **are not included in the word structure of Russian** and **main European languages** (English, German, French, Italian, Spanish and Portuguese languages).
- 74. On information and belief, the Chamber supported the owner's statement, stating that the word "LINGVO" is not found in English-Russian, Italian-Russian, German-Russian, French-Russian, Spanish-Russian dictionaries (i.e. in the dictionaries oriented **for other purposes**, as for translation from the specified languages into Russian *Petitioner's Comment*), and as a lexical unit, the word "LINGVO" is found only in an artificial Esperanto language, with the meaning "language". The Chamber came to the conclusion that Esperanto can not be considered as a complete means of communication and that it's not capable of competing with the main European languages. On this basis the Camber drew a conclusion that for people who speak Russian and other above mentioned languages the word "LINGVO" is just a fantasized word with **unclear semantic meaning**.
- 75. On information and belief, the Petitioner conducted the same actions in order to show that the term **lingvo** is not found in the dictionaries (see above).
- 76. On information and belief, the Chamber make up an insecure precedent a priori **excluding** International Esperanto language from the **means of communication, communication and lexical inventory** while analyzing a word patterns of trademarks, that is against the Act of TM.

- 77. According to p. **3.2 (2)** «Regulation of Composing, Filing of Application for Registration of Trademark and Service mark" (approved by the Chairman of Rospatent on November 29th, 1995 with changes made according to the Law of Rospatent on December 19th 1997 #212, published in the Bulletin of Legislative Acts of Federal Organs of Executive Branch N3, February 1998) further Regulations, description of the declared definition is used for understanding of the essence of the declared definition, its **identification**. In the description there is a characteristic of the declared definition: its type (word, graphic etc.), description of its components, semantic meaning of the definition as a whole and of its parts (elements). In case the semantic meaning is not commonly used in Russian Language (for example, **special term**, historical name, archaism), then **its meaning is presented**. In case the semantic meaning is not presented in Russian language, then the **transliteration** with Russian letters and **translation into Russian languages** is presented, in case the definition has a **semantic meaning**.
- 78. On information and belief, the owner of the trademark LINGVO was aware that the above representation of the trademark LINGVO as a concocted word was false.
- 79. On information and belief, the owner of the trademark LINGVO was aware that the application filling with false statements is a fraud.
- 80. On information and belief, **due to** the fact that the owner of the trademark LINGVO hid the important information, such as "lingvo" is Esperanto term, meaning the term "language" in Russian, Patent Department ("Rospatent") registered the trademark "LINGVO", not excluding goods and services, connected with linguistic field of science and technology, as electronic dictionary, pocket electronic dictionaries, software (linguistic), programmed for computers, bureau of editing of materials and preparation for printing; translating services and etc., i.e. has given to mark "LINGVO" wider protection.
- 81. On information and belief, the owner of the trademark LINGVO, obtained it due to the false advantages over his competitors.
- 82. On information and belief, such actions of the owner of the trademark LINGVO are considered as **act of unfair competition**, contradicting to honest practice in industrial and trade dealing and are falling for the regulations of the Article 10 bis of Paris Convention for the Protection of Industrial Property according which: "Any act of competition contrary to honest practices in industrial or commercial matters constitutes an act of unfair competition".
- 83. On information and belief, at the moment of filling of application for the trademark LINGVO in Russian Federation there was a combined trademark LINGUA (registration № 179878), having the priority since 1998.01.06 (*see* Exhibits 20, 21 translation), earlier than priority of the trademark LINGVO (2000.08.23). The term "lingua" (*see*

Exhibit 11) in English language has an equivalent term "language" and in Esperanto has an equivalent term "lingvo", characteristic for linguistic branch of science and technology. As among the goods and services, for which marks the trademark LINGUA was intended, there were goods and services, characteristic for linguistic branch of science and technology, such as, for example, translating services (Cl. 42), term "lingua" was deduced by Patent Authority of Russian Federation ("ROSPATENT") from under protection, i.e. disclaimed (see Exhibits 20, 21 positions 526).

- 84. On information and belief, these goods and services (of the mark **LINGUA**) are **homogeneous to** goods and services, for identification of which there is a trademark **LINGVO**.
 - 85. On information and belief, the term "lingvo" is a simple translation of the term "lingua".
- 86. On information and belief, USPTO, having disclaimed the term "lingvo" in the trademark "ABBYY LINGVO", has acted in conformity with Trademark Act Section 6, 15 U.S.C. §1056; TMEP §§1213 and 1213.03(a) and Paris Convention for the Protection of Industrial Property, also, as well as "ROSPATENT", following the Regulations and Paris Convention, disclaimed the term "lingua" in the trade mark "LINGUA", as both terms express the same concept "language" and are descriptive in relation to the goods and services, characteristic for linguistic area of science and technology.
- 87. On information and belief, Arbitrage Court of Moscow city supported the decision of the Chamber and on 06.08.2007 made a decision in which the petition of "ECTACO-RD" LLC was refused.
- 88. On information and belief, by the court decision of the Ninth Arbitration Appeal Court from 16.10.2007 appeal complaints is returned in connection with the missing of term on submission of the appeal complaint and non-recognition of the valid reasons of the missing of term.
- 89. On information and belief, Definition of the Ninth Arbitration Appeal Court from 27.12.2007 appeal complaints is secondarily returned.
- 90. By the Legal Resolution of Federal Arbitration Court of the Moscow district from 18.03.2008 Definitions of the Ninth Arbitration Appeal Court from 27.12.2007 is left without change.
- 91. On information and belief, "ECTACO-RD" LLC Company has addressed to Supreme Arbitration Court of Russian Federation (further SAC), with complaint in which asked to cancel the challenged judicial acts, considering, that the trade mark "LINGVO" is registered with infringement of the law, and the challenged judicial acts break uniformity in application and interpretation of norms of the right.

- 92. On information and belief, SAC has accepted a DEFINITION № 9056/08 from August 04, 2008, in which has specified, that considers, that **there are bases for review of correctness of application of norms of the right** in Federal Arbitration Court of the Moscow district. SAC has determined case № A40-15206/07-26-115 of Arbitration Court of Moscow city to direct on consideration to Federal Arbitration Court of Moscow district for review of correctness of application of norms of the right in the order of cassation proceeding.
- 93. On information and belief, SAC in the Definition has specified, that in view of norms of Articles 6 and 7 Act of Russian Federation from 23.09.1992 N 3520-1 "About trade marks, service marks and names of places of an origin of the goods", Article 10 of Federal Act "About protection of a competition", Article 10 bis of the Paris Convention on Protection of the Industrial Property, positions of Presidium of Supreme Arbitration Court of Russian Federation stated in decrees from July 10, 2007 № 3246/07, from January 16, 2001 № 1192/00, from April 15, 2008 № 445/08, from November 8, 2006 № 8215/06, from July 18, 2006 № 3691/06, judicial practice stated in definition of Supreme Arbitration Court of Russian Federation from November 15, 2007. № 15321/07, court decision of the first instance require the answer about, whether the verbal designation "LINGVO" has distinctive ability in comparison with other words having a common base "ЛИНГВ" (for example, «ЛИНГВИСТИКа» translation linguistics), which are different only in their ending (LINGUA) or having the same semantic meaning (for example, «ЯЗЫКОЗНАНИЕ» translation linguistics), whether there are bases to recognize this designation as a concocted word, whether will entail behind itself a recognition by a unprotected element a designation "LINGUA" and, on the contrary, recognition by a protected element a verbal designation "LINGVO" infringement of the right of the owner on the earlier registered trade mark № 179878 with a verbal designation "LINGUA".
- 94. On information and belief, Federal Arbitrage Court of Moscow district has verified the legitimacy of the decision of the Arbitrage Court from August 06, 2007, within the limits determined for this case process in arbitrage court of the cassational instance of the Article 286 of the Arbitration Procedure Code of Russian Federation, based on including from explanations concerning legality of the named decision, which are given in judicial session of court of cassation instance, has decided **the decision** from August 06, 2007 of Arbitration Court of city of Moscow on the case № A40-15206/07-26-115 **to cancel**, the case to direct on new consideration to the same arbitration court.

VI. Summary

- 95. The terms "lingvo" from Esperanto, "lingua" (Latin), "language" (English), "язык" (Russian) are also equivalents in regards to the goods and services, typical for linguistic (language) field of science and technology, which describe main quality, purpose, type, peculiarity, main feature of the goods and services language.
- 96. Denotations of featuring goods and services, explaining their quality, main feature, as well as explaining their type, quality, and purpose give an objective characteristic of the product and **are not able to individualize it**.

 Therefore, as denotations, they are not able to differentiate goods and services of one juridical or physical party from homogeneous goods and services of other juridical and physical parties.
- 97. The term "lingvo" and its transliteration "лингво" can not be used as a trademark for products, relevant to linguistic field of science and technology, because as denotations, originally they don't have any distinctive ability due to their nature, their notional (semantic) meaning, first of all meaning "language"; due to their wide use by different group of people, due to the wide spread of the words with the base ling/lingv/лингв; due to the wide use of the word elements LINGVO/ЛИНГВО as a part of the name of different spheres of linguistics; due to their wide use as a part of the name of the International Esperanto language itself Lingvo Internacia, Lingvo Esperanto; due to the wide use of "lingvo" while the transliteration in Latin of the linguistic terms and names of the composition of linguistic science, written in Cyrillic and including meaningful element "лингво"; due to their wide use in the name of goods and services; finally, due to the fact, that LINGVO and ЛИНГВО are generic words, generic descriptors (generic term), meaning generic denotation.
- 98. In case of registration of **generic words, generic descriptors and generic denotations** as a trademark, they are monopolized by the owner of the trademark, he acquires substantial and unlawful advantages over his competitors.
- 99. Monopolization of generic words, generic descriptors, and generic denotations is an act of unfair competition that injures the rights and legitimate interests of the uncertain circle of people, i.e. public concerns. The use of the term "LINGVO" as a trademark misleads consumers in regards of the manufacturer of goods and services. Therefore, the use of the mark LINGVO has to be forbidden.
- 100. The mark LINGVO merely describes the goods and services, for identification of which it's assigned, therefore, according to the Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §§1209 et sew. it has to be refused.
- 101. According to the above mentioned reasons the Petitioner must disclaim the descriptive wording "LINGVO" apart from the mark "ABBYY LINGVO" as shown.
 - 102. Explanations, given by the Registrant, prove that the Petitioner's claims are not reasonable.

VII. Request For Relief.

WHEREFORE, the Registrant requests this Petition to be cancelled.

VII. Proposal of Registrant

Whereas, the Registrant's mark LINGVOSOFT contains a word element LINGVO, for the avoidance of further interference, the Registrant has no objections to disclaim the word element LINGVO from the trademark LINGVOSOFT, i.e. to disclaim the wording LINGVO apart from the mark "LINGVOSOFT" as shown..

Registrant also reserves its right to make additional arguments in response to the Petitioner position.

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.

Sincerely yours

David Lubinitsky, CEO

1.5



- SPECIFICATION:
 OS: Microsoft Windows CE
 Size: 6x3.15x0.63 inches (152x80x15mm)
 Weight: 7.05 oz
 RAM: 64 MB
 SD card: 512 MB, upgradeable up to 2 GB
 Battery: Li-Polymer rechargeable
 battery 1450 mAh
 Speaker: 50 mm, 2 Watt

SYSTEM REQUIREMENTS:

- Processor: Pentium 233 MHz or higher

- Operating system: Windows 2000, Windows XP, Windows Vista
 Memory: 128 MB RAM
 Hard disk: 30-500 MB free disk space; Speaker: 50 mm, 2 Watt
 Microphone: omi-directional, noise canceling
 LCD: TFT 3.5 inches,
 320x240 pixels, 65,536 colors
 Connection: Mini-USB port for data
 exchange and battery charging
 Audio: Headset jack

 requirements may vary depending or selection of features and current configuration of the drive
 CD-ROM drive
 Peripherals: keyboard and mouse
 Connection port: USB requirements may vary depending on the

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Домой > О компании

О компании

История

Важные факты

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Отзывы

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О компании АВВҮҮ

(до 1997 года BIT Software) основана в 1989 г. студентом 4 курса МФТИ Давидом Яном и на сегодняшний день является одним из ведущих мировых разработчиков технологий оптического распознавания документов и

Компания АВВҮҮ обладает широким спектром собственных технологий в сфере распознавания печатных документов и заполненных рукописных форм и на их основе создает различные программные продукты. Разработка технологий и программных продуктов АВВҮҮ производится в Москве. За годы работы компании инвестиции в разработку составили более 4 000 человеко-лет.

Миссия АВВҮҮ - улучшать жизнь людей. Создавая технологии искусственного интеллекта и программы для ввода данных в компьютер и перевода с одного языка на другой, мы превращаем информацию в полезные знания.

В настоящее время в группе компаний АВВҮҮ работает свыше 650 человек.

Головной офис компании АВВҮҮ находится в Москве и отвечает за исследования в области технологий и разработки продуктов, формирование стратегических планов развития компании и координацию деятельности региональных офисов, которые расположены в России, Германии, США, Украине, Великобритании и Японии. Региональные офисы осуществляют маркетинговую деятельность, непосредственные продажи и техническую поддержку продуктов компании.

Продукты и решения компании АВВҮҮ доступны пользователям более чем в 100 странах мира благодаря собственной сети партнёров и представителей.

Наиболее известные продукты АВВҮҮ:

Для индивидуального использования в офисе или дома:

- ABBYY FineReader система оптического распознавания документов;
- ABBYY PDF Transformer программа для обработки и преобразования PDF-файлов;
- ABBYY Business Card Reader приложение для распознавания визитных карточек мобильным телефоном.

Для корпоративных пользователей:

- ABBYY FlexiCapture решение для потокового ввода данных из документов и форм;
- ABBYY Recognition Server серверный продукт для автоматизации процессов оптического распознавания и конвертирования документов.

Продукты для разработчиков:

- ABBYY FineReader Engine инструментарий для интеграции функций распознавания и обработки документов в Windows, Linux, MacOS, FreeBSD-приложения;
- ABBYY Mobile OCR SDK инструментарий для создания решений для оптического распознавания текстов на базе мобильных телефонов.

По данным исследований АВВҮҮ, ежегодно около 30 миллионов частных пользователей и десятки тысяч организаций обрабатывают с помощью программных продуктов компании более 1,3 млрд. страниц документов и форм. Ежегодная экономия от использования продуктов и технологий АВВҮҮ в мире составляет около 150 млн. человеко-часов или 450 млн. долларов США.

Непревзойденное качество продуктов АВВҮҮ является результатом научных исследований, которые компания ведет со дня своего основания. Благодаря высокому качеству, широкой функциональности и простоте эксплуатации продукты компании АВВҮҮ признаны во всем мире. Их качество подтверждено многочисленными (около 180) наградами от авторитетных международных ассоциаций, изданий и тестовых лабораторий в 25 странах мира. В 2002 году авторский коллектив разработчиков системы распознавания ABBYY FineReader был удостоен Премии Правительства РФ в области науки и техники.

Ежегодно около 14 млн. МФУ и сканеров от ведущих мировых производителей аппаратного обеспечения, в числе которых Epson, Canon, Fujitsu, Lexmark, Panasonic, Toshiba, Xerox и другие комплектуются ОСR-технологиями компании ABBYY. Всего на начало 2008 года решениями ABBYY оснащено около 74 млн. МФУ и сканеров, что составляет более 50% таких устройств по всему миру.

Качество продуктов и технологий АВВҮҮ высоко оценили:

Российские и зарубежные государственные организации и правительственные учреждения, в том числе:

Администрация Президента России, Государственная Дума РФ и др.

Ведущие компании и организации банковской сферы, среди которых:

Сбербанк РФ,

Центральный Банк России и др.

Известные организации культурно-социальной сферы, так, например:

Государственный музей изобразительных искусств им. А.С.Пушкина,

Московский Государственный Университет им. М.И.Ломоносова и др.

Предприятия сферы торговли и ТНП, в том числе:

Nestle.

PROCTER&GAMBLE и др.

Технологии ABBYY используют в своих продуктах ведущие производители электроники, программного и аппаратного обеспечения и участники рынка документооборота и ввода данных, такие как Epson, IBM, Samsung Electronics, Xerox и многие другие.

Примеры проектов, в которых используются технологии АВВҮҮ:

- Интегрированный комплекс программного обеспечения для оптического распознавания текста на базе ОС Linux, **Министерство обороны РФ**
- <u>Автоматизированный ввод и обработка налоговых деклараций,</u> Государственная Налоговая Служба РФ
- Обработка бланков таможенных деклараций, Федеральная Таможенная Служба России
- Автоматизированный ввод документов финансово-хозяйственной отчетности, Федеральная Служба Налоговой Полиции России
- Обработка и верификация данных, **Федеральная служба по финансовому мониторингу** (**Росфинмониторинг**)
- Обработка бланков пенсионного обеспечения, Пенсионный Фонд РФ
- Обработка результатов тестирования выпускников общеобразовательных учреждений,
 Федеральный Центр Тестирования при Министерстве Образования РФ
- Обработка данных ежегодных медицинских наблюдений за детьми в возрасте от 1 до 18 лет,
 Департамент здравоохранения г. Москва
- Ввод клиентских платежных документов, Сбербанк РФ
- Централизованная система электронного архива клиентских досье, Альфа Банк
- <u>Ретроконверсия учетных каталогов,</u> Государственная публичная научно-техническая библиотека России
- Обеспечение пакетом базового программного обеспечения российских школ в рамках национального проекта «Образование» - поставка электронных словарей ABBYY Lingvo и системы распознавания ABBYY FineReader, Министерство Образования и Науки Российской Федерации, Министерство Информации и Связи РФ
- Перевод в электронный формат библиотечных архивов крупнейших библиотек США в рамках проекта Live Search Books корпорации **Microsoft**

Создавая продукты и решения в интересах пользователей, компания ABBYY стремится стать лучшей среди мировых разработчиков технологий оптического распознавания документов и лингвистического программного обеспечения.

Правовая информация | Контакты | Схема проезда © 1996-2008 ABBYY









(Translation of the fragment "About ABBYY company" (http://www.abbyy.ru/company/) from Russian into English is prepared by Anna Merkuryeva)

About ABBYY company.

The Russian company ABBYY ("BIT Software" till 1997) was founded in 1989 by David Yan, the 4th year student of MFTI and for today it is one of the world leaders in development of technologies for optical recognition of the documents and linguistic software.

ABBYY Company has a wide spectrum of its own technologies in the sphere of recognition of the printed documents and filled hand-written forms and on their basis the Company creates various software programs. Development of ABBYY technologies and software is held in Moscow. Being operating for years, the company's investment for development have come for more than 4000 human-years.

The mission of ABBYY – is to improve people's life. Creating technologies of artificial intelligence and programs for data input into the computer and translation from one language into another, we transform information into useful experience.

There are more than 650 employees in a group of ABBYY companies now.

The head office of ABBYY Company is located in Moscow. This office is responsible for researches in technology field and product development, creation of strategic plans of company development and coordination of activity of the regional offices, which are located in Russia, Germany, USA, Ukraine, the Great Britain and Japan. Regional offices perform marketing activities, direct sales and technical support for company products.

Products and innovations of ABBYY Company are available for the consumers in more than 100 countries of the world due to the company's own network of partners and representatives.

The most known ABBYY products:

For individual use at home or office:

- ABBYY FineReader system of optical recognition of the documents;
- ABBYY Lingvo electronic dictionaries for stationary PCs and mobile devices;
- ABBYY PDF Transformer program for processing and transformation of PDF-files;
- ABBYY Business Card Reader application for recognition of the business cards with the help of mobile
 phone.

Translator lina Allikung / Anna Merkuryeva/

language

Search

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

American Sign Language (ASL) N la usona signolingvo, la usona gestolingvo Anishinaabe language N la oĝibva (lingvo)

Arpitan language N la arpitana (lingvo) BW

assembly language N simbola maŝinkodo KL, asembla lingvo KL

constructed language N planlingvo PIV,uz

Franco-Provençal language N la arpitana (lingvo) BW

Inuit language N la inuita (lingvo) BW

Ojibwe language N la oĝibva (lingvo)

romance language N latinida lingvo

sign language N signolingvo BW,PIV, gestolingvo PIV,Kr

speech-language pathologist (SLP) N logopedo No,IK, logopediisto Kr, ortofonisto PIV, parolkuracisto SEK, parolterapiisto SEK

speech-language pathology N logopedio Kr,MT,VIE, ortofona kuracado PIV, parolkuracado SEK, parolterapio

Amharic (language of Ethiopia) la amhara (lingvo)BW

Arabic (language) la araba (lingvo) BW

array N (programming language) tabelo KL

Belarusian (language) la belorusa (lingvo) BW

Bengali (language) la bengala (lingvo) BW

Berber (person) tamaziĥto, (language) la tamaziĥta (lingvo)

Bhojpuri (language) la boĝpura (lingvo) BW

Burmese (language) la birma (lingvo) BW

Cantonese (language) la kantona (lingvo)

Chinese ADJ (of China) ĉina; (language) la ĉina (lingvo); N (man) ĉino, (woman) ĉinino

Dutch (language) la nederlanda (lingvo); (from the Netherlands) nederlanda, (Dutchman) nederlandano, (Dutchwoman) nederlandanino

English (language) la angla (lingvo); (of England) angla; (Englishman) anglo, (Englishwoman) anglino

Fula (language) la fula (lingvo) BW

gender N (in general, being male or female, biological or social designation) sekso^F; (gender identity, inner sense of being male or female) seksa identeco^{SEK}; (gender role, gender-associated behaviour and functions expected from culture or society) seksa rolo^{SEK}, socia seksrolo^{SEK}, (socially constructed gender, gender as a social concept) socia sekso^{SEK}; (grammatical category for classifying nouns in language, etc.) genro^{Mo,JW,PIV,Ond}, sekso^Z

Gothic ADJ (architecture, typeface) gotika^{Ak}; N (Germanic language) la gota (lingvo)^{PIV}

Gujarati (language) la guĝarata (lingvo) BW

Hausa (language) la haŭsa (lingvo) BW

Hindi N (language) la hindia (lingvo)^{uz}, la hinda (lingvo)^{BW}

Interlingua N (language) Interlingvao BW

Javanese (language) la java (lingvo)^{BW}

Kannada N (language of India) la kanara (lingvo) BW

Khosa N (language) la ksosa (lingvo) BW

Kinyarwanda (language) la ruanda (lingvo) BW

Kirundi (language) la burunda (lingvo)BW

Klingon (language) la klingona (lingvo)

Latin (language) Latino BW, latino PIV

Lojban (language) Loĵbano

Magadhi

Magadhi (language) la magaha (lingvo) BW

Maithili (language) la maitila (lingvo) BW

Malayalam (language) la malajalama (lingvo) BW

Mandarin (language) la normôina (lingvo), la norma ôina (lingvo)

Marathi (language) la marata (lingvo) BW

nerd N (intellectual) intelektul(aĉ)o, (person into knowledge) sciemulo, (specific interest) **language nerd** lingvemulo, (studious person) studemul(aĉ)o, (intelligent) inteligentul(aĉ)o, (loves to learn) lernemul(aĉ)o; (socially inept) socia mallertulo; (weirdo) strangulo; (pedant) pedanto; see also geek

Old English N (language) la anglosaksa (lingvo)PIV

Oriya (language) orijo BW

Oromo (language) la oroma (lingvo) BW

Pashto (language) la paŝtua (lingvo) BW

Persian (language) la persa (lingvo) BW

About the dictionary

10 random words

Sources and abbreviations

Suggest a missing

Search plugin (Firefox)

Lingvo

Search

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Afrikaans N la afrikansa (lingvo) BW

Amharic (language of Ethiopia) la amhara (lingvo) BW

Anishinaabemowin N la oĝibva (lingvo)

Arabic (language) la araba (lingvo)^{BW}

Belarusian (language) la belorusa (lingvo) BW

Bengali (language) la bengala (lingvo) BW

Berber (person) tamaziĥto, (language) la tamaziĥta (lingvo)

Bhojpuri (language) la boĝpura (lingvo) BW

Burmese (language) la birma (lingvo) BW

Cantonese (language) la kantona (lingvo)

Chinese ADJ (of China) ĉina; (language) la ĉina (lingvo); N (man) ĉino, (woman) ĉinino

Dari N (la Afgana dialekto de) la Persa (lingvo)

Dutch (language) la nederlanda (lingvo); (from the Netherlands) nederlanda, (Dutchman) nederlandano, (Dutchwoman) nederlandanino

English (language) la angla (lingvo); (of England) angla; (Englishman) anglo, (Englishwoman) anglino

Franco-Provençal language N la arpitana (lingvo) BW

Fula (language) la fula (lingvo) BW

Fulfulde (African dialect) orienta dialekto de la fula lingvo

Gan (linguistics) ĝanŝia dialekto de la ĉina lingvo

Gothic ADJ (architecture, typeface) gotika N (Germanic language) la gota (lingvo) PIV

Gujarati (language) la guĝarata (lingvo) BW

Hausa (language) la haŭsa (lingvo) BW

Hindi N (language) la hindia (lingvo)^{uz}, la hinda (lingvo)^{BW}

Hunanese (variety of Chinese) hunana dialekto de la ĉina lingvo

Inuit language N la inuita (lingvo) BW

Javanese (language) la java (lingvo) BW

Kannada N (language of India) la kanara (lingvo) BW

Khosa N (language) la ksosa (lingvo) BW

Kinyarwanda (language) la ruanda (lingvo) BW

Kirundi (language) la burunda (lingvo)^{BW}

Klingon (language) la klingona (lingvo)

Magadhi (language) la magaha (lingvo) BW

Maithili (language) la maitila (lingvo)BW

Malayalam (language) la malajalama (lingvo) BW

Mandarin (language) la normôina (lingvo), la norma ĉina (lingvo)

Marathi (language) la marata (lingvo)^{BW}

Min (linguistics) fuĝena dielekto de la ĉina lingvo

Old English N (language) la anglosaksa (lingvo)PIV

Oromo (language) la oroma (lingvo)^{BW}

Pashto (language) la paŝtua (lingvo) BW

Persian (language) la persa (lingvo) BW

Pulaar (African dialect) okcidenta dialekto de la fula lingvo

Punjabi (language) la panĝaba (lingvo) BW

romance language N latinida lingvo

Russian ADJ (of Russia) rusa; (language) la rusa (lingvo); N (person) ruso, (female) rusino

Shanghainese (linguistics) ŝanhaja dialekto de la ĉina lingvo

Spanish (of Spain) hispana; (language) la hispana (lingvo); (man) hispano, (woman) hispanino

Swahili la svahila (lingvo)BW

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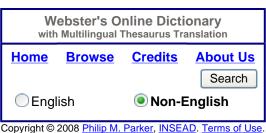
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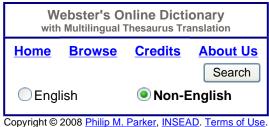
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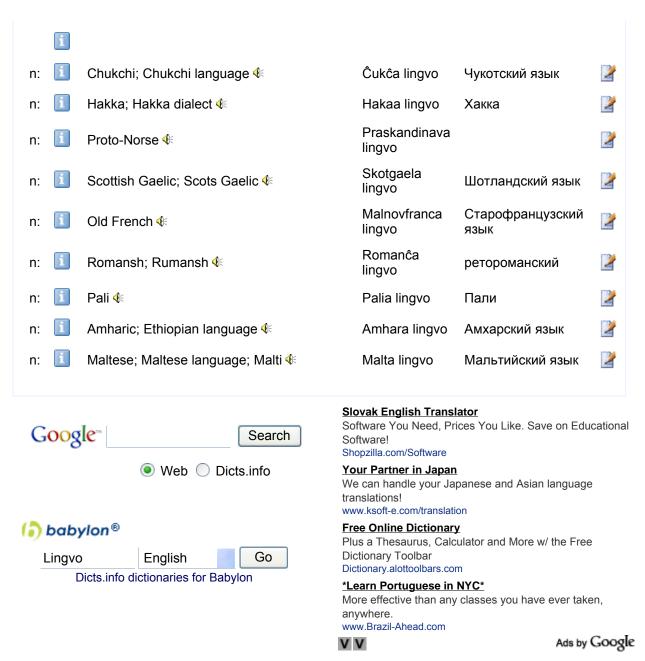
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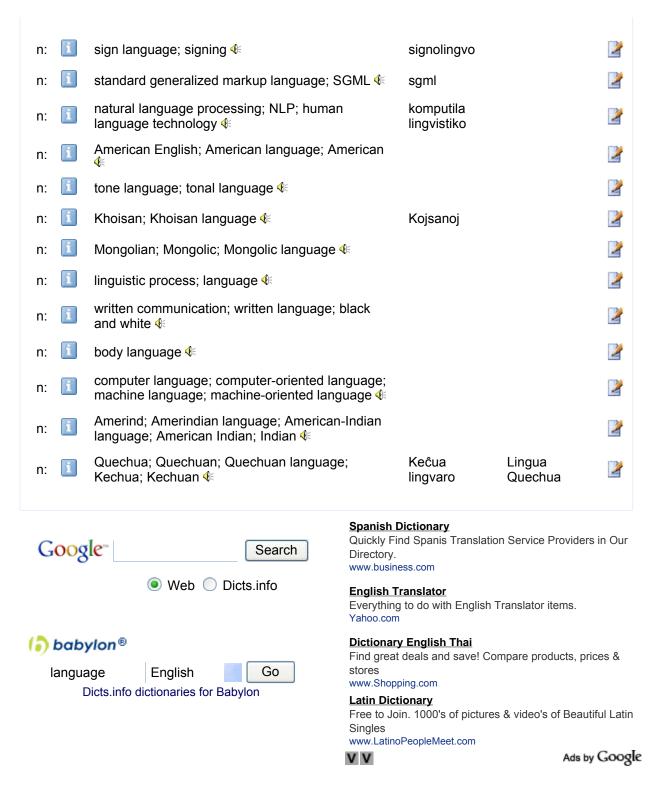
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Ludwig Lazarus Zamenhof (pronounced /ˈzɑːmɨnhof/ in English; born Eliezer Samenhof, December 15, 1859 – April 14, 1917) was an ophthalmologist, philologist, and the inventor of Esperanto, a constructed language designed for international communication.

As of 1975, Esperanto was taught in 600 schools to 20,000 students per year; and there were about 100 journals and 7500 books written in Esperanto, including translations from 65 languages. In addition, it had by that time been used in more than 700 international conferences. As of 2000, per Cambridge Encyclopedia, it had somewhere between 1 and 15 million speakers, according to sources referenced.

Contents

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L. L. Zamenhof

Born Eliezer Samenhof

December 15, 1859

Białystok, Podlachia (then Russian

Empire, now Poland).

Died April 14, 1917 (aged 57)

Warszawa, Poland.

Known for Constructing Esperanto

Cultural background

Zamenhof was born on December 15, 1859 in the town of Białystok (now in Poland, then part of the Russian Empire) to parents of Lithuanian Jewish descent. He considered his native language to be his father's Russian (or perhaps Belarusian, which was not considered distinct from Russian at the time and which appears to have had a strong influence on Esperanto phonology), though he also spoke his mother's Yiddish; as he grew older, he spoke more Polish, and that became the native language of his children.^[1] His father was a German teacher, and he also spoke that fluently. Later he learned French, Latin, Greek, Hebrew and English, and had an interest in Italian, Spanish and Lithuanian.

In addition to the Yiddish-speaking Jewish majority, the population of Białystok was made up of three other ethnic groups: Poles, Germans, and Belarusians. Zamenhof was saddened and frustrated by the many quarrels between these groups. He supposed that the main reason for the hate and prejudice lay in mutual misunderstanding, caused by the lack of one common language that would play the role of a neutral communication tool between people of different ethnic and linguistic backgrounds.



Families Zamenhof and Michaux at the first Esperanto Congress, Boulogne 1905

Work for an international language

As a student at secondary school in Warsaw, Zamenhof made attempts to create some kind of international language with a grammar that was very rich, but also very complex. When he later studied English, he decided that the international language must have a simpler grammar. Apart from his parents' native languages Russian and Yiddish and his adopted language Polish, his lingustics attempts were also aided by his mastering of German, a good passive understanding of Latin, Hebrew and French, and a basic knowledge of Greek, English and Italian. [2]

By 1878, his project Lingwe uniwersala was almost finished. However Zamenhof was too young then to publish his work. Soon after graduation from school he began to study medicine, first in Moscow, and later in Warsaw. In 1885, Zamenhof graduated from a university and began his practice as a doctor in Veisiejai and since 1886 as an ophthalmologist in Płock and Vienna. While healing people there he continued to work on his project of the international language.

For two years he tried to raise funds to publish a booklet describing the language until he received the financial help from his future wife's father. In 1887, the book titled as "Lingvo internacia. Antaŭparolo kaj plena lernolibro" (International Language. Foreword And Complete Textbook)



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was published under the pseudonym "Doktoro Esperanto" (Doctor Hopeful), from which the name of the language derives. For Zamenhof this language wasn't merely a communication tool, but a way of promoting the peaceful coexistence of different peoples and cultures.

Work on Yiddish language and Jewish issues

In 1879, Zamenhof wrote the first grammar of the Yiddish language, which he published in part years later in the Yiddish magazine "Lebn un visnshaft" (*Life and Science*, Vilna, 1909; see Esperanto translation as «Pri jida gramatiko kaj reformo en la jida» in «Hebreo el la geto: de cionismo al hilelismo», Eldonejo Ludovikito, vol. 5, 1976). Complete original Russian text of this manuscript with parallel Esperanto translation was only published in 1982 (translated by Adolf Holzhaus in «L. Zamennhof, provo de gramatiko de novjuda lingvo», Helsinki, p. 9-36). In this work, not only does he provide a review of the Yiddish grammar, but also proposes its transition to the Latin script and other orthographic innovations. In the same period, Zamenhof wrote some other works in Yiddish, including perhaps the first survey of the Yiddish poetics (see p. 50 in the above-cited book).

In 1882, a wave of pogroms in the Russian empire motived Zamenhof to take part in the early Zionist movement, the Hibbat Zion. ^[3] He left the movement in 1887, and in 1901 published a statement in Russian with the title *Hillelism*, in which he argued that the Zionist project could not solve the problems of the Jewish people. ^[4]

Australia · Britain · British Youth · British Labour · Canada · Quebec · USA

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In 1914, he politely declined an invitation to join a new organization of Jewish Esperantists, the TEHA. In his letter to the organizers, he said: "I am profoundly convinced that every nationalism offers humanity only the greatest unhappiness... It is true that the nationalism of oppressed peoples -- as a natural self-defensive reaction -- is much more excusable than the nationalism of peoples who oppress; but, if the nationalism of the strong is ignoble, the nationalism of the weak is imprudent; both give birth to and support each other..."^[5]

Among the many works Zamenhof translated into Esperanto is the Hebrew Bible or Old Testament.

Zamenhof died in Warsaw on April 14, 1917, and is buried in the Okopowa Street Jewish Cemetery in that city.

Religious philosophy

Besides his linguistic work, Zamenhof published a religious philosophy he called *Homaranismo* (loosely translated as humanitarianism), based on the principles and teachings of Hillel the Elder.

Children

Zamenhof and his wife Klara raised three children: a son, Adam, and two daughters, Sofia and Lidia. All three perished in the Holocaust.

Lidia Zamenhof in particular took a keen interest in Esperanto, and as an adult became a teacher of the language, traveling through Europe and to America to teach classes in it. Through her friendship with Martha Root, Lidia accepted Bahá'u'lláh and became a member of the Bahá'í faith. As one of its social principles, the Bahá'í faith teaches that an auxiliary world language should be selected by the representatives of all the world's nations.

Name discrepancy

Zamenhof's parents gave him the Hebrew name *Eliezer*, which appeared on his birth certificate in its Yiddish form *Leyzer*. In his adolescence he used both Leyzer and the Russian equivalent *Lazar* (the form *Lazarus* is often used in English texts). In some Russian documents Lazar was followed by the patronymic *Markovich*.

While at university, Zamenhof began using the gentile Russian name *Lyudovik* (often transcribed *Ludovic*; Polish *Ludwik*; in English the form *Ludwig* is also used) in place of Lazar. When his brother Leon became a doctor and started signing his name "Dr L. Zamenhof", Lyudovik reclaimed his birth name Lazar and from 1901 signed his name "Dr L. L. Zamenhof". The two L's do not seem to have specifically represented either name, and the order *Ludovic Lazarus* is a modern convention.

Zamenhof may have chosen the name Lyudovik in honor of Francis Lodwick (or Lodowyck), who in 1652 had published an early conlang proposal. [6]

His family name was written Samenhof in German orthography; Zamenhof is an Esperantized spelling.

Honors and namesakes



L. L. Zamenhof Statue in Prilep, Republic of Macedonia

In 1910, Zamenhof was nominated for the Nobel Peace Prize, by four British Members of Parliament (including James O'Grady, Philip Snowden) and Professor Stanley Lane Poole. [7] The Prize was instead awarded to the International Peace Bureau.

The minor planet (1462) Zamenhof is named in his honor. It was discovered on February 6, 1938 by Yrjö Väisälä. Also, hundreds of city streets, parks, and bridges worldwide have been named after Zamenhof^[8]. In Lithuania, the best-known Zamenhof Street is in Kaunas, where he lived and owned a house for some time. There are others in France, Hungary, Poland, Czech Republic, Spain (mostly in Catalonia), Italy, Israel, and Brazil. There are Zamenhof Hills in Hungary and Brazil, and a Zamenhof Island in the Danube River. [9]

In some Israeli cities, street signs identify Esperanto's creator and give his birth and death dates, but refer to him solely by his Jewish name Eliezer (the origin of Lazarus). Zamenhof is honored as a deity by the Japanese religion Oomoto. Also, a genus of lichen has been named *Zamenhofia rosei* in his honour. [10]

His birthday, December 15, is celebrated annually as Zamenhof Day by users



Eliezer Zamenhof street in Tel Aviv with the street sign in both Hebrew and Esperanto.

of Esperanto.

Notes

- 1. ^ In a letter to a Th. Thorsteinsson dated 1901 March 08 he wrote, *Mia gepatra lingvo estas la rusa; sed nun mi parolas pli pole...* "My mother tongue is Russian, but now I speak more Polish..." See also his biographers A. Zakrzewski and E. Wiesenfeld.
- 2. ^ Holzhaus, Adolf: Doktoro kaj lingvo Esperanto. Helsinki : Fondumo Esperanto. 1969
- 3. ^ N. Z. Maimon "La cionista periodo en la vivo de Zamenhof" (in Esperanto) See external link below.
- 4. ^ N. Z. Maimon "La cionista periodo en la vivo de Zamenhof" (in Esperanto) See external link below.
- 5. ^ N. Z. Maimon "La cionista periodo en la vivo de Zamenhof" (in Esperanto) See external link below.
- 6. ^ Umberto Eco & James Fentress (September 9, 1995). The Search for the Perfect Language. Blackwell Publishing, 324. ISBN 0-631-17465-6.
- 7. ^ Nobel Prize nomnination database
- 8. ^ See the list of Zamenhof/Esperanto Objects on the wikipedia in Esperanto
- 9. ^ Hommages au Dr Zamenhof, à l'espéranto et à ses pionniers.
- 10. ^ Zamenhofia rosei: Francis' lichen. Range, habitat, biology.

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See also

■ The Life of Zamenhof (book)

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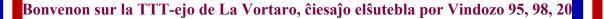
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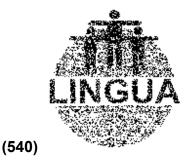
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