



BULKY DOCUMENTS

(Exceeds 100 pages)

Proceeding/Serial No: **92050789**

Filed: 11/26/2010

Title: **RESPONDENT'S NOTICE OF RELIANCE**

Part **2** of **2**

92050789

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

NARTRON CORPORATION,
Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

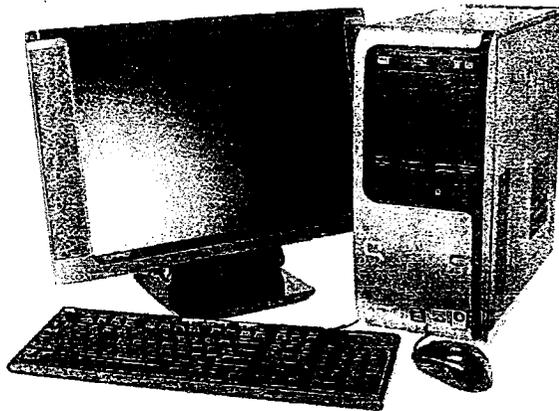
Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 45



• Compaq Presario SR5130NX

Budget Desktops

By Joel Santo Domingo

Six years ago, we stated that you weren't really getting such a bargain if you paid only \$500 for a PC, but that's changed. These days, you can buy a system with 1GB or 2GB of RAM, a speedy dual-core processor, and over 160GB of drive space for less than \$500. These specs make these systems more than capable of running Windows Vista, collecting your digital photos and music, and helping you enjoy them in the comfort of your home-office chair. The sweet spot for Windows Vista is 2GB because it gives the operating system some breathing room if you're the type who keeps a lot of windows open at the same time. Look for at least that much memory in your next PC. If you've gotten steamed staring at the hourglass while waiting for your PC to do something, you know what I mean. The following PCs have what it takes to manage your digital life while giving you a portal to the Web, all without emptying your wallet.

Acer Aspire T180

\$379 direct
●●●○○

The Acer Aspire T180 is hobbled by its single-core Athlon processor. It placed last on our multimedia tests, so I can recommend it only for light use and Web browsing. Still, on the plus side, it comes with 90 days of Norton AntiVirus, and it's bloatware-free. It also has the most internal tool-less expansion space. The Aspire is one of the more stylish value PCs, and it is the least expensive desktop in our lineup. That said, the other choices here are a lot more computer for not a lot more money.

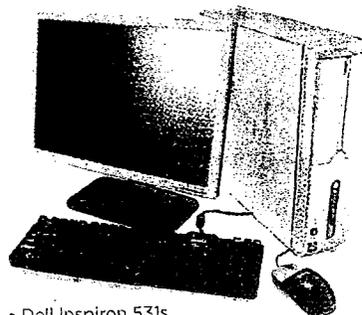
Specs: 2.1-GHz AMD Athlon 64 3800+ processor; 1GB, 667-MHz DDR2 SDRAM; 160GB, 7,200-rpm hard drive; 256MB integrated nVidia GeForce 6100 graphics; Windows Vista Home Basic.

Compaq Presario SR5130NX

\$480 direct
●●●○○

The Compaq Presario SR5130NX is a cheap PC for the growing media enthusiast. It's glossy black with silver highlights and comes with Vista Home Premium, an AMD Athlon 64 X2 dual-core 3800+ processor, and a DVD burner that lets you burn labels onto LightScribe discs. Performance was good, albeit middle-of-the-pack. Drawbacks include a short Norton Internet Security subscription (60 days) and a lot of bloatware. Still, there's a lot to like here for the majority of users.

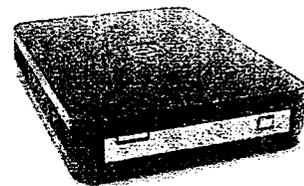
Specs: 2-GHz AMD Athlon 64 X2 3800+ processor; 1GB, 667-MHz DDR2 SDRAM; 200GB, 7,200-rpm hard drive; 128MB integrated nVidia GeForce 6150SE graphics; Windows Vista Home Premium.



• Dell Inspiron 531s

Small-Form-Factor Desktops

Like cell phones and the cars on the road, desktop PCs are shrinking in size as never before. The combination of laptop processors, integrated components, and decent-size hard drives means that these little wonders can do most, if not all, of the tasks that your old tower PC could do—and more.—JSD



• enano e2 model ex7400u

Acer Aspire L310

\$849 direct
●●●○○

The Acer Aspire L310 is a really small PC, and its design is as attractive as that of the Apple Mac mini. This is a terrific Windows-based alternative to the mini, and it comes with hardly any bloatware.

Apple Mac mini

\$874 direct
●●●○○

The Apple Mac mini is a success story in the small-form-factor arena. It has a minimalist design, with a capable processor and wireless networking (including 802.11n and Bluetooth). You probably won't miss its limited expandability if saving space is your aim.

enano e2 model ex7400u

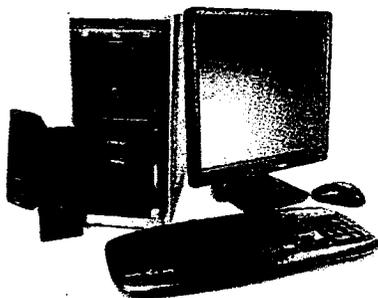
\$1,825 direct
●●●○○

Though the ex7400u model I reviewed is a bit overpriced, enano's core product (and lower-priced configurations) is sound. It's a small PC with power and multimedia capabilities. It also has a green "hook": energy efficiency, Energy Star certification, and fewer hazardous materials used in its construction.

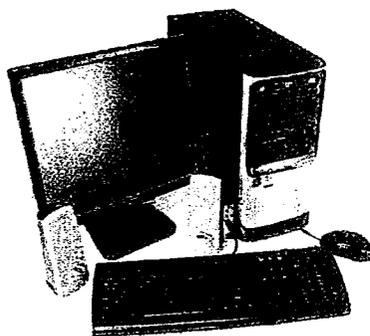
HP Slimline Pavilion S3020n

\$580 direct
●●●○○

There may soon be a new version in this series, but it should be as capable as the S3020n. The Slimline trades a little space (it's bigger than the other small-size systems here) for a lot of capability (desktop-class hard drives and the HP Pocket Media Drive bay).



• Systemax Venture E21



• Acer Aspire T180

Gaming Desktops

By Joel Santo Domingo

The ultimate gaming PC used to be solely about benchmark numbers. Now, nearly all the system builders overclock, and since they get their components from the same sources (Intel, AMD, ATI, nVidia), it is no wonder that these systems rack up similar benchmark scores. All seven of this year's competitors use the same quad-core overclockable processor: the Intel Core 2 Extreme QX6850. The differences are in the features and execution. The HP Blackbird 002's efficiency, cooling, performance, serviceability, and good looks raise the bar way above the competition's reach. New tech, like solid-state drives in the Falcon Northwest Mach V, increases the appeal of crazy-expensive systems. There are also a couple of Blu-ray and HD DVD drives in the mix. Gaming is not just about the benchmark drag races anymore; you have to make the system drool-worthy yet packed with useful extras.

ABS Ultimate X Magnum

\$6,399 direct

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Though the ABS Ultimate X Magnum is water-cooled, it's noisy. The din from the cooling fans drowns out all other sounds in the room. Good thing it does perform, with very-good-to-excellent scores all around in multimedia and 3D. The ABS proves it can play with the big boys and is worthy of consideration.

Specs: 3.0-GHz Intel Core 2 Extreme QX6850 (overclocked to 3.33 GHz); 4GB DDR3 SDRAM; four 150GB, 10,000-rpm SATA hard drives (RAID 0); one 750GB, 7,200-rpm SATA hard drive; two IGB ATI Radeon HD 2900XT graphics cards (CrossFire); Windows Vista Ultimate.

Dell Inspiron 531s

\$499 direct (E-value code: DDPMGX1)

●●●●○



The slim, stylish Inspiron 531s uses a small-form-factor chassis to save desk space. The 531s's pluses include good-to-great performance numbers for a value PC, thanks to its ATI Radeon HD 2400 discrete graphics card. The 531s also has 2GB of memory, one of only two value PCs that we feature here to do so. Dell now gives you a "No Additional Software" option to avoid bloatware. About the only nits to pick are the choice of Vista Home Basic, the short (30-day) McAfee free-trial subscription, and the lack of a DVD burner. Otherwise, the 531s represents the best overall value here.

Specs: 2.1-GHz AMD Athlon 64 X2 4000+ processor; 1GB 667-MHz DDR2 SDRAM; 320GB, 7,200-rpm SATA hard drive; 128MB integrated nVidia GeForce 6150SE graphics; Windows Vista Home Premium.

eMachines T5234

\$499 direct

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The eMachines T5234's performance numbers are almost a mirror of the sim-

ilarly equipped Compaq's. It has the advantage of a longer (90-day) McAfee Internet security suite subscription. The amount of bloatware is a downside. Media enthusiasts and general users will like this Vista Home Premium-equipped budget desktop.

Specs: 2.1-GHz AMD Athlon 64 X2 4000+ processor; 1GB 667-MHz DDR2 SDRAM; 320GB, 7,200-rpm SATA hard drive; 128MB integrated nVidia GeForce 6150SE graphics; Windows Vista Home Premium.

Systemax Venture E21

\$499 direct

●●●●○

The Venture E21's drab case holds the heart of a lion, with an Intel Core 2 Duo CPU and 2GB of system memory. It aced the photo-editing test and also placed first on our Windows Media test. Another plus is a year's subscription to CA eTrust Anti-Virus. Though the system is otherwise lackluster, you can't argue with its performance numbers.

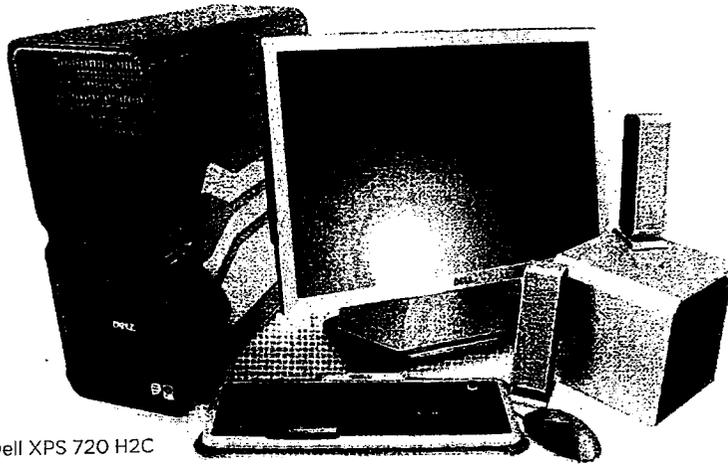
Specs: 1.8-GHz Pentium E2160 processor; 2GB, 533-MHz DDR2 SDRAM; 250GB, 7,200-rpm hard drive; 224MB integrated Intel GMA950 graphics; Windows Vista Home Premium.

BUDGET SCORECARD

The best possible rating is 5.

	DESIGN	USABILITY	FEATURES	PERFORMANCE	OVERALL
Acer Aspire T180	●●●●○	●●●●○	●●●●○	●●●●○	●●●●○
Compaq Presario SRS130NX	●●●●○	●●●●○	●●●●○	●●●●○	●●●●○
Dell Inspiron 531s	●●●●○	●●●●○	●●●●○	●●●●○	●●●●○
eMachines T5234	●●●●○	●●●●○	●●●●○	●●●●○	●●●●○
Systemax Venture E21	●●●●○	●●●●○	●●●●○	●●●●○	●●●●○

RED denotes Editors' Choice.



• Dell XPS 720 H2C



• HP Blackbird 002

Dell XPS 720 H2C
\$7,756 direct; \$8,955 w/27-inch widescreen
●●●●○

Dell's latest gaming PC is still in the old XPS 700 case, but now it has a new, optional window to show off the thermoelectric cooler. The exterior design is still love-it-or-hate-it, but the internals—including a 1TB hard drive and 4GB of memory—are sound. This is the performance gaming

system for those who can handle Dell's quirky take on upgrades: Components such as the power supply, motherboard, and sound card are often Dell-specific.

Specs: 3-GHz Intel Core 2 Extreme QX6850 (overclocked to 3.67 GHz); 4GB, 1,066-MHz DDR2 SDRAM; two 160GB 10,000-rpm SATA hard drives (RAID 0); one 1TB 7,200-rpm hard drive, two 768MB nVidia GeForce 8800 Ultra graphics cards (SLI); Windows Vista Ultimate.

Media Centers

Not long ago, a Media Center was any system running Windows Media Center Edition. When Microsoft built MCE into the Vista Premium and Ultimate versions, the stakes got higher. Digital Cable Tuner and copious storage rule the day now.—JSD



• HP TouchSmart IQ770 PC

HP Pavilion a6130n
\$750 direct
●●●●○

PC The a6130n has expandable disk storage through the innovative HP Pocket Media Bay drive. It has integrated graphics, so it lacks 3D chops, but it's powerful enough to handle all your digital life.

HP TouchSmart IQ770 PC
\$1,800 direct
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PC The TouchSmart succeeds where previous all-in-one PCs have tried and failed. It has a touch-screen interface that works. It could use a speed bump and an HD DVD drive, but this all-in-one is a perfect TV/DVR/family communications center/kitchen PC.

Velocity Micro CineMagix Grand Theater
\$3,699 direct
●●●●○

The Grand Theater does something that even a \$5K+ gaming rig can't: It replaces your TiVo, recording HDTV over cable, even the premium channels. It does all this while looking like a piece of stereo equipment, unlike the gaming PCs.

Velocity Micro Vector GX Campus Edition 2007
\$999 direct
●●●●○

PC It may have "Campus Edition" in its name, but this is a system for the budding director in your family. Its overclocked processor gives it the legs it needs to keep up with the latest Internet trends, including helping you express your creativity on the Web.

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EXHIBIT 46

10/16/07 Kitchen & Bath Bus. (Pg. Unavail. Online)
2007 WLNR 26916923

Kitchen & Bath Business
Copyright 2007 Nielsen Business Media, Inc.

October 16, 2007

Five High-tech Electronics.

Find out about the latest and greatest gadgets for the kitchen

LC-19D44U Aquos TV from Sharp Electronics This newly released LCD television allows you to have the best of both worlds: a widescreen format in a slim design with a space-saving 19-in. screen, making it ideal for the kitchen. It has a detachable stand so it can be placed on a table or hung from the wall, and a PC input that allows it to double as a computer monitor. Its remote has a magnetic backing so it can be hung from the fridge and also functions as a clock, kitchen timer and has a backlit display.

Model VSUC4SK from NuTone This handy device truly exemplifies the concept of multitasking. Designed to fit under a kitchen cabinet, it is a security and media center in one. It comes with a camera that can be installed over the front door (a second camera can be added for the back door) and includes a three-note door chime and intercom. The camera can be monitored from the kitchen on the unit's 7-in. color LCD screen. Users can also watch cable TV, listen to the radio and make calls from a hands-free speakerphone.

TouchSmart IQ770 PC from HPA compact design and an intuitive touch screen make the TouchSmart an ideal family computer. Its default application, SmartCenter, can be used entirely with the touch of a finger (or a stylus) and includes a calendar, a photo editing application and local weather. Other features include the ability to watch movies, burn DVDs and play music. For more complicated functions, the unit includes a wireless keyboard and mouse and is loaded with Genuine Windows Vista Home Premium. **I-Sonic from Polk Audio** The I-Sonic line works well in the kitchen because it can produce sound that fills the entire room no matter where the unit is placed. The I-Sonic Entertainment System features HD Radio and a DVD drive--so you can attach it to a TV--and plays DVDs, CDs and XM Radio (with antenna and subscription from XM). The new I-Sonic Entertainment System 2 features HD Radio and an iPod dock. Furthermore, it includes the new iTunes Tagging feature, which allows users to tag songs heard on HD radio to an iPod for purchase from iTunes.

Centralpark from Whirlpool Unclutter your life and your refrigerator with the centralpark connection from whirlpool, which displays pictures, art projects, calendars and shopping lists with CEIVA a detachable digital frame. The frame is wi-fi ready (so you can send photos to it from a mobile phone) and has an 8-in. high-resolution screen. The side-by-side refrigerator will be available in monochromatic stainless steel with the brand's most popular features.

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EXHIBIT 47

9/16/07 N.Y. Times 34
2007 WLNR 18113283

New York Times (NY)
Copyright 2007 The New York Times Company

September 16, 2007

Section: 3

While in the Kitchen, Stir the Stew and Surf the Web

ANNE EISENBERG

E-mail: novelties@nytimes.com.

DREAM kitchens may soon include a computer along with the latest refrigerator or oven. That way people gathered at the family hub can satisfy their digital needs along with nutritional ones.

Hewlett-Packard's new TouchSmart IQ770 PC (\$1,699 at Circuit City) is designed for that kitchen of the future, where people turn on the computer along with the coffeepot, and then check the screen for the weather, ball scores and the family calendar as they breakfast.

The calendar on the TouchSmart is easy to use. Entries can be written on the touch-sensitive screen with a finger or stylus, or entered on a keyboard, so that everyone knows what's ahead during the day, from the dentist at 9 a.m. to the PTA at 7 p.m.

The computer also has a high-definition TV receiver, a DVD player and a 19-inch screen that moves up and down as well as tilting, so that people having a snack at the counter or a nearby table can watch their favorite show or video. Putting a computer in the kitchen is not a new idea. Neiman Marcus, the department store, included an ad for a Honeywell kitchen computer, priced at \$10,600, in its 1969 Christmas catalog, said Dag Spicer, senior curator at the Computer History Museum in Mountain View, Calif.

The ad featured a woman in need of a computer to manage recipe quantities and carried the slogan, "If she can only cook as well as Honeywell can compute." But Mr. Spicer said the marketing campaign failed. "As far as we know, Neiman Marcus didn't sell a single computer."

The latest generation of kitchen computers may be more successful, and not just because the ads are less patronizing. The difference instead may lie in the spread, and speed, of broadband connections and the way that, in turn, is changing people's computer habits.

"Forty-seven percent of all American adults have a broadband connection at home as of early 2007," said Mary Madden, a senior research specialist at the Pew Internet and American Life Project. That connection has prompted people to do more and more on the computer, from video-watching to discarding phone books and cookbooks in favor of online research. "Once people get that always-on connection," she said, "they do more of everything online."

Much of this home Internet activity is happening not in the study, but in shared living spaces, she said. Seventy-four percent of teenagers who use the Internet at home, for instance, do so in a shared space.

Hewlett-Packard's new computer is designed for these communal spots, said Amy Clark of Granger, Ind., who was sent a TouchSmart for review on her Web site, www.momadvice.com. She put it in the kitchen-dining area, and it promptly became a family focal point. In the morning, she checks the calendar; in the evening, she and her husband watch movies on it. "It also helped reduce some clutter," she said. The family also downloaded hundreds of CDs that were once scattered around the house on it.

The touch-sensitive screen on the TouchSmart is optically driven -- it has two cameras that track hand positions, so that people can use their fingers to play computer solitaire or chess, for instance, if they don't want to use the mouse or keyboard. Gloved hands work well, too, as do hands with a bit of left-over spaghetti sauce on them. The screen comes clean with Windex.

People taken with the idea of a computer in the kitchen don't necessarily have to buy one from a manufacturer like Hewlett-Packard. They can economize by assembling one from components. Bill Ekhardt, a Presbyterian pastor taking time off to care for his three preschool-aged children in Des Moines, did just that -- after first trying to make do in the kitchen with a laptop. That didn't work, as the laptop could easily be pulled down from the counter and wrecked by the children, he said.

SO when he upgraded his desktop computer in the study, he decided to recycle the leftovers to make a reasonably childproof kitchen computer. He installed the processor from his old computer in a kitchen cupboard, and mounted the monitor on an arm that he bought online.

The mounting arm swings out above the kitchen counter.

"I angle the screen down so the kids can see it, or angle it up so that I can see it from where I'm cooking," he said.

He uses the computer to check the weather, or catch an occasional headline, e-mail messages or a streaming radio show. The arm was about \$70 at www.newegg.com; the wireless keyboard and mouse, about \$30.

His 2-year-old son Asher gets to watch the occasional entertainment on the monitor, but there are conditions.

"I let him play 'Thomas the Tank Engine,' " a preschool video game, said Mr. Ekhardt. "But only if he takes a good nap first."

PHOTOS: In Des Moines, Asher Ekhardt, 2, plays on a computer built by his father, Bill. Above, a 1969 ad for a Honeywell kitchen computer. (PHOTOGRAPH BY MARK KEGANS FOR THE NEW YORK TIMES)

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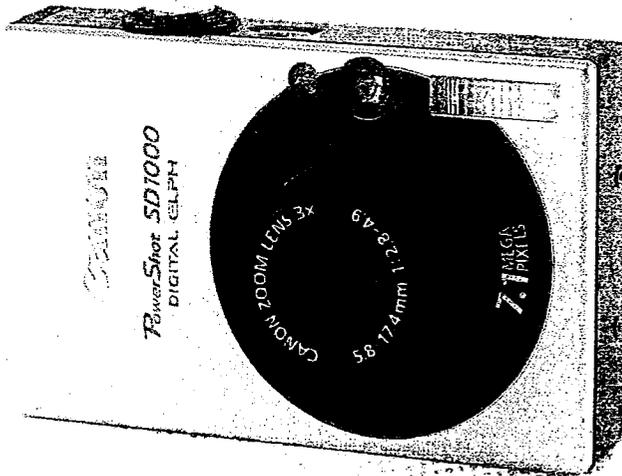
Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 48

THE BEST STUFF

EDITORS' CHOICES IN KEY CATEGORIES



ULTRACOMPACT CAMERA

Canon PowerShot SD1000

Fantastic picture quality. Superior performance. No shutter lag. Sweet styling. \$299.99 list
Canon U.S.A. Inc.
go.pcmag.com/sd1000

HDTV (PLASMA)

Vizio VP42 HDTV

Very good image contrast. Good color representation. A real bargain. \$1,099 list
Vizio Inc.
go.pcmag.com/vp42

ALL-IN-ONE DESKTOP

HP TouchSmart IQ770 PC

Classy all-in-one design with integrated touch screen. Wireless everything. ATSC/HDTV tuner. \$1,800 direct
Hewlett-Packard Development Co.
go.pcmag.com/hpiq770pc

DESKTOP (MULTIMEDIA, GAMING)

Dell XPS 710 H2C

Massive Windows XP gaming performance. Overclocked quad-core performance. Quick 10,000-rpm drives. Quiet. \$6,988 direct; \$7,138 with wireless speakers
Dell Inc.
go.pcmag.com/dell710h2c

PRINTER

(MONO LASER AIO)

Canon imageClass MF4150

Fast print speed. Automatic document feeder. Duplex (two-sided) printing. \$250 street
Canon U.S.A. Inc.
go.pcmag.com/mf4150

LCD MONITOR

(BUSINESS)

Samsung SyncMaster 305T

Superb image quality. Fast response time. Ultrahigh native resolution. \$1,999.99 list
Samsung Electronics
go.pcmag.com/samsung305t

PRO-LEVEL

PHOTO EDITING

Adobe Photoshop CS3

Nondestructive filtering. Outstanding animation features. Increased platform support. Myriad excellent new tools. \$650 street
Adobe Systems Inc.
go.pcmag.com/photoshopcs3

NOTEBOOK

(BUSINESS)

Lenovo ThinkPad T60p

Workstation graphics. 4GB of RAM. Fastest Intel Core 2 Duo processor. Vista Business experience. Unassuming design. \$4,048 direct
Lenovo
go.pcmag.com/t60p

SECURITY SUITE

Norton 360

A complete security solution. Stupendous antispayware. Performance tuning and backup of your essential data. \$79.99 for 3 PCs; \$59.99 yearly renewal
Symantec Corp.
go.pcmag.com/norton360

WEB SITE

AUTHORING

Microsoft Expression Web (beta)

Standards-based Web editor with drag-and-drop XML support built in. Efficient use of Cascading Style Sheets (CSS) for sleek, compatible coding. Free beta download; final pricing to be determined
Microsoft Corp.
go.pcmag.com/msexpressionweb

GPS

Garmin nüvi 680

Location-based services provide real-time information. Sensitive receiver. Super-bright 4.3-inch screen. \$999 list
Garmin Ltd.
go.pcmag.com/nuvi680

PERSONAL FINANCE

Quicken Premier 2007

Strongest set of personal finance tools yet. Best-ever interface design. Well-designed reports. Easy setup. \$79.95 direct
Intuit Inc.
go.pcmag.com/quickenpremier2007

CELL PHONE

Nokia N95

Most powerful multimedia phone in the U.S. 5-megapixel camera. Luxurious features. \$749.99 list
Nokia
go.pcmag.com/n95

WIRELESS ROUTERS

D-Link Xtreme N Gigabit Router (DIR-655)

A fast wireless router with Gigabit ports and features to spare. \$130 street
D-Link Systems Inc.
go.pcmag.com/dlinkxtrememrouter655

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4/1/07 Computer Shopper 24
2007 WLNR 26476223

Computer Shopper
Copyright 2007 SX2 Media Labs LLC

April 1, 2007

Volume 27; Issue 4

HP TouchSmart IQ770: get organized with Vista and a touch screen.

Brown, Rich

HEWLETT-PACKARD's \$1,799 TouchSmart IQ770 is our all-in-one family PC of choice. You probably wouldn't want to make it your main PC for doing serious work or playing games, but if you're looking for a media hub with easy-to-use tools for organizing your busy family, we know of no better system on the market.

The TouchSmart uses Vista Home Premium and an innovative, integrated touch-screen display that's intuitive to use. This is especially evident in the SmartCenter program, which combines a calendar (with voice recording and handy virtual Post-it-style notes), a photo editor (with kiosk-type cropping and red-eye-removal functions), and a basic local-weather display.

Although this fixed-configuration machine is slower than an \$1,800 PC should be (most likely due to the demands of Vista), its dual-core AMD Turion 64 X2 TL-S2 processor, 2GB of DDR2 SDRAM, and discrete nVidia GeForce Go 7600 graphics chip have enough juice for everyday applications. You also get a TV tuner, a roomy 7,200rpm 320GB hard drive, and a slot-loading DVD burner--all of which will let you use Vista's media-friendly features to watch, record, and archive TV programming. HP has also included an eight-format flash-memory-card reader, integrated 802.11b/g Wi-Fi and Bluetooth, and a Webcam.

HP backs the TouchSmart with its standard warranty package, which includes a year of parts-and-labor coverage, and 24/7 toll-free phone help. We also like HP's online support, which provides assistance via live chat and a number of helpful documents. Plus, you can use HP's Instant Care program, which lets an HP technician control your PC remotely to correct any problems that come up.

EDITORS' RATING 7.9

PROS Nice use of Windows Vista, touch screen; useful as a photo kiosk; feature-rich

CONS Slow performance for the price; fixed configuration

SPECS 1.6GHz Turion 64 X2 TL-S2; 2GB DDR2; 320GB hard drive; double-layer DVD [+ or -] RW; integrated 19-inch LCD, nVidia GeForce Go 7600 graphics [256MB], Windows Vista Home Premium

Hewlett-Packard, 888-999-4747 www.hp.com

Direct Price \$1,799

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EXHIBIT 50

1/11/07 N.Y. Times C12
2007 WLNR 568684

New York Times (NY)
Copyright 2007 The New York Times Company

January 11, 2007

Section: C

The Computer With a TV, and a Family's Virtual Bulletin Board

MARTY KATZ

The notion of a computer at the heart of every home gets a little bump with the multitasking Hewlett-Packard TouchSmart PC, unveiled at the Consumer Electronics Show this week as part of the introduction of the Windows Vista operating system from Microsoft.

The TouchSmart, which will cost \$1,800 when it goes on sale at the end of the month, has a 19-inch touch-sensitive screen intended to serve as a family bulletin board, with virtual sticky notes written with a finger or stylus - or even left by voice, in a recorded memo.

This computer is also a high-definition TV, and can play FM radio or stored music through screen-side speakers, or external ones for a home-theater effect. Designed as a wire- and clutter-free stand-alone device, it connects to the world via Wi-Fi and further contains its footprint with a wireless keyboard, mouse and remote control.

The TouchSmart's designers envision a user's walking up to it on a kitchen counter, checking e-mail, appointments and weather, leaving family reminders and maybe watching the first 30 seconds of the evening news before dashing out. MARTY KATZ

Photo

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Registration No. 3,600,880

Registration Date: April 7, 2009

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RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 51

[HP Customer Care](#)



ColorSmart Technology OverView

Support details

HP's ColorSmart Technology intelligently analyzes documents at the time of printing to provide the best color output. ColorSmart identifies each element on a page (text, simple graphics, or complex graphics such as photographic images) and automatically applies the appropriate color settings to each element during printing.

ColorSmart technology works in tandem with CRet (Color Resolution Enhancement) to produce vivid photographic simulations. Drops of ink are laid out to represent the same position, size and shape as the dots of color after a photograph is developed.

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EXHIBIT 52

[HP Customer Care](#)

HP DeskJet 300 Series ColorSmart Driver

Download options and information

Download »

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By downloading, you agree to the terms and conditions of the HP software licensing agreement
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Description:

Details and specifications

File name: dj180en.exe [1/1, 437.77K]

System requirements:

Released: 1995-03-01

Version: 5.0

Compatibility: Microsoft Windows 3.11, Microsoft Windows 3.1

Fix/Enhancement:

Give us your feedback

1. Which option did you select? "Install now" (available on selected files) or "Download only" to install your software / driver? (choose ONE option which best describes your experience)

Install now

- Installation was successful, and my problem was resolved
 Installation was successful, but my problem was NOT resolved
 Installation was NOT successful

Download

- File successfully downloaded, I launched and installed it on my system, and my problem was resolved
 File successfully downloaded, I launched and installed it on my system, and my problem was NOT resolved
 File successfully downloaded, but I was unable to launch and install it
 File did NOT download successfully.

2. Why were you downloading the software / driver

- To update to a newer software / driver version
 To acquire missing software / drivers
 To acquire software / drivers for my upgraded operating system (e.g., Windows XP to Windows Vista)
 To acquire software / drivers because I downgraded my operating system (e.g., Windows Vista to Windows XP)
 Because HP told me I needed to update
 Other (please explain in the comment field in question 4)

3. How useful were the instructions on this page?

Not Useful Very Useful

4. What can Hewlett-Packard do to improve the download experience

This information is for website improvement only and will not be responded to on an individual basis. If you need assistance please [Contact HP](#)

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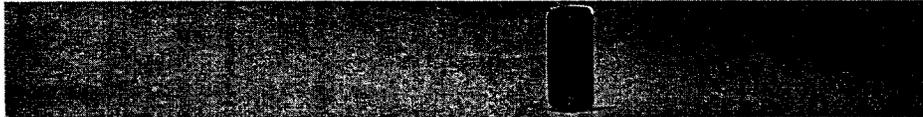
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EXHIBIT 53



Android coverage by humans

Aol Tech.



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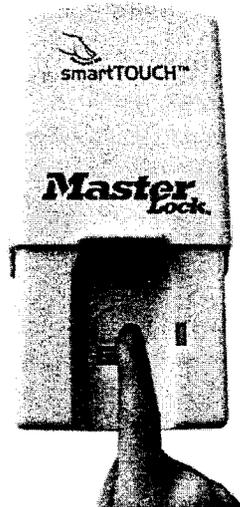
MACBOOK AIR REVIEW

NOOK COLOR

FILED UNDER Household

Master Lock unveils smartTouch garage door opener

By Darren Murph posted Dec 26th 2007 8:08AM



Let's face it: there's a myriad ways to open one's garage door, but you won't find us kvetching over a new, relatively affordable alternative to the tried and true numeric keypad. Master Lock's smartTouch GDO is a universal add-on device that ditches the numbers and relies instead on the swiping of your digit to open the connected door. Purportedly, you can register up to 20 users on a single device, ensuring that your entire fraternity will have the ability to sneak in through the garage door if they misplace the house key. Sadly, it's not likely to arrive before the Spring semester starts, but you can snap one up shortly after Rush Week for \$129.95.

[Via Gearlog]

SOURCE Read

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30

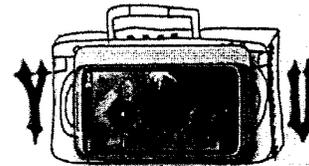
biometric, fingerprint, garage door opener, GarageDoorOpener, lock, master lock, MasterLock, smarttouch

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Comments: on | off

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The All-New Kindle: \$139

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Masterlock Smart Touch Finger Activated Garage Door Opener [Misc.]

by **bioMETRX**

(2 customer reviews)

5 used & new from \$39.95

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Available from [these sellers](#).

Considering this as a gift?

4 new from \$39.95 **1 used** from \$65.00

E-mail someone a gift card featuring this item.

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What Do Customers Ultimately Buy After Viewing This Item?



72% buy the item featured on this page:

Masterlock Smart Touch Finger Activated Garage Door Opener [Misc. by bioMETRX] (2)



18% buy

Chamberlain 942FP Wireless Fingerprint Keyless Entry by Chamberlain (6)
\$38.66



9% buy

Liftmaster 379LM-10 315MHz Fingerprint Keyless Entry Pad by LiftMaster (3)
\$55.45

> [Explore similar items](#)

Product Description

Product Description

It's perfect for small children and for those who have problems remembering codes. Universal - Works with ALL makes and models of automatic garage door openers Stores up to 20 users Lost Keys? Stolen Passwords? Forgotten Access Codes? WHY WORRY? The Garage Door Opener provides keyless entry with more safety and convenience than ever before. Replaces traditional keypads with state-of-the-art finger activation technology. Keys, access codes and passwords are all easily replaced by the touch of a finger that has been specifically authorized by the homeowner. Convenience and peace of mind from the most trusted brand in security? Great for latch key

kids ? Avoid accidental lock outs ? Allow temporary access to contractors Easy to Install! Description The Master Lock smartTOUCH garage door opener is the world's first Universal finger-activated garage door opener, replacing traditional keypads and keys with advanced finger-activated technology. Providing a more convenient alternative to carrying keys or remembering pin codes, a simple swipe of your finger will open/close your garage door. The product provides a homeowner the flexibility of enrolling up to 20 individual users, with the ability to add/delete or change user profiles in 3 simple steps. The Master Lock smartTOUCH garage door opener is a wireless, add-on product that is simple to install and easy to operate. The product works seamlessly with any manufacturer opener out of the box and comes with a relay unit that couples as an indoor wall control, along with unique handheld programmer, that prompts the homeowner with easy step by step set up instructions. The whole family can enjoy the benefits of the Master Lock smartTOUCH GDO, a product so SMART it recognizes you. Features No Keys Or Pins-Finger activated Universal - Works with all manufacturer openers No buttons on unit to program - tamper proof Add-On Product-replaces existing fixed garage door keypads

Product Details

Shipping Weight: 8 pounds

ASIN: B002IS8ZLI

Average Customer Review: (2 customer reviews)

Amazon Bestsellers Rank: #81,621 in Home Improvement (See Top 100 in Home Improvement)

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Customer Reviews

2 Reviews

5 star:	(1)
4 star:	(0)
3 star:	(0)
2 star:	(0)
1 star:	(1)

Average Customer Review
(2 customer reviews)

Share your thoughts with other customers:

Most Helpful Customer Reviews

0 of 1 people found the following review helpful:

Aesome product!, October 3, 2010

By **K. Rutter** - [See all my reviews](#)

This review is from: **Masterlock Smart Touch Finger Activated Garage Door Opener [Misc. (Misc.)**

I don't understand why someone would give a product bad reviews just because they received it used without all the parts. That is a review of the seller not the product. This item works perfectly. Plus it gives the added satisfaction of knowing our kids can get in even when they don't have a key (which they have lost in the past). Not to mention when I misplace my keys. I recommend this for both it's quality and simplicity to set up.

Help other customers find the most helpful reviews

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Was this review helpful to you?

[Comment](#)

[Ad feedback](#)

1 of 3 people found the following review helpful:

Missing Parts, August 25, 2010

By **speedodfw@aol.com "Speedo Dallas"** (Dallas, Texas) - [See all my reviews](#)

Amazon Verified Purchase ([What's this?](#))

This review is from: **Masterlock Smart Touch Finger Activated Garage Door Opener [Misc. (Misc.)**

Received this item in two to three days, very fast. But box inside the "sealed" mailer was open and parts missing. Both drill templates missing, mounting screws, wire cable and 2 locking brackets all missing. (Also double side sticky tape missing) Also user manual had a corner ripped off it and missing. Tried to find user manual online with no luck. So I threw it all in a box in the garage. Had good luck with Amazon orders in the past but not this one.

I though I would give this another chance after reading the above review with no luck. I guess I was right. And it is in my opinion the seller reponisblity to make sure he is not only selling a good product but EVEN more important a complete product. If you are not checking your stock you in NO way care about your customers.

This is TRASH.....

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Home Products Inside Liftmaster Customer Support

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LiftMaster

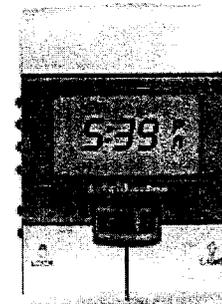
398LM

Smart Control Panel®

Overall Rating: ★★★★★

[Read all 2 reviews](#) | [Write a review](#)

The LiftMaster® Smart Control Panel® makes it easier than ever to operate your garage door opener. This control panel is smart enough to sense when you enter the garage and then turn the operator lights on automatically – hands free. Plus, its advanced design also displays the time and inside garage temperature, as well as important system status messages so you can maintain your system with greater ease. New on-board programming capability also makes programming remote controls easier and more convenient, as well as setting time, temperature and language preferences. It also locks out all outside remote control radio signals while you're away.



Motion detector automatically turns on garage door lights when movement is sensed

Turns opener lights on/off from inside the garage

Choose from English, Spanish or French languages, as well as Fahrenheit or Celsius

Allows for easier remote control programming, using the Smart Control Panel® rather than the garage door opener itself

Compatible with all 315MHz LiftMaster® garage door openers

SAFETY & SECURITY FEATURES

Locks out all outside remote control signals while you're away

Motion detector automatically turns on garage door lights when movement is sensed

Compatible only with the following:

Garage door openers with a [purple learn button](#), or

Garage door openers with a purple antenna, or

If your remote has silver buttons with glowing blue lights, or

If your original remote has black buttons and this logo:



Add to Cart

\$44.95

OWNER'S MANUALS

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Summary of Customer Ratings & Reviews

Overall Rating: 

Share this product:  

Pros

- dependable(1)
- displays temperature inside garage(1)
- easy installation(1)
- easy setup(1)
- easy to use(1)

[+ see more Pros](#)

Cons

(no results)

Click on the Pros or Cons above to refine results

Choose a sort order

Overall Rating: 

Top 10 Contributor

USAFA74

Location: Dallas, TX
Age: 55-64
Loyalty: 1-5 years

Just Get It

October 31, 2010

Pros: easy to use, dependable, motion sensor lites, displays temperature inside garage

Easy to use, like the motion sensor lites, displays temperature inside garage.

Trust me, you'll like it.

Was this review helpful? [Yes](#) [No](#) [Report as inappropriate](#)

Share this review:  

Overall Rating: 

Number One Contributor

shigadeyo

Location: Ohio
Age: 25-34
Loyalty: 1-5 years

Complete Garage Door Control!

October 8, 2010

Pros: temperature, motion sensor, easy installation, easy setup

I got the LiftMaster 398LM Smart Control Panel with the LiftMaster 3/4 Motor Belt Drive with EverCharge® Standby Power System garage opener. This control panel is definitely smart. Rather than just having a button to open and close the garage door, it also has the time, c

temperature, light controls, and battery status for the open applicable). The light can be configured various ways (sensor, door switch only) and the temperature display is a nice thing to have. This will also alert if power was lost and whether or not the battery is cha I have been quite pleased with the ease of use and operation of this It is a nice addition to the garage door opener if it is supported.

Was this review helpful? [Yes](#) [No](#) [Report as inappropriate](#)

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The All-New Kindle: \$139

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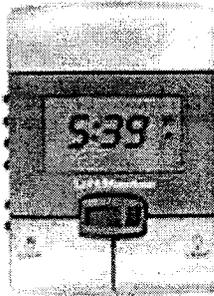
Building Supplies

Power & Hand Tools

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Chamberlain Liftmaster 398LM 315Mhz Smart Control Panel

by Chamberlain

(1 customer review)

Price: **\$28.88** & this item ships for **FREE with Super Saver Shipping.** [Details](#)

In Stock.

Sold by **Sanford and Son? Overhead Doors** and **Fulfilled by Amazon.**

Only 3 left in stock--order soon.

Want it delivered Monday, November 22? Order it in the next 1 hour and 24 minutes, and choose **One-Day Shipping** at checkout. [Details](#)

6 new from \$23.79

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Customers buy this item with LiftMaster Garage Door Opener Three-Button 315 MHz Mini Remote Control model 370LM/956D by LIFTMASTER \$19.75



Price For Both: \$48.63

[Show availability and shipping details](#)

What Do Customers Ultimately Buy After Viewing This Item?



57% buy the item featured on this page:
Chamberlain Liftmaster 398LM 315Mhz Smart Control Panel by Chamberlain (1)
\$28.88



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\$28.88



9% buy
Liftmaster 98LM Motion Detector Garage Opener Wall Console by LiftMaster
\$25.40



8% buy
Chamberlain 78LM Multi-Function Control Panel by LiftMaster (6)
\$18.79

> [Explore similar items](#)

Product Specifications

Part Number: 398LM
 Power Source: battery-powered
 Item Package Quantity: 1

Technical Details

- Order the Chamberlain 398LM Wall Button if:
- Your motorhead has a purple learn button and purple antenna.
- Compatible with all 315Mhz Chamberlain manufactured units.
- 398lm includes: Wall button, Installation Instructions
- Compatible mini remote: 370lm; Compatible keypad: 377lm

Product Description

Product Description

The LiftMaster® Smart Control Panel® makes it easier than ever to operate your garage door opener. This control panel is smart enough to sense when you enter the garage and then turn the operator lights on automatically - hands free. Plus, its advanced design also displays the time and inside garage temperature, as well as important system status messages so you can maintain your system with greater ease. New on-board programming capability also makes programming remote controls easier and more convenient, as well as setting time, temperature and language preferences. It also locks out all outside remote control radio signals while you're away.

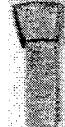
Product Details

Shipping Weight: 10.1 ounces ([View shipping rates and policies](#))
ASIN: B00283U11K
Item model number: 398LM
Average Customer Review: (1 customer review)
Amazon Bestsellers Rank: #5,820 in Home Improvement ([See Top 100 in Home Improvement](#))
 #38 in [Home Improvement > Hardware > Garage Door Hardware > Garage Door Openers](#)
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<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="text-align: center;"></p> <p>Liftmaster 379LM-10 315MHz Fingerprint Keyless Entr... by LiftMaster (3) \$49.95</p> </div> <div style="width: 45%;"></div> </div>			

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1 Review

5 star: (1)
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2 star: (0)
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Average Customer Review
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Good full-functioned gadget, November 7, 2010

By [Segv](#) (California) - [See all my reviews](#)

Amazon Verified Purchase [\(What's this?\)](#)

This review is from: [Chamberlain Liftmaster 398LM 315Mhz Smart Control Panel \(Misc.\)](#)

I got this control panel for my garage door opener because I wanted to be able to have the door opener light triggered by motion sensor. In that regard it works well. The light button isn't really necessary, just wave your hands at it.

The time and temperature are a nice bonus, as is the lockout button. It is VERY

convenient to be able to program a new remote without climbing up on a ladder to push the program button on the motor unit. My only issue is that it is too easy to bump the "hour" and "minute" buttons on the side. There should be a "set" button that you need to press first, like on an alarm clock.

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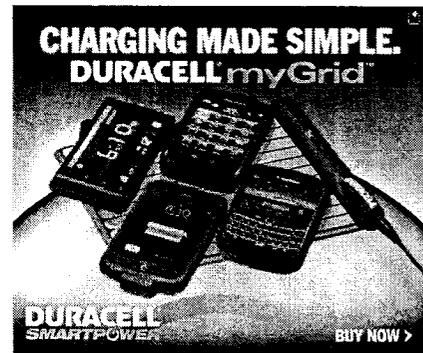
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(5) \$28.88

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Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: TOUCHSMART

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EXHIBIT 57

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SMARTTOUCH 2

THE BOSS
SmartTouch 2

**SUPERIOR.
NO MATTER HOW YOU USE IT.**

STRAIGHT OR V-PLOW

The Power-V control (left) makes it easy to position your plow from "scoop" to "V" to "straight" or any position in between, while the Straight-Blade control (right) makes simple, quick work out of positioning your plow for the job at hand.

MOUNTING
OPTIONS

SMARTTOUCH 2™ CONTROLS

For every plow operator, there's a different plowing style. That's why, when we set out to design our SmartTouch 2 controls, we kept one word in mind--versatility. More than just right or left-hand compatible, SmartTouch 2 offers more mounting options than any other control. In addition, details like soft, illuminated buttons, a sleep mode function and an exclusive express up/down feature set it apart from the rest.

HIGH-PERFORMANCE HYDRAULICS

At the heart of every BOSS snowplow is the industry's fastest, most reliable high-performance hydraulic package. The exclusive pump and valve assembly is so advanced, no one else comes close in speed and reliability. And unlike some competitive systems whose hydraulic components are completely exposed to the elements, THE BOSS hydraulics are fully enclosed, protecting

them from corrosion and hydraulic
freeze-up.

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The All-New Kindle: \$139

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Norelco HQ9 SpeedXL SmartTouchXL Electric Shaver Replacement Heads

by [Norelco](#)

(10 customer reviews)

List Price: ~~\$45.99~~

Price: **\$32.29**

You Save: \$13.70 (30%)

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Product Features

- Fits Norelco SpeedXL and SmartTouchXL electric razor models
- 9190XL, 9170XL, 9170XLCC, 9160XL, 9160XLCC, 8170XL, 8170XLCC, 8160XLCC, 8151XL, 8150XL, 8140XL

Frequently Bought Together



Price For All Three: \$69.27

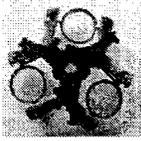
These items are shipped from and sold by different sellers. [Show details](#)

- This item:** Norelco HQ9 SpeedXL SmartTouchXL Electric Shaver Replacement Heads by Norelco \$32.29
- Norelco Philips Smart Touch-XL & Speed-XL Retaining Plate by Norelco \$11.99
- Norelco Philips Speed-XL Shaver Head Holder by Norelco \$24.99

Customers Who Bought This Item Also Bought

Page 1 of 19

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Norelco Philips Smart Touch-XL & Speed-XL Retaining Plate by Norelco (4) \$11.99



Norelco Philips Speed-XL Shaver Head Holder by Norelco (12) \$24.99



Norelco AL80 Razor Lubricant by Norelco (19) \$7.99



Philips Norelco HQ9 SpeedXL Replacement Heads by Philips Norelco (225) \$26.11

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Norelco Philips 8100 Series Speed-XL Head Frame with H... by philips (4) \$24.99

Important Information

Indications

Philips norelco HQ9 speedXL replacement heads fits speed XL and smart touch XL models.

Product Description

Product Description

These three stainless-steel heads fit Norelco Quadra Action razors only. Blades in the heads shave in two stages, with slots for long hairs and holes for short hairs. Installing them is simple, and the package provides illustrated instructions. They adjust to individual facial contours for a smooth, effortless shave

Product Details

Item Weight: 2.8 pounds

Shipping Weight: 2.1 ounces ([View shipping rates and policies](#))

ASIN: B000Q99WYK

UPC: 075020209306

Item model number: hq9

Average Customer Review: (10 customer reviews)

Amazon Bestsellers Rank: #21,323 in Beauty ([See Top 100 in Beauty](#))

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Philips / Norelco HQ9 HQ-9 Speed-XL & SmartTouch Repla... by Norelco

(3)

\$29.95



Philips Norelco HQ9 SpeedXL Replacement Heads by Philips Norelco

(225)

\$26.11



Norelco HQ9 SpeedXL Replacement Heads by NORELCO

(6)

\$27.47



Norelco HQ9 Replacement Heads For Shaver Model 8140XL by Norelco

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Norelco Replacement Heads

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Norelco Speed XL parts

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10 Reviews

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- 2 star: (0)
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Average Customer Review

([10 customer reviews](#))

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6 of 6 people found the following review helpful:

Not the same product as in the picture., November 3, 2008

By **Martin Simonich "Martin Brazil"** (USA) - [See all my reviews](#)

This review is from: **Norelco HQ9 SpeedXL SmartTouchXL Electric Shaver Replacement Heads**

What the seller did was he sent me the older version of the shaver replacement head. Not the one he has on the product picture. It is ok but you should post the right picture of the product.

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2 of 2 people found the following review helpful:

Philips Norelco HQ9 SpeedXL Replacement Heads, July 29, 2009

By [James Page](#) (North of San Francisco) - [See all my reviews](#)

This review is from: **Norelco HQ9 SpeedXL SmartTouchXL Electric Shaver Replacement Heads**
What choice do you have. There is only one replacement part for the razor. After I bought, I saw it at Sears for a better price and no shipping cost.

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2 of 2 people found the following review helpful:

Good, sharp and easy to install, April 12, 2009

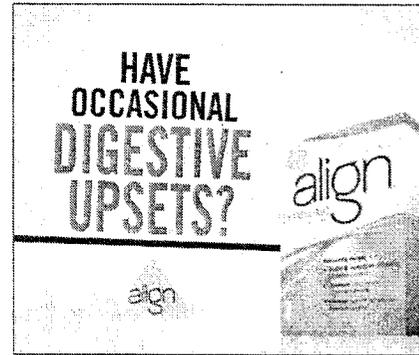
By [M. Beran](#) (Illinois) - [See all my reviews](#)

Amazon Verified Purchase ([What's this?](#))
This review is from: **Norelco HQ9 SpeedXL SmartTouchXL Electric Shaver Replacement Heads**
Blades arrived very quickly. Easy to install and just as good as the original blades.

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Most Recent Customer Reviews

Norelco replacement blades

The blades were sent on time and exactly as represented. I was impressed that they were in the original packaging from Norelco indicating they were bona-fide.

Published 1 month ago by J. Duncan

Great product and service

It was wayyy to long between changing razor blades and I was having trouble getting a clean, close share. [Read more](#)

Published 2 months ago by Jon Wroten

very bed quality

every year I had changed replacement Heads and it was really good during a year. But this order is very bed quality. [Read more](#)

Published 15 months ago by birka1

morris review

I was very satisfied with my purchase of Norleco shaver heads. The price was very good, and my purchase was delivered on time.

Published on August 15, 2008 by Preston E. Morris

shaver heads

Product received in good condition, but somewhat I received another one shortly afterwards without remembering having ordered it.

Published on May 13, 2008 by Dr. Faustino Gomez

You Can't Rate it if You Haven't Received it!!!!!!!!!!!!!!

This is the second time you have asked me to rate this purchase and this is the second time I have to tell you that the product has not been received yet - nor has Goodman's... [Read more](#)

Published on December 29, 2007 by Margaret Olson

Item never received

I never got this item because it was mailed and AMAZON DID NOT ALLOW ME TO give my mailling address because it was a PO BOX !!!!!!!!!!! [Read more](#)

Published on November 10, 2007 by Frank H. Hartung

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health Still Smoking?	55	12 minutes ago
health I'll stop smoking when you stop over eating, drinking, start exercising and eating totally healthy....	92	13 minutes ago
health Need help choosing last meal.	197	1 hour ago
health circumcision: you finally did it and i hope you are happy	19	2 hours ago
health Corrupt Home Nurses and Elder Abuse	38	2 hours ago
shaving Best razor blade	0	3 days ago
shaving Adjustable Razor	5	3 days ago

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The Electric Razor community



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The Norelco community



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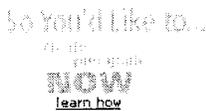
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HEWLETT-PACKARD DEVELOPMENT
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Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

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EXHIBIT 59

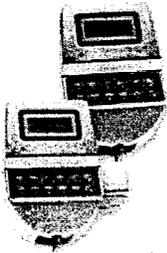
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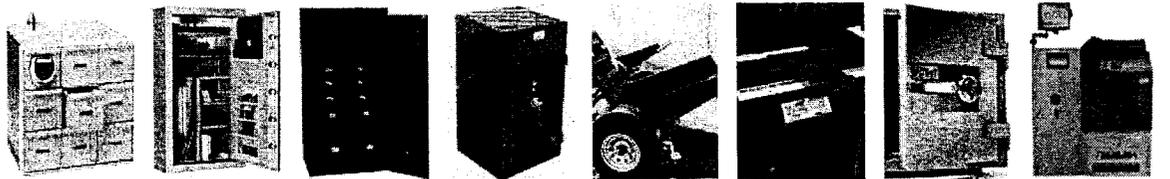
Home > Safe Locks > LAGARD SMARTLINC II / SMARTPOINT
LAGARD SMARTLINC II / SMARTPOINT



The SmartLinc allows up to 99 different user codes with access controlled by time, date, and/or user. The unit operates on a 110 volt AC adapter allowing 9 volt batteries to become backup in the event of a power failure. The lock allows the keypad to operate a total of 5 locks should your safe have multiple doors or drawers. The LCD display allows you to view all activities of the lock including the audit. The SmartPoint has all of the features of the SmartLincII with the option of entry via biometrics. This option allows entry using biometrics and/or biometrics and a combination. Additional software and cabling required for programming and some audit downloads for both the SmartLinc and SmartPoint.

Brochure:

LaGard SmartSeries Brochure.pdf



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Petitioner,

v.

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COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

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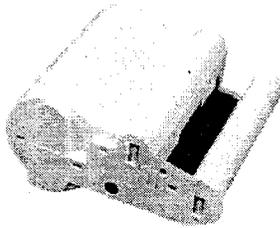
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Smartparts SP8PRTC Printer Cartridge for SP8PRT Digital Frame

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- Smartparts SP8PRT 8-Inch Digital Picture Frame with Built-In Printer and OptiPix Software \$55.00
- SanDisk 2GB SD Memory Card (SDSDB-2048, Bulk Package) \$5.77

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Technical Details

- Refill print cartridge for SP8PRT 8-inch digital frame
- 36 prints with each refill cartridge
- 4x6 size
- 300 dpi on each print

- Ink/paper included

Product Details

Product Dimensions: 5.1 x 2.2 x 4.9 inches ; 2.8 pounds
Shipping Weight: 1 pounds ([View shipping rates and policies](#))
Shipping: Currently, item can be shipped only within the U.S.
ASIN: B0015657UG
Item model number: SP8PRTC
Average Customer Review: [Be the first to review this item](#)
Date first available at Amazon.com: March 1, 2008

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Product Description

Product Description

Smartparts SP8PRTC is a refill cartridge for the SP8PRT 8-inch digital picture frame. Each cartridge refill prints 36, 4x6-inch, sharp 300 dpi prints. Refill cartridge helps you share your favorite pictures with your friends using the SP8PRT digital picture frame. Frame features built-in printer that allows you to print favorite pictures straight from frame with the touch of a button. No computer hook-up necessary.

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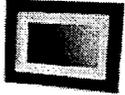
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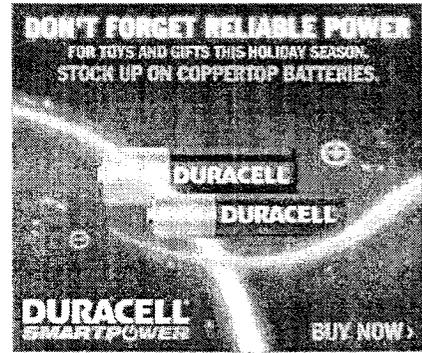
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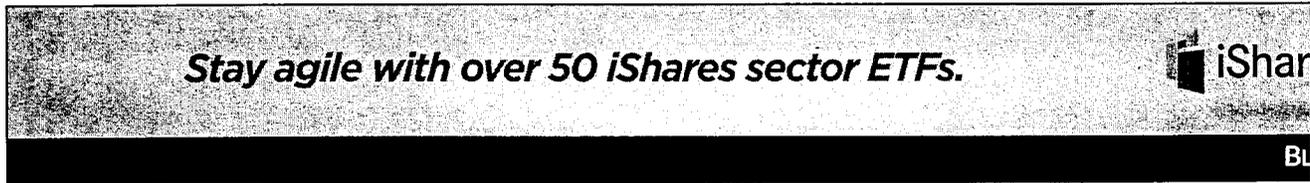
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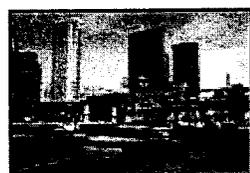
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Tool removes the grunt work from college planning

Software lets advisers compare schools, eligibility for aid

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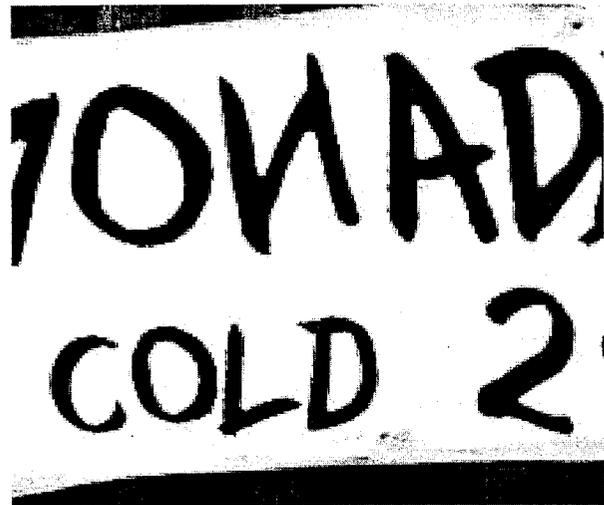
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By [Davis D. Janowski](#)

July 19, 2009 6:01 am ET

New software automates the college selection process and financial planning, eliminating hours of manual work for financial advisers.

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Smart Search, from Stratagee Corp. in Russell, Pa., automates the process of researching schools, removing most of the tediousness from the process. In less than 45 minutes, advisers and families can identify colleges and generate an estimate of the net cost of attending — taking into account financial aid, academic scholarships and other grants.

The web-based program allows advisers to compare schools, estimates the chances a student has of being accepted and eligibility for financial aid. Experts said that this is the first time that a single technology can answer the questions: Can a student get into a particular school? And can the family afford the room and board?

Smart Search “appears to be a handy little tool, especially for doing quick analysis,” said Rick Darvis, executive director of the Plentywood, Mont.-based National Institute of Certified College Planners, which provides courses that lead to a designation in college planning. Unlike other college search software, it can determine the likelihood of a student's being admitted, he said.

An adviser inputs a student's standardized-test score and grade point average, some basic financial information and search criteria such as specific majors or college locations.

Once the information is entered, the adviser can generate a report that includes the name and website for each college, the student's chance of admission and a cost estimate for each school.

In addition, the platform estimates the amount of aid a student could receive and the net cost to the family after loans and grants are factored into the equation.

The technology is a relief to clients who otherwise would rely on pencil and paper to determine the schools their children would consider, and determine if they could afford to attend them by virtue of some back-of-the-envelope calculations.

Russell Certo, a physical therapist in Grand Island, N.Y., and his wife went through the “extremely painful and time-consuming process” of planning their oldest daughter's college admission on their own.

As a result of the experience, he asked his adviser, Jim Miller, a certified financial planner in nearby Buffalo, N.Y., to assume a leading role in college planning for Mr. Certo's remaining kids.

Mr. Miller put together a list of 10 schools for Mr. Certo's 17-year-old son, Benjamin, including Harvard University in Cambridge, Mass., which is considering him as a potential hockey recruit.

"Oh my, was this ever so much simpler and so much less of a headache," Mr. Certo said. "You can plug things in and take things out, and you are not ruling out the expensive schools just based on cost."

To be sure, college planning has frustrated advisers because of the time required to develop a strategy.

"When I first started [working on Section 529 college savings plans], I was spending eight or more hours putting [them] together," said Troy E. Miller, a CFP in Sacramento, Calif., who is no relation to Jim Miller.

As a result, the former started his own website, 529directory.com, in 2001 to help simplify the process for advisers, with free tools and a simple calculator. But Mr. Miller said that Smart Search is "comprehensive and extremely intuitive."

"Now you can knock out a plan in anywhere from 15 to 45 minutes, not to mention being able to provide an entire page of reports and possibilities," he said. "What Smart Search does is not only eliminate the schools you shouldn't be wasting your time on, but it allows for a more accurate assessment of all the possibilities in one program."

Although no competitors exist that match the scope of Smart Search's features in a single product, advisers can rely on a couple of websites to generate similar information. However, these sites are likely to require more legwork because they aren't designed for advisers.

Collegeboard.com Inc. in New York offers an abundance of free resources under its "For Parents" section and five subsections, such as "Pay For College." There are dozens of articles, frequently asked questions, and calculators are available that advisers can use if they are willing to invest the time to locate them.

Likewise, Peterson's, a subsidiary of Nelnet Inc. in Lincoln, Neb., offers a plethora of resources at petersons.com of which advisers can take advantage — if they are willing to take the time to explore the site.

However, advisers who attain the college-planning certification and join the NICCP can purchase additional tools and materials that will allow them to match, or surpass, Smart Search, several market participants said.

Smart Search is available at Stratagee.com and costs \$349 for an annual license that includes updates. In addition, the company plans to release a more advanced product, Strategy Software, a full-blown financial planning tool.

The cost is \$449 for an annual license that also includes updates.

E-mail Davis D. Janowski at djanowski@investmentnews.com.

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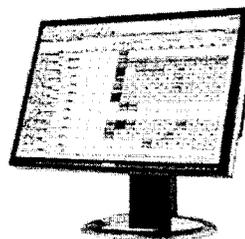
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- Eliminates orphan results—Tests and image requests ordered from any workstation in the clinic are automatically added to the patient medical record.
- Eliminates redundant data entry—Patient data automatically downloads to in-house analyzers or electronic reference laboratory request forms.
- Minimizes the search for paper files and test results—Patient records and medical data are available at every workstation in the clinic
- Saves time—Order tests on multiple instruments from a single interface.
- Minimizes errors—Staff won't forget to run tests because the travel sheet never made it back to the laboratory area.
- Lets you work smarter and faster—Empower your staff with an efficient, streamlined system that gives them more time to spend with patients and clients.

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- Virtually eliminates lost charges—Automatic fee capture saves the average two-doctor practice \$40,000 a year.^{1, 2}
- Grows revenue without increasing staff, or allows you to do the same with less staff.
- Lets you spend less time at the end of the day auditing and matching records.
- Consolidates test reports to provide legal documentation of your treatment recommendations.

Increased Client Loyalty

- Builds client trust and perceived value—Consolidated patient report gives you a clear, client communication tool that documents your care and can increase client compliance by 40% when reviewed face-to-face.³
- Lets you access diagnostic information immediately at any workstation in the practice when clients call in with questions.

References:

- 1 AVMA Report on Veterinary Practice Business Measures. Schaumburg, Ill: American Veterinary Medical Association; 2007:13.
- 2 Financial & Productivity Pulsepoints: Vital Statistics for Your Veterinary Practice. 3rd ed. Denver, Colo: AAHA Press; 2004.
- 3 BNRResearch. Perceptions and Attitudes of Pet Owners: The Impact of the Bond. May 2007.

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JUMPER CABLES FROM MICHELIN**

Make Jumping A Dead Battery Simple, Safe & Smart



WITH MICHELIN SMART JUMPER CABLES



ORDER NOW



Make Jumping A Dead Battery Simple, Safe & Smart

- You can attach either clamp to either the positive or negative connections
- The patented circuitry automatically adjusts the polarity for you
- Built-in surge protector protects your vehicle's electronics

Smart Cables™ Offer Includes

- Michelin Smart Jumper Cables™

FREE BONUS

- Sturdy Zip-Up Storage Case

SPECIAL BONUS (Just pay additional S&H)

- 40-Piece Smart Toolkit
-Tools needed for most household repairs and comes with a lifetime warranty



MICHELIN

SMART
Jumper Cables™

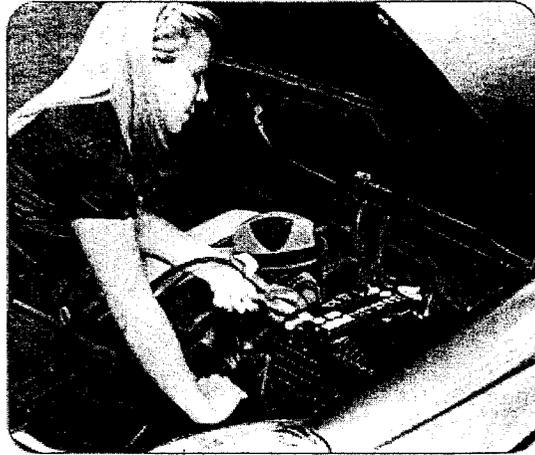
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Quantity 1 Limit 5

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Offer Details: Michelin Smart Jumper Cables, the safe and easy-to-use jumper cables that eliminate the guesswork. When you order today, you'll get Smart Jumper Cables at a special low price of just two easy payments of \$19.95, plus \$9.95 shipping and handling. As a special bonus for ordering right now, we'll also include a sturdy 40-piece precision toolkit FREE, just pay separate \$9.95 shipping and handling. For residents of the states of WI, WA & FL, there will be an added sales tax. For WI add 5.1%, for WA add 6.5% and for FL add 6%.

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Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: TOUCHSMART

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 64



Intermec SmartSystems Foundation

SmartSystems Foundation is a software platform that provides a single, integrated environment for hands-free deployment and management of devices located anywhere in the enterprise, on-site or remote.

SmartSystems™ Foundation Downloads

Console/Server Software

Download	Size	Notes	Date	Registration Req.
SmartSystems Scan-to-Connect Utility ver. 3.51.02.0524	2.4M	Generates barcodes which enable users to connect mobile computers to a secure wireless network and load software via scanning. Requires: Windows XP, Vista or Windows Server 2003/2008, SmartSystems Foundation v3.51. For use with mobile computer using SmartSystems client 3.30 or later. Release Notes.	Tuesday, February 9, 2010	X
SmartSystems Bundle Wizard ver. 3.51.01.0156	9.2M	Allows users on a machine that doesn't have SmartSystems Foundation installed to create software and settings bundles for easy distribution to devices via SmartSystems Console installed on a different machine. Requires: Windows XP, Vista, or Windows Server 2003/2008. Release Notes.	Tuesday, February 9, 2010	X
SmartSystems Reporting Services ver. 3.51.01.0149	6.2M	SmartSystems Reporting Services - provides standard reporting features for: Equipment Inventory, Software Inventory, Battery Replacement, and Software Exceptions. Requires SmartSystems Foundation 3.51. Review Release Notes before installing. Release Notes.	Monday, February 8, 2010	X
SmartSystems Foundation ver. 3.51.04.1225	31.2M	Console/Server for servicing Intermec computers, printers, RFID readers. Now includes 1-step provisioning in addition to remote configuration, OS upgrade, mgmt functions. Also includes updated License Manager for simplified license activation. Requires: Windows XP Vista, or Windows Server 2003/2008. Review Release Notes before installing. Release Notes.	Monday, February 8, 2010	X
SmartSystems Bundle Tool ver. 3.40.03.0655	4.7M	Allows users to create right-click tools for SmartSystems. To create software bundles for SmartSystems, use SmartSystems Bundle Wizard instead. Release Notes.	Friday, October 2, 2009	X
SmartSystems Remote Connection ver. 3.20.00.0341	23.4M	Allows users to find and connect to installed instances of SmartSystems Foundation Console on their network. Requires: Windows XP/Windows Server 2003, SmartSystems Foundation.	Monday, November 19, 2007	X

Demo Software

Download	Size	Notes	Date	Registration Req.
SmartSystems Remote File	3.7M	SmartSystems Remote File Explorer Tool V3.51. Free tool that works with SmartSystems to display an Intermec computers file system remotely. Use common file and folder	Tuesday, February 9, 2010	X

Explorer ver. 3.51.01.0265		features to: delete, rename, copy, and upload/download. Great for occasional remote support. For use with CN50, CN4, CN3, CK6x, CK32, CV30, CK30/31, 7xx devices. Release Notes.		
SmartSystems Remote Display Tool Demo ver. 3.51.02.0409	2.2M	SmartSystems Remote Display Tool Demo. Free Microsoft Utility packaged for use with SmartSystems Foundation. Use your desktop to display and control applications running on an Intermec computer. Great for demos or occasional remote support. For use with CN50, CN4, CN3, CK6x, CK30/31, 7xx, CV30 computers. This utility is NOT supported. Release Notes.	Tuesday, February 9, 2010	X

OS/Firmware/Drivers

Download	Size	Notes	Date	Registration Req.
SmartSystems Client - CV60 XPe ver. 3.43.06.0598	42.9M	Supports Licensing CV60 XPe. For use only on CV60 XPe operating systems. Release Notes.	Thursday, May 20, 2010	X
SmartSystems Client - Windows CE 5.0 ver. 3.46.07.0645	1.6M	New version of the SmartSystems Client for use on Intermec mobile computers. This client provides support for: CK60 and CV30. New feature support for the Scan-to-Load Utility v3.50. This update is for use with Intermec Operating Systems released prior to 9/1/2009. Release Notes.	Tuesday, September 22, 2009	X
SmartSystems Client - Windows Mobile 6.1 ver. 3.46.07.0645	1.7M	New version of the SmartSystems Client for use on Intermec mobile computers. This client provides support for two new mobile computers, the CN4 and CN50, as well as the CK3. New feature support for the Scan-to-Load Utility v3.50. This update is for use with Intermec Operating Systems released prior to 9/1/2009. Release Notes.	Monday, September 21, 2009	X
SmartSystems Client - Windows Mobile 5.0 ver. 3.46.07.0645	1.7M	New version of the SmartSystems Client for use on Intermec mobile computers. This client provides support for: CN3, CK60, CK32 and CV30. New feature includes support for the Scan-to-Load Utility v3.50. This update is for use with Intermec Operating Systems released prior to 9/1/2009. Release Notes.	Monday, September 21, 2009	X
SmartSystems Client - CV60 CE4.2 ver. 3.31.03.0391	1.2M	Supports Licensing and Scan-to-Connect for CV60 CE 4.2. For use only on CV60 CE4.2 operating systems. SmartSystems Scan-to-Connect Utility required to generate barcodes. Release Notes.	Tuesday, August 12, 2008	X
SmartSystems Client - Windows Mobile 2003 ver. 3.31.03.0391	1.3M	Supports Licensing and Scan-to-Connect for Windows Mobile 2003 OS versions. For use on 700 Series and CN2B computers. SmartSystems Scan-to-Connect Utility required to generate barcodes. Release Notes.	Tuesday, August 12, 2008	X

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SmarTEX

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Mr. Karthik M
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 [India]
 Business Type:
 Trading Company
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Quick Details

Type: Programming & Development

Operating Systems Supported: DOS, Windows

Version Type: Enterprise

Place of Origin: India

Specifications

SmarTEX is a specialized software solution designed for Textile retailer working across the full spectrum of textile industry.

SmarTEX is a specialized software solution designed for Textile retailer working across the full spectrum of textile industry. SmarTEX has specific features for clothing retailers such as category, family, size, length and variant matrix. These unique clothing matrixes are used throughout the software in purchasing, receiving, point of sale, inventory control, and reporting. SmarTEX also automates purchase, inventory accounts, employee, barcode operation, multiple payment methods, multi-currency, discount handling, VIP sales, and supplier. SmarTEX empowers you with advantages like flexible item identification, accurate billing and profitability control. It also helps monitor optimum ordering levels and provides end-of-day reports on stock, cash and sales.

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Message: Enter your inquiry details such as product name, color, size, MOQ, FOB, etc.

Enter between 20 to 3,000 characters, English only.

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SmartRMS
 SmartRMS is an all encompassing Restaurant Management System for managing the restaurant effectively and efficiently.

SmarTEX
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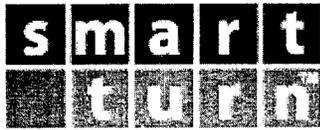
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EXHIBIT 66



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Easy-to-use Web WMS provides real-time inventory visibility, lower fulfillment costs and happier customers.

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The Proven Leader in Inventory Management Software & Inventory Management S

Inventory Management

SmartTurn is an easy-to-use, quick-to-deploy inventory management software system that increases visibility and control of all inventory management processes.

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CAPABILITIES

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- Receiving & put-away
- Inventory control
- Order fulfillment

News



RedPrairie acquires leading on-demand warehouse management (WMS) solutions provider, SmartTurn

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Video Interview with RedPrairie and SmartTurn

"Our experience has shown that companies everywhere are depending on better

Customer Success

With SmartTurn, Argent As saves anywhere from \$10, \$15,000 each month in supply chain efficiencies.

— Argent As

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Shipping
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inventory controls to improve their productivity. We are excited to join RedPrairie and are looking forward to continuing to build on the promise of on-demand WMS."
—Jim Burleigh, CEO of SmartTurn

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CIRQUE

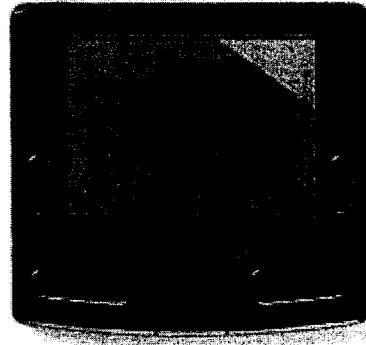
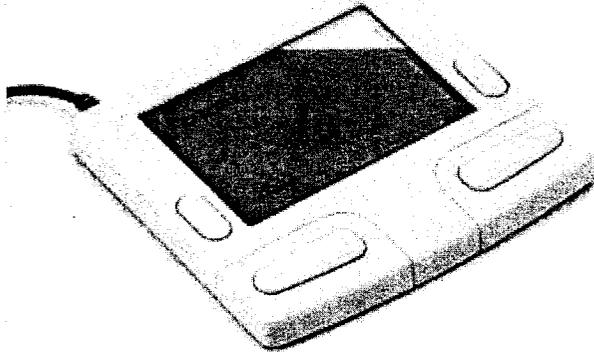
INNOVATIVE TOUCH SOLUTIONS

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Solutions

Technologies

Touchpad Mouse



Smart Cat® Touchpad

The Cirque Smart Cat® adds comfort plus performance to computer control with an extra-large touch surface, intelligent software, one-touch scroll and zoom, and distinctive sounds for each operation. Basic mouse functions are a snap. Simply access right-clicks by tapping a finger in the touchpad's upper right corner, and quickly activate vertical/horizontal scrolling as well as magnification tools by gliding a finger along the touchpad edges.

Functionality

- **Execute, browse at the touch of a finger**
- **Zoom reduces or enlarges Office documents**
- **Scroll moves horizontally & vertically**
- **Right tap mimics a mouse right-click**
- **GlideExtend® virtually eliminates the edge of the pad when dragging**
- **Adjustable sounds, speed, sensitivity and orientation**

Product Highlights

- **Extra-large touch surface**
- **Easy-to-find textured "right" click area**
- **One-touch scroll, zoom and surf**
- **Three (3) mechanical buttons supported**
- **Withstands spills and abuse**
- **Easy PS/2 or USB connectivity**

GlidePoint® Technology - Cirque's capacitive touch technology provides complete navigation control of any graphical interface, packed in a space-saving, low-friction, durable mouse alternative. GlidePoint's sophisticated sensor system quickly responds to precise finger movements.

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True Touch Lighting Control

by [Leviton](#)

(1 customer review)

Price: **\$30.84**

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Ships from and sold by **7GIFTS**.

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Technical Details

- Digital touch dimmer
- LED Indicator
- Includes Color Kits

> [See more technical details](#)

Product Details

Product Dimensions: 1.3 x 5.4 x 6.2 inches ; 7 ounces

Shipping Weight: 1 pounds ([View shipping rates and policies](#))

Shipping: Currently, item can be shipped only within the U.S.

ASIN: B000GKDU8S

Item model number: 001-TT106-1EI

Average Customer Review: (1 customer review)

Amazon Bestsellers Rank: #240,212 in Electronics ([See Top 100 in Electronics](#))

Date first available at Amazon.com: September 14, 2004

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Product Description

Product Description

Digital touch dimmerLED IndicatorIncludes Color Kits

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ACE WIRE-IN TOUCH DIMMER For



Thomas & Betts AR135D Touch Lamp Kit by



Westek A6043CS 200W 3-Level Touch Pad



Westek 6503HBLC 300W 3-Level Wire-In



Inverting Thomas & Betts (13)
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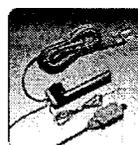
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[\(1 customer review\)](#)

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 3 star: (0)
 2 star: (0)
 1 star: (1)

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0 of 1 people found the following review helpful:

Shuts down during utility "brownouts", September 14, 2008

By **Golog** (USA) - [See all my reviews](#)

This review is from: **True Touch Lighting Control (Electronics)**

This would be a 5-star product if it didn't shut down during the most extreme utility brownouts on hot summer days. This happened to me twice this summer in the New York City area (ConEdison). It's the only electronic product I own that doesn't operate normally at all times with ConEdison power. When the voltage drops below a certain point, the lights go out and can't be turned on, although the LEDs on the dimmer switches continue to glow. When the voltage increases above the dimmers' threshold, the lights come on at full strength. If you have these switches in bedrooms, as I do, it's imperative to turn them off with the tiny push-pull switch before going to bed during a brownout that has caused the lights to go out. Otherwise you will wake up in the middle of the night to maximum light when the voltage comes back to within Leviton's acceptable range. The old-style Leviton touch dimmers with left-right on-off switches are not affected by brownouts.



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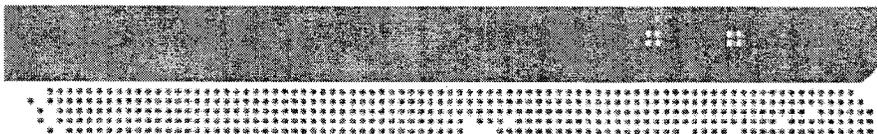
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Touch Screens

Click to Download our 12" to 100" Crystal Touch Data Sheet

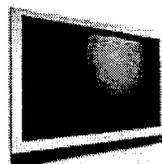


A new era in touch screen technology

Whether you are looking for a 3 inch or 100 inch touch screen solution, Lumio has the answer. Our solutions are scalable and mechanically simple to integrate. Our Virtual Layer allows the original screen brightness, color fidelity and clarity to be seen without any degradation.



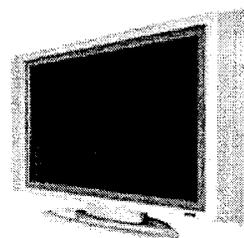
Our Virtual Layer sits just off the surface (enabling a 'light-touch' response) and does not degrade, or suffer from shift, drift, aging or sensitivity to scratch yet provides high levels of accuracy and resolution, multi-point recognition and mouse/handwriting recognition control.



Lumio's Virtual Interface Modules provide OEM's and integrators with the scalability and design flexibility required for the fast product turn around. As LCD manufactures are now developing better and better screens with higher contrast and richer colors; sacrificing this performance to turn your screen into a touch screen is no longer acceptable. Unlike other touch technologies (Technology Comparison) which place a physical layer over the screen, that unavoidably degrades the LCD performance, Lumio's technology places a virtual layer over the screen so the original color fidelity, brightness and contrast are maintained with a reduced power demand.

Unlike legacy Infra-red systems, our Modules are placed on a single edge or under the glass and are dramatically more cost-effective.

Large area touch screens no longer need to cost the earth.



Please contact us for further information



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- ▢ About us
- ▢ Our Core Technology
- ▢ How you can use us
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News & Press



The Optical Touch - Crystal Touch

Any flat surface
Anywhere
Any size

Crystal Touch - Multi

High Resolution
Calibration Free
Optical Touch Screen Family

Come and See Us at:

IBC Convention

Amsterdam, September

10 - 14, 2010.

Lumio, Inc. is located at the Microsoft booth in the Topaz

Lumio brings you a unique optical touch solution. By harnessing the power of light, we empower OEMs, system integrators and system designers to integrate low cost, small foot print modules that enable any flat surface to become interactive.

For LCDs, Plasma or rear projection surfaces of almost any size, our intelligent optical touch modules and integration combine to create the perfect solution for functionality, reliability, responsiveness and design appeal.

Whether it is to bring simultaneous multiple handwriting recognition capabilities to an interactive board, allowing for collaborative application software to be fully functional with multi users, or simply a single touch application our Optical touch modules enhance and enable intuitive, flexible and reliable human interaction with your screen solutions.

Simplicity, intuitiveness and quality are our watch words and our commitment. Take a tour through with us and see how our Virtual Multi Touch Layer and Multi User product line can significantly enhance your product offering.

In 2008 the exclusive panel of jurors at the World Economic Forum in Davos recognized Lumio as a Technology Pioneer and invited our management to attend and address this prestigious audience on the benefits of our intellectual property and economic vision for the burgeoning interactivity markets.

Crystal Touch and Crystal Touch - Multi belong to a family of high resolution, high brightness, cost-effective, optical touch screen systems that turns any flat surface into an interactive surface.



Scalable, and mechanically simple to integrate, Crystal Touch incorporates high resolution linear sensors and patented continuous waveguide illumination technology to deliver high levels of accuracy and resolution with mouse/handwriting recognition control.

Our Crystal Touch screens all come with our plug and play Dual Control functionality and our unique patented NO CALIBRATION capability. These additional features allow for a number of dual touch finger motions to be pre-defined in the system (rotating images, zooming in and out etc.) adding functionality and greatly enhancing the user experience. Our Crystal touch is Win7 Logo Certified and also supports Linux and MAC OS.

Crystal Touch Multi is the first 4 point multi touch system for screens from 24 inches to 200 inches - enabling true multi-point multi-user screen interaction for applications in and array of markets

including: broadcast, entertainment, educational and military markets.

Key Features

High resolution
High accuracy
Fast reporting rate
Very low latency
Dual Touch Windows 7 Certified and Dual Control for non Win7 environment
Glass transparency, no absorbing layer, no haze
High clarity and color fidelity
Activated by any object; finger, glove, pen/stylus etc.,
No calibration is required
Automatic Self Calibration Feature (Automatic Drift Correction)
No aging or temperature drift
Long lifetime with high reliability
Scratches do not effect performance
Light touch with no pressure
USB-HID Digitizer and/or USB-HID mouse
Crystal Touch Multi
Supports 4 simultaneous touches



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Registration No. 3,600,880

Registration Date: April 7, 2009

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RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 70

Total Touch POS

HOME

THE TOTAL TOUCH
DIFFERENCE

BLUEFROG
TECHNOLOGIES, INC.

CUSTOMERS

CERTIFIED VENDORS

PARTNER LOGIN

CONTACT US

ONLINE SUPPORT



*"The POS Software Designed
with YOU in Mind!"*

Easy to Learn

Easy to Use

The Simplicity of a Cash Register

BUT

with the

POWER

of a Network Computer System

*"Everything that you need and **NOTHING** that you don't"*

*Total Touch POS is a complete front and back of the house
Restaurant POS software application suite that*

*Includes everything necessary to easily manage your
restaurant's day to day operations: :*

- Fine Dining Table Service
- Bar Tabs
- Quick Service/Fast Food

- Deli Service
- Delivery Service
- Drive Through
- Pizza Service
- Gift Card Management
- Menu Costing
- Sales Analysis
- Credit Card Management (Mercury Payment Systems, Sterling Payment Systems, PCCharge Payment Server)
- Coupon Management
- Discount Management
- Employee Labor/Payroll Tracking
- Customer Database Management
- Customer Statement Printing
- Accounting Interface (csv file export)
- Email and Chain Reports
- Optional Enterprise Management and Inventory/Recipe Control

and much more!p!plication suite

pplication suite

The development and functionality of the Total Touch POS™ suite of applications is the result of the experience of POS professionals with over one hundred (100) years of combined experience in the Restaurant Point of Sale business.

The **BlueFrog** Technologies, Inc. team, over the years, has sold, installed and supported the majority of the Restaurant POS brands on the market today. In every case, we found these applications wanting.

The leading systems were expensive, difficult to install, to support and to learn.

We put our knowledge and experience to work to develop a POS system that is as easy to learn, and use as a cash register but with all the power and flexibility of a networked computer system.

Total Touch POS™ IS...

"The POS Software Designed with YOU in Mind!"

BlueFrog Technologies, Inc

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EXHIBIT 71



- Home
- Contact Us
- Product Information
 - Series 8000MP Master-Touch™ Flowmeters
 - Series 8000MPNH Master-Touch™ Flowmeters
 - Master-Touch™ Flow Averaging Tubes (FAT™)
 - Series 9000MP Multipoint Flowmeters
 - Series 7000-7200 Flow Switches
 - EPICommunicator (EPICom) Flowmeter Software
 - LightWIRE Infrared Flow Meter Communications
- Technical Information
- Master-Touch Solutions
- Domestic Sales
- International Sales
- Request a Quote

Master-Touch™ MP Series

In many industries the need for monitoring gas flow involves hazardous gases, potentially dangerous operating environments or simply a desire for a rugged, industrial-strength configuration. These applications include many common manufacturing processes, natural gas metering, compressed air auditing, etc. The Master-Touch MP Series is now approved for use in hazardous area locations: Class I Division 1 Groups B, C and D; Class II E, F and G; Class III; Type 4X, 7; Ex d IIB + H2; AEx d IIB + H2, IP66; EEx d IIB + H2, IP66; T2 (consult factory for T3 or T4).

Certified to US requirements; Certified to Canadian requirements 

Certified to European ATEX requirements   KEMA 04 ATEX 2276

The remote enclosure is certified for use in Ordinary (Non-Hazardous) area locations: Type 4X, IP66

Master-Touch™ Technology

EPI's Master-Touch™ flowmeters incorporate the following subsystems to perform signal processing functions: sensor, bridge controller, microcomputer, and I/O communication outputs. Our proprietary microcomputer performs digital signal processing (DSP) functions utilizing a high speed, high resolution 16-bit analog to digital converter (ADC), a central processing unit (CPU) and a high resolution 14-bit digital to analog converter (DAC). Our CPU is an embedded microprocessor including random access memory (RAM), read-only memory (ROM), a serial communications controller (SCC), and I/O data lines.



Menuing System

In addition to the basic Run Mode for day-to-day operations, the Master-Touch includes a menuing system that is accessed via the 4-button keypad or a PC running EPICommunicator™ software, and now features eight operational menus with their submenu items:

100 *Meter* Menu — This menu is used change the displayed engineering units, change the scaling of the output signals, and reset the stored values for elapsed total, high and low flow rates, timestamps, etc.

200 *Utility* Menu — This menu is used to change a variety of microprocessor parameters, such as the display update rate, the internal date and time, the analog-to-digital (ADC) and digital-to-analog (DAC) signal conversion filters, etc.

300 *Status* Menu — This menu includes a series of submenus which present basic information about the flowmeter set up and status.

400 *Alarms* Menu — This menu is used to control the relay options, including pulsed outputs, high/low trip points, etc.

450 *E-Log* Menu — This menu is accessed via EPICommunicator's E-Logger™ module to perform datalogging functions.

700 *S-Curve Fit* Menu — This menu is used to modify the factory calibration with a set of secondary coefficients based on customer data.

750 *PW-Curve Fit* Menu — This menu is used to make adjustments to the linear output signal at specific 5% intervals of the calibrated full scale flow rate.

800 *P-Curve Fit* Menu — This menu is used to access the global C-Factor, change the stored cross-sectional area value, etc.

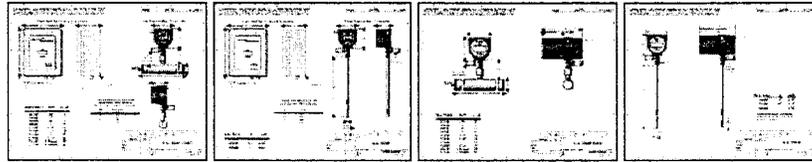
You may download the Instruction Manual (see below) or go to our EPICommunicator page for a complete discussion of these features.

In the Master-Touch MP Series, the electronics enclosure at the point of measurement is approved for hazardous locations. In our integral style flowmeters, these electronics include all components including the flow rate and total display as well as a four-button keypad. Although our standard remote style configurations have a general purpose enclosure for installing at some distance from the point of measurement, explosion-proof enclosures for the remote electronics are also available.



MASTER-TOUCH™ MP Series Thermal Mass Flowmeters

Click on a picture below for larger, printable image. For best printing, select Landscape in Page Setup menu. Click your browser's "Back" button to return to this page.



Click on the links below for .pdf files:

- [Inline, Remote Electronics Specifications](#)
- [Insertion, Remote Electronics Specifications](#)
- [Inline, Integral Electronics Specifications](#)
- [Insertion, Integral Electronics Specifications](#)
- [Instruction Manual](#)

SPECIFICATION NOTICE

The specifications presented are subject to change without notice. EPI cannot guarantee the applicability or suitability of our products in all situations, since it is impossible to anticipate or control every condition under which our products and specifications may be used.

LIMITED WARRANTY

Eldridge Products, Inc. (EPI) warrants its products to be free from defects in materials and workmanship for one year from the date of factory shipment. If there is a defect, the purchaser must notify EPI of the defect within the warranty period. Upon receipt of the defective product, EPI will either repair or replace the defective product or refund the purchase price at its sole option. EPI MAKES NO OTHER WARRANTY, EXPRESS OR IMPLIED, AS TO THE PRODUCTS. EPI MAKES NO WARRANTY THAT THE GOODS SOLD TO ANY PURCHASER ARE FIT FOR ANY PARTICULAR PURPOSE. FURTHERMORE, EPI MAKES NO WARRANTY OF MERCHANTABILITY WITH RESPECT TO ANY PRODUCTS SOLD TO ANY PURCHASERS. There are no other warranties that extend beyond the description on any brochure or price quote.

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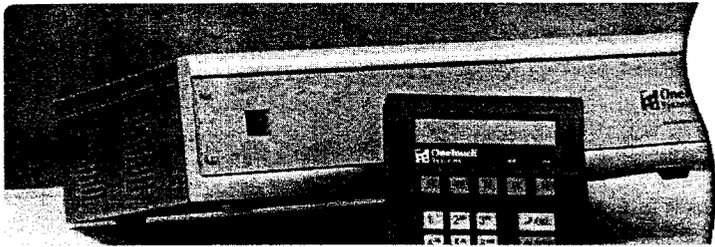
RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 72



CONTACT US | SUPPORT LOGIN ■■■
For More Information: 800-721-8682

- COMMERCIAL/RETAIL
- EDUCATION
- GOVERNMENT
- PRODUCTS
- COMPANY
- PARTNERS



ONE TOUCH Learning, Training and Communication Solution

One Touch provides virtual distance learning, training and communication system which allows you to produce and distribute high-quality video presentations while interacting with a large, distributed audience. Interaction can occur anytime and anywhere — via PC or in a classroom setting with the One Touch Site Controller and Keypads.

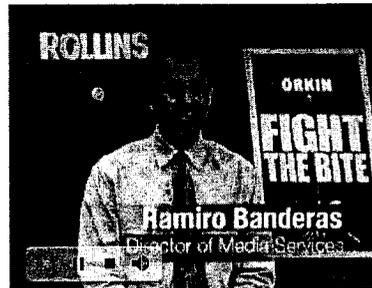
THE DESIGN PHILOSOPHY

One Touch technologies were designed to facilitate dynamic human interaction, with the "give and take" that human learning and understanding require. The system is structured around key learning principles, with a highly immersive approach: Visual Instruction, Interactivity and Accountability

THE BUSINESS VALUE

The extraordinary challenges of today's business environment fall into two categories: revenue growth and reducing costs. One Touch helps organizations achieve these goals with a competitive advantage by stretching the budget to train more people, more often, and with higher effectiveness.

What a Key Customer Says about OneTouch



Case Study: Executive MBA, Videoconferencing and One Touch (Click here)

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EXHIBIT 73



Worldwide | Select Country

Setup

Home Products HTC Sense Where to Buy Support HTC e-Club



HTC Touch Cruise

Remember every step of every journey

Make memories last a lifetime with the GPS-enabled Touch Cruise™. No matter where you are, revolutionary HTC Footprints™ innovation is there to record every adventure in precise and vivid detail — down to the exact coordinate. Capture life's special milestones, share amazing experiences and create memorable stories that will last forever.

HTC Touch Cruise

Overview

WHERE TO BUY

Overview

The HTC Touch Cruise is intelligent enough to help you navigate from point A to point B, but that is just the beginning. With the introduction of HTC Footprints, you have a mobile phone that lets you grasp all the precious details of the instances that make up your life.

Product Tour

Photo Gallery

Your Life Chronicles

We all strive to capture and hang on to the moments that touch our life. The HTC Touch Cruise does just that. Take a picture and the HTC Footprints automatically saves your location. Embellish your instance further by adding the thoughts that surrounded that special moment. You can even grab the sound of your friend's laughter to go along with your memory.

Specification

All Devices

The best part about HTC Footprints is that you can use them to find your way back to the hidden little café you visited last year, or the elm tree under which your loved one popped the big question. And if you want, you can simply flip through your collection and laugh about the times that helped create who you are today. HTC Footprints is like a journal of your life's highlights, making them always within your reach.



Facebook
Become a fan!

YouTube
Watch videos!

Twitter
Follow us!



Your Travels, Now Made Easier

The navigation software of the HTC Touch Cruise makes it a breeze to get around town. The cool thing is that it now comes with a car kit that helps you get even more out of your smartphone while you're on the road. Simply put the Touch Cruise in the car kit holder, and it automatically changes to NaviPanel mode. NaviPanel offers you a convenient one-touch interface to all the travel tools you need like GPS navigation shortcuts. Tap Go Home and the included software efficiently guides you to your destination. It even helps you locate services or avoid traffic jams on the way. But most importantly, it will never, ever let you get lost.

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EXHIBIT 74



HELPFUL LINKS:

[Customer Service >](#)
[Order by Number >](#)
[Store Locator >](#)

SEARCH RESULTS:

Your search for "Smart Touch" did not return any results.

Search Tips:

- Make sure all words are spelled correctly.
- Try different keywords.
- Try more general keywords.
- Try fewer keywords.

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EXHIBIT 76



that was easy:

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"Smart Touch"

0 items

\$0.00
Checkout

Show All Products

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Customer Service

Hot Deals Center

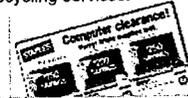
Questions? 1-800-STAPLES

Welcome, Log in please. | Easy on the planet. Eco-conscious products and recycling services.

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Call 1-800-STAPLES (1-800-782-7537)

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1 | 2 | 3 | 4

1-4 of 16 items



Staples® Copy Paper, 8 1/2" x 11", Case

(1268)



Marcal® 100% Recycled Bath Tissue, 2-Ply

(10 reviews)



Staples® Multipurpose Paper, 8 1/2" x 11", Case

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HammerMill® Copy Plus Copy Paper, 8 1/2" x 11", Case

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Staples makes buying office products easy.

From basic office supplies such as printer ink, toner cartridges and paper to office equipment like file cabinets, chairs, shredders and stylish office furniture, we have the office products you need to get the job done. You'll find great savings on the file folders, binders, address labels, and all the everyday supplies you need. Our wide selection of cleaning supplies, snacks, and refreshments make it easy to keep your breakroom clean and well stocked. Staples makes it easy to run your office.

Staples technology services and electronics will keep you on the cutting edge. Enjoy our everyday low prices on the newest technology products, from computers, netbooks and laptops to mp3 players, Bluetooth headsets and GPS systems. All this, plus the software titles you need from Microsoft, Norton, Quickbooks and more. Our wide selection of all in one printers, laser printers and inkjet printers will keep you printing for less. Staples makes technology easy.

From office supplies and office furniture to technology consulting, you're sure to find what you need at Staples.

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EXHIBIT 77



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(1268

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Marcal® 100%
Recycled Bath Tissue,
2-Ply

(10 reviews)

[Details](#)



Staples® Multipurpose
Paper, 8 1/2" x 11",
Case

(1689

[Details](#)



HammerMill® Copy
Plus Copy Paper, 8
1/2" x 11", Case

(898 reviews)

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Staples makes buying office products easy.

From basic office supplies such as printer ink, toner cartridges and paper to office equipment like file cabinets, chairs, shredders and stylish office furniture, we have the office products you need to get the job done. You'll find great savings on the file folders, binders, address labels, and all the everyday supplies you need. Our wide selection of cleaning supplies, snacks, and refreshments make it easy to keep your breakroom clean and well stocked. Staples makes it easy to run your office.

Staples technology services and electronics will keep you on the cutting edge. Enjoy our everyday low prices on the newest technology products, from computers, netbooks and laptops to mp3 players, Bluetooth headsets and GPS systems. All this, plus the software titles you need from Microsoft, Norton, Quickbooks and more. Our wide selection of all in one printers, laser printers and inkjet printers will keep you printing for less. Staples makes technology easy.

From office supplies and office furniture to technology consulting, you're sure to find what you need at Staples.

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EXHIBIT 78



Your search for "Smart Touch" found 0 results.
Would you like to:

Try Another Search

Enter keyword or item #

or find products by selecting an option below:

Browse for

Customers Who Searched For "Smart Touch" Ultimately Purchased

Item #973201 Your Price\$34.99
Pack
Qty

Item #286498 Your Price\$169.99
Each
Qty

Item #277294 Your Price\$11.49
Each
Qty

Item #327366 Your Price\$999.91
Each
Qty

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EXHIBIT 79



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HP 000005

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

NARTRON CORPORATION,
Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 80

Entry printed from *Oxford English Dictionary Online*

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smart, a.

SECOND EDITION 1989

(smɑ:t) Forms: 1-2 **smear**, 3 **smært**, 3-5 **smerte** (5 **smyrte**), 4-5 **smert** (5 **-tt**); 3- **smart** (4 **-tt**), 4-6 **smarte**. [OE. *smear*, related to *smeortan* **SMART** *v.* Not represented in the cognate languages.]

I. †1. a. Of a whip, rod, etc.: Inflicting or causing pain; sharp, biting, stinging. *Obs.*

a1023 **WULFSTAN** *Hom.* (1883) 295 Ic wylle swingan eow mid þam smearstestum swipum. **a1175** **Cott. Hom.** 243 þu ahst to habben..Stede and twei sporen and ane smearte 3erd. **a1300** *Cursor M.* 15785 Wit maces and wit neues smert vn-rekenli on him [they] ran. **c1325** *Chron. Eng.* 929 He was yschote With an arewe kene ant smert. **c1440** *Pallad. on Husb.* I. 940 The Greek seith eek that if a cloude arise Of bresis smert [L. *locustarum*], men must in house hem hide. **1447** **O. BOKENHAM** *Seyntys* (Roxb.) 47 Whan he on ye crosse..Heng nakyd fastnyd wyth nayles smerte. **1593** **SHAKES.** 2 *Hen.* VI, III. ii. 325 Their softest Touch, as smart as Lizards stings. **1671** **J. FLAVEL** *Fount. Life* xvi. (1836) 143 Sometimes he spares their outward, and afflicts their inner man, which is a much smarter rod.

†b. Sharp or rough to the touch. *Obs.*

c1400 *Destr. Troy* 924 þis stone.., Be it smethe owþer smert, smaragden hit hat.

†c. Severe or hard *on* or *upon* one. *Obs.*

1549-62 **STERNHOLD & H.** *Ps.* xxxii. 4 Thy hand on me so grievous was and smart. **1648** **BP. HALL** *Breathings Devout Soul* (1851) 164 When thy hand hath been smart and heavy upon me.

2. Of blows, strokes, etc.: Sufficiently hard or severe to cause pain. (In later use approximating to sense 5.) Also in fig. contexts.

c1200 *Trin. Coll. Hom.* 207 þenne me hine pined mid..smerte smiten of

smale longe 3erden. **c1205** LAY. 21364 [They] uppen Colgrime smiten mid swiðe smærte biten. **a1300** *Cursor M.* 25543 Iesu..Sufferd..Dintes sare and smert. **13..** *Sir Beues* 2883 Beues þanne wiþ strokes smerte Smot þe dragoun to þe herte. **c1400** *Rule St. Benet* 22 Yef any be tane ofte in faute,..wyd smerte beting sal sho be chastyd. **c1435** *Torr. Portugal* 2572 Smert boffettes they yeldyd there. **1602** *SHAKES. Ham.* III. i. 50 How smart a lash that speech doth giue my Conscience? **1658** *SIR T. BROWNE Hydriot.* iv. (1736) 45 The smartest Strokes of Affliction leave but short Smart upon us. **1764** *REID Inquiry* v. §6 Suppose him first to be pricked with a pin—this will, no doubt, give a smart sensation. **1841** *LANE Arab. Nts.* (Rtldg.) 12 Take a good-sized stick, and give her a smart thrashing. **1859** *GEO. ELIOT A. Bede* xxx, When a man's got his limbs whole, he can bear a smart cut or two.

†3. Of pain, sorrow, wounds, etc.: Sharp, keen, painful, severe. *Obs.*

a1300 *Cursor M.* 58 Wyt chaunce of ded, or chaunce of hert, þat soft began has endyng smart. **c1369** *CHAUCER Dethe Blaunche* 507 Hym thought hys sorwes were so smerte. **c1420** *Chron. Vilod.* 1787 Of goddus Passion..& of his wo & of his woundys hard and smert. **c1485** *Digby Myst.* (1882) IV. 192 The sorow of your harte Makes my passion mor bitter & mor smarte. **1513** *DOUGLAS Æneid* v. xii. 63 The fadir Eneas, smyt with this smart cais. **1678** *Lively Oracles* III. §5. 264 That long train of smart calamities which succeeded his sin. **1688** *BUNYAN Jerus. Sinner Saved* (1886) 64 The gospel..threateneth them with the heaviest and smartest judgments.

4. a. Of words, etc.: Sharp, severe; cutting, acrimonious. Now *rare*.

a1300 *Cursor M.* 3034 Abraham..thoght þis wordes war to smert. **13..** *Ibid.* 12084 (Gött.), Thoru bolning of his hert, To ioseph spac he wordes ouer smart. **1625-8** tr. *Camden's Hist. Eliz.* III. (1688) 269 A Book which was written..against the Marriage in a smart and stinging Style. **1639** *FULLER Holy War* II. xxiv, He would often give a smart jest, which would make the place both blush and bleed where it lighted. **1726** *SWIFT Gulliver* II. iii, He seldom failed of a smart word or two upon my littleness. **1751** *Narr. H.M.S. 'Wager'* 128 This smart Remonstrance touch'd the Lieutenant to the very Heart. **1825** *Gentl. Mag.* XCV. 1. 397 'To start' is to apply a smart word to an idle or forgetful person. **1842** *S. LOVER Handy Andy* xviii, The crowd ceased its noise when the two Squires were seen engaged in exchanging smart words.

†b. Sharp in criticism or comment *upon* one.

1692 WASHINGTON tr. *Milton's Def. People Eng.* iii. Wks. 1851 VIII. 75 The Lawyer, whoever he be, that you are so smart upon, was not so much out of the way. **1699** BENTLEY *Phal.* 390 He fansied, he was very smart upon me; but as it generally happens with him, he lashes himself.

5. Brisk or vigorous; having a certain degree of intensity, force, strength, or quickness: a. Of natural forces or processes.

13.. *K. Alis.* 1184 (Bodl. MS.), To moupe he sett his Olyfaunt, He bloweþ smert & loude sounes. **c1340** HAMPOLE *Pr. Consc.* 3257 Thai er dungen..With smert stormes als of wynd and rayn. **c1386** CHAUCER *Can. Yeom. Prol. & T.* 215 What sholde I tellen..of the esy fir, and smart also, Which that was maad? **a1400-50** *Alexander* 1309 Quen it was smeten in small with þe smert wazes. **1672** SIR T. BROWNE *Lett. Friend.* xii. 136 Sepulchral fires and smart flames. **1692** RAY *Disc.* II. ii. (1732) 107 A smart and continued Rain. **1711** SWIFT *Jrnl. to Stella* 31 Jan., We are here in as smart a frost for the time as I have seen. **1726** T. SMITH *Jrnl.* (1849) 265 This has been a very smart, close winter. **1800** *Med. Jrnl.* V. 31 They..had a smart fever for three days, and then an eruption. **1808** *Ibid.* XIX. 106 Leaving for him two smart purges of calomel and jalap. **1829** *Chapters Phys. Sci.* 463 It demonstrates its presence both by a sudden flash and a smart report. **1875** *Ure's Dict. Arts* III. 1055 The assistant must look to the oil, and bring it to a smart simmer.

b. Of liquor, with reference to its effect on the palate.

1648 J. BEAUMONT *Psyche* IX. lxxxii, A flood, to which..smart Gall is dropping Myrrh. **1664** POWER *Exp. Philos.* I. 33 Both in the keenest and smartest, as well as in the weakest and most watrish Vineger. **1710** T. FULLER *Pharm. Extemp.* 3 The smarter and staler [ale is], the more it openeth and detergeth. **1760-2** GOLDSM. *Cit. W.* lv. (Globe) 177/1 It will eat best with some smart bottled beer. **1818** KEATS *Lett.* Wks. 1889 III. 166 We have now begun upon whisky,..very smart stuff it is.

c. Of encounters, attacks, etc.

a1700 EVELYN *Diary* 2 July 1685, There was a smart skirmish. **1716** CHURCH *Philip's War* (1865) I. 125 In the Evening they heard a smart firing at a distance from them. **1791** GOUV. MORRIS in *Sparks Life & Writ.* (1832) II. 137 A good smart action would be useful rather than pernicious. **1813** *Sporting Mag.* XLII. 68 Cooper planted a smart hit on his adversary's neck. **1844** H. H. WILSON *Brit. Ind.* II. 51 A smart affair with the enemy took place. **1885** *Manch. Exam.* 21 Mar. 6/2 A smart

passage at arms between his Grace and Lord Bramwell.

6. a. Pretty steep. Now *dial.* or *colloq.*

a1668 R. LASSELS *Voy. Italy* (1698) I. 44, I went up a smart hill called Mount Aurigo. **a1904** in *Eng. Dial. Dict.*

b. Sharp, abrupt, clearly outlined. *rare.*

1753 HOGARTH *Anal. Beauty* xiii. 182 These objects which..come forwardest to the view, must have large, strong, and smart oppositions.

1784 J. BARRY *Lect. Art* v. (1848) 187 The cast and manner of their several foldings, some more smart and frequently interrupted, others more flowing. **1870** G. M. HOPKINS *Jrnls. & Papers* (1959) 201 The day had been very bright and clear, distances smart.

7. a. Considerable (in number, amount, extent, etc.). Chiefly *dial.* and *U.S.*

Bartlett *Dict. Amer.* (1848) 313 gives various quotations, including three for *a smart chance* in the sense of 'a good deal, a large quantity', etc.

1778 S. FOOTE *Devil upon Two Sticks* II. 44 in *Wks.* IV, [Scot loq.] Ah! for the mater of that, it is a praty smart little income. **1839** SIR G. C. LEWIS *Gloss. Heref.* s.v., 'A smart few' means a considerable number. **1855** THACKERAY *Newcomes* lxxx, Madame..left a smart legacy to the..children. **1882** *Mrs. Raven's Temptation* I. 276 Hope you will get a smart fee with it.

b. So *right smart*; also as *n.*, a good deal. *U.S.*

1842 J. S. BUCKINGHAM *Slave States of America* II. 327, I asked here, whether the people made much maple-sugar in this neighbourhood; when the gentleman..answered, 'Yes, they do, I reckon, right smart.'
1856 MRS. STOWE *Dred* II. xvi. 162, I sold right smart of eggs des yere summer. **1857** OLMSTED *Texas* 301 A 'right smart chunk of bacon'. **1863** S. L. J. *Life in South* I. vii. 91 We have read right smart of that book. **1879** TOURGEE *Fool's Errand* (1880) 88 Directing the work, and, Yankee-like, 'doing right smart of it' himself, as they say here. **1932** W. FAULKNER *Light in August* i. 25 There is a right smart of folks in Jefferson I don't know. **1938** M. K. RAWLINGS *Yearling* vi. 54 'Howdy, Mr. Forrester. Proud to see you. How's your health?' 'Howdy, sir. I'm right smart tol'able, seein' as how I be near about done for.' **1949** L. NORDYKE *Cattle*

Empire 81 Heard a right smart about you, Pincham.

II. 8. Pert, forward, impudent. *Obs. rare exc. pred. in to be or get smart (U.S.).*

13.. *K. Alis.* 4160 (Bodl. MS.), Darrie was wel sore anoyede..And seide, 'of tale þou art smart'. **c1449** *PECOCK Repr.* I. i. 5 In this trowing and holding thei ben so kete and so smert and so wantoun. **1607** *TOPSELL Four-f. Beasts* (1658) 114 The curst, sharp, smart,..implacable and wanton-rowling-eyed Women. **1933** *E. O'NEILL Ah, Wilderness* II. 60 *Tommy...* Uncle Sid's soused again. *Mrs. Miller...* You be quiet! Did I ever! You're getting too smart! **1955** *W. C. GAULT Ring around Rosa* v. 59 Don't get smart, Callahan. **1956** *B. HOLIDAY Lady sings Blues* (1973) i. 4 This time Cousin Ida beat me for being smart with her.

9. a. Of persons: Quick, active; prompt.

a1300 *Cursor M.* 7168 Sampson, þat was selcuth smert, Vte o þair handes son he stert. **c1380** *Sir Ferumb.* 5575 þe Sarzyn, þat was fers & smert, howel oppon þe helm he gert. **a1500** *How good wife taught her daughter* 194 in *Q. Eliz. Acad.* 50 When þi seruantes haue do þer werke, To pay þer hyre loke þou be smerte. **1530** *PALSGR.* 324/2 Smarte, swyfte, *soudayn.* **1655** *FULLER Ch. Hist.* IV. iii. §1 This year began the smart and active Council of Basil. **1687** tr. *Sallust* (1692) 96 All the while Catiline, with the most active and smartest of his followers kept still in the head of his Men. **1847** *C. BRONTË J. Eyre* iv, Bessie Lee..was smart in all she did. **1899** *F. T. BULLEN Log of Sea-waif* 342 We were mighty smart getting under way.

b. transf. Of things.

a1325 tr. *Stat. Westm.* 11c. 26 (MS. Rowl. B. 520lf. 20b), þer nis no writ..ware þoru þe plaintiffs habbez smarttere riȝt þane þoru þe writ of nouele disseisine. **1658** *SIR T. BROWNE Hydriot.* Introd., Water hath proved the smartest Grave; which in Forty Days swallowed almost Mankind.

c. Healthy, well. *U.S.*

1788 *J. MAY Jrnl.* 31 Aug. (1873) 116 Didn't feel smart enough to go to meeting. **1832** *J. J. STRANG Diary* 23 Aug. in *M. M. Quaife Kingdom of St. James* (1930) 205 This commenced the sickest day I ever suffered since my remembrance but now (evening) I am again smart for a sick

person. **1956** B. HOLIDAY *Lady sings Blues* (1973) i. 1 By the time she worked her way out of hock in the hospital and took me home to her folks, I was so big and smart I could sit up in a carriage.

10. a. Clever, capable, adept; quick at devising, learning, looking after oneself or one's own interests, etc. In later use chiefly *U.S.*

1628 SIR R. LE GRYS *Barclay's Arg.* 81 For he a smart young man, and of great iudgement,..held vp the Kings side. **a1656** USSHER *Ann.* VI. (1658) 525 Being.. loath to engage in fight with Fimbria, who was both a smart fellow, and a Conqueror to boot. **1709** STEELE *Tatler* No. 26 ¶5 [He] is what we most justly call, a Smart Fellow. **1786** M. CUTLER in *Life, Jrnls.*, etc. (1888) I. 189 Those of my subscribers who are smart, able men, I have told shall have an equal chance with other proprietors. **1844** MRS. HOUSTON *Yacht Voy. Texas* II. 215 The Opossum is held in great respect by the Yankees, as a particularly 'smart' animal. **1888** BRYCE *Amer. Commw.* (1890) II. lxxv. 484 In America every smart man is expected to be able to do anything he turns his hand to.

b. Marked by special skill or dexterity.

1895 *Daily News* 17 May 3/7 Chatterton being out to a very smart catch at mid-on.

c. Of a device: capable of some independent and seemingly intelligent action. Cf. *smart bomb* in sense 15 below.

1972 *Proc. IEEE* LX. 1282/1 The term 'smart terminal' is used here to identify an interactive terminal in which part of the processing is accomplished by a small computer or processor contained within the terminal itself. **1977** *Sci. Amer.* Sept. 188/1 When smart traffic signals become ubiquitous and are linked to a control center, the traffic cop at the intersection will become obsolete. **1980** *Economist* 15 Mar. 84/3 Tomorrow's vehicles are likely to have a series of 'smart' transducers attached to the engine, gear-box, brakes, etc, all sending coded messages via a common wire to the dashboard. **1982** *Times* 1 June 15/5 Smart sensors ensure a direct hit on a target.

11. a. Clever in talk or argument; capable of making witty remarks; good at repartee.

1639 MASSINGER *Unnatural Combat* IV. ii, A smart quean! **1695** J. EDWARDS *Perfect. Script.* 514 The younger Vossius is a smart advocate

for the Septuagint. **1727** POPE, etc. *Art of Sinking* 109 It is by virtue of this style that..Tully is as short and smart as Seneca. **1753** J. COLLIER *Art of Torment*. (1811) 194 This, I have been told, is what they call being smart in company. **1778** F. BURNEY *Evelina* lxiv, You're so smart there's no speaking to you. **1895** *19th Cent.* Aug. 324 He is decidedly smarter as an all-round talker.

b. Of sayings, etc.: Clever, pointed; witty.

1656 EARL OF MONMOUTH tr. *Boccalini's Advts. fr. Parnass.* I. lv. (1674) 71 We find some Histories..abounding in smart Politick Precepts. **1673** *S'too him Bayes* 19, I acknowledge this Expression to be nice and smart. **1734** tr. *Rollin's Anc. Hist.* (1827) VI. xv. 2 Cicero, who ascribes this saying to Timæus, declares it a very smart one. **1752** JOHNSON *Rambler* No. 194 ¶11 He mistakes the question, that he may return a smart answer. **1824** DIBDIN *Libr. Comp.* 539 A short, but smart notice of him. **1865** DICKENS *Mut. Fr.* I. x, She has a reputation for giving smart accounts of things. **1874** L. STEPHEN *Hours Libr.* (1892) II. vi. 188 Mandeville..passes off his smart sayings upon the public as serious.

12. a. Alert and brisk; esp. combining briskness with neatness or trimness of appearance.

1602 MARSTON *Ant. & Mel.* III. Wks. 1856 I. 37, I..Strook a faire wench with a smart speaking eye. **1683** WOOD *Life* 9 Sept., The smart lads of the city march'd downe the streets with cudgells in their hands. **1784** COWPER *Task* IV. 648 He hates the field,..And sighs for the smart comrades he has left. **1827** O. W. ROBERTS *Voy. Centr. Amer.* 80 Sufficient [room] for a smart vessel to work in or out. **1865** KINGSLEY *Herew.* v, To a tight smart Viking's son. **1884** *Pall Mall G.* 29 Aug. 1/2 The Egyptian soldier is..smart, clean, and cheap.

b. Neatly and trimly dressed.

1789 MRS. PIOZZI *Journ. France* II. 204 We observed..how the town was become neater, the ordinary people smarter. **1806** BERESFORD *Miseries Hum. Life* II. xxiii, Walking out to dinner, clean and smart. **1848** DICKENS *Dombey* ix, He became a little smarter in his dress. **1888** *Poor Nellie* 127 Adela had noticed how smart he looked.

c. Of dress, etc.: Neat and trim; stylish.

(a) **1716** DARRELL *Gentl. Instr.* (ed. 3) III. i. 476 Nothing would please his

Worship, but Smart Shoes, Smart Hats, and Smart Cravats... The truth is he had been bred up with the Groom, and transplanted the Stable-dialect into the Dressing-room. **1754** FIELDING *J. Wild* I. x, A blue plush coat...a smart sleeve, and a cape. **1823** SCOTT *Quentin D.* ii, The smart blue bonnet..was already recognized as the Scottish head-gear. **1859** W. COLLINS *Q. of Hearts* (1875) 23 The man..had a collection of smart little boots and shoes.

(b) **1823** CT. DE SOLIGNY *Lett. Eng.* II. lxviii, Looking out on the smart shops, the nicely paved streets. **1851** HAWTHORNE *Twice-t. Tales* I. xvi. 252 There, in a smart chaise, a dashingly dressed gentleman and lady. **1894** SIR J. D. ASTLEY *Fifty Yrs. Life* I. 94 We put up at a very smart hotel.

(c) **1864** D. G. MITCHELL *Sev. Stor.* 3 One of them..is bound in smart red leather. **1888** *Poor Nellie* 8, I will make a cover for them,..a smart one of blue velvet.

13. Fashionable, elegant, esp. in a very high degree. (Common in recent use, from c1882.)

The reappearance of the word in this sense was the subject of much comment and criticism in newspapers, etc., from about 1885, and the phrases *smart people*, *smart society*, *the smart set*, etc., have been commonly used as a general designation for the extremely fashionable portion of society (sometimes with implication of being a little 'fast').

1718 *Freethinker* No. 158 A Cluster of smart Men, in tawdry Dresses, with little Rapiers. **1793** A. SEWARD *Lett.* (1811) III. 275 This beach..covered with smart people, and with equipages. **1845** M. J. HIGGINS *Ess.* (1875) 24 They..got my wife invited to several very smart balls. **1881** MALLOCK *Romance 19th Cent.* I. 97, I have seen plenty of smart society. *Ibid.* II. 254 Many smart people were shy of Mrs. Crane. **1885** E. W. HAMILTON *Diary* 20 May (1972) II. 867 Dined at Brook House... This is a house at which one meets the 'grand set' as distinct from the 'smart set'—two totally different sections of the best London Society. **1900** *Smart Set* Apr. 137 The Smart Set of London has for the last ten or fifteen years..been the chief influence of our English playwrights, plays and players. **1937** K. BLIXEN *Out of Africa* I. i. 12 Our Quasi Smart Set of the Colony. **1949** P. HASTINGS *Cases in Court* v. 265 Mrs Barney's family were well-known in Mayfair and both Mrs Barney and the dead man were notorious members of the so-called young 'smart set'. **1974** P. DICKINSON *Poison Oracle* ii. 66 Dinah [*sc.* an ape]..had indeed left the slums to join the evolutionary smart set, Man. **1981** V.

GLENDINNING *E. Sitwell* ix. 131 Edith's interest in the intrigues of the smart set was minimal.

14. Comb., as **smart-looking**, **-suited**, **-tongued**, **-witted**.

1601 B. JONSON *Poetaster* IV. v, A good smart-tongued Goddess. 1770 'P. PENNYLESS' *Sentimental Lucubrations* ii. 31 A smart-looking waiter came up to me. a1859 in Bartlett *Dict. Amer.* (ed. 2) s.v., A powerful smart looking chunk of a pony. 1897 *Daily News* 28 Sept. 2/1 That friendly, but smart-witted Power. 1922 JOYCE *Ulysses* 249 James's wax smartsuited freshcheeked models.

15. Special collocations: **smart bomb**, a powered missile which is guided to its target by an optical system; **smart money U.S.**, money bet or invested by persons with expert knowledge; *transf.* knowledgeable persons; **smart mouth U.S. slang**, one who is good at repartee, one who gives cheek; so **smart-mouth** *v. trans.* to be cheeky to, to be witty at the expense of; **smart-mouthed** *a.*

1972 *Guardian* 29 June 4/2 Three out of four [missions] have been using 'smart' bombs. 1975 *N.Y. Times* 8 Sept. 2/4 Since 1973 the Israeli Air Force has been furnished with a variety of 'smart bombs' guided by laser beams of television. 1982 *Sunday Tel.* 9 May 17/5 The American 'smart' bomb, which homes on a laser beam shone on to the target by a spotter aircraft.

1926 *Amer. Mercury* Dec. 464/2 In referring to money wagered by persons with good tips or information, the term used is *smart money*. 1930 W. R. BURNETT *Iron Man* I. 5 'Well,' said Regan, 'all the smart money's on the black boy.' 1947 *Sun* (Baltimore) 6 Aug. 10/5 Bookmakers and layoff men are gamblers and many times they add personal wages to 'smart money'. 1977 H. FAST *Immigrants* II. 87 Germany has declared war on Russia, and the smart money says that this is only the beginning. 1981 *Times* 7 Nov. 6/8 Mr Weinberger..is close to the President..much closer than Mr Haig has ever been. In a battle for Mr Reagan's ear, all the smart money would be on Mr Weinberger.

1968 *Sun Mag.* (Baltimore) 13 Oct. 19/1, I was a smart mouth, a troublemaker in school. 1976 R. B. PARKER *Promised Land* (1977) xii. 65 Don't smart-mouth me, man. You wising off at me? 1978 J. L. HENSLEY *Killing in Gold* (1979) viii. 97 He..beat up three kids..when one of them smart-mouthed him.

1976 *Publishers Weekly* 19 Apr. 82/3 Smart-mouthed film critic for *Gotham* magazine. **1978** J. IRVING *World according to Garp* xii. 229 Some smart~mouthed motorist..will..ask.., 'What are you in training for?'

ADDITIONS SERIES 1993

smart, a.

Add: [II.] [15.] **smart card** (also **smartcard**) orig. U.S. [cf. INTELLIGENT a. 5], a plastic bank card or similar device with an embedded microprocessor, used in conjunction with an electronic card-reader to authorize or provide particular services, esp. the automatic transfer of funds between bank accounts.

1980 *N.Y. Times* 14 Dec. III. 4/3 They preferred to write checks, knowing these would not clear until the next pay check had arrived. '*Smart card' holders could react the same way. **1983** *Electronics* 10 Mar. 52 The Army started to explore the smart card in January 1982 as a complete records-keeping vehicle. **1984** *New Scientist* 8 Mar. 25/2 The most recent, and most adventurous approach to credit cards is the 'smartcard', with built in microchip. **1988** *Times* 23 Feb. 30/7 The beauty of the algorithm..is that it can be built into hardware that will fit even on 'smart cards', and enables the identity of end-users to be checked in less than a second.

DRAFT ADDITIONS DECEMBER 2007

smart, adj.

► **smart dust** *n.* *Telecommunications* a collection of very small computerized sensors capable of wireless communication, designed to act as a dispersed network.

1998 V. S. HSU et al. in *Univ. Calif., Berkeley: Electronics Res. Lab. Memo. M98/2* (title) Wireless communications for *smart dust. **2000** *N.Y. Times* 31 Dec. IV. 4/3 Clouds of 'smart dust'—tiny computers and sensors each a cubic millimeter in size—will course through the skies monitoring the weather or the traffic below. **2005** *Electronic Business* (Nexis) 1 Jan. 12 The smart dust networks are built from simple

components, including a low-power radio that stays in contact with the next radio in the chain. Each node, or mote, collects data and passes it on through the network until it reaches a point where the data can be processed. **2006** *Times* (Nexis) 14 Feb. 7 Developed by the US military to give blanket coverage to areas under surveillance, smart-dust sensors could eventually be the size of a pinhead.

► **smart gun** *n.* a (hypothetical) gun incorporating technology that renders it capable of seemingly intelligent action; *spec.* a gun that can be fired only by an authorized user.

1986 *Los Angeles Times* (Nexis) 13 July 24 Director Cameron had worked hard to create the ‘*Smart-gun’ that Weaver and others used so frequently. **1993** *CNN News* (transcription of TV programme) (Nexis) 5 June, A so-called smart gun—a firearm that can only be discharged by its owner. **1998** *Guardian* 23 Oct. I. 17/2 Several other companies are pursuing different smart gun technologies, including one that depends on recognising a gun owner's fingerprints, and one that recognises the owner's hand size.

► **smartphone** *n.* any of various telephones enhanced with computer technology; (now) *spec.* a type of mobile phone which incorporates the functions of a palmtop computer, personal digital assistant, or similar device.

1978 *Business Week* (Nexis) 19 June 92B, ‘Only God knows what the applications could be’ for *smart phones. **1997** *Computing* 6 Nov. 3/5 It said sales of smart phones—mobile phones loaded with data communications software—will nearly treble next year. **2005** *Men's Health* June 50/4 This multimedia widescreen smartphone..also has handwriting recognition.

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

NARTRON CORPORATION,

Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,

Respondent.

Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 81

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CATEGORIES LIST

- Y2K Terms
- Emoticons
- Chat Stuff

 Search

Ads by Google Smiley Faces Angry Smiley Smiley Icon Emoticon MSN

Home > Dictionary > All > Others > smart

Search for Dictionary terms (regular expression allowed)

 Go

- Begins with Contains Exact term Sounds like

Add Word

All | 0-9 | & | (| - | . | @ | 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 | ~

All

Word

Explanation

smart

In computer technology, a relative term, indicating how sophisticated a program or machine is and how many capabilities it has. A "smart missile" is one that is guided electronically, as opposed to a non-hi-tech missile; "smart modems" have more capabilities and can be programmed to make more decisions than earlier modems.

Categories List

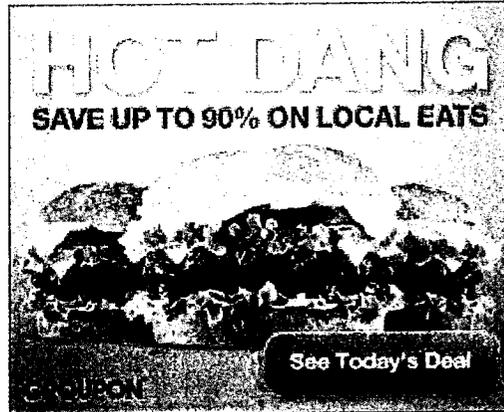
- | | | |
|-----------------|-------------------------|----------------------|
| 1) Y2K Terms | 2) Emoticons | 3) Chat Stuff |
| 4) HTML Tags | 5) File Types | 6) Domains |
| 7) Virus Terms | 8) Communications | 9) Electronics |
| 10) Hardware | 11) Networking/Security | 12) Software |
| 13) Programming | 14) Opensource | 15) Database |
| 16) Internet | 17) Wireless | 18) Mobile Computing |
| 19) Graphics | 20) Multimedia | 21) Gadgets |
| 22) Others | 23) VOIP | 24) Adobe |
| 25) Apple Mac | 26) Autodesk | 27) Cisco |
| 28) Citrix | 29) Google | 30) IBM |
| 31) Microsoft | 32) Oracle | 33) PHP |
| 34) SUN | 35) Imac | |

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- Domains
- Virus Terms
- Communications
- Electronics
- Hardware
- Networking/Security
- Software
- Programming
- Opensource
- Database

Explore Content

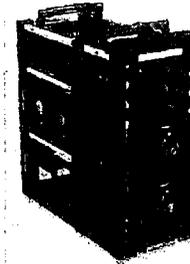
Smart Modems Computer Programs Low-Level Languages
 Relative Term Virus Terms Machine-Oriented Languages



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Michelin

BF Goodrich

Bridgestone

Firestone

Don't know / Other

continue

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1/6

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Microsoft compressed format
- **ACD Canvas**
ACD Canvas is a graphics, publishing, and imaging product for personal computers.

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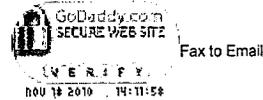
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

NARTRON CORPORATION,
Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

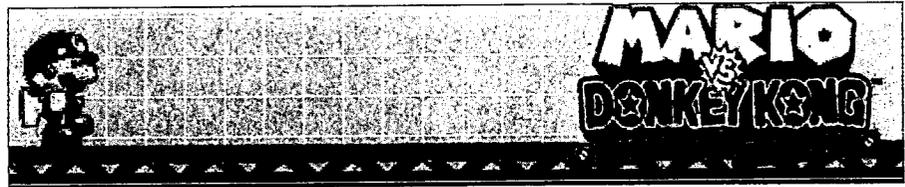
Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 82



m-w.com



Word Games Word of the Day New Words & Slang Video



smart

Subm

smart

12 ENTRIES FOUND:

- 1) smart (adjective)
- 2) smart (verb)
- 3) smart (noun)

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¹smart *adj* \ˈsmärt\

Definition of SMART

- 1 : making one smart : causing a sharp stinging
- 2 : marked by often sharp forceful activity or vigorous strength
<a *smart* pull of the starter cord>
- 3 : BRISK, SPIRITED <a *smart* pace>
- 4 a : mentally alert : BRIGHT
- b : KNOWLEDGEABLE
- c : SHREWD <a *smart* investment>
- 5 a : WITTY, CLEVER <a *smart* sitcom>
- b : PERT, SAUCY <don't get *smart* with me>
- 6 a : NEAT, TRIM <soldiers in *smart* uniforms>

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b : stylish or elegant in dress or appearance

c (1) : appealing to sophisticated tastes (2) : characteristic of or patronized by fashionable society

7 a : being a guided missile <a laser-guided smart bomb>

b : operating by automation <a smart machine tool>

c : INTELLIGENT 3

- smart-ly adverb

- smart-ness noun

Examples of SMART

Poodles are said to be smart dogs.

That was a smart investment.

He gave her a smart answer.

Origin of SMART

Middle English smert causing pain, from Old English smeart; akin to Old English smeortan

First Known Use: before 12th century

Related to SMART

Synonyms: dapper, natty, sharp, snappy, spruce

Antonyms: disheveled (or dishevelled), frowsy (or frowzy), sloppy, slovenly, unkempt

[+] more

Rhymes with SMART

art, cart, chart, Chartres, dart, fart, hart, Harte, heart, kart, mart, part, start, tart

Browse

Next Word in the Dictionary: smart aleck

Previous Word in the Dictionary: smarmy

All Words Near: smart

The Merriam-Webster Unabridged Dictionary

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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NARTRON CORPORATION,
Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 83

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

NARTRON CORPORATION

Petitioner,

v.

Cancellation No. 92050789

**HEWLETT-PACKARD
DEVELOPMENT COMPANY, L.P.,**

Respondent.

PETITIONER'S INITIAL DISCLOSURES

Pursuant to 37 CFR § 2.120(a)(3) and Fed. R. Civ. P. 26(a)(1), Petitioner, Nartron Corporation ("Nartron"), hereby makes the following initial disclosures:

A. Individuals Likely To Have Discoverable Information

Nartron believes that the following individual is likely to have discoverable information that Nartron may use to support its claims:

1. Norman A. Rautiola, Chief Executive Officer of Nartron Corporation, 5000 North US 131, Reed City, Michigan 49677, has knowledge of Nartron's SMART TOUCH trademark and the marketing, distribution and sales of Nartron's products, including its SMART TOUCH products.
2. John Washeleski, Senior Vice President of Engineering of Nartron Corporation, 5000 North US 131, Reed City, Michigan 49677, also has knowledge of Nartron's SMART TOUCH trademark and the marketing, distribution and sales of Nartron's products, including its SMART TOUCH products.

B. Documents And Tangible Things

Nartron identifies the following categories of documents which Nartron may use to support its claims:

1. documents and things concerning Nartron's federal trademark applications and registrations for SMART TOUCH;
2. documents and things concerning Nartron's use of its SMART TOUCH trademark;
3. documents from the file history for Hewlett-Packard Development Company's ("HP") TOUCHSMART registration with the US Trademark Office, which is the subject of this Cancellation; and
4. documents and things concerning HP's use of TOUCHSMART.

The above identified documents are in the possession, custody, or control Nartron or its attorneys.

Nartron has undertaken a diligent search for documents in its possession, custody, or control it may use to support its claims and describes them herein by category. Nartron, however, reserves the right to supplement this list through discovery as issues develop and/or as additional documents become known and/or relevant to its claims.

Respectfully submitted,

BROOKS KUSHMAN P.C.

By: 

ROBERT C.J. TUTTLE
HOPE V. SHOVEIN
1000 Town Center
Twenty-Second Floor
Southfield, Michigan 48075

Attorneys for Petitioner

Dated: July 22, 2009

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of **PETITIONER'S INITIAL DISCLOSURES** has been served on July 22, 2009 by:

_____ delivering
X mailing (via First Class Mail)

a copy to:

Mr. Jeffrey E. Faucette
Ms. Diani D. DiGennaro
HOWARD, RICE, NEEROVSKI
CANADY, FALK & RANKIN
Three Embarcadero Center, 7th Floor
San Francisco, CA 94111
jfaucette@howardrice.com
ddigennaro@howardrice.com

Attorneys for Registrant

A copy has also been served on Registrant's attorneys by email on this date in accordance with the agreement made between Petitioner and Registrant during the initial discovery conference.



Hope V. Shovein

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

NARTRON CORPORATION,
Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 84

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

NARTRON CORPORATION

Petitioner,

v.

Cancellation No. 92050789

**HEWLETT-PACKARD
DEVELOPMENT COMPANY, L.P.,**

Respondent.

**PETITIONER'S RESPONSES TO RESPONDENT
HEWLETT-PACKARD DEVELOPMENT COMPANY, L.P.'S
FIRST SET OF INTERROGATORIES**

INTERROGATORY NO. 1

Identify each Person who participated in the selection and/or creation of the SMART TOUCH Mark.

RESPONSE:

Norman A. Rautiola.

INTERROGATORY NO. 2

Describe in detail Your reasons for adopting the SMART TOUCH Mark.

RESPONSE:

The mark SMART TOUCH is distinctive of, *inter alia*, “electronic proximity sensors and switching devices.”

INTERROGATORY NO. 3

Describe each variation of the SMART TOUCH Mark You have used, and explain the reasons for any changes to the mark.

RESPONSE:

Nartron’s use of the basic “SMART TOUCH” presentation format shown on documents produced in this proceeding has been substantially continuous since adoption of the mark.

INTERROGATORY NO. 4

Describe in detail each good or service that You have promoted under the SMART TOUCH Mark, including the periods of time during which You promoted each such good or service.

RESPONSE:

Nartron has used its SMART TOUCH trademark for well over 20 years. Therefore, a comprehensive identification and description of "each good or service" of Nartron Corporation sold in connection with the SMART TOUCH trademark is unreasonably broad and burdensome. Nartron will provide a representative sampling of the information sought by this interrogatory which should be sufficient to meet the discovery needs of Hewlett-Packard.

Nartron designs, engineers, develops, manufactures and sells electronic products that "sense-compute-control." These products include electronic proximity sensors and switches that may be integrated with programmable logic devices. Nartron's flagship product trademark for switches and proximity sensors is "SMART TOUCH." A Nartron company brochure listing Nartron's "Capabilities," and listing Nartron's products by application will be produced concurrently.

Nartron's SMART TOUCH electronic proximity sensors and switching devices have a wide range of product applications. This is explained in the Nartron data sheet titled "Smart Touch® Keypad Part No. 1310674," to be produced concurrently. The Nartron data sheet explains in relevant part:

Smart Touch® enables a person to use fingers to control computer software through a display screen. A key feature of Smart Touch® allows multiple touches simultaneously or sliding fingers across a screen. Applications include the automobile IP [instrument panel], radio and HVAC controls.

Nartron brochures that illustrate exemplary applications of Nartron's SMART TOUCH products will be produced concurrently (if not already produced in opposition to HP's summary judgment motion. The brochure titled "Virtual Touchpad," shows application of Nartron's SMART TOUCH products in an automotive window pad control. The brochure titled "Connecting you

with your vehicle . . .,” shows six different applications of SMART TOUCH technology in an automotive environment. The brochure titled “Solid State Sensor System” explains numerous potential product applications in a diverse range of fields. The brochure titled “Zero Force Palm Button Switch” shows the SMART TOUCH product technology in replacement of push button switch operations.

Additionally, Nartron has promoted its SMART TOUCH products with other companies, such as General Electric. Documents corroborating this fact will be produced concurrently.

INTERROGATORY NO. 5

Identify each Person most knowledgeable of Petitioner's use of the SMART TOUCH Mark for each of the goods and services identified in Interrogatory No. 4.

RESPONSE:

Norman A. Rautiola.

INTERROGATORY NO. 6

Excluding goods and services identified in response to Interrogatory No. 4, describe in detail the goods and services You intend to Sell in connection with the SMART TOUCH Mark for which planning has been initiated, and the date that planning for each such use was initiated.

RESPONSE:

Nartron intends to sell goods and services consistent with those described in the response to Interrogatory No. 4, as future product opportunities arise.

INTERROGATORY NO. 7

For each good or service identified in response to Interrogatory Nos. 4 and 6, describe in detail the consumers to which the good or service is directed or targeted.

RESPONSE:

Nartron sells its SMART TOUCH products to a wide range of purchasers, including military and manufacturers of automotive, appliance, industrial and other commercial products.

INTERROGATORY NO. 8

For each good or service identified in response to Interrogatory Nos. 4 and 6, describe all past, present and anticipated product applications.

RESPONSE:

See the "Capabilites" brochure.

INTERROGATORY NO. 9

For each good or service claimed in Registration No. 1,681,891, describe in detail the channels of trade You use in connection with the Sale of the good or service.

RESPONSE:

Nartron does not "claim" goods or services in Registration No. 1,681, 891, and therefore this interrogatory is unintelligible. The word "claim" is more recognizable as a term of art in patent law. To the extent this interrogatory can be interpreted as requesting an identification of channels of trade for Nartron's SMART TOUCH products, Nartron avails itself of traditional channels in the product application fields it services.

INTERROGATORY NO. 10

Identify the Person(s) most knowledgeable about Your Sales, advertising, plans for marketing and licensing of each good or service identified in Interrogatory Nos. 4 and 6.

RESPONSE:

Norman A. Rautiola.

INTERROGATORY NO. 11

Identify any advertising agency engaged by You to advertise and promote Your goods or services under the SMART TOUCH Mark and identify the advertising agency employees having the most knowledge of such advertising and promotion.

RESPONSE:

None.

INTERROGATORY NO. 12

Describe in detail (by medium and amount actually spent) each of the ways You have advertised Your goods or services under the SMART TOUCH Mark since the inception of Your use of said mark.

RESPONSE:

Nartron has used its SMART TOUCH trademark for well over 20 years. Nartron does not maintain business records which would itemize by product, medium and amount, the advertising for Nartron's products sold in connection with the SMART Touch mark. However, see (a) www.nartron.com and (b) Exhibits A-F for exemplary advertising uses of SMART TOUCH.

INTERROGATORY NO. 13

Describe in detail (by medium and amount budgeted) each of the ways You plan to advertise Your goods or services under the SMART TOUCH Mark in the calendar years 2010-2011.

RESPONSE:

See the Response to Interrogatory No. 12, which Nartron adopts by reference.

INTERROGATORY NO. 14

Identify Your sales volume (by dollars and units), for each year from First use to present, of each good or service sold under the SMART TOUCH Mark.

RESPONSE:

Nartron objects to this interrogatory on the grounds that it is (a) not relevant to any issue of fact or law to be litigated in this Opposition, as framed by the pleadings, and (b) unduly burdensome because Nartron has used its SMART TOUCH for over 20 years. Without waiver of this objection, Nartron does not maintain business records which itemize sales volume for Nartron's products sold in connection with the SMART Touch mark.

INTERROGATORY NO. 15

For sales volume reported in response to Interrogatory No. 14, please separately list wholesale and retail sales, if any.

RESPONSE:

See the Response to Interrogatory No. 14, adopted by reference.

INTERROGATORY NO. 16

Identify Your wholesale, suggested retail price and retail price, for each year from first use to present, of each good or service sold under the SMART TOUCH Mark.

RESPONSE:

See the Response to Interrogatory No. 14, adopted by reference.

INTERROGATORY NO. 17

Describe in detail all instances in which a third party has challenged Your use of any term composed in whole or in part of the term "smart touch," including the outcome of any such challenge.

RESPONSE:

Nartron is not aware of being "challenged" by any third party in respect of its use of SMART TOUCH.

INTERROGATORY NO. 18

Describe in detail all instances in which You have challenged a third party's use of any term composed in whole or in part of the term "smart touch," including the outcome of any such challenge.

RESPONSE:

See the "Summary" of proceedings before the Trademark Trial and Appeal Board involving Nartron's SMART TOUCH registration of U.S. 1,681,891, to be produced concurrently. Also, in 1996, Nartron brought a civil action against Pitney-Bowes for infringement. The records of that civil action have not been maintained, and the docket information cannot be located on the PACER system of the United States Courts. However, the litigation concluded in a confidential settlement satisfactory to Nartron.

INTERROGATORY NO. 19

Describe in detail each instance known to You in which you contend that any Person has actually become confused by reason of the use of the TOUCHSMART Mark.

RESPONSE:

Nartron is not presently aware of any instances of actual confusion, however, case investigation and discovery are continuing.

INTERROGATORY NO. 20

Describe in detail each instance in which a Person has expressed a belief that there is an affiliation or relationship between Respondent, or any good or service sold under the TOUCHSMART Mark, and You, and how You became aware of each instance.

RESPONSE:

Nartron is not presently aware of any instances of actual confusion, however, case investigation and discovery are continuing.

INTERROGATORY NO. 21

Describe each instance in which a Person has expressed a view that Your goods or services are related to Respondent's goods or services, and how You became aware of each instance.

RESPONSE:

Nartron is not presently aware of any instances of actual confusion, however, case investigation and discovery are continuing.

INTERROGATORY NO. 22

Identify all Persons likely to have knowledge regarding the facts contained in Your responses to these Interrogatories, and identify the subject of the information for each.

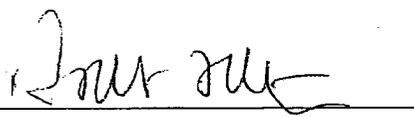
RESPONSE:

Norman A. Rautiola and John M. Washeleski.

As to objections,

BROOKS & KUSHMAN P.C.

By:


ROBERT C.J. TUTTLE
HOPE V. SHOVEIN
1000 Town Center,
Twenty-Second Floor
Southfield, Michigan 48075
(248) 358-4400

Attorneys for Petitioner

Dated: April 29, 2010

CERTIFICATE OF SERVICE

I certify that I served:

**PETITIONER'S RESPONSES TO RESPONDENT
HEWLETT-PACKARD DEVELOPMENT COMPANY, L.P.'S
FIRST SET OF INTERROGATORIES**

on April 29, 2010 by:

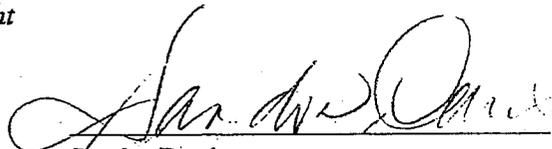
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Seventh Floor
San Francisco, CA 94111

Attorneys for Respondent


Sandra Davis

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

NARTRON CORPORATION,
Petitioner,

v.

HEWLETT-PACKARD DEVELOPMENT
COMPANY, L.P.,
Respondent.

Cancellation No. 92050789

Registration No. 3,600,880

Registration Date: April 7, 2009

Mark: **TOUCHSMART**

RESPONDENT'S NOTICE OF RELIANCE

EXHIBIT 85

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

NARTRON CORPORATION

Petitioner,

v.

Cancellation No. 92050789

**HEWLETT-PACKARD
DEVELOPMENT COMPANY, L.P.,**

Respondent.

**PETITIONER'S RESPONSES TO RESPONDENT
HEWLETT-PACKARD DEVELOPMENT COMPANY, L.P.'S
FIRST REQUESTS FOR PRODUCTION**

DOCUMENT REQUEST 1

Please produce all Documents that Refer or Relate to any instances of actual consumer confusion arising out of or relating to Respondent's use of the TOUCHSMART Mark.

RESPONSE:

Nartron is not presently aware of any instances of actual confusion, however, case investigation and discovery are continuing.

DOCUMENT REQUEST 2

Please produce all Documents that Refer or Relate to potential consumer confusion arising out of or relating to Respondent's use of the TOUCHSMART Mark.

RESPONSE:

Nartron is not presently aware of any instances of actual confusion, however, case investigation and discovery are continuing.

DOCUMENT REQUEST 3

Please produce all Documents identifying each of the channels of trade within which You have sold the goods and services claimed in Registration No. 1,681,891.

RESPONSE:

See documents being produced concurrently.

DOCUMENT REQUEST 4

Please produce Documents sufficient to identify each good or service that You have offered, now offer, and currently plan to offer under the SMART TOUCH Mark in the United States since Your inception, including the year(s) in which You sold or plan to sell each good or service.

RESPONSE:

See documents being produced concurrently.

DOCUMENT REQUEST 5

Please produce all Documents that Refer or Relate to any past, present or anticipated product application for goods or services sold under the SMART TOUCH Mark.

RESPONSE:

See documents being produced concurrently.

DOCUMENT REQUEST 6

Please produce Documents sufficient to quantify Your annual sales, in units and dollars, for each good or service sold under the SMART TOUCH Mark in the United States since Your inception.

RESPONSE:

Nartron objects to this request on the grounds that it is (a) not relevant to any issue of fact or law to be litigated in this Opposition, as framed by the pleadings, and (b) unduly burdensome because Nartron has used its SMART TOUCH for over 20 years. Without waiver of this objection, Nartron does not maintain business records which itemize sales volume for Nartron's products sold in connection with the SMART Touch mark.

DOCUMENT REQUEST 7

Please produce Documents sufficient to quantify Your annual expenditures for marketing and advertising goods or services under the SMART TOUCH Mark for each year since Your inception.

RESPONSE:

Nartron has used its SMART TOUCH trademark for well over 20 years. Nartron does not maintain business records which would itemize by product, medium and amount, the advertising for Nartron's products sold in connection with the SMART Touch mark. However,

see (a) www.nartron.com and (b) documents to be produced concurrently showing exemplary advertising uses of SMART TOUCH.

DOCUMENT REQUEST 8

Please produce Documents sufficient to identify the content, media and timing of each of Your advertisements for goods or services sold under the SMART TOUCH Mark for each year since the inception of Your use of said mark, including all print, billboard, radio, television, internet and other advertising, together with summaries of the amounts You budgeted and spent for such advertising.

RESPONSE:

Nartron has used its SMART TOUCH trademark for well over 20 years. Nartron does not maintain business records which would itemize by product, medium and amount, the advertising for Nartron's products sold in connection with the SMART Touch mark. However, see (a) www.nartron.com and (b) documents to be produced concurrently showing exemplary advertising uses of SMART TOUCH.

DOCUMENT REQUEST 9

Please produce all Documents that Refer or Relate to any market studies, focus groups, surveys and/or consumer research that Refer or Relate to Your use of the SMART TOUCH Mark.

RESPONSE:

At present, Nartron has not done any market studies, focus groups, surveys or consumer research on the SMART TOUCH mark.

DOCUMENT REQUEST 10

Please produce all Documents that Refer or Relate to any market studies, focus groups surveys, and/or consumer research that Refer or Relate to Respondent's use of the TOUCHSMART Mark.

RESPONSE:

At present, Nartron has not done any market studies, focus groups, surveys or consumer research on the SMART TOUCH mark.

DOCUMENT REQUEST 11

Please produce all Documents that Refer or Relate to any challenge by You to any Person selling goods or services under the term "smart touch" or any variation thereof, including, but not limited to, any cease and desist letters You sent and any correspondence or communications which resulted from each such letter, pleadings filed in connection with any litigation which resulted from Your challenge, and any judgment or settlement agreement resolving Your challenge.

RESPONSE:

See the "Summary" of proceedings before the Trademark Trial and Appeal Board involving Nartron's SMART TOUCH registration of U.S. 1,681,891, to be produced concurrently. Responsive non-privileged documents may be obtained through the TTAB VUE portal on the site www.uspto.gov.

Also, in 1996, Nartron brought a civil action against Pitney-Bowes for infringement. The records of that civil action have not been maintained, and the docket information cannot be located on the PACER system of the United States Courts. However, the litigation concluded in a confidential settlement satisfactory to Nartron.

DOCUMENT REQUEST 12

Please produce all Documents that Refer or Relate to any third-party challenge regarding Your use of the SMART TOUCH Mark, including, but not limited to, any cease and desist letters You received and any correspondence or communications which resulted from each such letter, pleadings filed in connection with any litigation which resulted from the third-party challenge, and any judgment or settlement agreement resolving the third party challenge.

RESPONSE:

None.

DOCUMENT REQUEST 13

Please produce all Documents that Refer or Relate to any trademark searches or investigations of any records, including but not limited to, the United States Patent and Trademark Office records, state trademark records, trademark or trade publications, business directories, or the records of any trademark service organization, conducted by or behalf of You, prior to selecting the SMART TOUCH Mark.

RESPONSE:

None specifically known. The application of Nartron's asserted '891 registration was filed by Daniel J. Sammon. Mr. Sammon became deceased in November, 1991, and his law firm has subsequently discontinued its operations.

DOCUMENT REQUEST 14

Please produce all Documents that Refer or Relate to any trademark survey ever conducted by or for You related to any issue in the Petition, including but not limited to the issues of likelihood of confusion, secondary meaning, consumer awareness, fame or dilution arising out of or relating Your use of the SMART TOUCH Mark or to Respondent's use of the TOUCHSMART Mark.

RESPONSE:

None at present.

DOCUMENT REQUEST 15

Please produce all Documents that support Your statement in paragraph 4 of the Petition that "Petitioner has expended considerable effort and expense in promoting its mark SMART TOUCH and goods associated with this mark."

RESPONSE:

See documents to be produced concurrently.

DOCUMENT REQUEST 16

Please produce all Documents that support Your statement in paragraph 4 of the Petition that "the purchasing public has come to know and recognize Petitioner's products by this mark."

RESPONSE:

See documents to be produced concurrently.

DOCUMENT REQUEST 17

Please produce all Documents that support Your statement in paragraph 4 of the Petition that "Petitioner has an exceedingly valuable good will established in its SMART TOUCH mark."

RESPONSE:

See documents to be produced concurrently.

DOCUMENT REQUEST 18

Please produce all Documents that support Your statement in paragraph 6 of the Petition that the SMART TOUCH and TOUCHSMART marks "are used on related goods."

RESPONSE:

See the Declaration of John M. Washeleski submitted in opposition to Respondent's motion for summary judgment.

DOCUMENT REQUEST 19

Please produce all Documents that support Your statement in paragraph 7 of the Petition that "confusion and deception as to the origin of Respondent's goods bearing the mark would occur, all to the damage and detriment of Petitioner."

RESPONSE:

Petitioner Nartron objects to this request as lacking the "reasonable particularity" required by Fed.R.Civ.P. 34(b). This omnibus request essentially asks for the entirety of Nartron's trial exhibits on the likelihood of confusion ground of cancellation. If Respondent will re-frame this request to an item or category (per the language of the rule) described with reasonable particularity, Nartron will re-consider its objection. Without waiver of this objection, Nartron cites to the documents submitted in the opposition to Respondent's motion for summary judgment.

DOCUMENT REQUEST 20

Please produce all Documents that support Your statement in paragraph 7 of the Petition that use of the TOUCHSMART Mark "would cause confusion in the trade resulting in damage and injury to Petitioner."

RESPONSE:

Petitioner Nartron objects to this request as lacking the "reasonable particularity" required by Fed.R.Civ.P. 34(b). This omnibus request essentially asks for the entirety of Nartron's trial exhibits on the likelihood of confusion ground of cancellation. If Respondent will re-frame this request to an item or category (per the language of the rule) described with reasonable particularity, Nartron will re-consider its objection. Without waiver of this objection, Nartron cites to the documents submitted in the opposition to Respondent's motion for summary judgment.

DOCUMENT REQUEST 21

Please produce all Documents that support Your statement in paragraph 8 of the Petition that "Respondent's use or registration of the mark TOUCHSMART in connection with its 'personal computers, computer hardware, computer monitors, computer display screens,' is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or

association of Respondent with Petitioner, or as to the origin, sponsorship, or approval of Respondent's goods by Petitioner."

RESPONSE:

Petitioner Nartron objects to this request as lacking the "reasonable particularity" required by Fed.R.Civ.P. 34(b). This omnibus request essentially asks for the entirety of Nartron's trial exhibits on the likelihood of confusion ground of cancellation. If Respondent will re-frame this request to an item or category (per the language of the rule) described with reasonable particularity, Nartron will re-consider its objection. Without waiver of this objection, Nartron cites to the documents submitted in the opposition to Respondent's motion for summary judgment.

DOCUMENT REQUEST 22

Please produce all Documents that support Your statement in paragraph 9 of the Petition that "Respondent's use of TOUCHSMART in connection with a computer monitor and display screens is identical to Petitioner's use of SMART TOUCH for electronic sensors."

RESPONSE:

Petitioner Nartron objects to this request on the ground that it crops the language of paragraph 9 of the cancellation petition. The full text of paragraph 9 refers to "Exhibit 2" to the petition.

DOCUMENT REQUEST 23

Please produce all Documents that reflect consumer reaction to, including any consumer confusion concerning, Respondent's use of the TOUCHSMART Mark.

RESPONSE:

At present, Nartron has not done any market studies, focus groups, surveys or consumer research on the SMART TOUCH mark.

DOCUMENT REQUEST 24

Please produce all Documents that Refer or Relate to the use, if any, of Your "electronic proximity sensors and switching devices" as a component part of goods- or services sold under the TOUCHSMART Mark.

RESPONSE:

Responsive documents are those submitted in the opposition to Respondent's motion for summary judgment. If Respondent will provide a complete bill of materials for any goods it sells under the TOUCHSMART mark, Nartron will endeavor to supplement this response.

DOCUMENT REQUEST 25

Please produce Documents from which Your organizational structure may be determined, including but not limited to, organizational charts with names of officers, directors and/or managers.

RESPONSE:

Nartron does not prepare organizational charts or the like.

DOCUMENT REQUEST 26

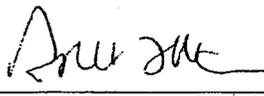
Please produce all Documents that You relied on or referred to in responding to Respondent's First Set of Interrogatories.

RESPONSE:

Responsive documents have been produced, or will be produced concurrently.

Respectfully submitted,

BROOKS & KUSHMAN P.C.

By: 

ROBERT C.J. TUTTLE

HOPE V. SHOVEIN

1000 Town Center,

Twenty-Second Floor

Southfield, Michigan 48075

(248) 358-4400

Attorneys for Petitioner

Dated: April 29, 2010

CERTIFICATE OF SERVICE

I certify that I served:

PETITIONER'S RESPONSES TO RESPONDENT
HEWLETT-PACKARD DEVELOPMENT COMPANY, L.P.'S
FIRST REQUESTS FOR PRODUCTION

on April 29, 2010 by:

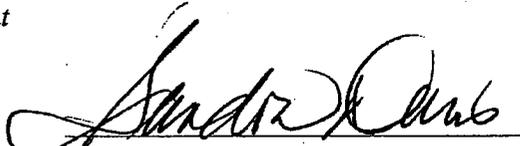
delivering

mailing (via First-Class mail)

a copy to:

JEFFREY E. FAUCETTE
DIANA D. DiGENNARO
HOWARD, RICE, NEMEROVSKI,
CANADY, FALK & RABKIN
Three Embarcadero Center
Seventh Floor
San Francisco, CA 94111

Attorneys for Respondent


Sandra Davis