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

Application Serial No.	79291116
Applicant	YOKOGAWA ELECTRIC CORPORATION

Notice of Appeal

Notice is hereby given that YOKOGAWA ELECTRIC CORPORATION appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79291116.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 009. First Use: 0 First Use In Commerce: 0

All goods and services in the class are appealed, namely: Mathematical instruments, namely, calculators, graphing calculators; mechanisms for coin-operated car parking gates; fire alarms; gas alarms; anti-theft warning apparatus, namely, burglar alarms; simulators for the steering and control of vehicles; electronic sports training simulators; laboratory apparatus and instruments, namely, laboratory apparatus and instruments for detecting or measuring DNA, RNA or other proteins; laboratory apparatus and instruments, namely, gas chromatography apparatus for laboratory use, laboratory centrifuges, laboratory trays, flasks for laboratory use, and microscopes, and spectrometers and photon counters; cell chips, namely DNA chips, and cell chips for research, diagnostic, testing, and analysis of biomedical, biochemical, biological products and substances for scientific purposes in the chemical and biological fields; DNA chips; biochips for research or scientific purposes; pipette tips for laboratory use; bioreactor for cell culturing; automatic sampling apparatus being laboratory apparatus, namely, automatic laboratory tools for manipulating laboratory samples; DNA analysis apparatus, namely, mass spectrometers and scientific apparatus and instruments for measuring relative DNA; laboratory experimental machines and apparatus, namely, scientific apparatus for measuring relative DNA, RNA, and proteins; laboratory experimental machines and apparatus for processing, measuring and injecting of liquids, namely, mass and volume flowmeters for petroleum and liquid chemicals, control valves for regulating the flow of petroleum and liquid chemicals, controlled volume pumps for pumping and transferring petroleum and liquid chemicals, and electronic valves for controlling petroleum and liquid chemicals; automatic dispensing apparatus for laboratory use, namely, mechanical dispensers for supplying measured dosages of chemical fluids, not for medical use; laboratory apparatus for analyzing biological or chemical substances, namely, gas chromatography apparatus for laboratory use, laboratory centrifuges, laboratory trays, flasks for laboratory use, microscopes; photographic apparatus and instruments, namely, microscopes, lens for microscopes, surveillance cameras, camera lenses; optical machines and apparatus, namely, optical filters, optical scanners, optical sensors, optical reflectors, optical couplers, optical microscopes, lens for optical microscopes, optical character recognition (OCR) apparatus and optical inspection apparatus; cinematographic machines and apparatus; microscopes; biological microscopes; temperature indicators; gasometers; thermometers, namely, not for medical purposes; water meters; pressure gauges being manometers; level indicators; acoustic meters; tachometers; accelerometers; refractometers; luminous flux meters; actinometers; altimeters; hygrometers; illuminometers; vibration meters; noise meters; speed indicators; calorimeters; viscosimeters; concentration meters; gravimeters; densimeters; dynamometers; flowmeters; precision measuring machines and instruments in the nature of oscilloscopes, power analyzers, instrument to measure, display, and store electrical signals, data acquisition systems comprised of measuring data devices in the nature of computer hardware and software, data acquisition systems comprised of electric sensors, measurement hardware for voltage and current measurement, and recorded software for measuring gas pressure and fluid flow, electronic data recorders, source measure units, dc source measurers and testers, calibrators for real-time measurement, evaluation, and calibration of light and radiation field alignment on radiographic and mammographic X-ray equipment, calibrators for calibrating gas in gas detectors, calibrators for simulating and measuring electrical signals, digital multimeters, manometers, digital thermometers not for medical purposes, clamp on testers for measuring AC, AC/DC and leakage current, insulation testers, earth ground testers, luxmet-

ers, thermometers not for medical purposes, galvanometer, current transformer, voltmeters, optical spectrum analyzer, optical time domain reflectometer, optical wavelength meter, optical power meters, light sources in the nature of spectral irradiance and illuminance standards, light sources in the nature of integrating spheres for measuring radiance, luminance, and irradiance, gyrocompass, plotters; precision measuring machines and instruments, namely, gas flow meters, data acquisition systems composed of ultrasonic, temperature, pressure, oil sensors, measurement hardware being computer; automatic adjusting and regulating machines and instruments for automatic control for supporting the improvement of productivity in manufacturing being automatic adjusting and regulating machines and instruments for adjusting and regulating used to control pressure and liquid flow, namely, mass and volume flowmeters for petroleum and liquid chemicals, control valves for regulating the flow of petroleum and liquid chemicals controlled volume pumps for pumping and transferring petroleum and liquid chemicals, and electronic valves for controlling petroleum and liquid chemicals; automatic adjusting and regulating machines and instruments, namely, electronic apparatus and instruments for adjusting and regulating motors, heaters, valves; automatic adjusting and regulating machines and instruments, namely, temperature sensors, pressure sensors and flow sensors for detecting pressure, temperature and flow rate inside control device; automatic adjusting or regulating machines and instruments, namely, automatic pressure control machines and instruments, automatic liquid-flow control machines and instruments, automatic fluid-composition control machines and instruments, automatic temperature control machines and instruments, automatic combustion control machines and instruments, automatic vacuum control machines and instruments, automatic calorie control machines and instruments, program control machines and instruments being program logic controllers; Material testing machines, namely, electronic apparatus for testing compression, strength, hardness and tensile characteristics of industrial materials; surveying machines and instruments; automatic control device for supporting the productivity growth in the field of manufacturing and industrial automation, namely, electronic apparatus for the remote control of industrial operation; Biochemical analysis apparatus and instruments, namely, protein analyzer and test cartridge; Biochemical analysis apparatus and machines for performing chromatography to enable the measurement of weight, size, shape, density, structure, concentration and the biochemical characteristics of particles, molecules and macromolecules; genetic analysis apparatus for DNA and RNA testing for research and scientific purposes; automatic immunology analysis and measurement apparatus and their parts, namely, automated microscopes and cell analysis tools for laboratory purposes; electric control panels; power distribution and control machines and apparatus, namely, electric converters, power inverters, power line conditioners, electricity meters; batteries and cells, namely, electrical cells, photovoltaic cells; electric and magnetic meters and testers, namely, capacity measures, power meters, ampere meters, electric meters, voltage testers, flow meter; radio communication machines and apparatus, namely, single-channel radio communication machines and apparatus for fixed stations, radio-frequency transmitters, radio-frequency receivers; radio machines and apparatus, namely, antennas; remote control telemetering machines and instruments; telecommunication machines and apparatus, namely, battery monitors, telecommunication transmitters, telephones, portable radios, network routers; parts and accessories for telecommunication machines and apparatus, namely, telecommunication exchangers, telecommunication cables, and telecommunication switches; monitoring apparatus, namely, surveillance camera, motion detectors, wireless controllers to monitor and control the functioning of other electronic devices, computer hardware and computer peripherals; semiconductor power elements; electronic circuits, not including those recorded with computer programs; downloadable computer programs for use in database management, word processing and encryption of the system of supporting the productivity growth in the field of manufacturing and industrial automation; downloadable computer programs for controlling and managing access to servers; downloadable computer programs for network management; downloadable computer software for use in the field of flow measurement, namely, computer software for monitoring and calibrating flowmeters, computer software for flow measurement, computer operating software for use in connection with fluid flowmeters, computer software for database management for use in the field of flow measurement; downloadable computer software for controlling and managing access to servers; downloadable computer software for administration of computer networks; Downloadable computer software for controlling and managing access server applications; Recorded computer software for use as a spreadsheet, word processing; communication data processors and downloadable and recorded computer software of computer network for automatic control devices for supporting the improvement of productivity in manufacturing; server computer and its computer software, namely, downloadable computer software for controlling and managing access to servers; Downloadable industrial process control software; Downloadable computer programs using artificial intelligence for use in testing, regulating, and diagnosing industrial automation systems; industrial x-ray apparatus, namely x-ray apparatus not for medical purposes; magnetic object detectors; ultrasonic sensors; computers and other electronic machines with artificial intelligence for robots and their parts and accessories, namely, laboratory robots, robots for safety surveillance and access control; magnetic cores; resist-

ance wires;electrodes; downloadable image files containing data from surveillance cameras and microscopes; recorded video discs and video tapes featuring data from surveillance cameras and microscopes; downloadable music files; downloadable electronic publications, namely, instruction manuals and catalogues in the field of measuring machines, monitoring machine, recording machines, analyzing machines, computers, and computer software

- Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are appealed, namely: Architectural services; surveying; geological surveys and research; designing of machines, apparatus or instruments, including their parts, and designing of systems composed of such machines, apparatus and instruments; plant engineering; power plant engineering; chemical plant engineering; engineering on food manufacturing plants; engineering on machinery manufacturing plants; engineering on steel manufacturing plants; engineering on non-ferrous metal plants; engineering on textile manufacturing plants; engineering on petrochemical plants; engineering on pharmaceutical manufacturing plants; engineering on nuclear power plants, nuclear reprocessing plants and radioactive waste treatment facilities; engineering on natural gas processing plants; engineering on transportation plants; engineering on heat supply plants; industrial plant engineering; advisory and consultancy services relating to design of data processing equipment and computers for their improvement of productivity; design of computer automatic control apparatus; engineering design services; providing information on design, programming and maintenance of computer programs for protecting computer systems against unauthorized access to computers and providing secure networks; computer programming services for the improvement of productivity; adding and expansion of functions of computers and computer programs, namely, monitoring technological functions of computer network systems and customizing computer software; configuration and installation of computer programs; configuration of computer hardware using software; design, creation and maintenance of computer programs and systems and providing advice relating thereto; design of computer programs utilizing artificial intelligence; consultancy services relating to computer program design utilizing artificial intelligence; data conversion of electronic information using artificial intelligence; design and development of computer networks and consultancy services relating thereto; advisory and consultancy services relating to introduction of computer programs into equipment used in computer systems and maintenance thereof; consultancy in relation to computersystems; monitoring of computers and computer programs by remote access to detect breakdowns, abnormality, unauthorized access or data breach; design, creation and maintenance of computer programs; design and development of computer software for evaluation and calculation of data; design and development of computer software for solutions in particular for the improvement of productivity of industrial operations; provision of information relating to design of computer software for solutions; advisory services relating to design of computer software for solutions; data conversion of electronic information; provision of information on utilization and operation of computers and the Internet through communications by computer terminals; technological advice relating to computers, automobiles and industrial machines; testing, inspection or research of pharmaceuticals, cosmetics or foodstuffs; testing or research on prevention of pollution; testing or research on electricity; testing or research on civil engineering; providing technical advice in the field of artificial intelligence; research in the field of artificial intelligence; testing, inspection or research on agriculture, livestock breeding or fisheries; testing or research on machines, apparatus and instruments, namely, testing and researching the functionality of machines, apparatus, and instruments; testing or research on machines, apparatus and instruments in the field of artificial intelligence in particular testing the functionality of machine and research on machines in the field of artificial intelligence; rental of measuring apparatus; rental of measuring machines and instruments; providing temporary use of online non-downloadable of computer programs on data networks for use in database management, use as a spreadsheet, and word processing; rental of computers; providing online non-downloadable computer software for scientific or technological analysis of data by artificial intelligence; providing online non-downloadable computer programs with the function of artificial intelligence for use in database management; providing online non-downloadable computer programs with the function of artificial intelligence for data processing; rental of memory space on computer servers and providing information relating thereto; rental of computer servers and providing information relating thereto; cloud computing, namely, providing temporary use of online non-downloadable cloud computing software for use in note taking and accessing remotely stored data for such applications, online non-downloadable cloud computing software for use in database management, for use as a spreadsheet and for word processing, cloud computing software for use in the field of business decision making, namely, online non-downloadable software for monitoring and aggregating data from multiple sources and applying rules to discover patterns and trends in the data, for processing, filing, organization, modification, research, recalling and analysis of data and data statistics, for data warehousing and data analytics, for statistical analysis and statistical analysis reporting; rental of laboratory apparatus and instruments; rental of technical drawing instruments; design of optical components; design of optic-

al and microoptical components; design and development of computer software for use with medical technology; providing information relating to testing, inspection or research of DNA sequence; research services in the field of proteins, antibodies, microorganisms and cells; stem cell research; research and development services in the field of cytology; evaluation of chemical analyses; biomedical research services; conducting technical project studies; rental of optical machines and apparatus for scientific and researching purposes

Respectfully submitted,
/Leigh Ann Lindquist/
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LEIGH ANN LINDQUIST
SUGHRUE MION, PLLC
2000 PENNSYLVANIA AVENUE NW, SUITE 9000
WASHINGTON, DC 20006
UNITED STATES

Primary Email: llindquist@sughrue.com

Secondary Email(s): tm@sughrue.com, vmullineaux@sughrue.com
202.293.7060

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