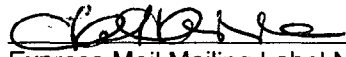


TTAB

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TRADEMARK TRIAL AND APPEAL BOARD

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 75/913121  
Filed: February 2, 2000  
For the Mark: **SOUNDLUCENT**  
Published in the *Official Gazette* on April 30, 2002



08-22-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #39

Lucent Technologies Inc.  
Opposer

v.

Opposition No. \_\_\_\_\_

Cadillac Products Automotive Company  
Applicant

BOX TTAB - FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**NOTICE OF OPPOSITION**

Lucent Technologies Inc. ("Opposer"), a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 600 Mountain Avenue,

Murray Hill, New Jersey 07974, believes it will be damaged by registration of the mark shown in Serial No. 75/913121 in International Class 12 and hereby opposes the same. As grounds for opposition, it is alleged that:

1. Opposer is the owner of Federal Trademark Registration Nos. 2486294, 2556187 and 2559008 for the mark LUCENT registered on September 1, 2001, April 2, 2002 and April 9, 2002, respectively, for use on or in connection with "ELECTRONIC COMMUNICATIONS PRODUCTS NAMELY, TELEPHONES; TELEPHONE SYSTEMS COMPRISING A HANDSET AND CONSOLE UNIT WITH CONSOLE FEATURES - NAMELY, STANDARD TELEPHONE FUNCTIONS, ONE-TOUCH DIALING, CALL PROGRESS MONITORING, GROUP LISTENING, CLOCK/CALENDAR AND ALARM, ELECTRONIC DISPLAY, AND MODULES FOR FEATURES - NAMELY, AUTOMATIC DIALING, CALL RESTRICTION, STORED MESSAGE RECALL, AND CUSTOM CALLING, ALSO KNOWN AS TELESYSTEMS; CORDLESS TELEPHONES; SPEAKERPHONES, ALSO KNOWN AS HANDS FREE TELEPHONE APPARATUS; MOBILE TELECOMMUNICATION EQUIPMENT COMPRISING A CONTROL TELEPHONE UNIT, TRANSCEIVER AND ANTENNA; WIRELESS TELEPHONES AND COMPONENT PARTS THEREOF; BATTERIES FOR WIRELESS TELEPHONES; BATTERY POWER PLANTS FOR USE IN PROVIDING AND MANAGING ENERGY SUPPLY REQUIREMENTS IN THE TELECOMMUNICATIONS INDUSTRY; TELEPHONE ANSWERING MACHINES; TELEPHONES INCORPORATING CLOCK RADIOS; CALLER IDENTIFICATION DEVICES; LIGHTWAVE DATA LINKS, NAMELY, TRANSMITTERS AND RECEIVERS; MODEMS; COMPUTER PROGRAMS FOR TELECOMMUNICATIONS SWITCHES AND VOICE MAIL AND MESSAGING; TELEPHONE INSTALLATION APPARATUS - NAMELY, PHONEMOUNTS, DUAL OUTLET ADAPTORS, TELEPHONE OUTLETS, MODULAR JACKS, WIRE JUNCTIONS AND PLUG-IN CONVERTERS; INTERACTIVE TELEVISION UNITS FOR ACQUISITION OF INFORMATION FROM DATA BASES; TELECOMMUNICATIONS

SWITCHES; COMPUTER PROGRAMS FOR MANAGING TELECOMMUNICATIONS NETWORKS; VOICE AND DATA TRANSMITTING, TRANSCIVING AND RECEIVING EQUIPMENT - NAMELY, TELECOMMUNICATION TRANSCEIVERS, CENTRAL OFFICE AND REMOTE TERMINALS, CHANNEL BANKS, ELECTRONIC PLUG-INS AND PAIR-GAIN APPARATUS; NETWORK MULTIPLEXERS; DATA COMMUNICATION MULTIPLEXERS AND CONCENTRATORS; VIDEOTEX TERMINALS; ELECTRIC EMERGENCY CALL UNITS; VIDEOPHONES; PAGERS; FIBER OPTIC CABLE; COPPER ELECTRICAL CABLE AND WIRE; FIBER OPTIC CONNECTORS; INTEGRATED CIRCUITS; MICROPROCESSORS; DIGITAL SIGNAL PROCESSORS; PERSONAL COMMUNICATORS, NAMELY, WRITING STYLI AND TABLETS THAT ENABLE INDIVIDUALS TO COMMUNICATE OVER A WIRED OR WIRELESS TELECOMMUNICATIONS NETWORK; VIDEO TELECONFERENCING PRODUCTS, NAMELY, VIDEO TRANSMITTERS AND RECEIVERS, VIDEO DISPLAY MONITORS, VIDEO CAMERAS, LOUD SPEAKERS, MICROPHONES, KEYPADS, CODERS, DECODERS, MULTIPOINT CONTROLLERS, COMPUTER PROGRAMS FOR OPERATING THE VIDEOCONFERENCING EQUIPMENT (Class 9); HOROLOGICAL AND CHRONOLOGICAL INSTRUMENTS, NAMELY, CLOCKS AND WATCHES (Class 14); MANAGEMENT OF TELECOMMUNICATIONS SYSTEMS AND TELECOMMUNICATIONS NETWORKS; THE CONSTRUCTION AND MAINTENANCE OF TELECOMMUNICATIONS SYSTEMS AND TELECOMMUNICATIONS NETWORKS; THE DESIGN FOR OTHERS OF MICROPROCESSORS AND DIGITAL SIGNAL PROCESSORS; THE DESIGN FOR OTHERS AND MAINTENANCE OF COMPUTER PROGRAMS TO MANAGE, OPERATE, AND MAINTAIN TELECOMMUNICATIONS SYSTEMS AND TELECOMMUNICATIONS NETWORKS (Classes 35, 37, and 42)".

2. Opposer has used its mark in commerce continuously since at as early as February 1996.

3. Cadillac Products Automotive Company ("Applicant") seeks to register the mark SOUNDLUCENT as a trademark for "FOR TRANSLUCENT SOUND DEADENING/ABSORBING INSULATING MATERIAL, NAMELY, WATER SHIELDS AND ACOUSTIC PANELS USED WITHIN OR PART OF THE CONSTRUCTION OF MOTOR VEHICLES" in International Class 12. This application is based on intent to use, as evidenced by the publication of said mark in the *Official Gazette* on page TM389 of the April 30, 2002 issue.

4. The trademark proposed for registration by Applicant is confusingly similar to Opposer's mark and therefore is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Applicant with Opposer, or as to the origin, sponsorship, or approval of the products bearing Applicant's mark. If application Serial No. 75/913121 is permitted to be registered on the Principal Register, Opposer will suffer significant injury in violation of 15 U.S.C. 1125(a).

5. If Applicant is permitted to register the mark SOUNDLUCENT for its goods, as specified in the application herein opposed, confusion in the industry resulting in damage and injury to the Opposer would be caused and would result because Applicant's mark is confusingly similar to Opposer's mark. Customers familiar with Opposer's mark would be likely to purchase Applicant's goods as and for the goods provided by Opposer.

6. Upon information and belief, allowing registration of Applicant's mark would allow Applicant to unfairly trade upon Opposer's substantial goodwill developed in its SOUNDLUCENT mark. Registration of Applicant's mark would run counter to the public interest with respect to the ability to accurately ascertain the source of goods and services in the marketplace.

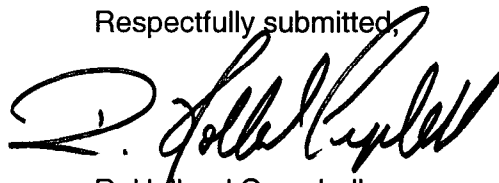
7. Upon information and belief, usage of the mark pursuant to registration of Applicant's mark would allow Applicant to dilute Opposer's famous mark, thus, lessening the capacity of Opposer's famous mark to identify and distinguish Opposer's goods and services.

WHEREFORE, the Opposer prays that application Serial No. 75/913121 be rejected and that the mark therein sought for the goods herein specified in International Class 12 be denied and refused.

Please charge the filing fee of \$300.00 or such other amount as necessary to the Opposer's deposit account number 12-2316.

This Notice of Opposition is being filed in duplicate.

Respectfully submitted,



R. Holland Campbell  
Attorney for Opposer

Lucent Technologies Inc.  
Room 2F-182  
600 Mountain Avenue  
Murray Hill, NJ 07974  
(908) 582-7109

Date: 9/22/02