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Filing date: **01/10/2008**

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

Proceeding	91159770
Party	Plaintiff Emulex Corporation
Correspondence Address	Jennifer Lee Taylor Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105-2482 UNITED STATES jtaylor@mofo.com
Submission	Plaintiff's Notice of Reliance
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Signature	/Jennifer Lee Taylor/
Date	01/10/2008
Attachments	Opposers Registration No.1,261,502.pdf ( 5 pages )(178084 bytes )

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

Emulex Corporation,

Opposer

v.

Zarlink Semiconductor Inc.,

Applicant

Opposition No.: 91159770

Serial No. 78/084,440

**OPPOSER EMULEX CORPORATION'S NOTICE OF RELIANCE:  
OPPOSERS'S REGISTRATION NO. 1,261,502**

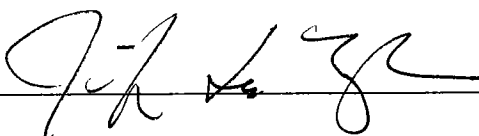
Pursuant to 37 C.F.R. § 2.122(d) and Rule 704.03(b)(1)(A) of the Trademark Trial and Appeal Board Manual of Procedure ("TBMP"), Opposer Emulex Corporation ("Opposer") hereby submits this Notice of Reliance during its testimony period. Opposer is relying upon its United States Trademark Registration No. 1,261,502 ("Opposer's Registration"). A status and title copy of Opposer's Registration is attached hereto as Exhibit A. Opposer's Registration is relevant to showing Opposer's prior rights in its mark and a likelihood of confusion between Opposer's mark and the mark that is the subject of Applicant's Application Serial No. 78/084,440.

This status and title copy of Opposer's registration meets all requirements for admissibility. A registration of a party to any proceeding may be made of record by filing a notice of reliance with a copy of the registration prepared and issued by the Patent and Trademark Office. 37 C.F.R. § 2.122(d).

Based upon these authorities, Opposer respectfully requests that the attached material be admitted in evidence.

Dated: January 10, 2008

Respectfully submitted,

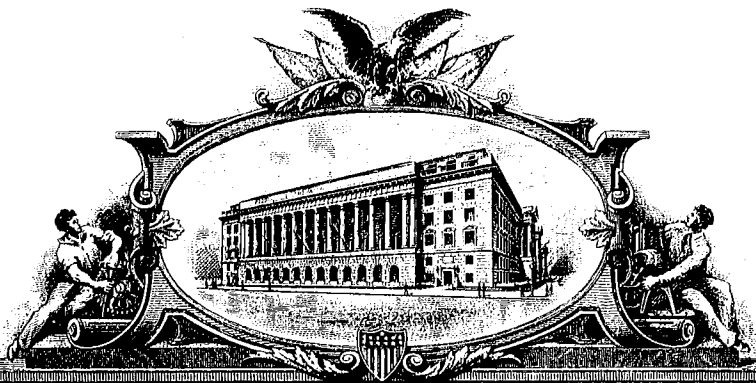
By  \_\_\_\_\_

Jennifer Lee Taylor  
Attorney for Opposer

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San Francisco, California 94105-2482  
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**EXHIBIT A**

7104130



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

United States Patent and Trademark Office

December 21, 2007

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,261,502 IS CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *December 20, 1983*  
1st RENEWAL FOR A TERM OF 10 YEARS FROM *December 20, 2003*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

*EMULEX CORPORATION*  
*A CALIFORNIA CORPORATION*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

P. SWAIN  
Certifying Officer



**Int. Cl.: 9**

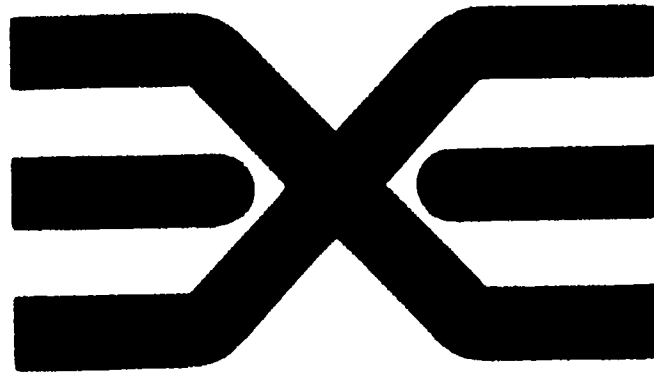
**Prior U.S. Cl.: 26**

**United States Patent and Trademark Office**

**Reg. No. 1,261,502**

**Registered Dec. 20, 1983**

**TRADEMARK**  
**Principal Register**



Emulex Corporation (California corporation)  
2001 E. Deere Ave.  
Santa Ana, Calif. 92705

For: COMPUTER PERIPHERAL CONTROLLERS, in CLASS 9 (U.S. Cl. 26).

First use Feb. 15, 1979; in commerce Mar. 15, 1979.

The mark consists of the word "Emulex" and fanciful design of the letters "E and X".

Ser. No. 239,675, filed Nov. 19, 1979.

MICHAEL A. SZOKE, Examining Attorney