

ESTTA Tracking number: **ESTTA18763**

Filing date: **11/05/2004**

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

### Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

#### Opposer Information

<b>Name</b>	SBC Knowledge Ventures, L.P.
<b>Granted to Date of previous extension</b>	11/07/2004
<b>Address</b>	175 East Houston Street San Antonio, TX 78205 UNITED STATES

<b>Attorney information</b>	Jeffrey M. Becker Haynes and Boone, LP 901 Main Street, Suite 3100 Dallas, TX 75202-3789 UNITED STATES jeff.becker@haynesboone.com Phone:214-651-5066
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#### Applicant Information

<b>Application No</b>	76493131	<b>Publication date</b>	05/11/2004
<b>Opposition Filing Date</b>	11/05/2004	<b>Opposition Period Ends</b>	11/07/2004
<b>Applicant</b>	Bellman & Symfon AB Gustaf Werners Gata 2 S-421 32 Vastra Frolunda,		

SWEDEN
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**Goods/Services Affected by Opposition**

Class 009.

All goods and services in the class are opposed, namely: TELEPHONES, NAMELY AMPLIFIED TELEPHONES WITH ACOUSTICAL ALERTING SYSTEMS COMPRISED OF ACOUSTIC RINGERS, BUZZERS, AUDIO TRANSMITTERS, RECEIVERS, SPEAKERS FOR HEARING IMPAIRED PERSONS, PERSONS IN DIFFICULT LISTENING SITUATIONS, VISUALLY AND DEXTERITY IMPAIRED PERSONS AND PERSONS WITH OTHER HANDICAPS; TELEPHONES WITH TACTILE ALERTING SYSTEMS COMPRISED OF MECHANICAL VIBRATING MECHANISMS FOR HEARING IMPAIRED PERSONS, PERSONS IN DIFFICULT LISTENING SITUATIONS, VISUALLY AND DEXTERITY IMPAIRED PERSONS AND PERSONS WITH OTHER HANDICAPS; AND TELEPHONES WITH OPTICAL ALERTING SYSTEMS COMPRISED OF FLASHING LIGHTS, OPTICAL DISPLAYS FOR HEARING IMPAIRED PERSONS, PERSONS IN DIFFICULT LISTENING SITUATIONS, VISUALLY AND DEXTERITY IMPAIRED PERSONS AND PERSONS WITH OTHER HANDICAPS

<b>Related Proceedings</b>	Opposition No. 91161897
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<b>Attachments</b>	Bellman Notice of Opposition.pdf ( 2 pages )
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<b>Signature</b>	/Jeffrey M. Becker/
<b>Name</b>	Jeffrey M. Becker
<b>Date</b>	11/05/2004

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

<b>SBC Knowledge Ventures, L.P.,</b>	§	
	§	
Opposer,	§	Mark: <b>BELLMAN &amp; SYMFON &amp; Design</b>
	§	- Serial No. 76/493,131
vs.	§	- Published May 11, 2004
	§	
<b>Bellman &amp; Symfon AB</b>	§	Opposition No _____
	§	
Applicant.	§	ESTTA Tracking No. ESTTA14676

NOTICE OF OPPOSITION

SBC Knowledge Ventures, L.P., a Nevada limited partnership having as its general partner SBC Knowledge Ventures GP, Inc., a Delaware corporation, having an address at 175 East Houston Street, San Antonio, Texas 78205 (“Opposer”) believes it will be damaged by registration of the BELLMAN & SYMFON & Design mark, as shown in Application Serial No. 76/493,131 filed by Bellman & Symfon AB (“Applicant”), and hereby opposes that application.

As grounds for opposition, Opposer alleges as follows:

1. Opposer is a concurrent use owner of several trademark registrations for the mark BELL for a wide variety of goods and services related to telecommunications and computer software, including Registration No. 1,545,200 which covers, inter alia “telephones” in International Class 9.
2. Opposer is one of the Regional Bell Operating Companies formed as part of the 1983 divestiture of AT&T whereby Opposer became one of the concurrent use owners of all of AT&T’s rights in the famous BELL trademark and federal registrations for the BELL marks. The BELL word mark has been recognized by consumers for over a century as a trademark and trade name, first of AT&T and its regional divisions, and then, after the 1983 court-ordered divestiture, of the Baby Bells.

3. As a result of extensive sales of goods and services bearing the BELL marks by Opposer and its predecessor in title and concurrent owners, complemented by extensive advertising, promotion and press coverage, the name, symbol and mark "BELL" is a famous mark as defined in Section 43(c)(1) of the Lanham Act, 15 U.S.C. § 1125(c)(1).

4. Registration of BELLMAN & SYMFON & Design by Applicant would dilute the significance and distinctive quality of the BELL mark.

5. There can be no issue as to priority as the subject application was filed as an intent-to-use application and no use is shown to have begun.

6. Use of the BELLMAN & SYMFOM & Design mark by Applicant for the goods described in the opposed application is likely to lead the public to mistakenly conclude that Applicant is or has been authorized, sponsored, licensed by, or otherwise affiliated with Opposer within the meaning of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

For the foregoing reasons, among others, Opposer respectfully asks the Board to grant its Opposition and deny registration to Applicant of the subject mark for the goods described in the subject application or for any goods encompassed by that description.

This Notice of Opposition is being filed electronically, so no duplicate copy is in order.

The fee required by § 2.6(a)(17) will be paid simultaneously with filing.

Respectfully submitted,  
SBC KNOWLEDGE VENTURES, L.P.

Date:

11/5/2004



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