

ESTTA Tracking number: **ESTTA46383**

Filing date: **09/27/2005**

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

Name	LSI Logic Corporation		
Entity	Corporation	Citizenship	Delaware
Address	1621 Barbar Lane Milpitas, CA 95035 UNITED STATES		

Attorney information	Lawrence R. Robins Finnegan, Henderson, Farabow, Garrett & Dunner 901 New York Avenue, N.W. Washington, DC 20001 UNITED STATES docketing@finnegan.com Phone:202-408-4000
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Applicant Information

Application No	78263521	Publication date	08/30/2005
Opposition Filing Date	09/27/2005	Opposition Period Ends	09/29/2005
Applicant	SIM2 MULTIMEDIA S.p.A. VIALE LINO ZANUSSI, 11 33170 - PORDENONE (PN), ITALY		

Goods/Services Affected by Opposition

Class 009.

All goods and services in the class are opposed, namely: video equipment, namely, digital light processing, multimedia projectors for home theater, video conferencing and educational uses

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Attachments	DOC045.PDF (5 pages)
Signature	/Lawrence R. Robins/
Name	Lawrence R. Robins
Date	09/27/2005

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

LSI Logic Corporation.,)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
SIM2 Multimedia S.p.A.,)	
)	
Applicant.)	
)	

ASSISTANT COMMISSIONER FOR TRADEMARKS
2900 Crystal Drive
Arlington, Virginia 22202-3513

ATTN: BOX TTAB FEE

NOTICE OF OPPOSITION

In the matter of the following two trademark applications (hereinafter, "Applicant's Marks"), filed June 17, 2003 by SIM2 Multimedia, S.p.A., ("Applicant") and published in the August 30, 2005 issue of the U.S. Patent and Trademark Office's Trademark Official

Gazette:

Serial Number: 78/263,521
Mark: DOMINO
Class No.: 9
Goods: Video equipment, namely, digital light processing, multimedia projectors for home theater, video conferencing and educational uses.

Serial Number: 78/263,533
Mark: DOMINO BY SIM2 and DESIGN
Class No.: 9
Goods: Video equipment, namely, digital light processing, multimedia projectors for home theater, video conferencing and educational uses.

LSI Logic Corporation, a Delaware corporation having a place of business at 1621 Barber Lane, Milpitas, California ("LSI LOGIC" or "Opposer"), believes that it will be damaged by Applicant's registration of Applicant's Marks and hereby opposes the registration of Applicant's Marks.

As grounds for opposition, it is alleged that:

1. LSI LOGIC is a global leader in the design and manufacture of system-on-a-chip technology, including platform ASICs, standard-cell ASICs, and standard semiconductor and integrated circuit products. LSI LOGIC's products are deployed widely in the consumer electronics, telecommunications and computer storage products. For example, LSI LOGIC's DoMiNo® 8802 processor is intended for use in audio-visual code applications that allow consumer electronics manufacturers to offer a broad range of DVD recorders, Personal Video Recorders (PVR), high-definition video and home media servers and other consumer electronics products.

2. LSI LOGIC is the owner of the following U.S. trademark registration and application relating to its DOMINO marks:

- Registration No. 2,844,288 for the mark DoMiNo, filed August 9, 2002, issued May 25, 2004, covering “integrated circuits” in International Class 9.
- Application No. 78/305,836 for the mark DOMINO FX VISIBLY SUPERIOR and DESIGN, filed September 26, 2003, covering “integrated circuits; apparatus for transmitting and reproducing sound or images; digital video disk players and recorders; digital video recorders; digital television sets; and digital set to boxes” in International Class 9.

3. LSI LOGIC has continuously used the mark DoMiNo® in interstate commerce from at least June 2002 to present in connection with the promotion, offering for sale, sale, and/or rendering of its products and services. LSI LOGIC has extensively and widely used the mark DoMiNo® to promote its products and services in print and on the Internet.

4. LSI LOGIC has used its DoMiNo® mark in connection with its goods and services since well before the filing date of Applicant's Marks.

5. LSI LOGIC has established extremely valuable goodwill in its DoMiNo® mark by virtue of its substantial promotional and marketing efforts, the expenditure of considerable sums in advertising and promotional activities, and strong sales and/or use of its products and services offered under the mark.

6. LSI LOGIC, its products and services, and its DoMiNo® trademark have received significant and widespread press attention and publicity.

7. In view of the inherent and marketplace strength of LSI LOGIC's DoMiNo® mark, the duration and extent of LSI LOGIC's use of its DoMiNo® mark, the duration and extent of LSI LOGIC's advertising of its DoMiNo® mark, the nationwide nature of LSI LOGIC's use of its DoMiNo® mark, the federal registration of LSI LOGIC's DoMiNo® mark, and the degree of recognition of LSI LOGIC's DoMiNo® mark, LSI LOGIC's DoMiNo® mark is extremely well known and distinctive and has been well known and distinctive long before the filing of Applicant's Marks.

12. Applicant's Marks so resemble LSI LOGIC's previously used and registered DoMiNo® mark and its DOMINO FX VISIBLY SUPERIOR mark as to be likely to cause confusion, or to cause mistake, or to deceive, thereby damaging LSI LOGIC.

WHEREFORE, Opposer prays that Application Serial Nos. 78/263,521 and 78/263,533 be refused, that no registrations be issued thereon to Applicant, and that this Opposition be sustained in favor of Opposer.

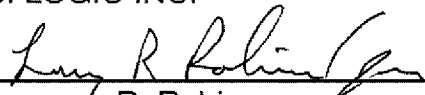
Opposer encloses a Filing Fee of \$600, consisting of \$300 for each of Applicant's two single-class applications that are the subject of this opposition. If the Filing Fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 06-0916.

Respectfully submitted,

LSI LOGIC INC.

Dated: September 27, 2005

By:


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Attorneys for Opposer