

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

TDC

Mailed: September 6, 2014

Opposition No. 91216671

Inficon GmbH

v.

Nanjing Fire Protection Technology  
Co., Ltd.

**M. Catherine Faint,  
Interlocutory Attorney:**

On August 20, 2014, applicant filed a proposed amendment to its application Serial No. 86049708, with opposer's consent.<sup>12</sup>

By the proposed amendment applicant seeks to amend the identification of goods in International Class 9 from "Access control and alarm monitoring systems; Acoustic sound alarms; Alarm central units; Alarm installations and alarms; Alarm monitoring systems; Alarm that utilizes pressure sensitive pads to monitor patients or resident movement; Alarms for the detection of inflammable gases; Anti-intrusion alarms; Building security systems comprising

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<sup>1</sup> The Co-Existence agreement filed August 20, 2014 is noted.

<sup>2</sup> The filing indicates proof of service upon an address that is not of record in this proceeding for opposer. In order to expedite this matter, opposer is directed to the following URL where it may view a copy of the filing:

<http://ttabvue.uspto.gov/ttabvue/v?pno=91216671&pty=OPP&eno=9>

software and hardware for providing picture, video, alarm status, building plans, and other information to a remote station; Carbon dioxide discharge valves for use in fire suppression systems; Carbon dioxide refrigeration apparatus for use in fire suppression systems; Electrical controls for irrigation sprinkler systems; Electronic alarm for providing notice of bed-wetting; Electronic door alarms; Electronic exit alarms; Environmental monitoring system comprised of meters and sensors that measure pressure, humidity, temperature and includes alarm and reporting functions; Fire alarm and emergency evacuation devices, namely, fire alarm control panels, smoke detectors, heat detectors, alarm pull stations, audible and visible notification appliances, strobes, sirens, bells, horns, and speakers; Fire alarms; Fire alarms in the shape of Christmas tree ornaments; Fire and smoke detectors; Fire boats; Fire engines; Fire extinguishers; Fire extinguishing apparatus; Fire extinguishing apparatus for automobiles; Fire fighting equipment, namely, fire fighting monitors that spray foam or liquids on fires; Fire hose nozzles; Fire pumps; Fire sprinklers; Fire-extinguishers; Fire-extinguishing systems; Fire-fighting equipment, namely, water cannons; Gas alarms; Leak detecting device for water supplied home appliances consisting of water sensor, control unit with audible alarm and water valves; Manual control panels for use in carbon dioxide fire suppression systems; Release valves and switches for use in carbon dioxide fire suppression systems; Security alarm controllers; Security and fire alarms; Smoke alarm tester in the nature of a cool burning smoke generator; Smoke alarms; Sound alarms; Sprinkler heads for fire

sprinklers; Sprinkler systems for fire protection; Sprinkler valve wiring hubs, including both computerized and non-computerized units; Telecommunications equipment, namely, fiber-optic transceivers, fiber optic repeaters, converters and optimizers, wave division multiplexers, free-space optics transmission systems, switches including Ethernet switches and routers, fiber-to-the-home and ethernet-over-VDSL access aggregators, terminators and repeaters, and remote presence management products, namely, switches, and console, alarm, sensor and power management devices; Thermally activated manually resettable fire safety valves; Wireless digital electronic apparatus to secure and protect data and images on all forms of wireless equipment including mobile telecommunications equipment using an automatic synchronization process and alarm notification of the loss or theft of the wireless equipment including mobile telecommunications equipment" to "Access control and alarm monitoring systems; Acoustic sound alarms; Alarm central units; Alarm installations and alarms; Alarm monitoring systems; Alarm that utilizes pressure sensitive pads to monitor patients or resident movement; Alarms for the detection of inflammable gases; Anti-intrusion alarms; Building security systems comprising software and hardware for providing picture, video, alarm status, building plans, and other information to a remote station; Carbon dioxide discharge valves for use in fire suppression systems; Carbon dioxide refrigeration apparatus for use in fire suppression systems; Electrical controls for irrigation sprinkler systems; Electronic alarm for providing notice of bed-wetting; Electronic door alarms;

Electronic exit alarms; Environmental monitoring system comprised of meters and sensors that measure pressure, humidity, temperature and includes alarm and reporting functions; Fire alarm and emergency evacuation devices, namely, fire alarm control panels, smoke detectors, heat detectors, alarm pull stations, audible and visible notification appliances, strobes, sirens, bells, horns, and speakers; Fire alarms; Fire alarms in the shape of Christmas tree ornaments; Fire and smoke detectors; Fire boats; Fire engines; Fire extinguishers; Fire extinguishing apparatus; Fire extinguishing apparatus for automobiles; Fire fighting equipment, namely, fire fighting monitors that spray foam or liquids on fires; Fire hose nozzles; Fire pumps; Fire sprinklers; Fire-extinguishers; Fire-extinguishing systems; Fire-fighting equipment, namely, water cannons; Gas alarms; Leak detecting device for water supplied home appliances consisting of water sensor, control unit with audible alarm and water valves; Manual control panels for use in carbon dioxide fire suppression systems; Release valves and switches for use in carbon dioxide fire suppression systems; Security alarm controllers; Security and fire alarms; Smoke alarm tester in the nature of a cool burning smoke generator; Smoke alarms; Sound alarms; Sprinkler heads for fire sprinklers; Sprinkler systems for fire protection; Sprinkler valve wiring hubs, including both computerized and non-computerized units; Telecommunications equipment, namely, fiber-optic transceivers, fiber optic repeaters, converters and optimizers, wave division multiplexers, free-space optics transmission systems, switches including Ethernet switches and routers, fiber-to-the-home and

ethernet-over-VDSL access aggregators, terminators and repeaters, and remote presence management products, namely, switches, and console, alarm, sensor and power management devices; Thermally activated manually resettable fire safety valves; Wireless digital electronic apparatus to secure and protect data and images on all forms of wireless equipment including mobile telecommunications equipment using an automatic synchronization process and alarm notification of the loss or theft of the wireless equipment including mobile telecommunications equipment, none of the above goods for use in the fields of thin film deposition control."<sup>3</sup>

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

If the amendment resolves this proceeding, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. *See* Trademark Rule 2.106(c).

If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings are otherwise suspended.

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<sup>3</sup> The underlined wording has been added.