

ESTTA Tracking number: **ESTTA844946**

Filing date: **09/11/2017**

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 | X/Open Company Limited |
| Granted to Date of previous extension | 09/10/2017 |
| Address | Apex Plaza, Forbury Road Reading, Berkshire, RG11AX UNITED KINGDOM |

| | |
|----------------------|--|
| Attorney information | Mark Sommers Finnegan Henderson Farabow Garrett & Dunner, LLP 901 New York Avenue, NW Washington, DC 20001 UNITED STATES Email: docketing@finnegan.com, mark.sommers@finnegan.com, naresh.kilaru@finnegan.com, ttab-legal-assistants@finnegan.com Phone: 2024084000 |
|----------------------|--|

Applicant Information

| | | | |
|------------------------|---|------------------------|------------|
| Application No | 87210550 | Publication date | 03/14/2017 |
| Opposition Filing Date | 09/11/2017 | Opposition Period Ends | 09/10/2017 |
| Applicant | Unix Electronics Co., Ltd. 80 Hwanggeum-ro 89 beon-gil Yangchon-eup Gimpo-si, Gyeonggi-do, REPUBLIC OF KOREA | | |

Goods/Services Affected by Opposition


| |
|---|
| Class 008. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Electric flat irons; electric hair curling irons; electric hair clipper; electric hair remover; electric shaver; electric foot file; nose and ear hair trimmer; electric facial cleanser; electric eyelash curlers |
| Class 011. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hand-held electric hair dryers for commercial and domestic use |
| Class 021. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hair brushes; electrically-heated hair brushes; hot air hair brushes |

Grounds for Opposition

| | |
|-------------------------|------------------------------------|
| Dilution by blurring | Trademark Act Sections 2 and 43(c) |
| Dilution by tarnishment | Trademark Act Sections 2 and 43(c) |

Marks Cited by Opposer as Basis for Opposition

| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 1392203 | Application Date | 06/24/1985 |
| Registration Date | 05/06/1986 | Foreign Priority Date | NONE |
| Word Mark | UNIX | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1972/12/14 First Use In Commerce: 1972/12/14 COMPUTER PROGRAMS | | |

| | | | |
|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 4503544 | Application Date | 03/09/2006 |
| Registration Date | 04/01/2014 | Foreign Priority Date | NONE |
| Word Mark | UNIXWARE | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1992/12/14 First Use In Commerce: 1992/12/14 Operating system software | | |

| | |
|-------------|--|
| Attachments | 78833448#TMSN.png(bytes) 9-11-17 FINAL Notice of Opposition Unix Electronics 872105550 UNIX.pdf(990216 bytes) |
|-------------|--|

| | |
|-----------|----------------|
| Signature | /Mark Sommers/ |
| Name | Mark Sommers |
| Date | 09/11/2017 |

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

| | |
|---|---|
| X/OPEN COMPANY LIMITED, Opposer, v. UNIX ELECTRONICS CO., LTD. Applicant. | Opposition No. _____ Serial No.: 87210550 Filed: October 20, 2016 Mark: UNIX |
|---|---|

NOTICE OF OPPOSITION

Opposer, X/Open Company Limited, a UK corporation having an address of Apex Plaza, Forbury Road, Reading, Berkshire, United Kingdom RG11AX (“X/Open” or “Opposer”), believes that it will be damaged by the registration of the UNIX mark shown in Application Serial No. 87210550, and opposes the same. As grounds for opposition, X/Open alleges as follows, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to other matters:

X/Open and its UNIX and UNIXWARE Marks

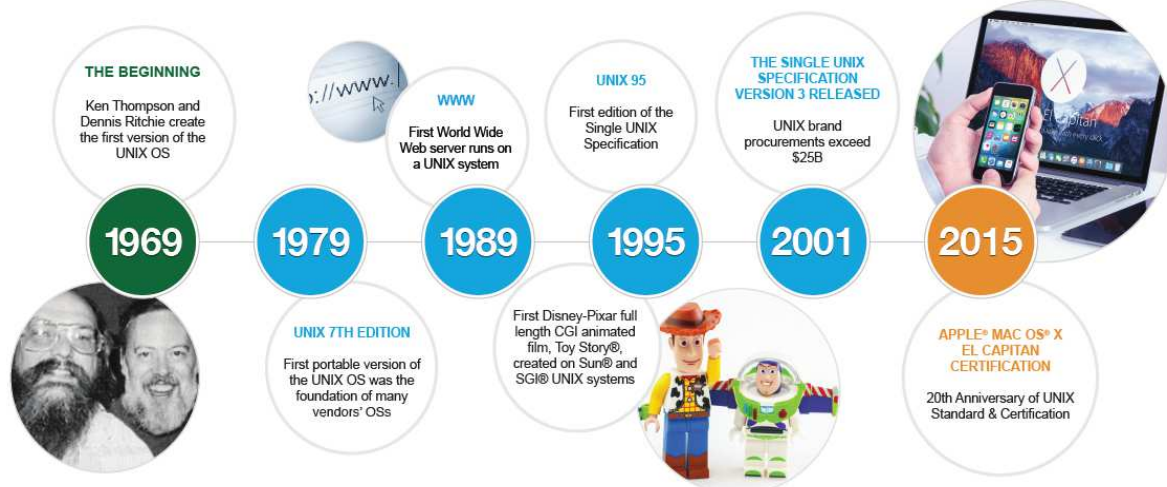
1. X/Open, the owner of the famous UNIX and UNIXWARE trademarks, is an international consortium of computer companies and buyers and suppliers of technology such as Hewlett-Packard, IBM, Oracle, Philips, American Express, BP, Dell, and Microsoft. For decades, the UNIX trademark has been used in connection with computer software certification and validation programs and has been licensed by X/Open and its predecessors to identify one of the world’s most powerful and widely used operating systems:

UNIX®

An Open Group Standard

“ The UNIX platform demonstrates the value of being open, since as a truly open standard it allows all to focus on driving innovation of the ecosystem around the platform rather than competing at the core OS level. The open standard makes portability easier for software developers, provides integrators with choice in the building blocks for solutions, and enables customers to focus on solving business problems rather than integration issues.

Steve Nunn, President and CEO, The Open Group ”



THE
Open
GROUP

UNIX® and The Open Group® are registered trademarks of The Open Group. Sun® is a registered trademark of Oracle Corporation. SGI® is a registered trademark of Silicon Graphics International Corporation. Apple® and Mac OS® are registered trademarks of Apple, Inc.

UNIX®, a robust open standard managed by The Open Group, enables increased IT agility, scalability, and interoperability across diverse operating and computing environments driving business, technology, and innovation around the globe.

For more information visit: www.opengroup.org/UNIX

2. In addition to its longstanding common law rights in the UNIX and UNIXWARE marks for computer software, operating systems, and computer software certification programs, X/Open is the owner of the following United States trademark registrations for the marks UNIX and UNIXWARE (printouts from the PTO TESS and TSDR databases, including assignment information, are attached as Exhibit A):

| Mark | Reg. No. Issue Date | Goods First Use/Use in Commerce |
|----------|------------------------|--|
| UNIX | 1392203 05-06-1986 | Computer programs First Use/Use in Commerce: 12-14-1972 |
| UNIXWARE | 4503544 04-01-2014 | Operating system software First Use/Use in Commerce: 12-14-1992 |

3. X/Open’s registrations are valid and subsisting and constitute *prima facie* evidence of the validity of the marks and registrations, and also of X/Open’s ownership of and

exclusive right to use the marks in connection with the goods covered by the registrations. In addition, the registrations provide constructive notice of ownership by X/Open. Further, Registration No. 1392203 for the UNIX mark has become incontestable pursuant to 15 U.S.C. §§ 1065 and 1115(b).

4. The UNIX and UNIXWARE trademarks are among the most distinctive and strongest trademarks in the world. X/Open, through its own activities and those of its licensees, has established extremely valuable goodwill in these marks by virtue of, among other things, the widespread use of the UNIX operating system, the promotional and marketing efforts devoted to the UNIX operating system and UNIX products, and the substantial sales of UNIX products. In view of the strength of the UNIX and UNIXWARE marks, the duration and extent of use of these marks by X/Open, its predecessors in business, and licensees, the duration and extent of advertising, and the degree of recognition of these marks by the public, X/Open's UNIX and UNIXWARE marks have become famous and are assets of incalculable value.

Applicant and Its UNIX Mark

5. Applicant Unix Electronics Co., Ltd. is a Korean corporation with an address of 80 Hwanggeum-ro 89 beon-gil Yangchon-eup, Gimpo-si, Gyeonggi-do, Republic of Korea.

6. On October 20, 2016, Applicant filed U.S. Application Serial No. 87210550 for the mark UNIX for “electric flat irons; electric hair curling irons; electric hair clipper; electric hair remover; electric shaver; electric foot file; nose and ear hair trimmer; electric facial cleanser; electric eyelash curlers” in Class 8; “hand-held electric hair dryers for commercial and domestic use” in Class 11; and “hair brushes; electrically-heated hair brushes; hot air hair brushes” in Class 21 on the basis of intent to use under 15 U.S.C. § 1051(b).

7. X/Open has never authorized or consented to Applicant's use or registration of the UNIX mark for any products or services.

Dilution, 15 U.S.C. § 1125(c)

8. X/Open repeats and realleges each and every allegation set forth in the preceding paragraphs of this Notice of Opposition.

9. X/Open's UNIX and UNIXWARE marks are inherently distinctive and registered on the Principal Register, and are widely recognized by the general consuming public of the United States as a designation of source of the goods and services offered in connection with the marks.

10. X/Open has used its UNIX and UNIXWARE marks in commerce for well over two decades, generating substantial revenues and widespread publicity concerning the marks.

11. X/Open's UNIX and UNIXWARE marks became famous well prior to the October 20, 2016 filing date of the opposed Application Serial No. 87210550 and any date of first use that may be alleged by Applicant.

12. In *X/Open Company Limited v. Chong Teck Choy*, Canc. No. 92057631 (TTAB May 10, 2016), the Trademark Trial and Appeal Board of the United States Patent and Trademark Office expressly acknowledged the fame of the UNIX mark.

13. Applicant's UNIX mark so closely resembles X/Open's famous and distinctive UNIX and UNIXWARE marks that it is likely to dilute the distinctive quality of X/Open's marks in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

WHEREFORE, X/Open believes that it will be damaged by the registration of the mark shown in Application Serial No. 87210550 and requests that the opposition be sustained, and that registration to Applicant be refused.

The filing fee has been submitted electronically. Any deficiency in the fee should be charged to our Deposit Account No. 06-0916.

Respectfully Submitted,

Dated: September 11, 2017

By: /Mark Sommers/
Mark Sommers
Naresh Kilaru
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Avenue, NW
Washington, DC 20001-4413
Telephone: (202) 408-4000

docketing@finnegan.com
mark.sommers@finnegan.com
naresh.kilaru@finnegan.com
TTAB-Legal-Assistants@finnegan.com

Attorneys for Opposer
X/OPEN COMPANY LIMITED

Notice of Opposition
Application Serial No.: 87210550
Mark: UNIX

Exhibit A



Trademarks > Trademark Electronic Search System (TESS)

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Browser to return to TESS)

Typed Drawing

| | |
|---------------------------------|--|
| Word Mark | UNIX |
| Goods and Services | IC 009. US 038. G & S: COMPUTER PROGRAMS. FIRST USE: 19721214. FIRST USE IN COMMERCE: 19721214 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 73544900 |
| Filing Date | June 24, 1985 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | October 29, 1985 |
| Registration Number | 1392203 |
| Registration Date | May 6, 1986 |
| Owner | (REGISTRANT) AMERICAN TELEPHONE AND TELEGRAPH COMPANY CORPORATION NEW YORK 550 MADISON AVENUE NEW YORK NEW YORK 10022 (LAST LISTED OWNER) X/OPEN COMPANY LIMITED CORPORATION UNITED KINGDOM Apex Plaza, Forbury Road Reading, Berkshire UNITED KINGDOM RG11AX |
| Assignment Recorded | ASSIGNMENT RECORDED |
| Attorney of Record | MARK SOMMERS |

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20160718.
Renewal 2ND RENEWAL 20160718
Live/Dead Indicator LIVE

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STATUS

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Mark: UNIX

No Image exists for this case.

US Serial Number: 73544900

Application Filing Date: Jun. 24, 1985

US Registration Number: 1392203

Registration Date: May 06, 1986

Register: Principal

Mark Type: Trademark

TM5 Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The Trademark Trial and Appeal Board has terminated a cancellation proceeding. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Jan. 19, 2016

Publication Date: Oct. 29, 1985

Mark Information

[Collapse All](#)

Mark Literal Elements: UNIX

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *,* identify additional (new) wording in the goods/services.

For: COMPUTER PROGRAMS

International Class(es): 009 - Primary Class

U.S Class(es): 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 14, 1972

Use in Commerce: Dec. 14, 1972

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: X/OPEN COMPANY LIMITED
Owner Address: Apex Plaza, Forbury Road
 Reading, Berkshire UNITED KINGDOM RG11AX
Legal Entity Type: CORPORATION
State or Country Where Organized: UNITED KINGDOM

- Attorney/Correspondence Information

Attorney of Record

Attorney Name: MARK SOMMERS
Attorney Primary Email Address: docketing@finnegan.com
Docket Number: 07737.0006
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MARK SOMMERS
 Finnegan, Henderson, Farabow, Garrett and Dunner,
 901 New York Avenue, NW
 WASHINGTON, DISTRICT OF COLUMBIA UNITED STATES 20001
Phone: 2024084000
Correspondent e-mail: docketing@finnegan.com
Fax: 2024084400
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Mark Sommers
Domestic Representative e-mail: docketing@finnegan.com
Phone: 2024084000
Fax: 2024084400
Domestic Representative e-mail Authorized: Yes

- Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Jul. 14, 2017 | POST REGISTRATION ACTION MAILED - SEC. 7 | 70131 |
| Jul. 10, 2017 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 70131 |
| May 15, 2017 | TEAS SECTION 7 REQUEST RECEIVED | |
| Apr. 21, 2017 | NOTICE OF SUIT | |
| Apr. 21, 2017 | NOTICE OF SUIT | |
| Jul. 18, 2016 | NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED | |
| Jul. 18, 2016 | REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS) | 67723 |
| Jul. 18, 2016 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | 67723 |
| Jul. 18, 2016 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL | 67723 |
| Jun. 09, 2016 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Jun. 09, 2016 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Apr. 26, 2016 | TEAS SECTION 8 & 9 RECEIVED | |
| Jan. 19, 2016 | TTAB RELEASE CASE TO TRADEMARKS | 60293 |
| Jan. 19, 2016 | CANCELLATION TERMINATED NO. 999999 | 60293 |
| Jul. 27, 2015 | CANCELLATION DISMISSED NO. 999999 | 60293 |
| Nov. 05, 2014 | CANCELLATION INSTITUTED NO. 999999 | 60293 |
| Jul. 24, 2006 | REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS) | 73376 |
| Jul. 24, 2006 | REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED | |
| Jul. 21, 2006 | ASSIGNED TO PARALEGAL | 73376 |
| Apr. 21, 2006 | REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED | |
| Jun. 28, 2006 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | |
| Apr. 21, 2006 | PAPER RECEIVED | |
| Jun. 13, 2003 | PAPER RECEIVED | |

| | | |
|---------------|--|--------|
| Sep. 18, 2002 | COUNTERCLAIM OPP. NO. 999999 | 122524 |
| Oct. 08, 1991 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK. | |
| May 20, 1991 | REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED | |
| Jan. 27, 1990 | COUNTERCLAIM OPP. NO. 999999 | 80122 |
| May 06, 1986 | REGISTERED-PRINCIPAL REGISTER | |
| May 06, 1986 | REGISTERED-PRINCIPAL REGISTER | |
| Oct. 29, 1985 | PUBLISHED FOR OPPOSITION | |
| Oct. 01, 1985 | NOTICE OF PUBLICATION | |
| Aug. 29, 1985 | APPROVED FOR PUB - PRINCIPAL REGISTER | |

- Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted
Affidavit of Incontestability: Section 15 - Accepted
Renewal Date: May 06, 2016

- TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jul. 14, 2017

- Assignment Abstract Of Title Information

Summary

▼ **Conveyance Filter**

Total Assignments: 4

Registrant: AMERICAN TELEPHONE AND TELEGRAPH COMPANY

- Assignment 1 of 4

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Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0711/0800](#)

Pages: 0

Date Recorded: May 18, 1990

Supporting Documents: No Supporting Documents Available

Assignor

Name: [AMERICAN TELEPHONE AND TELEGRAPH COMPANY](#)

Execution Date: May 15, 1990

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [UNIX SYSTEM LABORATORIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 295 NORTH MAPLE AVENUE
BASKING RIDGE, NEW JERSEY 07920

Correspondent

Correspondent Name: FRANK L. POLITANO

Correspondent Address: ONE OAK WAY
BERKELEY HEIGHTS, 07922-2727

Domestic Representative - Not Found

- Assignment 2 of 4

Conveyance: MERGER (SEE DOCUMENT FOR DETAILS.)

Reel/Frame: [1195/0248](#)

Pages: 9

Date Recorded: Jul. 27, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: UNIX SYSTEM LABORATORIES, INC.

Execution Date: Apr. 29, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: NOVELL, INC.

State or Country Where Organized: DELAWARE

Legal Entity Type: CORPORATION

Address: 122 EAST 1700 SOUTH
PROVO, UTAH 846066194

Correspondent

Correspondent Name: ANDREW P. BRIDGES

Correspondent Address: COLLEEN BAL
WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO, ALTO, CA 94304-1050

Domestic Representative - Not Found

➤ Assignment 3 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 1920/0794

Pages: 4

Date Recorded: Jun. 22, 1999

Supporting Documents: [assignment-tm-1920-0794.pdf](#)

Assignor

Name: NOVELL, INC.

Execution Date: Nov. 13, 1998

Legal Entity Type: CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: X/OPEN COMPANY LIMITED

State or Country Where Organized: ENGLAND

Legal Entity Type: CORPORATION

Address: APEX PLAZA
FORBURY ROAD
READING, BERKSHIRE, ENGLAND RG1 1AX

Correspondent

Correspondent Name: FELSMAN, BRADLEY, VADEN, GUNTER

Correspondent Address: & DILLON, LLP
JAMES E. BRADLEY
201 MAIN STREET, SUITE 1600
FORT WORTH, TEXAS 76102-3105

Domestic Representative

Domestic Representative Name: FELSMAN, BRADLEY, VADEN, GUNTER

Domestic Representative Address: & DILLON, LLP
201 MAIN STREET, SUITE 1600
FORTH WORTH, TEXAS 76102-3105

➤ Assignment 4 of 4

Conveyance: CHANGE OF ADDRESS

Reel/Frame: 3336/0511

Pages: 3

Date Recorded: Apr. 21, 2006

Supporting Documents: [assignment-tm-3336-0511.pdf](#)

Assignor

| | |
|--|---|
| Name: <u>X/OPEN COMPANY LIMITED</u> | Execution Date: Apr. 21, 2006 |
| Legal Entity Type: CORPORATION | State or Country Where Organized: ENGLAND |
| Assignee | |
| Name: <u>X/OPEN COMPANY LIMITED</u> | State or Country Where Organized: ENGLAND |
| Legal Entity Type: CORPORATION | Organized: |
| Address: 37-45 STATION ROAD THAMES TOWER READING, BERKSHIRE RG1 1LX, UNITED KINGDOM | |
| Correspondent | |
| Correspondent Name: EVAN A. RAYNES | |
| Correspondent Address: FINNEGAN, HENDERSON, FARABOW, GARRETT 901 NEW YORK AVENUE, N.W. WASHINGTON, D.C. 20001-4413 | |
| Domestic Representative - Not Found | |
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UNIXWARE

Word Mark UNIXWARE
Goods and Services IC 009. US 021 023 026 036 038. G & S: Operating system software. FIRST USE: 19921214. FIRST USE IN COMMERCE: 19921214
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78833448
Filing Date March 9, 2006
Current Basis 1A
Original Filing Basis 1A
Published for Opposition December 19, 2006
Registration Number 4503544
Registration Date April 1, 2014
Owner (REGISTRANT) X/Open Company Limited CORPORATION ENGLAND Apex Plaza, Forbury Road Reading, Berkshire UNITED KINGDOM RG11AX
Attorney of Record Evan A. Raynes

Prior Registrations 1390593;1392203
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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STATUS

DOCUMENTS

MAINTENANCE

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Mark: UNIXWARE

UNIXWARE

US Serial Number: 78833448

Application Filing Date: Mar. 09, 2006

US Registration Number: 4503544

Registration Date: Apr. 01, 2014

Register: Principal

Mark Type: Trademark

TM5 Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 01, 2014

Publication Date: Dec. 19, 2006

Mark Information

[Collapse All](#)

Mark Literal Elements: UNIXWARE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1390593](#), [1392203](#)

Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Operating system software

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 14, 1992

Use In Commerce: Dec. 14, 1992

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

- Current Owner(s) Information

Owner Name: X/Open Company Limited
Owner Address: Apex Plaza, Forbury Road
 Reading, Berkshire UNITED KINGDOM RG11AX
Legal Entity Type: CORPORATION
State or Country Where Organized: ENGLAND

- Attorney/Correspondence Information

Attorney of Record

Attorney Name: Evan A. Raynes
Attorney Primary Email Address: docketing@finnegan.com
Docket Number: 07737.0021
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: MARK SOMMERS
 Finnegan, Henderson, Farabow, Garrett and Dunner,
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- Prosecution History

| Date | Description | Proceeding Number |
|---------------|---|-------------------|
| Apr. 21, 2017 | NOTICE OF SUIT | |
| Apr. 21, 2017 | NOTICE OF SUIT | |
| Jun. 09, 2016 | APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED | 88888 |
| Jun. 09, 2016 | TEAS CHANGE OF OWNER ADDRESS RECEIVED | |
| Apr. 01, 2014 | REGISTERED-PRINCIPAL REGISTER | |
| Feb. 24, 2014 | TTAB RELEASE CASE TO TRADEMARKS | 176820 |
| Jul. 01, 2013 | OPPOSITION TERMINATED NO. 999999 | 176820 |
| Jul. 01, 2013 | OPPOSITION DISMISSED NO. 999999 | 176820 |
| Apr. 18, 2007 | OPPOSITION INSTITUTED NO. 999999 | 176820 |
| Jan. 17, 2007 | EXTENSION OF TIME TO OPPOSE RECEIVED | |
| Dec. 19, 2006 | PUBLISHED FOR OPPOSITION | |
| Nov. 29, 2006 | NOTICE OF PUBLICATION | |
| Oct. 28, 2006 | LAW OFFICE PUBLICATION REVIEW COMPLETED | 78145 |
| Oct. 20, 2006 | ASSIGNED TO LIE | 78145 |
| Oct. 19, 2006 | APPROVED FOR PUB - PRINCIPAL REGISTER | |
| Oct. 10, 2006 | AMENDMENT FROM APPLICANT ENTERED | 78145 |
| Sep. 18, 2006 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 78145 |
| Sep. 18, 2006 | PAPER RECEIVED | |
| Aug. 30, 2006 | NON-FINAL ACTION E-MAILED | 6325 |
| Aug. 30, 2006 | NON-FINAL ACTION WRITTEN | 76081 |

| | | |
|---------------|---------------------------------------|-------|
| Aug. 29, 2006 | AMENDMENT FROM APPLICANT ENTERED | 68171 |
| Apr. 24, 2006 | CORRESPONDENCE RECEIVED IN LAW OFFICE | 68171 |
| Aug. 26, 2006 | ASSIGNED TO EXAMINER | 76081 |
| Apr. 24, 2006 | FAX RECEIVED | |
| Apr. 07, 2006 | PAPER RECEIVED | |
| Mar. 15, 2006 | NEW APPLICATION ENTERED IN TRAM | |

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 01, 2014

▲ Assignment Abstract Of Title Information - None recorded

▼ Proceedings - Click to Load