

ESTTA Tracking number: **ESTTA952798**

Filing date: **02/07/2019**

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

Proceeding	91242785
Party	Defendant TANDBERG AS
Correspondence Address	JOHN CHRISTOPHER CHRISTOPHER & WEISBERG PA 1232 N UNIVERSITY DRIVE PLANTATION, FL 33322 UNITED STATES eimber@cwiplaw.com, cwdocketing@cardinal-ip.com, ptomail@cwiplaw.com 954-828-1488
Submission	Motion to Join/Substitute Party
Filer's Name	Eric J. Ball
Filer's email	trademarks@fenwick.com, eball@fenwick.com, mludmer@fenwick.com
Signature	/Eric J. Ball/
Date	02/07/2019
Attachments	Substitution of Party and Notice of Appearance.pdf(225059 bytes)

objection to the substitution. Here, Overland Storage, Inc. and Tandberg Data Holdings S.a.r.l. consent to and raise no objection to the proposed substitution of Cisco Technology, Inc. as the party and owner of U.S. Trademark Application Serial No. 87/976,599 for the TANDBERG mark.

Because Overland Storage Inc. and Tandberg Data Holdings S.a.r.l. have no objection to the proposed substitution, Applicant requests that the Trademark Trial and Appeal Board substitute the assignee as a party. Furthermore, Applicant requests that the caption reflect the assignee's name as Cisco Technology, Inc.

If this Motion is granted, we ask that Opposer and Plaintiff please take notice that SALLY ABEL, ERIC BALL and MARA LUDMER of Fenwick & West LLP, hereby enter appearances in the above entitled opposition. You are hereby requested to serve all further papers and proceedings in said case, except original process, upon said attorneys at the addresses below:

Sally Abel
Eric J. Ball
Mara Ludmer
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
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trademarks@fenwick.com, sabel@fenwick.com, eball@fenwick.com,
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Dated: February 7, 2019

Respectfully submitted,

By: /Eric Ball/

Eric J. Ball

eball@fenwick.com

Mara Ludmer

mludmer@fenwick.com

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Silicon Valley Center

Mountain View, CA 94041

Telephone: 650.988.8500

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of February, 2019, a true and correct copy of the foregoing

CONSENTED MOTION TO SUBSTITUTE PARTY AND NOTICE OF APPEARANCE

was served on counsel for the Opposer and former Defendant at:

Jeffrey L. Van Hoosear
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*Counsel for Overland Storage
& Tandberg Data Holdings S.a.r.l.*

/Mara Ludmer/
Mara Ludmer

EXHIBIT A

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM500052

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Tandberg AS		11/01/2018	Corporation: NORWAY
RECEIVING PARTY DATA			
Name:	Cisco Technology, Inc.		
Street Address:	170 West Tasman Drive		
City:	San Jose		
State/Country:	CALIFORNIA		
Postal Code:	95134		
Entity Type:	Corporation: CALIFORNIA		
PROPERTY NUMBERS Total: 3			
Property Type	Number	Word Mark	
Serial Number:	87172751	TANDBERG	
Serial Number:	87976599	TANDBERG	
Serial Number:	87978376	TANDBERG	
CORRESPONDENCE DATA			
Fax Number:	6509385200		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	6509888500		
Email:	trademarks@fenwick.com, eball@fenwick.com, mludmer@fenwick.com		
Correspondent Name:	Eric J. Ball		
Address Line 1:	801 California Street		
Address Line 4:	Mountain View, CALIFORNIA 94041		
ATTORNEY DOCKET NUMBER:	23764-00402-1991		
NAME OF SUBMITTER:	Eric J. Ball		
SIGNATURE:	/Eric J. Ball/		
DATE SIGNED:	11/29/2018		
Total Attachments: 2			
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EXHIBIT B

TRADEMARK ASSIGNMENT

WHEREAS, Tandberg AS, a Norwegian corporation having a principal place of business at Fornebuveien 33 Norway NO-1366, is the owner of the TANDBERG trademarks and trademark applications listed in Exhibit A attached hereto;

WHEREAS, Cisco Technology, Inc. a California corporation having a principal place of business at 170 West Tasman Drive, San Jose, CA 95134, United States, is desirous of acquiring Tandberg AS's right, title, and interest in the TANDBERG trademarks and trademark applications listed in Exhibit A of this Assignment;

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Tandberg AS does hereby assign unto Cisco any and all right, title, and interest, Tandberg AS may have anywhere in the world in and related to the TANDBERG mark, including common law rights and trademark applications listed in Exhibit A of this Assignment, together with any and all goodwill of the business symbolized by said mark, and that portion of the business which is ongoing and existing to which the trademarks pertain, and any and all applications and registrations thereof.

Signed at Fornebu _____, Norway _____, this ___first___ day of November 2018.

Tandberg AS

By: _____

Name: Haakon Thue Lie
Title: Chief Executive Officer

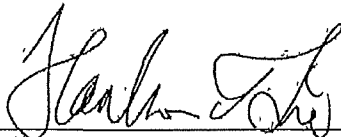


EXHIBIT A to Trademark Assignment

Title	Country Name	IP Right Status	Application Number	Filing Date
TANDBERG - class 38 videoservices	Norway	Pending	201603864	18.03.2016
TANDBERG - 9,38,41 - broad coverage	EU	Pending	15764566	22.08.2016
TANDBERG - broad coverage	Norway	Pending	201603865	18.03.2016
TANDBERG - 9, goods: hardware for video conferencing, cameras, hifi tv, codecs	USA	Pending	87172751	15.09.2016
TANDBERG - 35 38 (video services)	USA	Granted	87976599	15.09.2016
TANDBERG - 42, goods: computer software for teleconferencing and video conferencing	USA	Pending	87978376	15.09.2016