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Filing date: **10/26/2020**

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	Micron Technology, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	8000 SOUTH FEDERAL WAY BOISE, ID 83706 UNITED STATES		

Attorney information	MARGARET NIVER MCGANN PARSONS BEHLE & LATIMER 201 SOUTH MAIN STREET, SUITE 1800 SALT LAKE CITY, UT 84111 UNITED STATES Primary Email: trademarks@parsonsbehle.com 8015321234
Docket Number	

Applicant Information

Application No.	88453379	Publication date	09/29/2020
Opposition Filing Date	10/26/2020	Opposition Period Ends	10/29/2020
International Registration No.	NONE	International Registration Date	NONE
Applicant	Semiconductor Energy Laboratory Co., Ltd. 398, HASE, ATSUGI-SHI KANAGAWA-KEN, 243-0036 JAPAN		

Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0
All goods and services in the class are opposed, namely: solar batteries; batteries; electrical storage batteries; lithium ion secondarybatteries; semiconductor elements, namely, semiconductor chips, semiconductor devices, and semiconductor wafers; electronic circuits; liquid crystal displays; liquid crystal display panels; displays using organic electroluminescence elements, namely, organic electroluminescence displays (ELD); memory chips, namely, computer chips; memory modules; semiconductor memories; computer memory devices; blank flash memory cards; electronic circuits in the nature of semiconductor integrated circuits including CPUs; semiconductor chips for image processing; programmable semiconductor chips; semiconductor power elements for image sensors; digital cameras and accessories or parts thereof, namely, digital photo viewer; digital video cameras and accessories thereof, namely, digital photo viewer; digitalcameras with CMOS sensors; digital cameras with charge-coupled devices (CCD) sensors; touch panels; measuring machines,apparatus, and accessories or parts thereof, namely, calculators; on-board liquid crystal display devices; on-board image display devices; on-board organic electroluminescence display devices; mobilephones;

smartphones; televisions; soundreproduction apparatus; computers and computer peripherals; notebook computers;laptop computers; tablet computers; personal computers; microcomputers; computer monitors; touch panels for computers; electronic tags for goods; blank integrated circuit cards; electronic card readers for integrated circuit cards; magnetic coded card readers; electronic card writers for integrated circuit cards; magnetic coded card writers; radio transmitters and receivers; digital data memory devices, namely, memory boards; video telephones; telecommunication machines and apparatus for video telephone systems, namely, microphones; electronic calculators; electronic desk calculators; flat panel display screens; headmounted video displays; random access memory (RAM) cards; electronic memory card readers and memory card writers; data memory devices, namely, memory cards; semiconductor memory devices; electronic circuits not including those recorded with computer programs; computer graphic boards; computer keyboards; motherboards; electronic circuit boards; computer hardware; blank computer hard disks; solid state drives; liquid crystal displays with touch sensor function; organic electroluminescence displays with touch sensor function; GPS navigation devices; video display devices for car navigation systems; personal digital assistants in the shape of a watch;mobile computers in the shape of a watch; smartphones in the shape of a watch; portable computer terminals for displaying electronic publications; electronic control systems for automobiles; and measuring machines and apparatus for detecting information relating to automobiles, namely, meter panels
Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: research and development in the field of chemistry; testing of chemicals; scientific testing, research, and developmentin the field of semiconductors; producttesting, research, and development of machines and apparatus; product testing, research, and development of metal materials; testing, research, and developmentin the fields of material science and electrical engineering; scientific testing, research, and development relating totransmission of electricity; product testing, research, and development of telecommunication machines and apparatus; product testing, research, and developmentof electronic circuits, semiconductor elements, integrated circuits, and large-scale integrated circuits; product testing, research, and development of semiconductors; product testing, research, and development of metal oxides, semiconductors, electronic appliances, and telecommunication machines and apparatus; providing technical research information relating to manufacture and processing of metal oxides, semiconductors, electronic appliances, and telecommunication machinesand apparatus; scientific testing, investigation, and research in the field of semiconductors; scientific and technological services, namely, scientific analysis in the field of semiconductors; providing information on the subject of scientific testing, investigation, and research in the field of semiconductors; development of testing specifications and procedures for computer memory devices and semiconductor memory devices; providing information on the subject of technical research in the field of semiconductors;providing information and data on the subject of scientific and technical research and development in the field of semiconductors; providing scientific and technical information in the field of semiconductors; technical consultation in thefield of product development; design ofelectronic circuits, semiconductor elements, integrated circuits, and large-scale integrated circuits for others; providing technical consultation and information on the subject of design of electronic circuits, semiconductor elements, integrated circuits, and largescale integrated circuits

Grounds for Opposition

The mark is merely descriptive	Trademark Act Section 2(e)(1)
The mark is generic	Trademark Act Sections 1, 2 and 45

Attachments	Notice of Opposition 3D NOSRAM.pdf(261705 bytes)

Signature	/Jonathan H. Love/
Name	Jonathan H. Love
Date	10/26/2020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC.,	)	
	)	
Opposer,	)	Opposition No. _____
	)	
v.	)	Serial No. 88/453,379
	)	Mark: 3D NOSRAM
SEMICONDUCTOR ENERGY LABORATORY CO., LTD.,	)	Published in the Official Gazette on September 29, 2020
	)	
Applicant.	)	

NOTICE OF OPPOSITION

Opposer Micron Technology, Inc. ("Opposer") believes that it will be damaged by registration of the mark 3D NOSRAM shown in Application Serial No. 88/453,379 because the mark is a generic or merely descriptive term for the goods identified in the application. Opposer hereby opposes same pursuant to Section 13(a) of the Lanham Trademark Act of 1946 ("Lanham Act"), 15 U.S.C. § 1063(a).

As grounds for opposition, Opposer alleges as follows:

1. Founded in 1978, Opposer, a Delaware corporation with a principal place of business at 8000 South Federal Way, Boise, Idaho 83706, is a global leader in the semiconductor industry, manufacturing innovative memory and storage solutions that have transformed how the world uses information. Through its worldwide operations, Opposer manufactures and markets random access memory ("RAM") solid-state memory drives, flash memory, and other semiconductor memory components, modules, and applications for use in leading-edge computing, consumer,

networking, and mobile products. Detailed information on Opposer and its products and services may be found at its corporate website at www.micron.com.

2. Upon information and belief, on May 30, 2019, applicant, Semiconductor Energy Laboratory Co., Ltd., a Japan corporation with an address at 398, Hase, Atsugi-shi Kanagawa-ken Japan 243-0036, ("Applicant") filed Application Serial No. 88/453,379 (the "Application") seeking to register the mark 3D NOSRAM for the following goods and services in International Classes 9 and 42 "Semi-conductor memories" in International Class 9:

> Class 9: solar batteries; batteries; electrical storage batteries; lithium ion secondary batteries; semiconductor elements, namely, semiconductor chips, semiconductor devices, and semiconductor wafers; electronic circuits; liquid crystal displays; liquid crystal display panels; displays using organic electroluminescence elements, namely, organic electroluminescence displays (ELD); memory chips, namely, computer chips; memory modules; semiconductor memories; computer memory devices; blank flash memory cards; electronic circuits in the nature of semiconductor integrated circuits including CPUs; semiconductor chips for image processing; programmable semiconductor chips; semiconductor power elements for image sensors; digital cameras and accessories or parts thereof, namely, digital photo viewer; digital video cameras and accessories thereof, namely, digital photo viewer; digital cameras with CMOS sensors; digital cameras with charge-coupled devices (CCD) sensors; touch panels; measuring machines, apparatus, and accessories or parts thereof, namely, calculators; on-board liquid crystal display devices; on-board image display devices; on-board organic electroluminescence display devices; mobile phones; smartphones; televisions; sound reproduction apparatus; computers and computer peripherals; notebook computers; laptop computers; tablet computers; personal computers; microcomputers; computer monitors; touch panels for computers; electronic tags for goods; blank integrated circuit cards; electronic card readers for integrated circuit cards; magnetic coded card readers; electronic card writers for integrated circuit cards; magnetic coded card writers; radio transmitters and receivers; digital data memory devices, namely, memory boards; video telephones; telecommunication machines and apparatus for video telephone systems, namely, microphones; electronic calculators; electronic desk calculators; flat

panel display screens; headmounted video displays; random access memory (RAM) cards; electronic memory card readers and memory card writers; data memory devices, namely, memory cards; semiconductor memory devices; electronic circuits not including those recorded with computer programs; computer graphic boards; computer keyboards; motherboards; electronic circuit boards; computer hardware; blank computer hard disks; solid state drives; liquid crystal displays with touch sensor function; organic electroluminescence displays with touch sensor function; GPS navigation devices; video display devices for car navigation systems; personal digital assistants in the shape of a watch; mobile computers in the shape of a watch; smartphones in the shape of a watch; portable computer terminals for displaying electronic publications; electronic control systems for automobiles; and measuring machines and apparatus for detecting information relating to automobiles, namely, meter panels

Class 42: research and development in the field of chemistry; testing of chemicals; scientific testing, research, and development in the field of semiconductors; product testing, research, and development of machines and apparatus; product testing, research, and development of metal materials; testing, research, and development in the fields of material science and electrical engineering; scientific testing, research, and development relating to transmission of electricity; product testing, research, and development of telecommunication machines and apparatus; product testing, research, and development of electronic circuits, semiconductor elements, integrated circuits, and large-scale integrated circuits; product testing, research, and development of semiconductors; product testing, research, and development of metal oxides, semiconductors, electronic appliances, and telecommunication machines and apparatus; providing technical research information relating to manufacture and processing of metal oxides, semiconductors, electronic appliances, and telecommunication machines and apparatus; scientific testing, investigation, and research in the field of semiconductors; scientific and technological services, namely, scientific analysis in the field of semiconductors; providing information on the subject of scientific testing, investigation, and research in the field of semiconductors; development of testing specifications and procedures for computer memory devices and semiconductor memory devices; providing information on the subject of technical research in the field of semiconductors; providing information and data on the subject of scientific and technical research and development in the field of semiconductors; providing scientific and technical information in the field of semiconductors; technical consultation in the field of product development; design of electronic circuits, semiconductor elements, integrated circuits, and large-scale integrated circuits for others; providing technical consultation and information on the

subject of design of electronic circuits, semiconductor elements, integrated circuits, and largescale integrated circuits

3. The Application published for opposition on September 29, 2020. Thus, Opposer's Notice of Opposition is timely filed.

4. The term "3D" is broadly used and recognized as a generic abbreviation for "three-dimensional." The term "3D" is widely used within the semiconductor memory industry, and the electronics industry in general, with respect to semiconductor memory products. When used in reference to memory products, "3D" indicates that the memory chips are stacked vertically in multiple layers.

5. "RAM" is broadly used and recognized as an acronym for "random access memory," a type of memory that operates as a computer system's short-term memory. RAM stores information that a computer is using so that it can be accessed quickly. The generic designation "RAM" is used not only by Opposer, but also by the electronics industry in general to refer to computer memory products.

6. The term "OS" is used and recognized as a common reference to "oxide semiconductor," which describes common components of memory products.

7. Upon information and belief, Applicant's business focuses on oxide semiconductors (OS) as next-generation semiconductor material.

8. Upon information and belief, Applicant's website teaches relevant consumers that NOSRAM is a descriptive acronym for "Nonvolatile Oxide Semiconductor Random Access Memory." For example, Applicant's website describes NOSRAM as follows:

9. Applicant has also drawn the descriptive connection between NOSRAM and "non-volatile oxide semiconductor random access memory" in recent patent applications.

10. Trade publications have used NOSRAM as an acronym for "non-volatile oxide semiconductor random access memory." For example, one publication described "non-volatile oxide semiconductor random access memory (NOSRAM)" as a "next generation type of memory" that "is non-volatile, operates at high speed, and offers an unlimited number of write cycles."

11. When the terms 3D and NOSRAM are combined, such as in Applicant's 3D NOSRAM mark, they retain their descriptive meaning describing a specific type of non-volatile RAM, namely three-dimensional non-volatile oxide semiconductor random access memory.

12. Given the common use of the terms 3D (as a reference to three dimensional) and NOSRAM (as acronym for "non-volatile oxide semiconductor

random access memory") the relevant consumers of computer memory products recognize 3D NOSRAM to be synonymous with "three dimensional non-volatile oxide semiconductor random access memory," which is merely descriptive of semiconductor memory products.

13. Upon information and belief, Applicant's mark has not acquired secondary meaning.

14. Given the descriptive, general, and common usage of the terms 3D NOSRAM that exists throughout the semiconductor memory industry, and the electronics industry in general, and in order to ensure that these recognized terms remain available for general use in the semiconductor industry and electronics industry in association with the relevant class of semiconductor products, it would be unfair and out of keeping with current usage realities to permit any party to obtain exclusive rights in such descriptors by allowing such party to register the term 3D NOSRAM as a trademark in association with semiconductor memory products.

WHEREFORE, Opposer prays that this Opposition be sustained and that the registration of application Serial No. 88/453,379 be refused.

DATED this 26th day of October, 2020.

PARSONS BEHLE & LATIMER

/Jonathan H. Love /_____
Margaret N. McGann
Jonathan H. Love
201 South Main Street, Suite 1800
Salt Lake City, UT 84111
Phone: 801-532-1234
Fax: 801-536-6111

Attorneys for Applicant, Micron Technology, Inc.