

ESTTA Tracking number: **ESTTA1177293**

Filing date: **12/08/2021**

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	Intel Corporation
Granted to Date of previous extension	01/02/2022
Address	2200 MISSION COLLEGE BLVD RNB 4-151 SANTA CLARA, CA 95052 UNITED STATES
Attorney information	IAN K. BOYD SIDEMAN & BANCROFT LLP ONE EMBARCADERO CENTER, 22ND FLOOR SAN FRANCISCO, CA 94111 UNITED STATES Primary Email: iboyd@sideman.com Secondary Email(s): mhewitt@sideman.com, clee@sideman.com, docket1@sideman.com 415-392-1960
Docket Number	10224-111

Applicant Information

Application No.	90179016	Publication date	07/06/2021
Opposition Filing Date	12/08/2021	Opposition Period Ends	01/02/2022
International Registration No.	NONE	International Registration Date	NONE
Applicant	LG CORP. 128, YEOUI-DAERO, YEONGDEUNGPO-GU SEOUL, 07336 REPUBLIC OF KOREA		

Goods/Services Affected by Opposition

<p>Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Televisions; Displays for television receivers, namely, flat panel display screens for television receivers and OLED display panels for television receivers; TV monitors; Digital signages; Organic Light Emitting Diode (OLED) display panels; Smartphones; Display screens for smartphones; Mobile phones; Wearable smartphones, namely, smart watches; Digital set-top boxes; Downloadable computer application software for mobile phones, namely, software for use in database management; Recorded computer application software for televisions, namely, application software for set-up and calibration of televisions; Tablet computers; Monitors for computers; Computers; Portable computers; Rechargeable batteries; Battery compensation</p>

chargers; Network surveillance cameras; Digital cameras; Downloadable virtual reality game software; Head-mounted video displays; Electric monitoring apparatus, namely, wireless controllers to monitor the functioning of other electronic devices

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	88840863	Application Date	03/19/2020
Registration Date	NONE	Foreign Priority Date	02/04/2020
Word Mark	INTEL EVO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 Downloadable and recorded computer software for increasing computer performance, application efficiency, and response times; computer software in relation to artificial intelligence; computer software for improving internet connectivity and security; downloadable and recorded computer firmware for increasing computer performance, application efficiency, and response times; computer firmware for artificial intelligence; computer firmware for improving internet connectivity and security; computers; tablet computers, notebook and laptop computers; portable computers; wireless communication devices for voice, data or image transmission over the internet; computer hardware; downloadable and recorded computer software and firmware used to maintain and operate a computer system; data processing equipment		

U.S. Application No.	90069922	Application Date	07/23/2020
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	INTEL EVO POWERED BY CORE I5		

Design Mark	 <p>The image shows the Intel Evo logo. It consists of a large dark rectangle. Inside this rectangle, the word "intel" is written in white lowercase letters at the top. Below it, the word "evo" is written in a larger, light gray lowercase font. Underneath "evo", the words "POWERED BY" are in small white uppercase letters, followed by "CORE" in larger white uppercase letters. In the bottom right corner of the large rectangle, there is a smaller, lighter gray square containing the text "i5" in white lowercase letters.</p>
Description of Mark	<p>The mark consists of a rectangle that contains a smaller square in the bottom right corner that connects corner to corner to a medium size square placed in the middle of the full rectangle design. The wording "INTEL" appears on the upper, left portion of the rectangle. The wording "EVO" appears beneath the wording "INTEL" on the larger square. The wording "POWERED BY CORE" appears beneath the wording "EVO" on the middle square. The element "i5" appears on the smaller square.</p>
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Computers; handheld computers; memory boards; computer hardware; integrated circuits; computer memory hardware in the nature of integrated circuit memories; semiconductor chip-sets; data processors in the nature of semiconductor processors; semiconductor processor chips; semiconductor chips; microprocessors; printed circuit boards; electronic circuit boards; computer motherboards; computer memories; downloadable and recorded computer operating systems software; micro-controllers; data processors; central processing units; semiconductor memory devices; software programmable microprocessors; digital and optical microprocessors; digital and optical data and signal processors; video circuit boards; audio circuit boards; audio-video circuit boards; videographic accelerators; multimedia accelerator boards; video processors; video processor circuit boards; computer hardware in the nature of processor die packaging and casings; cards, discs, tapes, wires, records, microchips and electronic circuits, all for the recordal and transmission of data; modems; apparatus and instruments, all for processing, storage, retrieval, transmission, display, input, output, compressing, decompressing, modifying, broadcasting and printout of data, namely, computer memory hardware and computer input devices; computer hardware in the nature of computer input and output devices; computer work stations comprising processors, central processing units, computer monitors, computer peripherals, computer printers; data memories, namely, memories for data processing equipment; storage devices in the nature of external computer hard drives; security systems for computer hardware and software comprised of computer hardware and downloadable computer software for securing computer hardware and software; set electronic chips in the nature of electronic chips for the manufacture of integrated circuits; computer hardware in the nature of components for computers and printed circuits; computer hardware, namely, voice accelerators; computer hardware, namely, voice, data, image and video accelerators; memory systems for computers comprised of computer memories;</p>

electric cables and electrical adapters; computer terminals and document printers for use therewith; video display cards and monitors; telecommunications apparatus and instruments, namely, computer routers, hubs, servers and switches; cameras; computer hardware for computing; computer hardware for computing via a global and local network; computer hardware for cloud-computing; computer hardware for low-latency and high bandwidth computing; computer hardware for use in providing a secure computing environment; computer networking hardware; computer communication servers; computer hardware for use in providing a secure cloud computing network; downloadable and recorded computer software for computing; downloadable and recorded computer software for cloud computing; downloadable and recorded computer software for computing via a global and local network; downloadable and recorded computer software for low-latency and high bandwidth computing; computer memory hardware; downloadable and recorded computer software for providing a secure computing network; downloadable and recorded computer software for use in providing a secure cloud computing network; downloadable and recorded computer operating system software; computer system extensions, tools and utilities in the nature of downloadable application software for connecting personal computers, networks, telecommunications apparatus and global computer network applications; computer hardware and downloadable and recorded computer software for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of data; computer network adapters; electronic computer network controllers; computer network interface devices; computer network hubs, switches, and routers; microcontrollers for internet of things (IoT) enabled devices; downloadable computer software for connecting, operating, and managing internet of things (IoT) enabled devices; downloadable computer software for connecting, operating, and managing mobile internet of things (IoT) enabled mobile devices; computer hardware and downloadable and recorded computer software for the development, maintenance, and use of local and wide area computer networks; computer hardware and downloadable and recorded computer software for the development, maintenance, and use of interactive audio-video computer conference systems; computer hardware and downloadable and recorded software for the receipt, display, and use of broadcast video, audio, and digital data signals; electronic control devices for the interface and control of computers and global computer and telecommunications networks with television and cable broadcasts and equipment; computer network routers; computer network hubs; computer servers; computer switches; apparatus for testing and electronic programming devices for integrated circuits; computer hardware in the nature of peripheral memory apparatus and devices; semiconductor devices; computer hardware and downloadable and recorded computer software for creating, facilitating, and managing remote access to and communication with local area networks (lans), virtual private networks (vpn), wide area networks (wans) and global computer networks; downloadable and recorded computer network router, switch, hub and server operating software; downloadable and recorded computer software tools for the facilitation of third party software applications; computer hardware and downloadable and recorded computer software for wireless network communications; downloadable electronic publications in the nature of articles and newsletters in the area of electronics, semiconductors and integrated electronic apparatus and devices, computers, telecommunications, entertainment, telephony, and wired and wireless telecommunications; computer hardware for use in machine vision, machine learning, deep learning, artificial intelligence, natural language processing, learning algorithms and data analysis; Downloadable and recorded computer software for machine learning, data query, and data analysis; downloadable and recorded computer software for cognitive computing, deep learning, artificial intelligence; downloadable and recorded computer software platform for cognitive computing; downloadable and recorded computer software for graphical representation of data; downloadable and recorded pattern recognition computer software; downloadable and recorded computer software for data mining; downloadable and recorded computer vision software for acquiring, processing, analyzing and understanding digital im-

ages and extracting visual data; downloadable computer software development kits; downloadable computer software development kits for computer vision, machine learning, deep learning, artificial intelligence, natural language processing, learning algorithms, and data analysis; downloadable and recorded vision software that uses artificial intelligence to see and interpret data, connect with hardware and store, manage and process data in the cloud; computer hardware and downloadable and recorded computer software for recording, processing, re-receiving, reproducing, transmitting, modifying, compressing, decompressing, broadcasting, merging and enhancing sound, images, graphics, and data; downloadable and recorded algorithm software programs for the operation and control of computers; computer hardware and downloadable and recorded computer software for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of audio and video graphics information; downloadable and recorded computer software for the collection, compilation, processing, transmission and dissemination of Global Positioning System (GPS) data for use in fixed, mobile and handheld devices; electronic database featuring roadway, geographic, map, public transit lines information, public transit line information, public transit route information, public transit timetables and schedules and other public transit information recorded on computer media; downloadable and recorded navigation software for calculating and displaying routes; public transit navigation system comprised of computer hardware and downloadable and recorded computer software for interactive digital map displays, interactive instructions and user generated information; downloadable and recorded interactive social computer software for the retrieval and display of public transit, navigation, geographic, map and travel information; downloadable and recorded interactive social computer software to enable the transmission of public transit information, mapping, navigation, traffic, routes and point-of-interest information to telecommunication networks, cellular phones, navigation devices and other mobile and hand-held devices; downloadable and recorded interactive social computer software that enables the exchange of information among users; computers and downloadable computer operating system software for autonomous driving, driver-assisted, connected vehicles, unmanned aerial devices, and drones; computer hardware and downloadable and recorded computer software platforms featuring interactive displays, control systems, and control devices, warning systems, connectivity, onboard computers, and GPS for vehicles, connected vehicles, autonomous, and driverless vehicles; multicamera systems for use in vehicles comprised of video cameras and computers; satellite navigational system in the nature of a global positioning system for navigation and navigation guidance, GPS location tracking devices, GPS map-displaying and route-calculating device, video recorders, and wireless communication network devices for data or image transmission for vehicles; downloadable and recorded computer software applications for digital virtual agents, predictive systems, machine learning, cognitive process automation, pattern recognition, character recognition, visual computing applications, knowledge virtualization, robotics, drones, and unmanned vehicles; downloadable and recorded computer software applications and computer hardware for automatic vehicle driving control; downloadable and recorded computer software applications and computer hardware for automatic vehicle driving control, autonomous control, navigation, assisted driving of vehicles, and self-driving of vehicles; all the above excluding downloadable computer software for the generation of typefaces and fonts

Class 042. First use: First Use: 0 First Use In Commerce: 0

Providing temporary use of on-line non-downloadable software for machine learning, data mining, data query, and data analysis; providing temporary use of on-line non-downloadable software for cognitive computing, deep learning, artificial intelligence; providing temporary use of non-downloadable software for data query and data analysis; providing temporary use of non-downloadable software for data mining; providing temporary use of non-downloadable software for cognitive computing, deep learning, artificial intelligence; searching and retrieving information on computer networks for others; computer services, namely, provid-

ing temporary use of online non-downloadable software, software application programming interface (API) software, and software in the nature of a widget for machine learning, data mining, data query, and data analysis; providing online non-downloadable computer vision software for acquiring, processing, analyzing and understanding digital images and extracting visual data; providing online non-downloadable computer software development kits; providing online non-downloadable computer software development kits for computer vision, machine learning, deep learning, artificial intelligence, natural language processing, learning algorithms, and data analysis; providing online non-downloadable vision software that uses artificial intelligence to see and interpret data, connect with hardware and store, manage and process data in the cloud; software as a service (SAAS) services featuring software for use in providing cloud-computing capabilities and information technology (IT) services, computing, and cloud computing; software as a service (SAAS) services featuring software for use in computing via a global and local network; software as a service (SAAS) services featuring software development platform for use in connecting applications to enterprise systems and devices; software consulting and providing information on software as a service; software as a service (SAAS) services featuring software for use in providing low-latency and high bandwidth computing; computer software services in the nature of providing temporary use of online non-downloadable software for providing computing capabilities for application developers and content providers; cloud computing featuring software for use in providing low-latency and high bandwidth computing, information technology (IT) services, and computing via a global and local network; computer software services in the nature of providing temporary use of online non-downloadable software for providing cloud computing capabilities for application developers and content providers; services for enabling applications to be deployed across an online network, namely, deployment of wireless communication networks for others; services for providing computer systems analytics, caching in the nature of electronic data storage, computation in the nature of computer systems analysis and traffic routing in the nature of monitoring Internet traffic control of the websites of others; services for providing a secure and trusted computing network, namely, computer network configuration services; information technology consulting services, namely, providing computer hardware and software consulting services in the field developing a cloud based environment with integration of applications across various platforms and connected devices; computer services, namely, creating computer network-based indexes of information, websites, and resources; providing temporary use of non-downloadable computer software for connecting, operating, and managing networked devices in the internet of things (IoT); providing online non-downloadable computer software for connecting, operating, and managing networked devices in the internet of things (IoT); information technology consulting services in the field of computers and wireless computing; computer network management services, namely, monitoring of network systems for technical purposes; hosting of digital content on the internet; computer network monitoring services, namely, providing information on the operation of computer networks; customization of web software, and computer hardware, namely user interface, design for others; Development and design of computer hardware; designing and developing standards for others in the design and implementation of computer software, computer hardware and telecommunications equipment; providing customers and technicians with information relating to computer project management; providing online software as a service services featuring software for the collection, compilation, processing, transmission and dissemination of Global Positioning System (GPS) data; providing online non-downloadable software featuring roadway, geographic, map, public transit lines information, public transit line information, public transit route information, public transit timetables and schedules and other public transit information; providing online non-downloadable navigation software for calculating and displaying routes and sharing public transit navigation system, map and travel information; Providing online non-downloadable computer software to enable the sharing of public transit information, mapping, navigation, traffic, routes an-

	point-of-interest information; providing temporary use of online non-downloadable interactive social computer software that enables the exchange of information among users; providing online software as a service services featuring software for automatic vehicle driving control, autonomous control, navigation, assisted driving of vehicles, and self-driving of vehicles, all the above excluding computer services for the generation of typefaces and fonts and non-downloadable computer software for the generation of typefaces and fonts
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Attachments	88840863#TMSN.png(bytes) 90069922#TMSN.png(bytes) Notice of Opposition 120821.pdf(59897 bytes)
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Signature	/Ian K. Boyd/
Name	IAN K. BOYD
Date	12/08/2021

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

12
13 INTEL CORPORATION, a Delaware
corporation,

14 Opposer,

15 v.

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17 LG CORP., a Republic of Korea
corporation,

18 Applicant.
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NOTICE OF OPPOSITION

Opposition No.

App. Serial No. 90179016 for
LG OLED EVO

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21 Intel Corporation, a Delaware corporation having its principal place of business at
22 2200 Mission College Boulevard, Santa Clara, California 95054 (“Opposer”), believes that it will
23 be damaged by registration of the mark LG OLED EVO (the “Applicant’s Mark”), shown in
24 Application Serial No. 90179016 (the “Subject Application”). LG Corp., a Republic of Korea
25 corporation, having its principal place of business at 128, Yeoui-daero, Yeongdeungpo-gu Seoul,
26 Republic of Korea 07336 (“Applicant”), is the owner of the Subject Application and Opposer
27 hereby opposes the same.
28

1 As grounds for opposition, Opposer alleges:

2 **DESCRIPTION OF THE OPPOSED APPLICATION**

3 1. Applicant filed Application Serial No. 90179016 on September 14, 2020, seeking
4 registration in International Class 9 for “Televisions; Displays for television receivers, namely,
5 flat panel display screens for television receivers and OLED display panels for television
6 receivers; TV monitors; Digital signages; Organic Light Emitting Diode (OLED) display panels;
7 Smartphones; Display screens for smartphones; Mobile phones; Wearable smartphones, namely,
8 smart watches; Digital set-top boxes; Downloadable computer application software for mobile
9 phones, namely, software for use in database management; Recorded computer application
10 software for televisions, namely, application software for set-up and calibration of televisions;
11 Tablet computers; Monitors for computers; Computers; Portable computers; Rechargeable
12 batteries; Battery compensation chargers; Network surveillance cameras; Digital cameras;
13 Downloadable virtual reality game software; Head-mounted video displays; Electric monitoring
14 apparatus, namely, wireless controllers to monitor the functioning of other electronic devices.”

15 2. The Subject Application published for opposition in the Official Gazette on July 6,
16 2021.

17 3. On August 5, 2021, Opposer timely requested, and the Trademark Trial and
18 Appeal Board granted, a 90-day extension of time to oppose the Subject Application. On
19 November 3, 2021, the parties to this proceeding stipulated to a final 60-day extension of time for
20 Opposer to oppose the Subject Application. Opposer now timely files this Notice of Opposition.

21 **OPPOSER’S TRADEMARKS**

22 4. Opposer is a world-famous company that develops, manufactures, and sells a wide
23 variety of goods and services.

24 5. Opposer is the owner of certain trademark applications in the U.S. Patent and
25 Trademark Office, and certain common law trademark rights, incorporating the EVO mark for a
26 wide variety of goods and services (collectively, “Opposer’s Marks”):
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<u>MARK</u>	<u>SERIAL NO.</u>	<u>FILING DATE</u>	<u>PRIORITY DATE</u>	<u>CLASS(ES)</u>
INTEL EVO	88840863	03/19/20	02/04/20	Class 9 ¹
INTEL EVO POWERED BY CORE I5 [& Design] 	90069922	07/23/20		Classes 9 and 42 ²

¹ Goods and services: Downloadable and recorded computer software for increasing computer performance, application efficiency, and response times; computer software in relation to artificial intelligence; computer software for improving internet connectivity and security; downloadable and recorded computer firmware for increasing computer performance, application efficiency, and response times; computer firmware for artificial intelligence; computer firmware for improving internet connectivity and security; computers; tablet computers, notebook and laptop computers; portable computers; wireless communication devices for voice, data or image transmission over the internet; computer hardware; downloadable and recorded computer software and firmware used to maintain and operate a computer system; downloadable and recorded computer software and firmware for providing control, monitoring and data manipulation of engineered products and systems; graphics cards; high definition graphics chipsets; integrated circuits; semiconductor processors; microprocessors; software-programmable data processors; data processing equipment

² Goods and services in Class 9: Computers; handheld computers; memory boards; computer hardware; integrated circuits; computer memory hardware in the nature of integrated circuit memories; semiconductor chip-sets; data processors in the nature of semiconductor processors; semiconductor processor chips; semiconductor chips; microprocessors; printed circuit boards; electronic circuit boards; computer motherboards; computer memories; downloadable and recorded computer operating systems software; micro-controllers; data processors; central processing units; semiconductor memory devices; software programmable microprocessors; digital and optical microprocessors; digital and optical data and signal processors; video circuit boards; audio circuit boards; audio-video circuit boards; video graphic accelerators; multimedia accelerator boards; video processors; video processor circuit boards; computer hardware in the nature of processor die packaging and casings; cards, discs, tapes, wires, records, microchips and electronic circuits, all for the recordal and transmission of data; modems; apparatus and (footnote continued)

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instruments, all for processing, storage, retrieval, transmission, display, input, output, compressing, decompressing, modifying, broadcasting and printout of data, namely, computer memory hardware and computer input devices; computer hardware in the nature of computer input and output devices; computer work stations comprising processors, central processing units, computer monitors, computer peripherals, computer printers; data memories, namely, memories for data processing equipment; storage devices in the nature of external computer hard drives; security systems for computer hardware and software comprised of computer hardware and downloadable computer software for securing computer hardware and software; set electronic chips in the nature of electronic chips for the manufacture of integrated circuits; computer hardware in the nature of components for computers and printed circuits; computer hardware, namely, voice accelerators; computer hardware, namely, voice, data, image and video accelerators; memory systems for computers comprised of computer memories; electric cables and electrical adapters; computer terminals and document printers for use therewith; video display cards and monitors; telecommunications apparatus and instruments, namely, computer routers, hubs, servers and switches; cameras; computer hardware for computing; computer hardware for computing via a global and local network; computer hardware for cloud-computing; computer hardware for low-latency and high bandwidth computing; computer hardware for use in providing a secure computing environment; computer networking hardware; computer communication servers; computer hardware for use in providing a secure cloud computing network; downloadable and recorded computer software for computing; downloadable and recorded computer software for cloud computing; downloadable and recorded computer software for computing via a global and local network; downloadable and recorded computer software for low-latency and high bandwidth computing; computer memory hardware; downloadable and recorded computer software for providing a secure computing network; downloadable and recorded computer software for use in providing a secure cloud computing network; downloadable and recorded computer operating system software; computer system extensions, tools and utilities in the nature of downloadable application software for connecting personal computers, networks, telecommunications apparatus and global computer network applications; computer hardware and downloadable and recorded computer software for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of data; computer network adapters; electronic computer network controllers; computer network interface devices; computer network hubs, switches, and routers; microcontrollers for internet of things (IoT) enabled devices; downloadable computer software for connecting, operating, and managing internet of things (IoT) enabled devices; downloadable computer software for connecting, operating, and managing mobile internet of things (IoT) enabled mobile devices; computer hardware and downloadable and recorded computer software for the development, maintenance, and use of local and wide area computer networks; computer hardware and downloadable and recorded computer software for the development, maintenance, and use of interactive audio-video computer conference systems; computer hardware and downloadable and recorded software for the receipt, display, and use of broadcast video, audio, and digital data signals; electronic control devices for the interface and control of computers and global computer and telecommunications networks with television and cable broadcasts and equipment; computer network routers; computer network hubs; computer servers; computer switches; apparatus for testing and electronic programming devices for integrated circuits; computer hardware in the nature of peripheral memory apparatus and devices; semiconductor devices; computer hardware and downloadable and recorded computer software for creating, (footnote continued)

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facilitating, and managing remote access to and communication with local area networks (lans), virtual private networks (vpn), wide area networks (wans) and global computer networks; downloadable and recorded computer network router, switch, hub and server operating software; downloadable and recorded computer software tools for the facilitation of third party software applications; computer hardware and downloadable and recorded computer software for wireless network communications; downloadable electronic publications in the nature of articles and newsletters in the area of electronics, semiconductors and integrated electronic apparatus and devices, computers, telecommunications, entertainment, telephony, and wired and wireless telecommunications; computer hardware for use in machine vision, machine learning, deep learning, artificial intelligence, natural language processing, learning algorithms and data analysis; Downloadable and recorded computer software for machine learning, data query, and data analysis; downloadable and recorded computer software for cognitive computing, deep learning, artificial intelligence; downloadable and recorded computer software platform for cognitive computing; downloadable and recorded computer software for graphical representation of data; downloadable and recorded pattern recognition computer software; downloadable and recorded computer software for data mining; downloadable and recorded computer vision software for acquiring, processing, analyzing and understanding digital images and extracting visual data; downloadable computer software development kits; downloadable computer software development kits for computer vision, machine learning, deep learning, artificial intelligence, natural language processing, learning algorithms, and data analysis; downloadable and recorded vision software that uses artificial intelligence to see and interpret data, connect with hardware and store, manage and process data in the cloud; computer hardware and downloadable and recorded computer software for recording, processing, receiving, reproducing, transmitting, modifying, compressing, decompressing, broadcasting, merging and enhancing sound, images, graphics, and data; downloadable and recorded algorithm software programs for the operation and control of computers; computer hardware and downloadable and recorded computer software for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of audio and video graphics information; downloadable and recorded computer software for the collection, compilation, processing, transmission and dissemination of Global Positioning System (GPS) data for use in fixed, mobile and handheld devices; electronic database featuring roadway, geographic, map, public transit lines information, public transit line information, public transit route information, public transit timetables and schedules and other public transit information recorded on computer media; downloadable and recorded navigation software for calculating and displaying routes; public transit navigation system comprised of computer hardware and downloadable and recorded computer software for interactive digital map displays, interactive instructions and user generated information; downloadable and recorded interactive social computer software for the retrieval and display of public transit, navigation, geographic, map and travel information; downloadable and recorded interactive social computer software to enable the transmission of public transit information, mapping, navigation, traffic, routes and point-of-interest information to telecommunication networks, cellular phones, navigation devices and other mobile and hand-held devices; downloadable and recorded interactive social computer software that enables the exchange of information among users; computers and downloadable computer operating system software for autonomous driving, driver-assisted, connected vehicles, unmanned aerial devices, and drones; computer hardware and downloadable and recorded computer software platforms featuring interactive displays, control systems, and control devices, warning systems, (footnote continued)

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connectivity, onboard computers, and GPS for vehicles, connected vehicles, autonomous, and driverless vehicles; multi camera systems for use in vehicles comprised of video cameras and computers; satellite navigational system in the nature of a global positioning system for navigation and navigation guidance, GPS location tracking devices, GPS map-displaying and route-calculating device, video recorders, and wireless communication network devices for data or image transmission for vehicles; downloadable and recorded computer software applications for digital virtual agents, predictive systems, machine learning, cognitive process automation, pattern recognition, character recognition, visual computing applications, knowledge virtualization, robotics, drones, and unmanned vehicles; downloadable and recorded computer software applications and computer hardware for automatic vehicle driving control; downloadable and recorded computer software applications and computer hardware for automatic vehicle driving control, autonomous control, navigation, assisted driving of vehicles, and self-driving of vehicles; all the above excluding downloadable computer software for the generation of typefaces and fonts

Good and services in Class 42: Providing temporary use of on-line non-downloadable software for machine learning, data mining, data query, and data analysis; providing temporary use of on-line non-downloadable software for cognitive computing, deep learning, artificial intelligence; providing temporary use of non-downloadable software for data query and data analysis; providing temporary use of non-downloadable software for data mining; providing temporary use of non-downloadable software for cognitive computing, deep learning, artificial intelligence; searching and retrieving information on computer networks for others; computer services, namely, providing temporary use of online non-downloadable software, software application programming interface (API) software, and software in the nature of a widget for machine learning, data mining, data query, and data analysis; providing online non-downloadable computer vision software for acquiring, processing, analyzing and understanding digital images and extracting visual data; providing online non-downloadable computer software development kits; providing online non-downloadable computer software development kits for computer vision, machine learning, deep learning, artificial intelligence, natural language processing, learning algorithms, and data analysis; providing online non-downloadable vision software that uses artificial intelligence to see and interpret data, connect with hardware and store, manage and process data in the cloud; software as a service (SAAS) services featuring software for use in providing cloud-computing capabilities and information technology (IT) services, computing, and cloud computing; software as a service (SAAS) services featuring software for use in computing via a global and local network; software as a services (SAAS) services featuring software development platform for use in connecting applications to enterprise systems and devices; software consulting and providing information on software as service; software as a service (SAAS) services featuring software for use in providing low-latency and high bandwidth computing; computer software services in the nature of providing temporary use of online non-downloadable software for providing computing capabilities for application developers and content providers; cloud computing featuring software for use in providing low-latency and high bandwidth computing, information technology (IT) services, and computing via a global and local network; computer software services in the nature of providing temporary use of online non-downloadable software for providing cloud computing capabilities for application developers and content providers; services for enabling applications to be deployed across an online network, namely, deployment of wireless communication networks for others; services for providing computer systems analytics, caching in the nature of electronic data storage, computation in the nature of computer systems analysis and traffic routing in the (footnote continued)

LIKELIHOOD OF CONFUSION

1
2 6. The Subject Application seeks registration in International Class 9 for
3 “Televisions; Displays for television receivers, namely, flat panel display screens for television
4 receivers and OLED display panels for television receivers; TV monitors; Digital signages;
5 Organic Light Emitting Diode (OLED) display panels; Smartphones; Display screens for
6 smartphones; Mobile phones; Wearable smartphones, namely, smart watches; Digital set-top
7 boxes; Downloadable computer application software for mobile phones, namely, software for use
8 in database management; Recorded computer application software for televisions, namely,
9 _____
10 nature of monitoring Internet traffic control of the websites of others; services for providing a
11 secure and trusted computing network, namely, computer network configuration services;
12 information technology consulting services, namely, providing computer hardware and software
13 consulting services in the field developing a cloud based environment with integration of
14 applications across various platforms and connected devices; computer services, namely, creating
15 computer network-based indexes of information, websites, and resources; providing temporary use
16 of non-downloadable computer software for connecting, operating, and managing networked
17 devices in the internet of things (IoT); providing online non-downloadable computer software for
18 connecting, operating, and managing networked devices in the internet of things (IoT);
19 information technology consulting services in the field of computers and wireless computing;
20 computer network management services, namely, monitoring of network systems for technical
21 purposes; hosting of digital content on the internet; computer network monitoring services,
22 namely, providing information on the operation of computer networks; customization of web
23 software, and computer hardware, namely user interface, design for others; Development and
24 design of computer hardware; designing and developing standards for others in the design and
25 implementation of computer software, computer hardware and telecommunications equipment;
26 providing customers and technicians with information relating to computer project management;
27 providing online software as a service services featuring software for the collection, compilation,
28 processing, transmission and dissemination of Global Positioning System (GPS) data; providing
online non-downloadable software featuring roadway, geographic, map, public transit lines
information, public transit line information, public transit route information, public transit
timetables and schedules and other public transit information; providing online non-downloadable
navigation software for calculating and displaying routes and sharing public transit navigation
system, map and travel information; Providing online non-downloadable computer software to
enable the sharing of public transit information, mapping, navigation, traffic, routes and point-of-
interest information; providing temporary use of online non-downloadable interactive social
computer software that enables the exchange of information among users; providing online
software as a service services featuring software for automatic vehicle driving control,
autonomous control, navigation, assisted driving of vehicles, and self-driving of vehicles, all the
above excluding computer services for the generation of typefaces and fonts and non-
downloadable computer software for the generation of typefaces and fonts

1 application software for set-up and calibration of televisions; Tablet computers; Monitors for
2 computers; Computers; Portable computers; Rechargeable batteries; Battery compensation
3 chargers; Network surveillance cameras; Digital cameras; Downloadable virtual reality game
4 software; Head-mounted video displays; Electric monitoring apparatus, namely, wireless
5 controllers to monitor the functioning of other electronic devices.”

6 7. Opposer’s rights in Opposer’s Marks predate Applicant’s filing of the Subject
7 Application, and, on information and belief, predate any actual use of the Applicant’s Mark by
8 Applicant, if such use in commerce has even begun.

9 8. Applicant’s Mark is substantially similar in appearance, sound and overall
10 commercial impression to Opposer’s Marks.

11 9. The Subject Application identifies goods that are identical, similar, or highly
12 related, to the goods and services offered by Opposer under Opposer’s Marks.

13 10. On information and belief, Applicant offers or intends to offer the goods identified
14 in the Subject Application to the same consumers and through the same channels of trade as the
15 relevant goods and services offered by Opposer under Opposer’s Marks.

16 11. Applicant is not affiliated or connected with Opposer, nor has Opposer endorsed or
17 sponsored Applicant or its goods.

18 12. Opposer has no control over the nature or quality of the goods that Applicant
19 offers or intends to offer under Applicant’s Mark.

20 13. Registration of the Applicant’s Mark would be inconsistent with Opposer’s
21 established trademark rights, including its common law rights, and would damage Opposer,
22 because Applicant’s Mark, when used in connection with the goods identified in the Subject
23 Application, is likely to cause confusion, mistake or deception as to the affiliation, connection, or
24 association of Applicant with Opposer, as to the origin, sponsorship, or approval of Applicant’s
25 goods. Therefore Applicant’s Mark is unregistrable under 15 U.S.C. § 1052(d) and should be
26 refused.

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PRAYER

WHEREFORE, Opposer prays that Application Serial No. 90179016 be rejected, no registration thereon be issued to Applicant, and that this Opposition be sustained in favor of Opposer. Opposer hereby appoints as its attorneys Sideman & Bancroft LLP, a law firm composed of members of the Bar of the State of California, with full power to prosecute this Opposition, transact all relevant business with the U.S. Patent and Trademark Office and the United States Courts and receive all official communication in connection with this Opposition.

Dated: December 8, 2021

Respectfully submitted,

SIDEMAN & BANCROFT LLP
IAN K. BOYD

By /Ian K. Boyd/

Ian K. Boyd

Attorneys for Opposer
Intel Corporation