

ESTTA Tracking number: **ESTTA1091069**

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	Oracle America, Inc.
Granted to Date of previous extension	10/25/2020
Address	500 ORACLE PARKWAY REDWOOD SHORES, CA 94065 UNITED STATES
Attorney information	LIAN B. ERNETTE HOLLAND & HART LLP P.O. BOX 8749 DENVER, CO 80201 UNITED STATES Primary Email: <a href="mailto:docket@hollandhart.com">docket@hollandhart.com</a> Secondary Email(s): <a href="mailto:ltronco@hollandhart.com">ltronco@hollandhart.com</a> , <a href="mailto:lbernette@hollandhart.com">lbernette@hollandhart.com</a> , <a href="mailto:ceradoci@hollandhart.com">ceradoci@hollandhart.com</a> , <a href="mailto:anmarston@hollandhart.com">anmarston@hollandhart.com</a> No phone number provided.
Docket Number	

### Applicant Information

Application No.	88595845	Publication date	04/28/2020
Opposition Filing Date	10/26/2020	Opposition Period Ends	10/25/2020
Applicant	Jala Group Inc. 1300 POST OAK BLVD, SUITE 2400 HOUSTON, TX 77056 UNITED STATES		

### 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: Office automation systems comprised of computer hardware, wireless and wired electrical controllers, downloadable software and recorded software for controlling appliances, audio-visual equipment, lighting, HVAC, security, electrical power, and/or networked devices in the internet of things (IoT); downloadable networkmanagement software; and downloadable simulation software for simulating network traffic

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

All goods and services in the class are opposed, namely: Developing customized software for others; and technical consulting services in the fields of office automation, software development, datacenter architecture, public and private cloud computing solutions, and evaluation and implementation of internet technology and services

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)
Other	False Designation of Origin under Section 2(a).

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2178784	Application Date	02/07/1995
Registration Date	08/04/1998	Foreign Priority Date	NONE
Word Mark	JAVA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/01/00 First Use In Commerce: 1996/01/00 computer programs for use in developing and executing other computer programs on computers, computer networks, and global communications networks, and instruction manuals sold therewith; computer programs for use in navigating, browsing, transferring information, and distributing and viewing other computer programs on computers, computer networks and global communications networks, and instruction manuals sold therewith		

U.S. Registration No.	1516265	Application Date	04/14/1988
Registration Date	12/13/1988	Foreign Priority Date	NONE
Word Mark	JAVA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1987/09/24 First Use In Commerce: 1987/12/10 COMPUTER PROGRAMS AND USER MANUALS SOLD AS A UNIT FOR USE IN MEASUREMENT AND ANALYSIS OF VIDEO IMAGES FROM COMPOSITE VIDEO SOURCES AND PRE-DIGITIZED FORMATS IN THE FIELD OF SCIENCE, ENGINEERING AND INDUSTRIAL RESEARCH		

U.S. Registration No.	2298389	Application Date	03/23/1995
Registration Date	12/07/1999	Foreign Priority Date	NONE
Word Mark	JAVA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 1999/08/04 First Use In Commerce: 1999/08/04 electronic transmission of data over a global communication network		

U.S. Registration No.	2501545	Application Date	02/14/2000
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Registration Date	10/30/2001	Foreign Priority Date	NONE
Word Mark	JAVA COMMUNITY PROCESS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1998/12/00 First Use In Commerce: 1999/06/00 information technology development and consulting services and software development and consulting services		

U.S. Registration No.	2582470	Application Date	09/25/1995
Registration Date	06/18/2002	Foreign Priority Date	NONE
Word Mark	JAVA COMPATIBLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2000/05/23 First Use In Commerce: 2000/05/23 computer software for use in connectionwith computer networks, and global communications networks and instruction manuals sold as a unit therewith		

U.S. Registration No.	2277260	Application Date	10/29/1997
Registration Date	09/14/1999	Foreign Priority Date	NONE
Word Mark	JAVA COMPATIBLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/03/00 First Use In Commerce: 1996/03/00 computer programs for use in developing, compiling and executing other computerprograms on computers, computer networks, and global communications networks; [computer programs for use in navigating, browsing, transferring information, and distributing and viewing other computer programs on computers, computer networks, and global communications networks; ] and computer operating systems programs		

U.S. Registration No.	2137780	Application Date	02/20/1996
Registration Date	02/17/1998	Foreign Priority Date	NONE
Word Mark	JAVAONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1996/05/00 First Use In Commerce: 1996/05/00 arranging and conducting trade shows inthe fields of computer and information technology Class 041. First use: First Use: 1996/05/00 First Use In Commerce: 1996/05/00		

	arranging and conducting educational conferences		
U.S. Registration No.	2416017	Application Date	12/01/1995
Registration Date	12/26/2000	Foreign Priority Date	NONE
Word Mark	JAVASCRIPT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/06/00 First Use In Commerce: 1996/06/00 computer programs, namely, utility programs, language processors and interpreters Class 042. First use: First Use: 1996/06/00 First Use In Commerce: 1996/06/00 providing computer programs, namely, utility programs, language processors and interpreters, that may be downloaded from a global computer network		

U.S. Registration No.	3681468	Application Date	11/01/2004
Registration Date	09/08/2009	Foreign Priority Date	NONE
Word Mark	JAVA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2009/06/08 First Use In Commerce: 2009/06/08 Computer peripherals; [ television set top boxes; ] compact disc players [ ; internet television hardware, namely, digital television receivers, programmable digital television recorders, and television decoders; television sets ]		

Attachments	NOO JALA 2020.10.26.pdf(123180 bytes )
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Signature	/Lian B. Ernette/
Name	Lian B. Ernette
Date	10/26/2020

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

ORACLE AMERICA, INC.,  Opposer,  v.  JALA GROUP INC.,  Applicant.	Opposition No.:  Mark: JALA  Serial No. 88595845
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**NOTICE OF OPPOSITION**

Oracle America, Inc. (“Opposer”), a Delaware corporation, having a principal place of business at 500 Oracle Parkway, Redwood Shores, California 94065, believes it will be damaged by registration of the mark JALA shown in U.S. Trademark Application Serial No. 88595845 (the “Application”), filed by the Applicant on August 28, 2019 for “office automation systems comprised of computer hardware, wireless and wired electrical controllers, downloadable software and recorded software for controlling appliances, audio-visual equipment, lighting, HVAC, security, electrical power, and/or networked devices in the internet of things (IoT); downloadable network management software; and downloadable simulation software for simulating network traffic” in Class 09, “distributorship services in the fields of office automation, computer software, and computer hardware” in Class 35, “charitable services, namely, providing training in the fields of computer software and computer hardware” in Class 41, and “developing customized software for others; and technical consulting services in the fields of office automation, software development, datacenter architecture, public and private cloud computing solutions, and evaluation and implementation of internet technology and services” in Class 42 and hereby opposes the Application in Classes 09 and 42 only. As grounds

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