

ESTTA Tracking number: **ESTTA1114816**

Filing date: **02/16/2021**

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

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|---------------------------------------|--|
| Name | Lenovo PC International |
| Granted to Date of previous extension | 02/14/2021 |
| Address | 23/F LINCOLN HOUSE 979 KING'S ROAD QUARRY BAY, 0 HONG KONG |
| Attorney information | JEFFREY A. WAKOLBINGER KATTEN MUCHIN ROSENMAN LLP 525 W. MONROE ST. SUITE 1900 CHICAGO, IL 60661 UNITED STATES Primary Email: jeff.wakolbinger@katten.com Secondary Email(s): chi-tmuspto@katten.com, kristin.achterhof@katten.com No phone number provided. |
| Docket Number | |

Applicant Information

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|--------------------------------|--|---------------------------------|------------|
| Application No. | 88441702 | Publication date | 08/18/2020 |
| Opposition Filing Date | 02/16/2021 | Opposition Period Ends | 02/14/2021 |
| International Registration No. | NONE | International Registration Date | NONE |
| Applicant | LG Electronics Inc. 128, YEOUNI-DAERO, YEONGDEUNGPO-GU SEOUL, 07336 REPUBLIC OF KOREA | | |

Goods/Services Affected by Opposition

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| <p>Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Electricity controller for managing electricity energy; Photovoltaic cell instruments for converting solar-thermal intoelectricity; Thermal energy measuring apparatus for thermal and infrared radiation energy waves; Electric control devices for heating and energy management; Apparatus for measuring electric energy consumption; Energy storage apparatus comprised of batteries; Electric control devices for energy management; Electricity energy supply controller for energy management; Current converters for converting solar energy to electrical energy; Photovoltaic apparatus for converting solarradiation to electrical energy; Solar energy storage devices in the nature of batteries, charge controllers and inverters; Downloadable en-</p> |
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ergy management software for heating and energy management; Apparatus for measuring, monitoring, and analyzing electricity consumption; Photovoltaic solar modules for production of electricity; Electric power controlling apparatus and instruments, namely, powercontrollers and electronic controllers used to reduce power consumption

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

Opposed goods and services in the class: Development of operating system software for controlling electric power consumption; Computer hardware and software design for energy management; Rental of computer hardware and software for energy management; Technical advice relating to use and operation of computer hardware and software for energy management

Grounds for Opposition

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

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| U.S. Registration No. | 1738861 | Application Date | 06/29/1990 |
| Registration Date | 12/08/1992 | Foreign Priority Date | NONE |
| Word Mark | THINK PAD | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1992/04/16 First Use In Commerce: 1992/07/31 computers, computer adapter boards, computer peripheral devices and manuals supplied therewith Class 016. First use: First Use: 1992/04/16 First Use In Commerce: 1992/07/31 instruction manuals for use with computers, computer adapter boards and computer peripheral devices | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 1977221 | Application Date | 05/18/1994 |
| Registration Date | 05/28/1996 | Foreign Priority Date | NONE |
| Word Mark | THINKPAD | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1994/05/00 First Use In Commerce: 1994/05/00 carrying cases for computers Class 018. First use: First Use: 1994/05/00 First Use In Commerce: 1994/05/00 all purpose carrying cases in the nature of a tote bag | | |

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| U.S. Registration No. | 2550628 | Application Date | 09/13/1999 |
| Registration Date | 03/19/2002 | Foreign Priority Date | NONE |
| Word Mark | THINKLIGHT | | |
| Design Mark | | | |
| Description of Mark | NONE | | |

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| Goods/Services | Class 009. First use: First Use: 1999/10/00 First Use In Commerce: 1999/10/00 COMPUTER HARDWARE; COMPUTER HARDWARE, NAMELY, AN ILLUMINATION DEVICE FOR COMPUTER KEYBOARDS AND TERMINALS IN THE NATURE OF A LIGHT THAT ILLUMINATES THE COMPUTER KEYBOARD AND COMPUTER TERMINAL, AND COMPUTER MANUALS SOLD THEREWITH | | |
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| U.S. Registration No. | 3731901 | Application Date | 09/25/2007 |
| Registration Date | 12/29/2009 | Foreign Priority Date | NONE |
| Word Mark | THINKSTATION | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 2008/01/17 First Use In Commerce: 2008/01/17 Computers; computer hardware; computer software, namely, operating system software and application system software for use in controlling the operation and execution of programs and network functions on a computer workstation; computer workstations comprising a central processing unit, display monitor, keyboard, and optional peripherals and components for computers; documentation and instruction manuals recorded on machine readable media and relating to computers or computer programs Class 016. First use: First Use: 2008/01/17 First Use In Commerce: 2008/01/17 Printed documentation and publications directed to users of computer hardware and software for computer workstations, namely, user manuals, instructional materials, warranty forms, and setup instructions | | |

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| U.S. Registration No. | 3800025 | Application Date | 01/21/2008 |
| Registration Date | 06/08/2010 | Foreign Priority Date | NONE |
| Word Mark | THINKSERVER | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 2008/09/30 First Use In Commerce: 2008/09/30 Computers, namely, computer servers; computer software, namely, application system software for use in controlling the operation and execution of programs and network functions on a computer server; documentation and instruction manuals recorded on machine readable media, namely, CDs, DVDs and downloadable files relating to computer servers and associated computer programs | | |

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| U.S. Registration No. | 2931692 | Application Date | 12/12/2002 |
| Registration Date | 03/08/2005 | Foreign Priority Date | NONE |
| Word Mark | THINKVISION | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 2003/05/00 First Use In Commerce: 2003/05/00 | | |

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| | <p>COMPUTER HARDWARE; COMPUTER MONITORS; VIDEO PROJECTORS; DATA PROJECTORS; DATA/VIDEO PROJECTORS; HAND HELD VIDEO/ DATA PROJECTORS; AND INSTRUCTION MANUALS SOLD AS A UNIT THEREWITH</p> <p>Class 016. First use: First Use: 2003/05/00 First Use In Commerce: 2003/05/00 PRINTED MATTER, NAMELY, BOOKS, BROCHURES, MAGAZINES, INSTRUCTIONAL MANUALS, WRITTEN PRESENTATIONS AND TEACHING MATERIALS, ALL IN THE FIELD OF COMPUTERS</p> |
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| U.S. Registration No. | 3009301 | Application Date | 08/26/2002 |
| Registration Date | 10/25/2005 | Foreign Priority Date | NONE |
| Word Mark | THINKVANTAGE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | <p>Class 009. First use: First Use: 2002/11/00 First Use In Commerce: 2004/02/00 COMPUTER HARDWARE; COMPUTER SOFTWARE FOR USE AS A COMPUTER OPERATING SYSTEM; [COMPUTER WORKSTATIONS COMPRISING CENTRALPROCESSING UNIT, DISPLAY MONITOR, KEYBOARD, HARD AND FLOPPY DISKETTE DRIVES ANDOPTIONAL COMPUTER PERIPHERALS;] AND INSTRUCTION MANUALS SOLD AS A UNIT THEREWITH</p> <p>Class 016. First use: First Use: 2002/11/00 First Use In Commerce: 2004/02/00 [PRINTED MATTER AND PRINTED MATERIALS,namely, MAGAZINES, PERIODICALS, NEWSPAPERS, BOOKS, BROCHURES, INSTRUCTIONAL, EDUCATIONAL AND TEACHING MATERIAL DIRECTEDTO USERS OF COMPUTER HARDWARE AND SOFTWARE FOR COMPUTER WORKSTATIONS]</p> | | |

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| U.S. Registration No. | 3541810 | Application Date | 03/31/2005 |
| Registration Date | 12/02/2008 | Foreign Priority Date | NONE |
| Word Mark | THINKPLUS | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | <p>Class 009. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 COMPUTER PERIPHERALS</p> <p>Class 035. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 [OUTSOURCING IN THE FIELD OF COMPUTER SOFTWARE AND HARDWARE AND INFORMATION TECHNOLOGY]</p> <p>Class 037. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 REPAIR AND MAINTENANCE OF COMPUTER HARDWARE AND PROVIDING AND PERFORMING WARRANTY REPAIR AND MAINTENANCE OF COMPUTER HARDWARE UNDER WARRANTY CONTRACTS</p> <p>Class 042. First use: First Use: 2005/03/31 First Use In Commerce: 2005/03/31 COMPUTER SYSTEM ANALYSIS; REPAIR AND MAINTENANCE OF COMPUTER SOFTWARE; DATA ENCRYPTION SERVICES; PROVIDING AND PERFORMING WARRANTY SERVICE AND SUPPORT CONTRACTS ON COMPUTER SOFTWARE; CONSULATION IN THE FIELD OF COMPUTER SECURITY</p> | | |

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| U.S. Registration No. | 2934258 | Application Date | 08/26/2002 |
| Registration Date | 03/15/2005 | Foreign Priority Date | NONE |
| Word Mark | THINKCENTRE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 2003/06/13 First Use In Commerce: 2003/06/13 COMPUTER HARDWARE; COMPUTER WORKSTATIONS COMPRISING A CENTRAL PROCESSING UNIT, DISPLAY MONITOR, KEYBOARD, HARD AND FLOPPY DISKETTE DRIVES AND OPTIONAL COMPUTERPERIPHERALS; AND INSTRUCTIONAL MANUALS SOLD THEREWITH | | |

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| U.S. Registration No. | 5863523 | Application Date | 02/28/2017 |
| Registration Date | 09/17/2019 | Foreign Priority Date | NONE |
| Word Mark | THINKAGILE | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 2016/01/01 First Use In Commerce: 2016/01/01 Computer servers; computer storage apparatus, namely, external computer hard drives, blank flash drives, high-speed storage sub-systems for storage and backup of electronic data either locally or viaa telecommunications network; Data storage systems and accessories, namely, electronic information storage server systems for use in enterprise storage applications, network storage, network attachedstorage and storage area networks, consisting of computer hardware, computer peripherals, and computer operating systemssoftware; network interface modules forservers, network switch modules and transceivers; computer switches that enableenhanced input/output (I/O) for an entire rack of computer servers; computer switches consisting of hardware and software used for facilitating and enabling virtual servers and virtual computers through the software or hardware design; electrical and electronic connectors, couplers, wires, connection cables, computer chargers, computer docks and docking stations, computer network interface devices and power adapters for use with all the aforesaid goods; transceivers; portable digital electronic devices, namely, portable digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, images, and audio files and software related thereto; racks for computer servers; Ethernet switches; computer communications software for connecting computer networkusers and global computer networks; computer software for use in database management; computer software development tools; computer software for application and database integration; computer software and hardware for the management, control and networking of computer servers; computer software for use with computer servers, data storage devices and computer memory devices for database management; computer operating systems software; computer software for systems administration of computer local area networks; computer software for managing the network configurations of a network entity basedon the location of a computational entity in the network; computer software forperforming automatic communications switching in computer networks; virtualization and infrastructure software, namely,software used to consolidate applications, servers, and storage media and software for automating the provisioning and management of IT infrastruc- | | |

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