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Filing date: **04/23/2021**

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	DISH Network L.L.C.
Granted to Date of previous extension	04/25/2021
Address	9601 S. MERIDIAN BLVD. ENGLEWOOD, CO 80112 UNITED STATES
Attorney information	IAN L. SAFFER ADSERO IP 8210 SOUTHPARK TERRACE LITTLETON, CO 80120 UNITED STATES Primary Email: efs@adseroip.com Secondary Email(s): ian@adseroip.com, kbohmann@adseroip.com, TDamhoff@Adseroip.com, ameyer@adseroip.com 303-268-0066
Docket Number	0726.157TMOP

Applicant Information

Application No.	88714675	Publication date	10/27/2020
Opposition Filing Date	04/23/2021	Opposition Period Ends	04/25/2021
International Registration No.	NONE	International Registration Date	NONE
Applicant	NVIDIA Corporation 2788 SAN TOMAS EXPRESSWAY SANTA CLARA, CA 95051 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: Downloadable application programming interface (API) software for computer software for ray tracing and image rendering, modeling, and image manipulation and processing; Downloadable application programming interface (API) software for use in building software applications; artificial intelligence computers; artificial intelligence super-computers; Downloadable computer game software; computer hardware and downloadable software for professional designers, engineers, and scientists for advanced graphics processing and visual computing; computer hardware and downloadable software, and communications hardware and downloadable software for the operation, control, maintenance, and management of land vehicles, self-driving and autonomous land vehicles and land vehicle components, for land vehicle navigation,

for travel and trip planning, for communications and for collecting, tracking, analyzing, and reporting data and information in the field of self-driving and autonomous land vehicles; computer monitors; Downloadable computer software development tools; Downloadable computer software for performing computer graphics operations and improving graphical and video display capabilities; Downloadable computer software for the display of digital media; computers; downloadable computer graphics software development tools for advanced graphics processing, for managing and implementing virtual desktop infrastructures, for virtual desktops and applications, and for virtualization technology software; downloadable computer graphics; downloadable software for management of medical imaging; electronic computer vision accelerators, namely, artificial intelligence, machine learning, deep learning, high performance computing hardware and downloadables software; electronic display interfaces; electronic display screens; Downloadable electronic game software; electronic publications recorded on computer media, in the nature of books, manuals, magazines e-zines and newsletters featuring information regarding electronic game devices and electronic games; Downloadable electronic, computer, interactive and video game software; flat panel display screens; graphics processing units (GPUs); graphics software; Computer hardware and downloadable computer software for detecting objects, user gestures and commands; Computer hardware and downloadable computer software for medical imaging apparatus; Computer hardware and downloadable computer software for operating sensor devices; integrated circuit components for graphics and video systems, namely, multimedia accelerators, graphic accelerators and peripheral units; integrated circuits for enhancing graphical and video display; integrated circuits, semiconductors and computer chipsets; integrated circuits; liquid crystal display (LCD) monitors; liquid crystal display (LCD); self-driving and autonomous land vehicle electronic downloadable computing platform; self-driving and autonomous land vehicle electronic driving system and equipment in the nature of artificial intelligence, machine learning, deep learning, high performance computing, and simulation software and hardware ; semiconductors; electronic sensors for monitoring physical movements; simulation, modeling and data processing software for use in maximizing graphics processing and performance; software and computer hardware featuring artificial intelligence for use in machine learning, deep learning, natural language generation, statistical learning, supervised learning, un-supervised learning, data mining, predictive analytics and business intelligence; Downloadable software and firmware for enabling electronic devices to share data and communicate with each other; Downloadable software and firmware for operating system programs; Downloadable software and hardware that facilitates data transmission, data collection, data analysis, and decision-making; Downloadable software development kits (SDKs) consisting of software for ray tracing and image rendering, modeling, and image manipulation and processing; Downloadable software development tools; Downloadable software for 3D-visualization, 3D modeling and 3D rendering; Downloadable software for advanced graphics processing and visual computing; Downloadable software for enhancement of graphical and video display; Downloadable software for enhancing computer performance, for operation of integrated circuits, semiconductors, computer chipsets and micro-processors, and for gaming purposes; Downloadable software for image rendering, modeling, and image manipulation and processing; software for artificial intelligence, machine learning, deep learning, natural language generation, statistical learning, supervised learning, un-supervised learning, data mining, predictive analytics and business intelligence; Downloadable software for management, storage and network management of digital media, and enhancement of graphical and video display; Downloadable software for management, storage and network management of digital media; Downloadable software for modifying and enabling transmission of images, audio, audio visual and video content and data; Downloadable software for operating and managing integrated circuit components; Downloadable software for post processing images, graphics and text; Downloadable software for processing images, graphics, audio, video, and text; Downloadable software for professional designers, engineers, and scientists for advanced graphics processing and visual computing; Downloadable software for ray tracing and image rendering, modeling, and image manipulation and processing; Downloadable software for use as an application programming interface (API); Downloadable software for use in operating artificial intelligence platforms; Downloadable software, namely, knowledge-based artificial intelligence platforms, data analytics platforms, and automation platforms for use in the fields of advanced visualization, data acquisition, data analysis, data integration, artificial intelligence, machine learning, deep learning, high performance computing, distributed computing, virtualization, natural language generation, statistical learning, supervised learning, un-supervised learning, data mining, predictive analytics and business intelligence; software, namely, an interpretive interface for facilitating interaction between humans and machines; supercomputers; system-on-chip processors; Downloadable video game software; software and hardware for data centers and data storage software and computer hardware for data centers and data storage

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

All goods and services in the class are opposed, namely: Advanced product research in the field of artificial intelligence; application service provider (ASP) services featuring application programming interface (API) software for ray tracing and image rendering, modelling, and image manipulation and processing; cloud computing services, namely, consulting in the field of cloud computing and cloud hosting provider services; cloud computing featuring software for use in managing, gathering and organizing data, medical images, and information in the field of medical clinical trials and medical research; cloud-based supercomputing featuring software for use in the fields of artificial intelligence, machine learning, deep learning, high performance computing, distributed computing, virtualization, natural language generation, statistical learning, supervised learning, un-supervised learning, data mining, predictive analytics and business intelligence; computer programming services for customers that enable the customers' digital and handheld devices to download and utilize games and entertainment related content; computer software design, computer programming, or maintenance of computer software; consulting services in the field of gaming technology development and graphics software; design and development of computer hardware and software; design and development of computer hardware and software in the fields of artificial intelligence, machine learning, deep learning, and deep neural networks; design and development of computer hardware and software in the fields of self-driving and autonomous land vehicle electronic computing platforms and systems; design and development of computer software for use with medical technology; design and development of computer software for vehicle simulation; design and development of software for fine-tuning, development, diagnostics for vehicles, calibration, configuration and diagnostics of electronic systems; design of computer hardware, software and peripherals for others; design, development, customization, integration, and maintenance of computer software; Technical support services, namely, troubleshooting of computer software problems; design, programming or maintenance of artificial intelligence software; designing and developing computer game software and video game software; designing of machines, apparatus, instruments, including their parts, or systems composed of such machines, apparatus and instruments; development of computer hardware for use in connection with electronic and interactive multimedia games; electronic and interactive multimedia game development services; electronic storage of data; graphics design services, namely, creating 3D content, 3D product renderings, photorealistic renderings and models; image processing software design; industrial analysis and research services in the field of vehicle technology, vehicle simulations and vehicle test stands; medical and scientific research in the field of medical imaging; providing online non-downloadable software for 3D-visualization, 3D modelling and 3D rendering; providing online non-downloadable software for autonomous vehicle simulation; providing online non-downloadable software for computer graphics; providing online non-downloadable software for data management, analytics and pattern and activity recognition; providing online non-downloadable software for detecting objects, user gestures and commands; providing online non-downloadable software for enhancing computer performance, for operation of integrated circuits, semiconductors, computer chipsets and micro-processors; providing online non-downloadable software for facilitating interaction between humans and machines; providing online non-downloadable software featuring artificial intelligence, machine learning, deep learning, and deep neural networks; providing online non-downloadable software featuring artificial intelligence, machine learning, deep learning, natural language generation, statistical learning, supervised learning, un-supervised learning, data mining, predictive analytics and business intelligence; providing online non-downloadable software for object tracking, motion control and content visualization; providing online non-downloadable software for operating sensor devices; providing online non-downloadable software for others to use for the development of software for self-driving and autonomous land vehicle electronic computing platforms and systems; providing online non-downloadable software for processing images, graphics, audio, video, and text; providing online non-downloadable software for the operation, control, maintenance, and management of land vehicles, self-driving and autonomous land vehicles and land vehicle components, for land vehicle navigation, for travel and trip planning, for communications and for collecting, tracking, analyzing, and reporting data and information in the field of self-driving and autonomous land vehicles; providing online non-downloadable software for sharing, receiving, downloading, interacting with and transferring content, text, visual works, audio works, audio-visual works, literary works, data, files, documents and electronic works; Application service provider featuring non-downloadable software for use as application programming interfaces (API); providing online non-downloadable software for use in electronic storage of data; providing online non-downloadable software for use in visual, voice, audio, motion, eye and gesture tracking and recognition; providing online non-downloadable software for virtual, augmented reality applications and environments; providing online non-downloadable cloud computing software for use in managing, gathering and organizing data, medical images, and information in the

field of medical clinical trials and medical research; providing online non-downloadable cloud-based software for use with a supercomputer; providing online non-downloadable software for use in managing, gathering and organizing data, medical images, and information in the field of medical clinical trials and medical research; platform as a service (PaaS) featuring computer software platforms for downloading, storing, viewing, playing and interacting with digital content and computer software applications; platform as a service (PaaS) featuring computer software platforms for downloading, storing, viewing, playing and interacting with digital content, computer and video games and computer software applications; platform as a service (PaaS) featuring computer software platforms featuring artificial intelligence for natural language processing, machine learning, voice command and recognition, converting speech to text, data analytics; platform as a service (PaaS) featuring knowledge-based artificial intelligence computer software platforms for use in the fields of artificial intelligence, machine learning, deep learning, high performance computing, distributed computing, virtualization, natural language generation, statistical learning, supervised learning, un-supervised learning, data mining, predictive analytics and business intelligence for data analytics software platforms, and automation software platforms; platform as a service (PaaS) featuring software platforms for electronic gaming and graphic design; platform as a service (PaaS) featuring software platforms for transmission of images, audio-visual content, video content and messages; Application service provider featuring application programming interface (API) software for use in transmission of audio, video, images, text, content and data; providing artificial intelligence computer programs for use in collecting, analyzing and reporting of data on data networks; providing cloud computing services featuring software for use in application development for entertainment, social, financial, business collaborative, gaming, and integration of private and public cloud computing environments; providing online non-downloadable computer programs for use in collecting, analyzing and reporting of data on data networks; providing computer software technical support services, technical information and technical support in the nature of troubleshooting of computer software problems regarding software patches, upgrades and updates; providing computer technology information from searchable indexes and databases of information, including text, electronic documents, databases, graphics, electronic media, images and audio visual content via the internet and communication networks; providing temporary use of non-downloadable software for image rendering, modelling, and image manipulation and processing; providing temporary use of non-downloadable software featuring artificial intelligence for use in machine learning, deep learning, natural language generation, statistical learning, supervised learning, un-supervised learning, data mining, predictive analytics and business intelligence; providing temporary use of non-downloadable software for ray tracing and image rendering, modelling, and image manipulation and processing; providing online non-downloadable personal assistant software, namely, wireless communication software for voice, audio, video, and data transmission; providing online non-downloadable social assistant software, namely, wireless communication software for voice, audio, video, and data transmission; providing software technological support services in the nature of troubleshooting computer software problems and consultation in the fields of software, development and use of computer hardware; providing temporary use of non-downloadable computer software enabling hardware and electronic devices to communicate with each other; providing temporary use of non-downloadable computer software for computer graphics; providing temporary use of non-downloadable computer software for enhancing computer performance, for operation of integrated circuits, semiconductors, computer chipsets and micro-processors, and for gaming purposes; providing temporary use of non-downloadable interactive entertainment software for use in the fields of artificial intelligence, machine learning, deep learning, high performance computing, image feature extraction, natural language processing, supervised learning, un-supervised learning, predictive analytics, software development, edge computing, fog computing, decentralized computing, Internet of Things, and computer and telecommunications networks; providing temporary use of non-downloadable software enabling hardware and electronic devices to share data and communicate with each other; providing temporary use of non-downloadable cloud-based software for use in the management of medical imaging data; providing temporary use of on-line non-downloadable software for accessing and using a cloud computing network; providing virtual computer systems and virtual computer environments through cloud computing; providing virtual computer systems and virtual computer environments through cloud computing; providing virtual computer systems, virtual graphics processing units (GPUs), and virtual computer environments through cloud computing; research and design in the field of vehicle technology, vehicle simulation and vehicle testing; scientific and technological services and research and design relating thereto; software as a service (SaaS) services featuring computer software for others to use for the development of software for self-driving and autonomous land vehicle electronic computing platforms and systems; software as a service (SaaS) featuring computer software platforms for artificial intelligence; software as a service (SaaS)

services featuring software in the field of electronic control systems for land motor vehicles; software as a service (SaaS) services featuring software in the field of self-driving and autonomous land vehicle and self-driving and autonomous land vehicle component operation, control, maintenance, management and communication; software as a service (SaaS) services featuring software platforms for graphic design; software as a service (SaaS) services featuring software featuring artificial intelligence for use in machine learning, deep learning, and deep neural networks; software as a service (SaaS) services featuring software for use in managing, gathering and organizing data, medical images, and information in the field of medical clinical trials and medical research; software development; providing online non-downloadable software for integrating electronic data with real world environments for the purpose of capturing, processing, and visualizing modelling and placement of goods of others and visual image markers; software platform for software development featuring software development kits (SDKs); technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; computer services, namely, management and optimization of software and hardware operation for data centers; consulting services, namely, data center design and management, computer application deployment and consolidation; providing online non-downloadable software featuring software for monitoring and managing data centers and cloud-based and virtualized computing environments

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. Registration No.	4155801	Application Date	09/06/2011
Registration Date	06/05/2012	Foreign Priority Date	NONE
Word Mark	HOPPER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2012/01/09 First Use In Commerce: 2012/03/15 Digital video recorders; Electronic apparatus and devices for controlling access to pay-television services; communications equipment, namely, set-top boxes for receiving video programming; Television receivers; satellite receivers; set-top boxes; universal remote controls for home electronic devices, namely, televisions, VCRs, DVD players, digital video recorders, satellite receivers, stereo receivers, and stereo amplifiers; Computer hardware and software for streaming audio, video, image and data information to a variety of network devices, namely, personal computers, mobile phones, personal digital assistants (PDA), and stand-alone hardware decoders, namely, audio decoders and video decoders; electronic devices, namely, digital media streaming devices		
U.S. Registration No.	4377209	Application Date	12/05/2011

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