

ESTTA Tracking number: **ESTTA1188484**

Filing date: **02/02/2022**

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 | Lenovo (Beijing) Limited |
| Granted to date of previous extension | 02/02/2022 |
| Address | 201-H2-6, 2ND FLOOR, BUILDING 2 NO. 6 SHANGDI WEST ROAD, HAIDIAN DIST. BEIJING, 100085 CHINA |
| Attorney information | JEFFREY A. WAKOLBINGER KATTEN MUCHIN ROSENMAN LLP 525 W. MONROE ST. CHICAGO, IL 60601 UNITED STATES Primary email: jeff.wakolbinger@katten.com Secondary email(s): chi-tmuspto@katten.com, kristin.achterhof@katten.com No phone number provided |
| Docket no. | |

Applicant information

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|------------------------|--|------------------------|------------|
| Application no. | 87622089 | Publication date | 10/05/2021 |
| Opposition filing date | 02/02/2022 | Opposition period ends | 02/02/2022 |
| Applicant | Shenzhen Youtailian Technology Co., Ltd. ROOM508, BLOCK B, TOWER 1, SHIJI CHUNCHENG MINZHI ST., LONGHUA NEW DIST. SHENZHEN, 518000 CHINA | | |


Goods/services affected by opposition

Class 009. First Use: Aug 1, 2017 First Use In Commerce: Aug 1, 2017
All goods and services in the class are opposed, namely: Car video recorders; Ear phones; Global-positioning system (GPS) apparatus; Headphones; Loudspeakers; Portable media players; Rechargeable batteries; Robots for personal or hobby use; Video baby monitors; Virtual reality headsets; Wearable activity trackers; Cabinets for loudspeakers

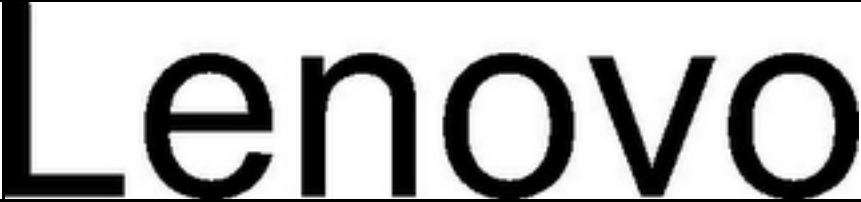
Grounds for opposition

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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. | 3149377 | Application date | 02/20/2003 |
| Register | Principal | | |
| Registration date | 09/26/2006 | Foreign priority date | NONE |
| Word mark | LENOVO | | |
| Design mark |  | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: Feb 18, 2003 First Use In Commerce: May 1, 2005</p> <p>Computers; computer memories; computer peripheral equipment; printers for use with computers; scanners for use with data processing equipment and computers; blank and encoded integrated circuit cards; notebook computers; photocopiers; phototelegraphy apparatus; modems; mobile telephones; amusement apparatus for use with television receivers, namely, computer game cartridges, computer game cassettes, computer game software; computer game software and programs; personal stereos; portable listening devices, namely, CD players, digital and analog cassette decks, digital recorder and playback equipment for personal use; photographic and digital cameras; single crystal silicon in the form of wafers, chips, and unformed for use for scientific purposes and semiconductor use; integrated circuits; and computer software, namely, communications software for connecting computer network users and global computer networks, computer communications software to allow customers to access account information and transact business, computer e-commerce software to allow users to perform electronic business transactions via a global computer network, computer games software, computer graphics software, computer screen saver software, computer search engine software, computer software for use in database management, for use as a spreadsheet, for word processing, for accounting, for business development, for customer service in a wide variety of fields, computer software for use in database management, for use as a spreadsheet, for word processing, for accounting, for business development, for customer service in a wide variety of fields that may be downloaded from a global computer network, computer software development tools, computer software for accessing information directories that may be downloaded from the global computer network, computer software for application and database integration, computer software for creating searchable databases of information and data, computer software for the collection, editing, organizing, modifying, book marking, transmission storage and sharing of data and information, computer software for communicating with users of hand-held computers, computer software that assists computers in deploying parallel applications and performing parallel computations, computer software to automate data warehousing, computer software to control and improve computer and audio equipment sound quality, computer software to enhance the audio-visual capabilities of multimedia applications, namely, for the integration of text, audio, graphics, still images and moving pictures, computer software, namely, an application allowing sales and field service employees to update and receive data stored in an enterprise's computer databases in real time, using a mobile device, with full telephony integration with the telephone and/or software features of the mobile device, computer telephony software, computer software for use with a global positioning system (GPS), and computer software for graphics arts, animation and manipulation of images</p> | | |

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| | <p>Class 037. First use: First Use: Feb 18, 2003 First Use In Commerce: May 1, 2005</p> <p>Electric appliance installation and repair; office machines and equipment installation, maintenance and repair; installation, maintenance and repair of computer hardware; interference suppression electrical apparatus; photographic apparatus repair; telephone installation and repair</p> <p>Class 042. First use: First Use: Feb 18, 2003 First Use In Commerce: May 1, 2005</p> <p>Computer programming for others; computer software design for others; updating of computer software for others; computer hardware consulting services; recovery of computer data; maintenance of computer software, computer system design for others; hosting web sites for others on a computer server for a global communications network; installation of computer software</p> |
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|-----------------------|--|-----------------------|------------|
| U.S. registration no. | 5388737 | Application date | 09/29/2015 |
| Register | Principal | | |
| Registration date | 01/30/2018 | Foreign priority date | NONE |
| Word mark | LENOVO | | |
| Design mark |  | | |
| Description of mark | NONE | | |
| Goods/services | <p>Class 009. First use: First Use: None First Use In Commerce: None</p> <p>Batteries; battery chargers; accumulators; photographic and digital cameras; computer hardware; computer peripheral equipment; computers; computer servers; desktop computers; laptop computers; notebook computers; tablet computers; mobile personal computers; computer keyboards; computer mice; computer monitors; computer game software and programs; computer storage apparatus, namely, computer peripherals for use in playback, recording and editing digital audio and video, computer disaster data recovery, file backup and retrieval; computer peripheral hardware devices containing memory storage; computer memory storage controllers; computer software used to access data storage drives and disks; electronic memory storage devices; computer memory storage devices, namely, solid state memory and flash memory, optical, and magnetic disk drives; computer hardware drives; CD burners; DVD burners; electronic data backup memory storage hardware; network attached storage (NAS) hardware; routers; blank integrated circuits and chip cards and encoded integrated circuits and chip cards for use in connection with computers and mobile telephones for encoding and decoding digital data, audio and video; electronic information storage computer server systems for use in enterprise storage application, in computer network storages, computer network attached storages and storage local area networks, consisting of computer hardware, computer peripherals, and operating system software; handheld, mobile and wearable digitalelectronic devices, capable of providing access to the internet, for the sending and receiving of telephone calls, electronic mail and other data and digital media, namely, mobile telephones, smart phones, smart watches, smart watch phones and accessories therefor, namely, headphones and earbuds, wireless speakers, chargers, cables, adapters, cases, covers and screen protectors; modems; blank CD-ROM, pre-recorded CD-ROMs featuring information about computer operating programs; compact disc recorders and players; power adapters;</p> | | |

ink jet document printers; document printers for use with computers; protective covers for laptop computers and tablet computers; scanners for use with data processing equipment and computers; televisions, namely, smart TVs and accessories in the nature of set-top boxes, touchpads, 3D glasses and remote controls all for use with televisions; apparatus for recording, transmission and/or reproduction of sounds, images or other data; audio components and accessories, namely, CD players; DVD players; radios; stereo speakers; audio speakers; audio speakers for home; monitor speakers;speakers for computers; personal stereospeaker apparatus; radio receivers, amplifiers, sound recording and reproducingapparatus, electric phonographs, recordplayers, high fidelity stereo apparatus, tape recorders and reproducing apparatus, loudspeakers, multiple speaker units, microphones; digital audio and video players with multimedia and interactive functions; digital audio and video devices in the nature of audio and video recording and playback devices; audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; audio, video, and digital mixers; radio transmitters; carrying cases, sacks and bags, all for use with and the sacks and bags specifically adapted for holding computers and portable handheld digital electronic devices, namely, cellular phones, mobile phones, smartphones, computers, laptops, tablets, portable media players, smart watches, personal navigation devices and personal digital assistants; computer hardware and software for the reproduction, processing and streaming of audio, video and multimedia content; computer hardware and software for controlling the operation of audio and video devices and for viewing, searching and/or playing audio, video, television, movies, photographs and other digital images and other multimedia content; earphones; headphones; built-in wireless audio and video receivers and electronic docking stations for use with electronic book readers, tablet computers, MP3 players, MP4 players, mobile phones and smart phones; portable listening devices, namely, CD players, digital and analog cassette decks, digital video recorders and playback equipment, namely, soundand video recording and playback machines for personal use; single crystal silicon in the form of wafers, chips and unformed single crystal silicon wafers for use for scientific purposes and semiconductor use, namely, testing and creating semiconductors; integrated circuits; computer communications software for connecting computer network users and global computer networks; computer communications software to allow customers to access customer account information and business transactions; computer e-commerce software to allow users to perform electronic business transactions via a global computer network; computer game software; computer graphics software; computer software for creating digital graphics arts,digital animation and manipulation of digital images; computer screen saver software; computer search engine software; computer software for use in database management, for use as a spreadsheet and for word processing, in the fields of accounting, business development, customer service in a wide variety of fields thatmay be downloaded from a global computer network; computer software developmenttools; computer software for accessing information directories that may be downloaded from the global computer network;computer software for application and database integration; computer software for creating searchable databases of information and data; computer software for the collection, editing, organizing, modifying, book marking, transmission storage and sharing of data and information; computer software for communicating withusers of hand- held computers; computersoftware that assists computers in deploying parallel applications and performing parallel computations; computer software to automate data warehousing; computer software to control and improve computer and audio equipment sound quality; computer software to enhance the audio-visual capabilities of multimedia applications, namely, for the integration of text, sound, graphics, still images and moving pictures; computer software, namely,an application allowing sales and fieldservice employees to update and receivedata stored in an enterprise's computerdata-bases in real time, using a mobile device, with full integration of the phone and/or software features of the mobile device; computer telephony software; com-

puter operating software for use with a global positioning system (GPS); computer application software for mobile phones, portable media players and handheld computers, namely, software for use in voice recognition; computer software for creating, authoring, distributing, downloading, transmitting, receiving, playing, editing, extracting, encoding, decoding, displaying, storing and organizing text, data, graphics, images, audio, video and other multimedia content, electronic publications and electronic games; computer software for use in recording, organizing, transmitting, manipulating and reviewing text, data, audio files, video files and electronic games in connection with computers, televisions, television set top boxes, digital audio players, video disc players, media players, telephones and handheld digital electronic devices, namely, cellular phones, mobile phones, smartphones, MP3 players, computers, laptops, tablets, portable media players, smart watches; personal digital assistants; computer software for instant messaging, sending and receiving emails and contact information, schedule sharing, content sharing, playing, sharing and managing multimedia files, recording, organizing, transmitting, manipulating and reviewing text, audio files, video files and computer game programs for use in connection with television apparatus for projection purposes, computers, portable music players, video disc players, media players and mobile phones; computer software and hardware for managing data networking devices and computer network interface devices; computer software and hardware for the management, control and networking of computer servers; computer operating software for use with computer servers, computer data storage devices, namely, external computer hard drives, and computer memory devices; computer operating systems software; computer software for operating systems administration; computer software for managing the network configurations of a local area network entity based on the location of a computational entity code in the local area network; computer software for performing automatic communications switching in computer networks; network interface modules for network servers, switch modules, transceivers and computer accessories, namely, keyboards, computer mice, touchscreens, pen tablets, joysticks, MIDI keyboards, scanner, digital cameras, video cameras, projector, TV screens, plotters and speakers; computer software used in a networked computer server environment to avoid operational downtimes and maintain the integrity of the networked computer and switching and routing devices so as to ensure the robustness and performance of the networked system by automating the configuration of components in the networked computer server environment; computer hardware and software for controlling the operation of or execution of programs and local area networks for network server systems and computer workstations; computer switches that enable enhanced input/output (I/O) for an entire rack of computer servers; computer switches consisting of computer hardware and computer software and capable of facilitating or enabling virtual servers and virtual computers through computer software or computer hardware design; electrical and electronic connectors, couplers, electric wires, electric cables, wireless chargers, electronic docks, computer docking stations, electronic display interfaces and computer network adapters for use with all the aforesaid goods; portable digital electronic devices, namely, cellular phones, mobile phones, smartphones, computers, laptops, tablets, MP3 players, portable media players, smart watches, personal navigation devices and personal digital assistants, and operating software related thereto; software for telecommunication and communication for connecting computer network users via local or global communications networks, namely, the internet, intranets, extranets, television, mobile communication, cellular and satellite networks; user manuals in electronically readable, machine readable or computer readable form for use with and sold as a unit with all the aforementioned goods; mobile telephone cases and mobile telephone holders; smartwatches enabled for wireless communications with electronic terminals, namely, smart phones, tablet computers, PDAs and computers

Class 014. First use: First Use: None First Use In Commerce: None

Watches; watch straps; watch bands; chronoscopes; clocks; parts for watches,

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