

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	WatchGuard Technologies, Inc.
Serial No.:	88/298,440
Mark:	UNIFIED SECURITY PLATFORM
Class:	042
Office Action Date:	October 28, 2019
Examiner:	John Salcido – L.O. 122

**REQUEST FOR
RECONSIDERATION**

This response (“Response”) to the Office Action issued on October 28, 2019 (“Office Action”) regarding the application by WatchGuard Technologies, Inc. (“Applicant”) for registration of the trademark UNIFIED SECURITY PLATFORM (“Mark”), U.S. Trademark Serial No. 88/298,440 in Class 42s (“Application”) addresses the issues raised by the examining attorney (“Examiner”), namely:

- Section 2(e)(1) Refusal - Merely Descriptive;
- Advisory: Supplemental Register; And
- Advisory: Disclaimer Required – Supplemental Register.

Based on response to the above referenced issues in this Response, Applicant respectfully requests that the Examiner approve the Application to proceed to publication on the Principal Register.

I. SECTION 2(E)(1) – MERE DESCRIPTIVENESS

The Examiner continued to refuse registration of Applicant’s Mark on the proposition that (1) the word “UNIFIED” means “brought together, combined or united,” (2) the word

“SECURITY” refers to “something that secures or protects,” (3) the word “PLATFORM” refers to “the type of computer system you are using, in relation to the type of software you can use on it,” and (4) the combined term “UNIFIED SECURITY PLATFORM” “immediately conveys the idea that the goods and/or services are a unified software, hardware and services system for use in protecting computer systems and networks.” *See* Office Action.

Applicant maintains that Applicant’s Mark is at most suggestive, when viewed in its entirety as it must be. It is axiomatic that a mark and its composite components should not be dissected and considered piecemeal. Rather it must be considered as a whole in determining whether it is merely descriptive. The anti-dissection rule is the basic principle and it is the impression that the mark as a whole creates, and not the parts thereof, that is important. *See Estate of P. D. Beckwith, Inc. v. Commissioner of Patents*, 252 U.S. 538, 545-46, 64 L. Ed. 705, 40 S. Ct. 414 (1920). The U.S. Supreme Court stated: “The commercial impression of a trademark is derived from it as a whole, not from its elements separated and considered in detail. For this reason, it should be considered in its entirety”.

In particular, the phrase “UNIFIED SECURITY PLATFORM” is not merely descriptive, because it involves the term “UNIFIED.” This term in relation to Applicant’s services, has a highly generalized and aspirational definition that is not susceptible of any *immediate* meaning involving a feature, function, or characteristic of Applicant’s goods and services.

Further, the term “unified” has multiple meanings and can describe a wide variety of potential goods and services. Applicant’s Mark is thus not merely¹ descriptive of Applicant’s goods and services.

¹ The Board and its predecessors have indicated that “merely” means “only.” *See In re Colonial Stores*, 394 F.2d 549, 552, 55 C.C.P.A. 1049, 1053, 157 U.S.P.Q. 382, 385 (1968).

A. The Term “UNIFIED SECURITY PLATFORM” Requires Consumer Imagination to Reach a Conclusion as to the Nature of the Services to Which It Is Applied

Imagination Test

As Applicant argued in its response submitted on October 10, 2019 (the “October Response”), Applicant’s Mark does not immediately describe a feature, characteristic, or purpose of Applicant’s services, including, but not limited to, providing online non-downloadable software for identifying malware attacks, detection of malicious websites, botnets, and wireless access points, and managing traffic on a computer network (the “Services”). The term “UNIFIED” is simply too vague, and the record is lacking in this case of any formal definition of the term in relation to Applicant’s goods and services. As a result, the combination of the terms in “UNIFIED SECURITY PLATFORM” generates a non-descriptive mark that conveys no immediate idea of what Applicant’s goods and services may entail. Indeed, at most, Applicant’s Mark as a whole suggests an aspiration to a purchaser of an all-in-one security product.

A term is merely descriptive “if it *forthwith* conveys an *immediate* idea of the ingredients, qualities or characteristics of the goods.” *In re Stroh Brewery*, 34 U.S.P.Q.2d 1796, 1797 (T.T.A.B. 1995) (emphasis in original) (quotations omitted) (finding the term VIRGIN not descriptive of non-alcoholic malt beverages because it required further explanation rather than providing an immediate idea as to its meaning). Because the boundary between the “merely descriptive” classification and the “suggestive” classification “can require the drawing of fine lines and often involves a good measure of subjective judgment,” “it is clear that . . . doubts are to be resolved in favor of Applicants.” *See In re Conductive Systems, Inc.*, 220 U.S.P.Q. 84, 86 (T.T.A.B. 1983).

On the other hand, the imagination test explains that a designation is suggestive, “if it requires imagination, thought and perception to reach a conclusion as to the nature of goods.” *Stix*

Products, Inc. v. United Merchants & Mfrs. Inc., 160 U.S.P.Q. 777, 785 (S.D.N.Y. 1968). A term is not merely descriptive simply because a person encountering the mark might recognize a suggestion regarding an aspect of the Applicant's Services. *In re George Weston Ltd.*, 228 U.S.P.Q. 57, 58 (T.T.A.B. 1985) (SPEEDI BAKE does not convey an "immediate idea" of the ingredients, qualities or characteristics of dough that quickly bakes into bread).

Here, Applicant's Mark is not merely descriptive. The term "UNIFIED SECURITY PLATFORM" does not immediately convey a specific impression of Applicant's complex and sophisticated Services and goods to the one coming across it. *See* TMEP § 1209.01(a) ("a descriptive term...immediately tells something about the goods or services"). Because thought and imagination are required to understand the nature of Applicant's Services, the Mark is suggestive, and therefore registrable on the Principal Register.

B. UNIFIED SECURITY PLATFORM Does Not Describe Applicant's Services with Particularity

In the Office Action, the Examiner maintained that the term "UNIFIED SECURITY PLATFORM" is merely descriptive of Applicant's Services because (1) the word "UNIFIED" means "brought together, combined or united," (2) the word "SECURITY" refers to "something that secures or protects," (3) the word "PLATFORM" refers to "the type of computer system you are using, in relation to the type of software you can use on it," and (4) the combined term "UNIFIED SECURITY PLATFORM" "immediately conveys the idea that the goods and/or services are a unified software." This conclusion is self-serving and is not an accurate representation of the ambiguity caused by inclusion of "UNIFIED" in Applicant's Mark as well as the vague and aspirational connotation generated by the term "UNIFIED SECURITY PLATFORM."

Because the term “UNIFIED” is so general as to the broad universe of potential goods and services, it is suggestive, not descriptive. The Examiner was thus incorrect in assuming that “software and hardware that works together” is a readily recognized definition of the term “UNIFIED” with respect to Applicant’s Services. *See* Office Action. Nothing in the record indicates that prospective purchasers of Applicant’s Services would immediately conclude that the term “UNIFIED SECURITY PLATFORM” refers to “unified software, hardware and services system for use in protecting computer systems and networks” as claimed by the Examiner. *See* Office Action.

According to the *Merriam-Webster Dictionary*, the term “UNIFIED” means “brought together as one.” Attached as Exhibit 1 is the screenshot of the definition of the term “UNIFIED” provided by the Merriam-Webster Dictionary. The definition of the term “UNIFIED” is not only vague, but it is not even remotely related to computer software or hardware, let alone a “security platform” or any similar goods.

Applicant’s Mark is similar to other suggestive marks such as BIASTEEL for steel belted bias tires, CITIBANK for urban banking services, CONCURRENT TECHNOLOGIES CORPORATION for electronic circuit boards, ELECTRO-MODULE for electro-magnetic brakes, EQUINE TECHNOLOGIES for horse hoof care products, EXPRESS SAVINGS for banking services, GLASS DOCTOR for glass repair service, SEXY LITTLE THINGS for women’s lingerie, and SUPERWATERFINISH for papers, all of which have been found to be non-descriptive. *See The Firestone Tire & Rubber Company v. The Goodyear Tire & Rubber Company*, 186 U.S.P.Q. 557, 1975 WL 20835 (T.T.A.B. 1975), *aff’d*, 189 U.S.P.Q. 348, 1976 WL 21295 (C.C.P.A. 1976) (“[A]pplicant has so combined the two words “bias” and “steel” into a unitary term as to result in a mark which suggests rather than describes the character of tires.”) (“[W]e

conclude that the mark BIASTEEL for tires has not been shown to be merely descriptive.”); *Citibank, N.A. v. Citibanc Group, Inc.*, 724 F.2d 1540, 1545, 222 U.S.P.Q. 292 (11th Cir. 1984) (“The term ‘Citi’ does not describe a class of banking services or a characteristic of banking services. As the district court stated, ‘[t]he most that can be said for City Bank is that it suggests a modern or urban bank.’”); *Concurrent Technologies Inc. v. Concurrent Technologies Corp.*, 12 U.S.P.Q.2d 1054, 1989 WL 274370 (T.T.A.B. 1989) (The composite suggests a company that makes goods used in connection with concurrent processing, a form of computer processing also known as “multitasking” or “multi-processing.” “We have no concern that the registered mark will inhibit others from ordinary descriptive use of the term ‘concurrent,’ or of the term ‘technologies,’ either alone or in other combinations, to describe or suggest goods of the kind involved herein.”); *In re Warner Electric Brake & Clutch Company*, 154 U.S.P.Q. 328, 1967 WL 7573 (T.T.A.B. 1967) (“[I]t does not follow as a matter of law that because the component words of a mark may be descriptive and therefore unregistrable, the combination thereof or unitary mark must necessarily be likewise descriptive.”); *Equine Technologies, Inc. v. Equitechnology, Inc.*, 68 F.3d 542, 545, 36 U.S.P.Q.2d 1659 (1st Cir. 1995) (imagination is required to connect the term to hoof care products); *In re Wells Fargo & Company*, 231 U.S.P.Q. 116, 118, 1986 WL 83698 (T.T.A.B. 1986) (“It seems to us a similar exercise of mental gymnastics is necessary for one to perceive a descriptive significance in the term EXPRESS SAVINGS.”); *Synergistic Intern. Inc. v. Windshield Doctor, Inc.*, 66 U.S.P.Q.2d 1936, 1939–1940, 2003 WL 21468568 (C.D. Cal. 2003) (“Given Plaintiff’s incontestable federal registration and its creative metaphorical combination of the terms ‘Doctor’ and ‘Glass,’ the Court finds that the GLASS DOCTOR mark is suggestive and inherently distinctive.”); *Synergistic Intern., LLC v. Korman*, 402 F. Supp. 2d 651, 659, 77 U.S.P.Q.2d 1599 (E.D. Va. 2005), *aff’d in part, vacated in part on other grounds, remanded*, 470 F.3d 162, 172, 81

U.S.P.Q.2d 1054 (4th Cir. 2006) (“‘Doctor’ suggests the characteristic or quality of healing, from which a consumer must imagine that ‘healing glass’ means repairing or replacing; therefore, the GLASS DOCTOR® Mark is suggestive.”) (“[W]e agree with the district court that Synergistic’s ‘GLASS DOCTOR®’ mark is properly deemed ‘suggestive.’”); *Menashe v. V Secret Catalogue, Inc.*, 409 F. Supp. 2d 412, 423-424 (S.D. N.Y. 2006) (“Victoria’s Secret’s own descriptions of its lingerie in its catalogues and website illustrate that there are numerous ways to describe provocative underwear.”); *Application of Chesapeake Corp. of Va.*, 57 C.C.P.A. 838, 420 F.2d 754, 164 U.S.P.Q. 395 (1970) (“[W]e do not consider it to be so highly descriptive as to be incapable of registration.”).

Further, the commercial impression of a composite mark may be arbitrary or suggestive even when its separate parts are descriptive. The composite may be more than the mere sum of its parts:

The whole, in trademark law, is often greater than the sum of its parts. Common words in which no one may acquire a trademark because they are descriptive or generic may, when used in combination, become a valid trademark.

J. Thomas McCarthy, *McCarthy on Trademarks and Unfair Competition*, § 11:26. (5th ed. 2019). Here, the term “UNIFIED” in Applicant’s Mark is ambiguous. Further, the term “UNIFIED,” with its definition of “brought together as one” will simply be perceived as a goal of Applicant’s goods and Services and/or as sales puffery that does not described any part of Applicant’s products in particular. As a result, the UNIFIED SECURITY PLATFORM involves an aspirational goal in regard to Applicant’s vacuums and polishers and does not, in any clear or precise way, serve to *immediately* describe a particular characteristic or feature of Applicant’s goods and Services. *See, e.g., Oreck Holdings, LLC v. Bissell Homecare, Inc.*, Opposition No. 91173831 (February 16,2010) (non-precedential) (finding HEALTHY HOME VACUUM not descriptive of vacuum cleaners). Because Applicant’s Mark is not made up entirely of descriptive terms, and as such, it requires

even more “exercise of mental gymnastics” necessary for one to perceive a descriptive significance in the term UNIFIED SECURITY PLATFORM. *In re Wells Fargo & Company*, 231 U.S.P.Q. 116, 118 (T.T.A.B. 1986) (EXPRESS SAVINGS held suggestive but not descriptive of banking services).

C. The Combination of “UNIFIED” and “SECURITY PLATFORM” Creates a Distinctive Impression as Applied to Applicant’s Services

Even a mark comprising of combination of merely descriptive components is registrable when the combination of terms creates a unitary mark with a unique, non-descriptive meaning, or when the composite has a bizarre or incongruous meaning as applied to the goods/services. *See In re Shutts*, 217 U.S.P.Q. 363 (T.T.A.B. 1983). As discussed in the October Response, in *In re Shutts*, the Board held that the mark “SNO-RAKE” was not merely descriptive of a snow removal hand tool. *Id.* at 363. Even though the term “rake” is used generally to refer to the removal or collection of debris or unwanted materials, the Board still concluded that customers do not initially think of the term “rake” as associated with snow removal. *Id.* at 364. In fact, the terms “rake” or “raking . . . sit strange in application to snow . . .” *Id.* Additionally, the Board held that the doctrine of mere descriptiveness should not “penalize coinage of hitherto unused and somewhat incongruous word combinations whose import would not be grasped without some measure of imagination and ‘mental pause.’” *Id.* at 364-365.

Similarly, Applicant’s Mark, which combines the terms “UNIFIED” and “SECURITY PLATFORM,” is somewhat incongruous with respect to Applicant’s Services. In general, “UNIFIED” is defined as “brought together as one.” *See Exhibit 1*. Applicant’s Services involve complicated and highly sophisticated network security that provides traditional intrusion prevention, gateway antivirus, application control, spam prevention, and URL filtering, to more advanced services for protecting against evolving malware, ransomware, and data breaches via

Cloud and virtual firewalls. On the other hand, the term “UNIFIED” has a broad meaning entirely unanchored in this collection of technology products and services. This leaves UNIFIED SECURITY PLATFORM, as a whole, disconnected from Applicant’s goods and Services and lacking a meaning that refers *only* to a feature, function, or characteristic of the services.

Furthermore, because of the complex nature of Applicant’s Services, this undefined use of the term “UNIFIED” “sit[s] strange” in application to the common understanding of “UNIFIED” especially when combined with the term “SECURITY PLATFORM,” which does not even have an applicable dictionary definition. Attached as Exhibit 2 is the screenshot of the error message resulting from a search for the definition of the term “SECURITY PLATFORM” provided by the Merriam-Webster Dictionary. Therefore, the incongruous term “UNIFIED SECURITY PLATFORM” creates a mental pause and does not immediately describe Applicant’s Services.

Naturally, the term “UNIFIED SECURITY PLATFORM” involves multiple steps of customer imagination in relation to Applicant’s Services because consumers who encounter the term need to (a) first, conceptualize the incongruous combination of “UNIFIED” and “SECURITY PLATFORM;” and (b) associate the term to the niche goods and services related to providing innovative technology involving network security. Further, even after taking those multi-steps through the process to comprehend the term “UNIFIED SECURITY PLATFORM” as applied to Applicant’s Services, consumers would not be able to come to a conclusion that the term applies to particular goods/services consisting of complex downloadable software and hardware for network security, namely, firewall, threat management and virtual private network capabilities in the fields of security monitoring, identification of malware and spam, access control, information flow control, and facilitating computer connections for local area, wide area and global computer networks. “If a consumer must use more than a small amount of imagination to make the

association [of goods or services attribute], the mark is suggestive and not descriptive.” *Rodeo Collection Ltd. V. West Seventh*, 812 F.2d 1215, 1218, 2 U.S.P.Q.2d 1204, 1206 (9th Cir. 1987). Here, the amount of imagination required to connect Applicant’s Mark to Applicant’s Services is certainly more than “a small amount.” *Id.* Consequently, “UNIFIED SECURITY PLATFORM” is suggestive.

D. The Examiner Has Not Provided Evidence of an Immediate Connection Between UNIFIED SECURITY PLATFORM and Applicant’s Services

In the Office Action, the Examiner argued that the term “UNIFIED SECURITY PLATFORM” “merely describes a feature, characteristic, and purpose of applicant’s goods and/or services.” *See* Office Action. The Examiner also added that because “vocabulary used in the computer and electronics fields is particularly noted for changing rapidly, and descriptiveness is determined based on the facts and evidence in the record at the time registration is sought,” “a term that was once arbitrary or suggestive may lose its distinguishing and origin-denoting characteristics through use in a descriptive sense over a period of time, and come to be regarded by the purchasing public as nothing more than a descriptive designation.” *See* Office Action. However, as with the initial office action, the Examiner once again fails to provide any evidentiary support for his conclusory statement. In fact, the Examiner’s only evidence consists of dictionary definitions and/or selected limited third party evidence of the terms “UNIFIED,” “SECURITY,” and “PLATFORM.” At least one of the website references was no longer available to Applicant upon investigation and thus should be disregarded. *See Exhibit 3*. Based on the limited number of references submitted by the Examiner, Applicant submits that “UNIFIED” and “UNIFIED SECURITY PLATFORM” are at most suggestive in this case. Additionally, there was no specific evidence demonstrating that the terms “UNIFIED” and “UNIFIED SECURITY PLATFORM”

have lost their “distinguishing and origin-denoting characteristics through use in a descriptive sense over a period of time.” *See* Office Action.

In fact, there exist several recent registrations of marks incorporating the term “UNIFIED” that have been allowed registration on the Principal Register as not merely descriptive and without a disclaimer of the term “UNIFIED.”

Forty (40) of these references are in the relevant Class 42 alone. *See Exhibit 4* of the October Response for printout of the list of records from search of USPTO database using the search term: (*UNIFIED*)[BI] AND `RN > “0” NOT (UNIFIED)[DS] AND (PRINCIPAL)[RG] AND (LIVE)[LD] AND (042)[IC].

Applicant submits the following chart to provide a summary of these registrations and their registration dates. *See Exhibit 5* for the TESS records of the registrations in the chart.

Mark	Selected Goods/Services (see Exhibit 5 for full descriptions of goods/services)
UNIFIED AUDIENCE PLATFORM (Reg. No. 5241604) Registered on July 11, 2017.	Class 42: Software as a service (SAAS) services featuring software for measuring the performance of internet and mobile web advertising campaigns, for tracking user actions on the internet and mobile web, and for tracking user actions within online and mobile applications.
U U UNIFIED H.I.N.T.S HEALTH INFORMATION NOTIFICATION AND TRACKING SYSTEM (Reg. No. 5204044) Registered on May 16, 2017.	Class 42: Providing on-line, non-downloadable software for managing health records and digital health information; Providing a website featuring technology that enables users to manage health records and digital health information.
UNIFIEDGOALS (Reg. No. 4598615) Registered on September 2, 2014.	Class 42: Computer security consultancy in the field of scanning and penetration testing of computers and networks to assess information security vulnerability; Computer services, namely, providing virtual and non virtual application servers, web servers, file servers, co-location servers, load balancing servers, redundancy servers, media servers and database servers of variable capacity to third party computing and data storage facilities; Computer software development

	<p>in the field of mobile applications; Consulting in the field of information technology; Consulting services in the field of providing online, non-downloadable software and applications; IT integration services; Maintenance of computer software relating to computer security and prevention of computer risks; Providing on-line non-downloadable geographic information system (GIS) software; Scientific and technological services, namely, research and design in the field of integrated system architecture that allows for the rapid development of highly interactive and customizable learning applications.</p>
<p>UNIFIED ATHLETICS (Reg. No. 4654280) Registered on December 9, 2014.</p>	<p>Class 9: Computer software platforms for mobile phones and internet accessible devices, namely, software for tracking prospective high school and college athletes for recruitment and enforcing regulatory compliance in such recruitment.</p> <p>Class 42: Software as a service (SAAS) services featuring software for managing regulatory and eligibility compliance for high school and college athletes.</p>
<p>CISCO UNIFIED ACCESS (Reg. No. 5151374) Registered on February 28, 2017.</p>	<p>Class 9: Computer hardware; wireless LAN controllers; fixed electric switches; modular electric switches; computer network switches; computer software and hardware for network management; computer network servers; network extenders; network adapters; VPN (virtual private network) operating software; computer programs for connecting remotely to computers or computer networks; software for computers and mobile devices to secure remote access via the Internet to private computer networks; network access server hardware and operating software; gateway routers in the nature of computer control hardware; mobile computing and operating platforms consisting of data transceivers, wireless networks and gateways for collection and management of data; computer hardware and software for managing wireless access points; computer hardware, namely, wireless access point (WAP) devices; computer software for interconnecting, managing and operating computer networks; computer operating software; computer router, switch, hub and server operating software; computer software for managing and operating computer and communications hardware; computer network management and security software, namely, software for traffic prioritization, secure access control, user identification, encryption, security management and intrusion prevention; computer hardware containing network security functionality, including firewalls, data encryption, and/or interoperability with network security protocols.</p> <p>Class 42: Consulting services in the field of design, selection, implementation, management and use of computer hardware and software systems for others; computer network design for others; computer consultation services; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; technical support services in the fields of</p>

	<p>computer, data, e-mail, web and network security, namely, monitoring of network systems for technical and computer security purposes and troubleshooting in the nature of diagnosing computer hardware and software problems; computer network design for others; computer services, namely, detecting, blocking and removing computer viruses and threats, encrypting and authenticating data, preventing data-loss, recovering data, securing networks, and detecting, filtering, analyzing, managing and blocking electronic communications; updating of computer software for others; application service provider (ASP), namely, hosting the software applications of others; on line services, namely, providing information via computer networks in the fields of computer networking, computer networks, computer systems, computer and network security and cloud computing; technical consultation and technical research in the field of computer networks and network systems design and cloud computing; consulting in the field of the design and development of virtualization technologies for enterprises and businesses; providing temporary use of online non-downloadable software in the field of computer network communications, namely, software for use in the design, implementation and operation of cloud computing networks.</p>
<p>INEW UNIFIED MOBILE SOLUTIONS (Reg. No. 5268471) Registered on August 22, 2017.</p>	<p>Class 9: Apparatus for recording, transmission or reproduction of sound and images; cell phones; calculators; data processing apparatus and computers; computer programs and software for enabling e-commerce transactions, electronic commerce transactions conducted on mobile phones and mobile telecommunications services; computer game software; navigation apparatus for vehicles; computer hardware for mobile virtual network operators.</p> <p>Class 42: Scientific research and development; technological research and development; industrial research in the field of automatized customer management and e-commerce transaction processing; design and development of computer hardware and software; design of data processing programmes; data conversion of computer programs and data - not physical conversion; computer systems design; conversion of data or documents from physical to electronic media; creation and maintenance of websites, for others; providing virtual computer systems and virtual computer environments through cloud computing; installation of computer software; industrial design; engineering services in the field of connecting mobile clients being users of handheld computer devices and smartphones, enabling mobile services and processing customer data being customer's personal information, financial information and e-commerce transaction data; consultancy in the field of energy-saving; research in the field of environmental protection; calibration measuring; recovery of computer data; consultancy in the field of computers; computer software consultancy; duplication of computer programs; hiring out data processing equipment; updating of software; rental and maintenance of memory</p>

	space for websites, hosting mobile services for individuals and businesses for others; maintenance of software; provision of search engines for the Internet; leasing of computer software; rental of web servers.
UNIFIED ADVERTISING EXCHANGE (Reg. No. 4574967) Registered on July 29, 2014.	Class 42: Software as a service (SAAS) services featuring software for use in internet marketing, namely creating digital advertising, creating online advertising, generating sales leads, managing sales leads, optimizing websites and collecting and analyzing marketing campaign data.
UNIFIED SOCIAL (Reg. No. 4863744) Registered on December 1, 2015.	Class 42: Cloud computing services, namely, providing temporary use of on-line non-downloadable cloud computing software for analysis and assessment of social, mobile, digital and offline marketing channels and media activities, providing predictive computer tools for discovering, publishing and monitoring content in real-time, generate marketing reports and dashboards, measuring social return on investment, comparing vendor and agency performance, providing computer tools for buying and planning social media advertising and aggregating and warehousing and activating all social marketing data for use in connection with social media and marketing campaigns; computer services, namely, providing temporary use of non-downloadable software for analysis and assessment of social media activities.

Undoubtedly, the term “UNIFIED” still holds an arbitrary and suggestive meaning and therefore, purchasing public would consider the terms “UNIFIED” and “UNIFIED SECURITY PLATFORM” as more than a mere descriptive designation. Based on the evidence of prior Office practice and for all the reasons set forth above, consumers are likely to believe that “UNIFIED SECURITY PLATFORM,” when used in combination with each other, is being used in a suggestive manner.

II. ANY DOUBTS SHOULD BE RESOLVED IN APPLICANT’S FAVOR

Applicant maintains that it has established that the Mark is suggestive. In the event, however, that the Examiner has any doubts in this matter, those doubts should be resolved in Applicant’s favor. As the Examiner is aware, the Trademark Office has the burden of proof to

demonstrate that a mark is descriptive and that any doubt should be resolved in Applicant's favor. *See In re Gourmet Bakers, Inc.*, 173 U.S.P.Q. 565 (T.T.A.B. 1972).

In the present case, the evidence submitted by the Examiner does not consider that (a) the term "UNIFIED," comprising the Mark, is a highly vague term suggesting positive aspirational attributes and is without specificity in regard to computer software and services; and as such (b) the term "UNIFIED SECURITY PLATFORM," in its entirety, shares this vague, positive, and aspirational connotation without specifically describing features of Applicant's goods and Services. Consequently, the Examiner's evidence does not support a conclusion that relevant consumers would immediately associate Applicant's Mark with Applicant's Services. Absent any adequate evidence showing descriptiveness of Applicant's Mark, Applicant's arguments in favor of registration are more than sufficient to create the requisite doubt, and that doubt should be resolved in Applicant's favor.

III. ADVISORY: SUPPLEMENTAL REGISTER

Applicant believes that it has established that the Mark is suggestive. In the event, however, that the Examiner has any doubts in this matter, Applicant elects to amend the Application to the Supplemental Register.

IV. ADVISORY: DISCLAIMER REQUIRED – SUPPLEMENTAL REGISTER

Per the Examiner's request, Applicant submits the following irrespective of whether the Examiner finds that Applicant's Mark is suitable for registration on the Principal or Supplemental Register:

No claim is made to the exclusive right to use "SECURITY PLATFORM" apart from the mark as shown.

CONCLUSION

For the reasons set forth above, Applicant respectfully submits that the term UNIFIED SECURITY PLATFORM is suggestive, and not descriptive, as applied to the Services claimed in the Application. However, in case the Examiner has any doubts, Applicant requests that its Application for the UNIFIED SECURITY PLATFORM mark be approved for registration the Supplemental Register.

EXHIBIT 1



Squarespace's powerful blogging tools let you share your stories, photos and videos. Squarespace

OPEN

unified adjective

Save Word

uni·fied | \ 'yü-nə-fid \

Definition of unified

: brought together as one

// Although police subculture is often treated as a *unified* and coherent whole, it is, in fact, riven by conflict and contradictions in normative orders.

— Steve Herbert

// For the rebels, loss of these bases was not only tactical but also factional: members of what had been considered a *unified* ethnic group and the core of the rebel movements in Burma could no longer maintain their group integrity.

— Curtis N. Thomson

// As it is, the fact of a single *unified* sovereignty ensures that these regions must remain persistently stunted relative to those of central Japan.

— Jane Jacobs

// In fact, our culture is not one *unified* system but rather consists of competing systems ...

— Thomas McLaughlin

First Known Use of unified

1859, in the meaning defined [above](#)

Learn More about unified

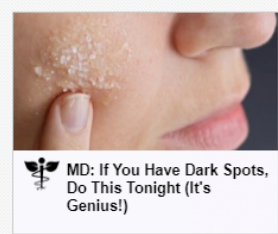
Share unified



Time Traveler for unified

The first known use of *unified* was in 1859

See more words from the same year



WORD OF THE DAY

zephyr

[See Definitions and Examples >](#)

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SQUARESPACE

ONLINE STORES
DESIGNED FOR
ENTREPRENEURS

TEST YOUR VOCABULARY

Difficult Vocab Quiz

EXHIBIT 2



SINCE 1828

security platform

DICTIONARY THESAURUS



“security platform”

The word you've entered isn't in the dictionary. Click on a spelling suggestion below or try again using the search bar above.

- [security blanket](#)
- [security blankets](#)
- [security guard](#)
- [striking platform](#)
- [security clearance](#)
- [striking platforms](#)
- [securitization](#)
- [abrasion platform](#)
- [securitizations](#)
- [bally platform](#)
- [security analyses](#)
- [inertial platform](#)
- [security analysis](#)
- [oil platform](#)
- [security analyst](#)
- [security analysts](#)
- [security police](#)

This Mother's Day, give Mom more of you.

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WORD OF THE DAY

zephyr

[See Definitions and Examples »](#)

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TEST YOUR VOCABULARY

Difficult Vocab Quiz

Which is a synonym of **discomfit**?

SPELL IT

Can you spell these 10 commonly misspelled words?

[TAKE THE QUIZ »](#)

EXHIBIT 3

Sorry, our new site will be live shortly...check back soon



Thank you for being patient. Our new site will be launched shortly, check back soon.



12:39:56 PM 4/27/2020

EXHIBIT 4

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Apr 28 03:22:23 EDT 2020

[TESS Home](#) | [NEW USER](#) | [STRUCTURED](#) | [FREE FORM](#) | [Browse Dict](#) | [SEARCH OG](#) | [PREV LIST](#) | [NEXT LIST](#) | [IMAGE LIST](#) | [BOTTOM](#) | [HELP](#)

Logout *Please logout when you are done to release system resources allocated for you.*

Start List At: OR Jump to record: **40 Records(s) found (This page: 1 ~ 40)**

Refine Search (*UNIFIED*)(B)I AND `RN > "0" NOT (UNIFIED)D

Current Search: S2: (*UNIFIED*)(B)I AND `RN > "0" NOT (UNIFIED)D[S] AND (PRINCIPAL)R[G] AND (LIVE)LD AND (042)I[C] docs: 40 occ: 200

Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	88357355	5910585 UNIFYD	TSDR	LIVE
2	87667642	5573527 UNIFIED THEORY	TSDR	LIVE
3	87805950	5737467 UNIFIED REVIEW	TSDR	LIVE
4	87180594	5489246 UNIFIED PRACTICE	TSDR	LIVE
5	87572695	5375468 UNIFIED ENGINEERING	TSDR	LIVE
6	87312455	5241604 UNIFIED AUDIENCE PLATFORM	TSDR	LIVE
7	87186389	5204044 U U UNIFIED H.I.N.T.S HEALTH INFORMATION NOTIFICATION AND TRACKING SYSTEM	TSDR	LIVE
8	87139092	5166120 UCFLEX	TSDR	LIVE
9	86024035	4846510 UCEDGE	TSDR	LIVE
10	86004972	4598615 UNIFIEDGOALS	TSDR	LIVE
11	86603559	4846032 VUNIFIED	TSDR	LIVE
12	86166063	4654280 UNIFIED ATHLETICS	TSDR	LIVE
13	86070758	4646374 UNIFIED IEMR	TSDR	LIVE
14	86110368	4574967 UNIFIED ADVERTISING EXCHANGE	TSDR	LIVE
15	86161446	4863744 UNIFIED SOCIAL	TSDR	LIVE
16	86544052	4958304 UNIFIED NEIGHBORS	TSDR	LIVE
17	86342800	4763344 UNIFIED VRM	TSDR	LIVE
18	86294773	4923434 DATATRAK UNIFIED EXPERIENCE	TSDR	LIVE
19	86352038	4916595 UNIFIED IMAGING	TSDR	LIVE
20	86294791	4914482 UNIFIED EXPERIENCE	TSDR	LIVE
21	86294755	4914481 DATATRAK ONE UNIFIED EXPERIENCE	TSDR	LIVE
22	86180462	4894120 COMMUNICATIONS UNIFIED	TSDR	LIVE
23	86198333	4744710 APPTIO TBM UNIFIED MODEL	TSDR	LIVE
24	86033592	4616121 UCNOW	TSDR	LIVE
25	85650903	4382328 UCF	TSDR	LIVE
26	85650179	4374763 UCF	TSDR	LIVE
27	85650171	4374762 UNIFIED COMPLIANCE FRAMEWORK	TSDR	LIVE
28	85947520	5166653 UNIFIED DATA SERVICE	TSDR	LIVE
29	85552703	4362121 UNIFIED POWER	TSDR	LIVE
30	85260184	4031700 UNIDEV	TSDR	LIVE
31	85646545	5151374 CISCO UNIFIED ACCESS	TSDR	LIVE
32	85041338	4593101 UCF	TSDR	LIVE
33	85006624	4593095 UCI FORUM	TSDR	LIVE
34	79196359	5268471 INEW UNIFIED MOBILE SOLUTIONS	TSDR	LIVE
35	78803253	3183683 UNIDEV	TSDR	LIVE
36	77778467	3855543 U TRUST	TSDR	LIVE
37	76508377	2888468 UII	TSDR	LIVE
38	76495617	2871024 UNIFIED INDUSTRIES INCORPORATED	TSDR	LIVE
39	75068458	2250707 UNIFIED FIELD	TSDR	LIVE
40	74024563	1739229 UNIFIED MEDICAL LANGUAGE SYSTEM	TSDR	LIVE

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EXHIBIT 5

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Apr 28 03:22:23 EDT 2020

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Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 6 out of 40**

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

UNIFIED AUDIENCE PLATFORM

Word Mark UNIFIED AUDIENCE PLATFORM
Goods and Services IC 042, US 100 101. G & S: Software as a service (SAAS) services featuring software for measuring the performance of internet and mobile web advertising campaigns, for tracking user actions on the internet and mobile web, and for tracking user actions within online and mobile applications. FIRST USE: 20170120. FIRST USE IN COMMERCE: 20170120
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 87312455
Filing Date January 24, 2017
Current Basis 1A
Original Filing Basis 1A
Published for Opposition April 25, 2017
Registration Number 5241604
Registration Date July 11, 2017
Owner (REGISTRANT) KOCHAVA, INC. CORPORATION DELAWARE 201 CHURCH STREET SANDPOINT IDAHO 83864
Attorney of Record DAVID MATT
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "AUDIENCE PLATFORM" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Trademarks > Trademark Electronic Search System (TESS)

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Please logout when you are done to release system resources allocated for you.

List At: OR to record: **Record 7 out of 40**

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) | (Use the "Back" button of the Internet Browser to return to TESS)



Word Mark U U UNIFIED H.I.N.T.S HEALTH INFORMATION NOTIFICATION AND TRACKING SYSTEM
Goods and Services IC 042. US 100 101. G & S: Providing on-line, non-downloadable software for managing health records and digital health information; Providing a website featuring technology that enables users to manage health records and digital health information. FIRST USE: 20160926. FIRST USE IN COMMERCE: 20160926
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)
Serial Number 87186389
Filing Date September 28, 2016
Current Basis 1A
Original Filing Basis 1A
Published for Opposition February 28, 2017
Registration Number 5204044
Registration Date May 16, 2017
Owner (REGISTRANT) Unified Consulting, LLC LIMITED LIABILITY COMPANY FLORIDA 111 NW 183rd Street, Suite 317 Miami FLORIDA 33169
Attorney of Record Christopher J. Day
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "HEALTH INFORMATION NOTIFICATION" AND "TRACKING SYSTEM" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the words "UNIFIED" stacked above the word "H.I.N.T.S" To the left of "UNIFIED H.I.N.T.S" is two interlocking "U" symbols. To the right of "UNIFIED H.I.N.T.S" is the words "HEALTH INFORMATION" stacked above the word "NOTIFICATION" that is also stacked above the words "AND TRACKING SYSTEM".
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Trademarks > Trademark Electronic Search System (TESS)

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Please logout when you are done to release system resources allocated for you.

List At: OR to record: **Record 10 out of 40**

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

UNIFIEDGOALS

Word Mark UNIFIEDGOALS
Goods and Services IC 042, US 100 101, G & S: Computer security consultancy in the field of scanning and penetration testing of computers and networks to assess information security vulnerability; Computer services, namely, providing virtual and non virtual application servers, web servers, file servers, co-location servers, load balancing servers, redundancy servers, media servers and database servers of variable capacity to third party computing and data storage facilities; Computer software development in the field of mobile applications; Consulting in the field of information technology; Consulting services in the field of providing online, non-downloadable software and applications; IT integration services; Maintenance of computer software relating to computer security and prevention of computer risks; Providing on-line non-downloadable geographic information system (GIS) software; Scientific and technological services, namely, research and design in the field of integrated system architecture that allows for the rapid development of highly interactive and customizable learning applications. FIRST USE: 20131031. FIRST USE IN COMMERCE: 20140612

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 86004972
Filing Date July 9, 2013
Current Basis 1A
Original Filing Basis 1B
Published for Opposition November 26, 2013
Registration Number 4598615
Registration Date September 2, 2014
Owner (REGISTRANT) TechTrend, Inc. CORPORATION VIRGINIA Suite 123 2301 Columbia Pike Arlington VIRGINIA 22204
Attorney of Record Jon A. Schiffrin
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15, SECT 8 (6-YR).
Live/Dead Indicator LIVE

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[Trademarks](#) > **Trademark Electronic Search System (TESS)**

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[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: OR [Jump](#) to record: **Record 12 out of 40**

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Unified Athletics

Word Mark UNIFIED ATHLETICS
Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer software platforms for mobile phones and internet accessible devices, namely, software for tracking prospective high school and college athletes for recruitment and enforcing regulatory compliance in such recruitment. FIRST USE: 20140301. FIRST USE IN COMMERCE: 20140301

IC 042. US 100 101. G & S: Software as a service (SAAS) services featuring software for managing regulatory and eligibility compliance for high school and college athletes. FIRST USE: 20140301. FIRST USE IN COMMERCE: 20140301

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86166063

Filing Date January 15, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 1, 2014

Registration Number 4654280

Registration Date December 9, 2014

Owner (REGISTRANT) JumpForward, LLC LIMITED LIABILITY COMPANY ILLINOIS 112 S Sangamon St Chicago ILLINOIS 60607
(LAST LISTED OWNER) JUMPFORWARD, LLC LIMITED LIABILITY COMPANY DELAWARE 717 North Harwood St., Ste 2500 Dallas TEXAS 75201

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Benjamin Diederich

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ATHLETICS" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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- HELP
- PREV LIST
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- LAST DOC

Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 14 out of 40**

- TSDR
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UNIFIED ADVERTISING EXCHANGE

Word Mark UNIFIED ADVERTISING EXCHANGE
Goods and Services IC 042. US 100 101. G & S: Software as a service (SAAS) services featuring software for use in internet marketing, namely creating digital advertising, creating online advertising, generating sales leads, managing sales leads, optimizing websites and collecting and analyzing marketing campaign data. FIRST USE: 20130717. FIRST USE IN COMMERCE: 20130717

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 86110368
Filing Date November 5, 2013
Current Basis 1A
Original Filing Basis 1A
Published for Opposition May 13, 2014
Registration Number 4574967
Registration Date July 29, 2014
Owner (REGISTRANT) Dealer Dot Com, Inc. CORPORATION DELAWARE 1 Howard Street Burlington VERMONT 05401
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record William H. Brewster
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ADVERTISING EXCHANGE" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

- TESS HOME
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- FREE FORM
- BROWSE DICT
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[NEXT DOC](#) | [LAST DOC](#)

Logout Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 15 out of 40**

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

UNIFIED SOCIAL

Word Mark UNIFIED SOCIAL
Goods and Services IC 042. US 100 101. G & S: Cloud computing services, namely, providing temporary use of on-line non-downloadable cloud computing software for analysis and assessment of social, mobile, digital and offline marketing channels and media activities, providing predictive computer tools for discovering, publishing and monitoring content in real-time, generate marketing reports and dashboards, measuring social return on investment, comparing vendor and agency performance, providing computer tools for buying and planning social media advertising and aggregating and warehousing and activating all social marketing data for use in connection with social media and marketing campaigns; computer services, namely, providing temporary use of non-downloadable software for analysis and assessment of social media activities.
FIRST USE: 20150818. FIRST USE IN COMMERCE: 20150818

Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 86161446
Filing Date January 9, 2014
Current Basis 1A
Original Filing Basis 1B
Published for Opposition July 21, 2015
Registration Number 4863744
Registration Date December 1, 2015
Owner (REGISTRANT) Unified Social, Inc. CORPORATION DELAWARE 180 Madison Avenue 23rd FL. New York NEW YORK 10016
(LAST LISTED OWNER) UNIFIED ENTERPRISES CORP. CORPORATION DELAWARE 180 MADISON AVENUE, 23RD FLOOR NEW YORK NEW YORK 10016
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Todd Braveman
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOCIAL" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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[Logout](#) | Please logout when you are done to release system resources allocated for you.

Start List At: OR Jump to record: **Record 14 out of 24**

[TSDR](#) | [ASSIGN Status](#) | [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

CISCO UNIFIED ACCESS

Word Mark CISCO UNIFIED ACCESS

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer hardware; wireless LAN controllers; fixed electric switches; modular electric switches; computer network switches; computer software and hardware for network management; computer network servers; network extenders; network adapters; VPN (virtual private network) operating software; computer programs for connecting remotely to computers or computer networks; software for computers and mobile devices to secure remote access via the Internet to private computer networks; network access server hardware and operating software; gateway routers in the nature of computer control hardware; mobile computing and operating platforms consisting of data transceivers, wireless networks and gateways for collection and management of data; computer hardware and software for managing wireless access points; computer hardware, namely, wireless access point (WAP) devices; computer software for interconnecting, managing and operating computer networks; computer operating software; computer router, switch, hub and server operating software; computer software for managing and operating computer and communications hardware; computer network management and security software, namely, software for traffic prioritization, secure access control, user identification, encryption, security management and intrusion prevention; computer hardware containing network security functionality, including firewalls, data encryption, and/or interoperability with network security protocols. FIRST USE: 20130214. FIRST USE IN COMMERCE: 20130214

IC 042. US 100 101. G & S: Consulting services in the field of design, selection, implementation, management and use of computer hardware and software systems for others; computer network design for others; computer consultation services; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; technical support services in the fields of computer, data, e-mail, web and network security, namely, monitoring of network systems for technical and computer security purposes and troubleshooting in the nature of diagnosing computer hardware and software problems; computer network design for others; computer services, namely, detecting, blocking and removing computer viruses and threats, encrypting and authenticating data, preventing data-loss, recovering data, securing networks, and detecting, filtering, analyzing, managing and blocking electronic communications; updating of computer software for others; application service provider (ASP), namely, hosting the software applications of others; on line services, namely, providing information via computer networks in the fields of computer networking, computer networks, computer systems, computer and network security and cloud computing; technical consultation and technical research in the field of computer networks and network systems design and cloud computing; consulting in the field of the design and development of virtualization technologies for enterprises and businesses; providing temporary use of online non-downloadable software in the field of computer network communications, namely, software for use in the design, implementation and operation of cloud computing networks. FIRST USE: 20130214. FIRST USE IN COMMERCE: 20130214

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85646545

Filing Date June 7, 2012

Current Basis 1A

Original Filing Basis 1B

Published for Opposition April 16, 2013

Registration Number 5151374

Registration Date February 28, 2017

Owner (REGISTRANT) Cisco Technology, Inc. CORPORATION CALIFORNIA 170 West Tasman Drive San Jose CALIFORNIA 95134

Attorney of Record Sally M. Abel, Esq.

Prior Registrations 3759451;3978294;4035428;AND OTHERS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ACCESS" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Start List At: OR [Jump](#) to record: **Record 18 out of 24**

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)



UNIFIED MOBILE SOLUTIONS

Word Mark INEW UNIFIED MOBILE SOLUTIONS

Goods and Services IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission or reproduction of sound and images; cell phones; calculators; data processing apparatus and computers; computer programs and software for enabling e-commerce transactions, electronic commerce transactions conducted on mobile phones and mobile telecommunications services; computer game software; navigation apparatus for vehicles; computer hardware for mobile virtual network operators

IC 038. US 100 101 104. G & S: Communication by mobile telephone; Communication via mobile virtual networks; pay-telephone communication services; broadcasting services, namely, transmitting e-mails, faxes, text messages and telephone voice messages to designated recipients for others; electronic bulletin board services; providing telecommunications connections to a global computer network; telecommunications routing and junction services; teleconferencing services; providing user access to global computer networks; providing access to databases; voice mail services; providing access to mobile virtual network operators (MVNO)

IC 042. US 100 101. G & S: Scientific research and development; technological research and development; industrial research in the field of automatized customer management and e-commerce transaction processing, design and development of computer hardware and software; design of data processing programmes; data conversion of computer programs and data - not physical conversion; computer systems design; conversion of data or documents from physical to electronic media; creation and maintenance of websites, for others; providing virtual computer systems and virtual computer environments through cloud computing; installation of computer software; industrial design; engineering services in the field of connecting mobile clients being users of handheld computer devices and smartphones, enabling mobile services and processing customer data being customer's personal information, financial information and e-commerce transaction data; consultancy in the field of energy-saving; research in the field of environmental protection; calibration measuring; recovery of computer data; consultancy in the field of computers; computer software consultancy; duplication of computer programs; hiring out data processing equipment; updating of software; rental and maintenance of memory space for websites, hosting mobile services for individuals and businesses for others; maintenance of software; provision of search engines for the Internet; leasing of computer software; rental of web servers

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 79196359

Filing Date January 20, 2016

Current Basis 66A

Original Filing Basis 66A

Published for Opposition June 6, 2017

Registration Number 5268471

International Registration Number 1319349

Registration Date August 22, 2017

Owner (REGISTRANT) I-New Unified Mobile Solutions AG AG AUSTRIA Am Anger 1 A-7210 Mattersburg AUSTRIA

Attorney of Record Paolo

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MOBILE SOLUTIONS" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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