

REFUSAL-§2(d) LIKELIHOOD OF CONFUSION

Herein, the examining attorney has refused registration stating the applied-for mark, TOUCHVIEW, is likely to cause confusion with the following marks:

U.S. Registration No. 2002239 (“TOUCHVIEW” for “musical instruments, namely, synthesizers and keyboards.) This refusal applies to applicant’s wireless keyboards in class 9.

U.S. Registration No. 1377969 (“TOUCH VIEW” for “electric membrane switch panels.) This refusal applies to applicant’s interactive touch screen displays, wireless keyboards, digital signage panels, computers, and wireless modules for the touch panels in class 9.

U.S. Registration No. 5116597 (“TOUCH VUE” for “human machine interface (HMI) software.) This refusal applies to applicant’s goods in class 9.

Response:

Applicant has, in this response amended the goods description to:

CLASS 6: wall mounts, namely, metal mounting brackets for general use, metal hardware in the nature of general use wall and ceiling mounts for audio, video or computer equipment.

CLASS 9: interactive LED touch screen displays; digital signage display panels; wireless integrated circuit and computer memory modules for the touch panels.

CLASS 12: mobile carts, namely trolleys and mobile storage cart for domestic and commercial use.

The refusal based on U.S. Registration No. 2002239 was only for “wireless keyboards”. Applicant has deleted these goods therefore this refusal should be lifted.

The registrant for U.S. Registration No. 1377969 did not file a renewal for this registration therefore it should be cancelled, and this refusal should be lifted.

The last remaining refusal is for U.S. Registration No. 5116597 for “human machine interface (HMI) software”.

Applicant respectfully submits that confusion between Applicant’s mark and the reference marks is not likely. It is well settled that when evaluating the likelihood of confusion between marks one considers, inter alia, the strength of the respective marks, the similarities between the parties’ marks when viewed in their entirety in sight, sound and connotation, the similarity or dissimilarity of established, likely-to-continue trade channels, the conditions under which and buyers to whom sales are made, i.e., “impulse” vs. careful, sophisticated purchasing, the number and nature of similar marks in use on similar goods, and the number of third party registrations for similar marks and similar goods and the similarity of the parties respective goods *See, e.g., du Pont*, 476 F.2d at 1362-63, 177 U.S.P.Q.; *In re E.I. DuPont de Nemours & Co.*, 177 U.S.P.Q. 563, 567 (C.C. P.A. 1973); *Massey Junior College, Inc. v. Fashion Institute of Technology*, 181 U.S.P.Q. 272, 273-274 (C.C.P.A. 1974); *In re Davey Prods. Pty. Ltd.*, 92 U.S.P.Q. 2d 1198, 1203-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 U.S.P.Q. 2d 1266, 1272-74 (TTAB 2009); *Ass’n of the U.S. Army*, 85 U.S.P.Q. 2d at 1271-73.

Based on factors it is clear that the two marks are sufficiently different in order to avoid any potential confusion between the marks.

1. Registrant’s Mark is Weak and Entitled to a Narrow Scope of Protection.

It is axiomatic that where the shared element of two marks is weak, minor differences between the parties’ marks should be sufficient to avoid a likelihood of confusion. *In re Hamilton Bank*, 222 U.S.P.Q. 174, 179 (TTAB 1984) (no likelihood of confusion between KEY and other marks comprised of the term KEY, since KEY is weak for banking services); J. Thomas McCarthy, 4 McCarthy on Trademark and Unfair Competition § 23.48 (2006) (explaining that: “A portion of

a mark may be weak in the sense that such portion is descriptive, highly suggestive, or is in common use by other sellers in the market”); *Palm Bay Imports v. Veuve Clicquot Ponsardin Maison Fondée en, 1772*, 73 U.S.P.Q. 1689, 1643 (Fed. Cir. 2005). Additions or deletions to marks may be sufficient to avoid a likelihood of confusion if: (1) the marks in their entireties convey significantly different commercial impressions; or (2) the matter common to the marks is not likely to be perceived by purchasers as distinguishing source because it is merely descriptive or diluted. *See, e.g., Citigroup Inc. v. Capital City Bank Group, Inc.*, 637 F.3d 1344, 1356, 98 U.S.P.Q. 2d 1253, 1261 (Fed. Cir. 2011) (affirming TTAB’s holding that contemporaneous use of Applicant’s CAPITAL CITY BANK marks for banking and financial services, and opposer’s CITIBANK marks for banking and financial services, is not likely cause confusion, based, in part, on findings that the phrase “City Bank” is frequently used in the banking industry and that “CAPITAL” is the dominant element of Applicant’s marks, which gives the marks a geographic connotation as well as a look and sound distinct from opposer’s marks).

The subject marks in the present case all share the term “Touch” for use in connection with software. As set forth above, the shared element of the parties’ marks is weak and therefore entitled to only a narrow scope of protection. The weakness of this term is evidenced by the fact there are 645 live marks with the term “Touch” which “software” in the goods description. Exhibit B is a printout the TESS search site for the terms “Touch” in the mark and “software” in the goods and services description.

It is well settled that such third-party registrations and marks are relevant to show that a mark or a portion of a mark is descriptive, suggestive, or so commonly used that the public will look to other elements to distinguish the source of the goods or services. *See, e.g., In re Melville Corp.*, 18 U.S.P.Q. 2d 1386, 1388 (TTAB 1991); *In re Dayco Products-Eagle Motive Inc.*, 9

U.S.P.Q. 2d 1910, 1911-12 (TTAB 1988); *Plus Prods. v. Star-Kist Foods, Inc.*, 220 U.S.P.Q. 541, 544 (TTAB 1983). Properly used third-party registrations are similar to dictionaries showing how language is generally used. See, e.g., *Tektronix, Inc. v. Daktronics, Inc.*, 534 F.2d 915, 917, 189 U.S.P.Q. 693, 694-95 (C.C.P.A. 1976); *In re J.M. Originals Inc.*, 6 U.S.P.Q. 2d 1393, 1394 (TTAB 1987); *United Foods Inc. v. J.R. Simplot Co.*, 4 U.S.P.Q. 2d 1172, 1174 (TTAB 1987).

It is respectfully submitted that the evidence on record clearly establishes that the consuming public is exposed to third-party use of similar marks for a variety of software's, and shows that "Touch" is relatively weak for trademark purposes and therefore entitled to only a narrow scope of protection." *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondée en, 1772*, 396 F.3d 1369, 1373-74, 73 U.S.P.Q. 2d 1689, 1693 (Fed. Cir. 2005).

In the present case, the parties' marks when viewed in their entireties are substantially different in appearance and meaning. This is especially true in view of the fact that the shared element is weak and should not be given great weight when determining the issue of confusion. The comparison of composite marks must be done on a case-by-case basis, without reliance on mechanical rules of construction. See, e.g., *Spice Islands, Inc. v. Frank Tea & Spice Co.*, 505 F.2d 1293, 184 U.S.P.Q. 35 (C.C.P.A. 1974) (reversing TTAB's holding that SPICE TREE with tree design, for garlic powder and minced onion, and SPICE ISLANDS with and without tree design, for seasoning herbs and spices, is not likely to cause confusion); *In re White Rock Distilleries Inc.*, 92 U.S.P.Q. 2d 1282 (TTAB 2009) (holding VOLTA for vodka infused with caffeine, and TERZA VOLTA and vine shoot design for wines, not likely to cause confusion).

The Applicant's mark is "TouchView" while the Registrant is "Touch Vue". It is respectfully submitted that the differences may be enough to avoid a likelihood of confusion when the subject marks are weak. However, Applicant does not need to rely upon this difference alone.

2. Registrant's and Applicant's goods are sufficiently different as to avoid any likelihood of confusion

Even identical marks, which the two marks in question are not, may coexist on the Registry as long as the goods and services in question are sufficiently different to avoid a likelihood of confusion. See *Hi-Country Food Corp. v. Hi Country Beef Jerky*, 4 UPSQ2d 1169, 1171 (T.T.A.B. 1987) (HI-COUNTRY for beef jerky not confusingly similar to HI-COUNTRY for fruit juices, even though both are edible food products); *In re Mars Inc.*, 222 UPSQ 854 (T.T.A.B. 1984) (no confusion between PLAYERS, for men's underwear, and PLAYERS, for shoes). Moreover, even where goods are used together, it does not automatically follow that they are related. See e.g., *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 73 UPSQ2d 1350, 1355 (Fed. Cir. 2004) (finding no likelihood of confusion between marks that include RITZ for kitchen textiles and cooking classes, and stating, “[t]hat two goods are used together, however, does not, in itself, justify a finding of relatedness.”).

Goods and services fall into three categories: (1) competitive, (2) non-competitive but related, and (3) non-competitive and non-related. *Homeowners Group, Inc. v. Home Mktg. Specialists Inc.*, 931 F.2d 1100, 1108, 18 USPQ2d 1587, 1593 (6th Cir. 1991). Goods or services in the last category, non-competitive and non-related, are not likely to be confused. *Id.*, *Murray v. Cable National Broadcasting Co.*, 86 F.3d 858, 861, 39 USPQ2d 1214, 1216 (9th Cir. 1996).

It is hard to even say that the Applicant's and Registrant's goods fall under the same umbrella as they are not even in the same field of goods. The party's goods are vastly different. The Registrant's goods are for software. Specifically, human interface software. Human interface software is programming that gives operators a way to manage machine command panels. Interaction is through a graphical user interface (GUI) that facilitates information exchange and communication between two types of HMI — supervisory and machine level. Generally, programmers write HMI software for either machine-level HMI or supervisory-level HMI, with

applications suitable for both types. Such software has high upfront cost. Source: <https://www.motioncontroltips.com/hmi-software/>. A true and accurate copy attached as Exhibit C.

HMI software is a very complex, expensive, unique, and sophisticated product. This is not something purchased on a whim by an unsophisticated buyer. On the other hand, the Applicant is not selling software at all. The applicant's goods are hardware, specifically touch screen displays and other signage. Software cannot be purchased through Applicant. Nor could any of the Applicant's purchasers install third party software into the Applicant's goods. Therefore, the two parties goods are non-competitive and non-related. Registrant does not provide monitors therefore consumers will never encounter the two marks at a point of purchase.

Additionally, the TMEP states and the Trademark Trial and Appeal Board has consistently held there is no per se confusion between hardware and software. "The facts in each case vary and the weight to be given each relevant du Pont factor may be different in light of the varying circumstances; therefore, there can be no rule that certain goods or services are per se related, such that there must be a likelihood of confusion from the use of similar marks in relation thereto." TMEP 1207.01(a)(iv); See, e.g., *Info. Res. Inc. v. X*Press Info. Servs.*, 6 USPQ2d 1034, 1038 (TTAB 1988) (regarding computer hardware and software); *In re Quadram Corp.*, 228 USPQ 863, 865 (TTAB 1985) (regarding computer hardware and software); see also *M2 Software, Inc. v. M2 Commc'ns, Inc.*, 450 F.3d 1378, 1383, 78 USPQ2d 1944, 1947–48 (Fed. Cir. 2006) (noting that relatedness between software-related goods may not be presumed merely because the goods are delivered in the same media format and that, instead, a subject-matter-based mode of analysis is appropriate).

3. Registrant's channels of trade are sufficiently different than the Applicant's and the sophistication of their consumers prevent any consumer confusion

The third *DuPont* factor addresses the similarity or dissimilarity of established, likely to continue trade channels. Trade channels represent an important aspect of the marketing environment in which marks are used, and in order to find a likelihood of confusion, the parties' respective products/services must be related in their use or function and sold in close proximity through the same trade channels. *Federated Foods, Inc. v. Ft. Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 26 (CCPA 1976). The Registrant's software is acquired through download: <https://www.pcvuesolutions.com/usa/index.php/products-a-technology/touchvue-assets-based-services>.

There is no physical product, or physical store you go to purchase the software. The Applicant's goods are physical products that could in no way be downloaded or even be confused as something that could be downloaded. It is very hard to imagine a consumer downloading the Registrant's highly specialized software thinking they are getting a touch screen monitor and vice versa. The parties marks or goods could not travel down similar channels of trade as they are not sold in close proximity to each other and the services are not in any way related in their use and/or function.

Importantly, as set forth above, where the relevant buyer class is composed solely of professional or commercial purchasers, or the goods or services are expensive it is reasonable to set a higher standard of care than exists for ordinary consumers. In other words, sophisticated professional buyers are less likely to be confused as to the source or origin of a product than ordinary consumers of inexpensive foods or services; *CMM Cable Rep. v. Ocean Coast Props.*, 36 U.S.P.Q. 2d 1458 (D. Me. 1995) aff. 41 U.S.P.Q. 2d 1065 (1st Cir. 1996). Thus, while two marks might be sufficiently similar to confuse an ordinary consumer, a professional buyer or an expert in the field may be more knowledgeable and will not be confused. *In re N.A. D., Inc.*, 754 F. 2d

996, 1000, 224 U.S.P.Q. 969, 971 (Fed. Cir. 1985) (concluding that because only sophisticated purchasers exercising great care would purchase the relevant goods, there would be no likelihood of confusion between the marks NARCO and NARKOMED); *In re Homeland Vinyl Prods., Inc.*, 81 U.S.P.Q. 2d 1378, 1380 (TTAB 2006).

The Second Circuit in *Arrow Fastener Co. v. Stanley Works*, 59 F.3d 384, 35 U.S.P.Q. 1449 (2nd Cir. 1995), held that a buyer of a \$400.00 pneumatic stapler gun used for building construction is sophisticated and not likely to be confused by defendant's model number. The Seventh Circuit in *Dorr-Oliver, Inc. v. Fluid-Quip, Inc.*, 94 F.3d 376, 39 U.S.P.Q. 2d 1990 (7th Cir. 1996), found that defendant's expensive, large-size steam carpet cleaners, sold to building service contractors, who "are virtually certain to be informed, deliberative buyers" and who are not easily confused. "This is not the sort of purchasing environment in which confusion flourishes." *Oreck Corp. v. U.S. Floor Systems, Inc.*, 803 F.2d 166, 231 U.S.P.Q. 634 (5th Cir. 1986). Most specifically relevant is *Electronic Design & Sales, Inc. v. Electronic Data Systems Corp.*, 954 2d 713, 21 U.S.P.Q. 2d 1388 (Fed. Cir. 1992), in which the Federal Circuit held there was no likelihood of confusion between E.D.S. computer services and EDS power supplies. In so doing, the Federal Circuit noted that the parties' respective services "are purchased after careful consideration".

The parties in this case are offering important and relatively expensive goods rather than off the shelf impulse purchases. Clearly the source of these goods is an important factor. Software varies greatly depending upon the intended function and operating system as such consumers will take care when purchasing the parties' respective goods.

Conclusion

Lastly, the cited mark was examined and allowed when a mark with identical goods and elements to the Applicant's mark was registered. Exhibit C (True and correct copies of the Trademark Registration as Exhibit C respectively. See *In re Total Quality Group Inc.*, 51 U.S.P.Q. 2d 1474, 1475-76 (TTAB 1999). Therefore, the PTO has already confronted this situation and determined that there was no confusion between these marks. In view of the foregoing, it is respectfully submitted the rejection of this application be withdrawn and this application be passed to publication.

Exhibit A



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1	88685710		THEY TOUCH YOU TELL	TSDR	LIVE
2	88006513		TOUCHPOINT	TSDR	LIVE
3	88682744		TOUHLAB	TSDR	LIVE
4	88682336		SMARTTOUCH	TSDR	LIVE
5	88301964		ARCTOUCH	TSDR	LIVE
6	88184064	5906750	E ETOUCH MENU	TSDR	LIVE
7	88492216		360 PATIENTTOUCH	TSDR	LIVE
8	88292719		STPT	TSDR	LIVE
9	88292703		SINGLE TOUCH POINT TECHNOLOGY	TSDR	LIVE
10	88495631		P-TOUCH EMBELLISH ELITE	TSDR	LIVE
11	88387297		TOUCH TECHNOLOGY	TSDR	LIVE
12	88607668		3B TOUCHPOINT	TSDR	LIVE
13	88663296		TOUCH CRM	TSDR	LIVE
14	88151920		REAL TIME TOUCH	TSDR	LIVE
15	88399833		STAY IN TOUCH WITH JUST A TOUCH	TSDR	LIVE
16	88361545		TOUCH TO GO	TSDR	LIVE
17	88656396		INTOUCH VANTAGE	TSDR	LIVE
18	88656375		INTOUCH LITE	TSDR	LIVE
19	88656352		INTOUCH VITA	TSDR	LIVE
20	88652923		POWERED BY THE SCIENCE OF TOUCH	TSDR	LIVE
21	88425123		TOUCHCARE	TSDR	LIVE
22	88372843		TOYTOUCH	TSDR	LIVE
23	88143631		TIGERTOUCH	TSDR	LIVE
24	88644433		HEARTOUCH	TSDR	LIVE
25	88225925		NOTOUCH OS	TSDR	LIVE
26	88186707	5878025	FRETTOUCH	TSDR	LIVE
27	88176602	5877996	HUMANTOUCH	TSDR	LIVE
28	88173349	5877988	HUMANTOUCH	TSDR	LIVE
29	88309511		TOUCHJET PALM	TSDR	LIVE

30	88225911		NOTOUCH CLOUD	TSDR	LIVE
31	88457225		CIRROTOUCH	TSDR	LIVE
32	88225959		NOTOUCH IOT	TSDR	LIVE
33	88193469	5871565	CLEANTOUCH	TSDR	LIVE
34	88628310		INTOUCH	TSDR	LIVE
35	88214974	5866183	IMMERSIVETOUCH	TSDR	LIVE
36	88042027		HIGH TOUCH TECHNOLOGIES	TSDR	LIVE
37	88242324		TOUCHGLASS	TSDR	LIVE
38	88614642		ONE TOUCH FUEL	TSDR	LIVE
39	88106806		ZEROTOUCH	TSDR	LIVE
40	88609957		INTOUCH WATCHTOWER	TSDR	LIVE
41	88085436		TOUCHMATH	TSDR	LIVE
42	88604175		SOLO BY INTOUCH	TSDR	LIVE
43	88490646		TAP APP SECURITY TOUCH · ALERT · PROTECT	TSDR	LIVE
44	88603953		ITALIANTOUCH	TSDR	LIVE
45	88481646		STRATUS ZTC EDGE	TSDR	LIVE
46	88481638		STRATUS ZTC EDGE	TSDR	LIVE
47	88481634		STRATUS ZTC	TSDR	LIVE
48	88481610		STRATUS ZTC	TSDR	LIVE
49	88212222		TOUCH A LIFE	TSDR	LIVE
50	88212191		TOUCH CROWDFUNDING	TSDR	LIVE
51	88212164		TOUCHCROWDFUNDING.COM	TSDR	LIVE
52	88589297		CAPACITIVE TOUCH SLIDER	TSDR	LIVE
53	88018796		INTOUCH B2D	TSDR	LIVE
54	88273018	5849625	TOUCHJET PRESENT	TSDR	LIVE
55	88124992		TOUCH TV	TSDR	LIVE
56	88160762		TOUCH PLANS	TSDR	LIVE
57	88291399	5839340	TOTAL TOUCH	TSDR	LIVE
58	88187781		AIR TOUCH	TSDR	LIVE
59	88102145		POSITOUCH SPOS	TSDR	LIVE
60	88102141		POSITOUCH SMART POS	TSDR	LIVE
61	88273034	5833728	TOUCHJET MOBILE	TSDR	LIVE
62	88273020	5833725	TOUCHJET WAVE + LILY	TSDR	LIVE
63	88000058	5835986	BUSINESSTOUCH	TSDR	LIVE
64	88354284		TOUCHPOINT DESIGN	TSDR	LIVE
65	88239629	5819984	TOUCHTALK	TSDR	LIVE
66	88423120		MP TOUCH	TSDR	LIVE
67	88338513		SCANNX ONETOUCH COPIER	TSDR	LIVE
68	88096215		FIBROSCAN TOUCH	TSDR	LIVE
69	88234199	5800280	MAPLETOUCH	TSDR	LIVE
70	88383205		TOUCH IO	TSDR	LIVE
71	88380156		TOUCHLESS ID	TSDR	LIVE
72	88059399		TOUCH-TO-SEND	TSDR	LIVE
73	88242322		DRAGONTOUCH	TSDR	LIVE
74	88273391		TOUCHJET	TSDR	LIVE
75	88273025		TOUCHJET VINE	TSDR	LIVE

76	88342525		EASY-TOUCH	TSDR	LIVE
77	88129158	5756064	TOUCH WON	TSDR	LIVE
78	88332984		T TOUCH	TSDR	LIVE
79	88073997	5749255	TELLYTOUCH	TSDR	LIVE
80	88208629		JUST TOUCH UNIVERSITY	TSDR	LIVE
81	88314185		TOUCHMANIFEST	TSDR	LIVE
82	88060940		TT COGNIER TECHNOLOGY GROUP	TSDR	LIVE
83	88048430	5713142	TOUCHPOINT DASHBOARD	TSDR	LIVE
84	88149349		TOUCHTRON	TSDR	LIVE
85	88011461	5674803	SAFESCREEN PTSSA	TSDR	LIVE
86	88099016		EGALAXTOUCHNET	TSDR	LIVE
87	88094679		KEETOUCH	TSDR	LIVE
88	87266412	5915218	TOUCHPOINT MEDICAL	TSDR	LIVE
89	87796121	5906179	FLEXTOUCH	TSDR	LIVE
90	87941257		INTOUCH INSIGHT	TSDR	LIVE
91	87414419		HARBORTOUCH SMARTPOS	TSDR	LIVE
92	87201395		IN TOUCH WITH THE FUTURE	TSDR	LIVE
93	87366760		TOUCHFOCUS	TSDR	LIVE
94	87293764		SIGHTLESS TOUCH	TSDR	LIVE
95	87603667	5526249	SMARTTOUCH EHR BY UPRISE	TSDR	LIVE
96	87821135		LITE-TOUCH	TSDR	LIVE
97	87813514		MARY KAY INTOUCH	TSDR	LIVE
98	87270292	5245244	TOUCHCARD	TSDR	LIVE
99	87871593		ZEROTOUCH	TSDR	LIVE
100	87462148	5587272	SALESLINK TOUCH	TSDR	LIVE

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Exhibit B

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Updated June 2019 || Human machine inter operators a way to manage machine comm interface (GUI) that facilitates information ex HMI — supervisory and machine level. Gene machine-level HMI or supervisory-level HM software has high upfront cost, but is inexpe redundancies.

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What is an HMI?



Case in point: Even lower-tech applications (in which most machine interaction is via switches and pushbuttons) entry-level HMI offerings are making inroads — as they often reduce interface-part count and simplify controls. More sophisticated applications benefit in a different way: Pharmaceutical and medical machinery use the latest HMI features to differentiate from competitive offerings.

But no matter the performance grade, selecting HMI software starts with an analysis of product specifications and features. What kind of GUI will the machine operator need? Will operators need to view diagrams, digital photos and detailed system schematics? Other considerations include system architecture, performance requirements, integration, cost of procurement, and operations.



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Sometimes, an HMI unit can be programmed to perform some basic control functions as well, such as editing servomotor parameters and even issuing global commands to other control axes on a machine. This places them well beyond a basic type of HMI with only simple functions such as observing processes or making very simple changes to some individual variables or parameters or setpoints.

HMI software editors are available to provide touch screen functionality through a multitude of dimensions and colors. Additionally, they offer control functions for industrial automation machines. Programming can be done using Windows-based and screen editor software. It can permit quick editing of schematics and set suitable communication protocols.

HMI accessories complement the displays based on the requirements of the operator.

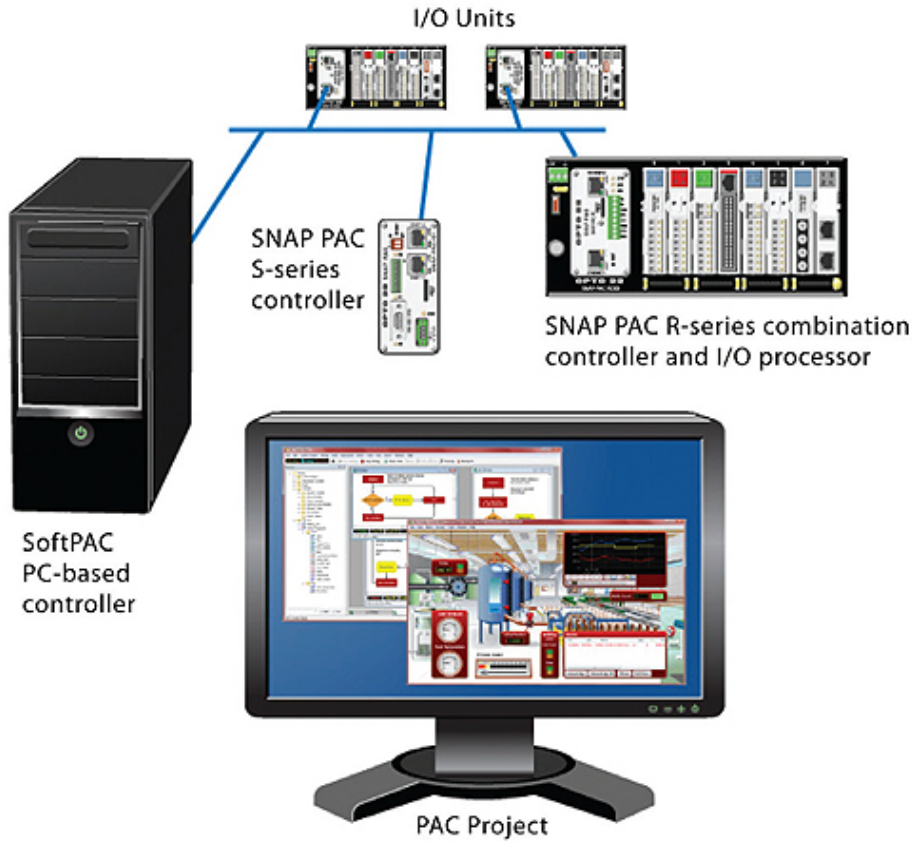
Depending on the complexity of the application, such as the number of digital or analog inputs, from simple RS-232 links to more advanced Ethernet-based communications.

Communications on multiple networks are : ControlNet is a control-level network that p messaging data and I/O data. DeviceNet ha motor starters, operator displays, photoelec computers (PC) and programmable logic cc systems provides HMI software data manag interactions.

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More sophisticated HMI software is structured around mobile, portable platforms such as the Microsoft Windows CE platform, a scalable version of the Windows operating system for handheld devices. This presents a cost-saving value as the operating systems are distributed on machine-level embedded HMI, solid-state open HMI machines, distributed HMI servers, and portable HMI devices.

HMI software that's growing most rapidly are programs that let users remotely monitor and control HMIs from smartphones, tablets, or offsite PCs. Traditional setups only let users get to the HMI on the factory floor, but this new cloud access lets them check machines from anywhere. This is particularly helpful where machines are in remote locations. HMI software even let remote users make changes to production output.

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A Twitter list by [@Motion_Control](#)

Here are some tweets from folks talking about power transmission and motion control.

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@DesignWorld

In this FREE Design Guide, brought to you by Motion Control Tips, you will find vast amounts of information about couplings and pitfalls to avoid when selecting a coupling. Download the guide here: bit.ly/2Q1s3kc



37m

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Exhibit C

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

Reg. No. 3,036,753

United States Patent and Trademark Office

Registered Dec. 27, 2005

TRADEMARK
PRINCIPAL REGISTER

VIEW TOUCH

KEYTEC, INC. (TEXAS CORPORATION)
1293 NORTH PLANO ROAD
RICHARDSON, TX 75081

FOR: INTERACTIVE GRAPHICAL IMAGE PRESENTATION SYSTEMS OF THE TYPE INCLUDING AN OPTICAL IMAGE PROJECTOR, A PRESENTATION SCREEN FOR DISPLAYING GRAPHICAL IMAGES TO A VIEWING AUDIENCE, A WIRELESS OPTICAL POINTER, AN OPTICAL IMAGE SCANNER AND A COMPUTER FOR SELECTING GRAPHICAL IMAGES FROM A SOURCE AND CONTROLLING THE OPERATION OF THE OPTICAL IMAGE PROJECTOR, WHEREIN IMAGE SELECTION AND OPTICAL PROJECTOR CONTROL FUNCTIONS ARE ACCOMPLISHED BY USING THE WIRELESS OPTICAL POINTER TO PROJECT AN ENCODED OPTICAL CONTROL IMAGE ON THE PRESENTATION SCREEN, SCANNING THE

PRESENTATION SCREEN, DETECTING THE CONTROL IMAGE AND DECODING THE CONTROL IMAGE FOR EMULATING CONVENTIONAL COMPUTER KEYBOARD COMMANDS AND/OR POINTING DEVICE (MOUSE, TOUCH PAD, TRACK BALL) POSITION-DEPENDENT CURSOR OPERATIONS (E.G., SELECT, MOVE, LEFT CLICK, RIGHT CLICK, DOUBLE CLICK, SCROLL UP, SCROLL DOWN), IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-4-2005; IN COMMERCE 3-4-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 78-408,647, FILED 4-27-2004.

SUSAN HAYASH, EXAMINING ATTORNEY