

Office Action Response

This is in response to the Office Action objecting to registration of the mark FRAME (“Mark”) in U.S. Application No. 88/474,593 (“Application”) on the basis that the term is merely descriptive of Applicant’s goods and services under Lanham Act Section 2(e)(1), 15 U.S.C. Section 1052(e)(1). Applicant, however, respectfully disagrees with the Office’s allegation that the term “frame” is merely descriptive of Applicant’s services, as amended (hereinafter, “Applicant’s Services”):

Class 42 - Providing online, non-downloadable computer software for building, deploying, operating, and managing a desktop-as-a-service platform for cloud-based applications and desktops for enterprises and end users; providing cloud computing services, namely, providing a cloud-based desktop-as-a-service software platform for building, deploying, operating, and managing cloud-based applications and desktops for enterprises and end users; providing online, non-downloadable computer software for a cloud-based desktop-as-a-service software platform for others; providing cloud-computing services featuring software for a desktop-as-a-service platform for others

ARGUMENTS

1. The Mark Is Suggestive

A mark is considered to be merely descriptive of goods or services, within the meaning of Section 2(e)(1) of the Trademark Act, if it *immediately* describes a significant ingredient, quality, characteristic or feature thereof or if it directly conveys information regarding the nature, function, purpose or use of the goods or services. *See, e.g., In re Intelligent Instrumentation Inc.*, 40 USPQ2d 1792, 1794 (TTAB 1996) (to be considered descriptive mark must immediately describe ..., without conjecture or speculation, a significant purpose or function of applicant’s goods...) (emphasis added).

Moreover, whether a mark is merely descriptive is determined not in the abstract, but in relation to the goods or services for which registration is sought, the context in which it is being used on or in connection with those goods or services and the possible significance that the mark would have to the average purchaser of the goods or services because of the manner of its use. *See In re Bright-Crest, Ltd.*, 204 USPQ 591, 593 (TTAB 1979); *see also Plyboo Am., Inc. v. Smith & Fong Co.*, 51 USPQ2d 1633, 1640 (TTAB 1999) (finding the mark PLYBOO suggestive for bamboo laminate flooring and plywood made of bamboo); *In re On Tech. Corp.*, 41 USPQ2d 1475, 1477 (TTAB 1996) (finding the mark AUDITTRACK for computer software for monitoring activity on a computer network suggestive and not merely descriptive).

On the other hand, a mark is suggestive if some operation of “imagination, thought and perception” is necessary for the consumer to reach a conclusion as to the nature of the goods or services at issue. *See In re George Weston Ltd.*, 228 USPQ 57, 58 (TTAB 1985). A mark which conveys “information but only with ‘some reflection’ or after a ‘multi-stage reasoning process’ on the part of the buyer” is suggestive. *Id.*; *In re Tennis in the Round, Inc.*, 199 USPQ 496, 498 (TTAB 1978).

In applying the factors set forth above to the mark, it is clear that the mark FRAME does not convey an immediate idea of the subject matter or any quality, characteristic, function or feature of Applicant's Services.

Applicant's Services are desktop-as-a-service software platforms that allow vendors to deliver software applications to end users. The Mark was created by shortening the name of the company that originally developed these software services, namely, Mainframe2 (Applicant subsequently acquired the Mainframe2 company and software). A "mainframe" is a "a large, powerful computer that can handle many tasks concurrently and is usually used commercially", which is not descriptive of Applicant's Services. See dictionary definition attached as Exhibit A. To create the Mark, the "main" and "2" portions of the company name were dropped to create the Mark, while still retaining an association with the company name due to the common word "frame". Consumers in the enterprise cloud computing field are sophisticated purchasers and may be aware that the Mark is a reference to the company that originally developed the software and would therefore associate the Mark with the word "mainframe", which is not descriptive of Applicant's Services.

The Mark was adopted because it suggests both: (i) the concept of something that holds things together (e.g., the way a building needs to be framed to hold the structure together); and (ii) the concept of providing a window into something (e.g., a window frame allows you to see what is on the other side). With respect to Applicant's software, the Mark suggests that Applicant's Services are figuratively holding together a bundle of applications – imagine a house frame – because Applicant's Services are supporting (as a platform level service) the applications that the user accesses. The Mark is also suggestive of a window frame in that Applicant's Services allow consumers to figuratively look "through" their computer monitors into the cloud to see their software applications, just as if their computer screen was a pane of glass in a window.

Based on the above, a consumer would not immediately assume that the Mark has a descriptive meaning in the context of Applicant's Services and would have to take a mental pause to consider whether the Mark conveys information about the Applicant's Services. It is this precise mental pause and reflection that renders Applicant's mark suggestive.

2. The Cited Evidence Is Insufficient to Support of Refusal of the Mark

The examining attorney must support his or her action with relevant evidence and ensure that proper citations to the evidence are made in the Office action. See TMEP §710.01. A descriptiveness refusal must be supported with "appropriate evidence." See TMEP §1209.02 (internal citations omitted). The USPTO bears the initial burden of presenting a *prima facie* case that the designation is not inherently distinctive. See *McCarthy on Trademarks*, §11:51.

As explained above, Applicant's Services are desktop-as-a-service platforms that allow vendors to deliver software applications to end users. Applicant's platform and software is not "frame technology" of the sort cited by the Examiner, nor was it created using such "frame technology," nor would anyone regard it as such. The Examiner has not provided any evidence

that “frame technology” is related in any way to the development or operation of desktop-as-a-service platforms. Specifically, the Wikipedia article attached to the Office Action does not indicate that the technology has any application to the type of software services provided by Applicant. As a result, the cited article is insufficient to link desktop-as-a-service platforms and “frame technology” and cannot support refusal of the Mark on descriptiveness grounds.

The Examiner also cited a definition of “frame” in the context of computers and alleged that a screenshot of Applicant’s website showed “rectangular areas displaying text and graphics.” The screenshot of Applicant’s website that is attached to the Office Action is truncated, which makes it difficult to see what is causing the Examiner to raise this objection, but Applicant guesses that it is the graphic layout of the page that includes placement of some text and images in boxes and illustrations showing images on device screens.

Applicant’s website is a marketing tool intended to provide information to consumers about Applicant’s Services. The layout of Applicant’s website is unrelated to the way Applicant’s Services are accessed by consumers, which is through their own devices, not through the page of Applicant’s website identified by the Examiner. Given this information, the screenshot of Applicant’s website cannot be relied on to show that the Mark has the meaning identified in the dictionary definition attached to the Office Action.

Further, the Examiner overlooks the primary definitions (at the top of the dictionary excerpt) for “frame”, specifically:

1.
 - a. A structure that gives shape or support: **the frame of a house.**
 - b. The structure or physique of a human or animal body: a worker's sturdy frame.
 - c. An open structure or rim for encasing, holding, or bordering: **a window frame;** the frame of a mirror.

These definitions support the suggestive nature of the Mark, namely, that consumers may visualize the mark as a figurative structure that supports or holds their applications like the frame of a house or window.

In short, there is no evidence in the record to support the conclusion that the particular definition relied on by the Examiner would be the one that would immediately come to mind when a consumer encounters the Mark in the context of Applicant’s Services. Further, the primary dictionary definitions for “frame” reaffirm the suggestive nature of the word as used in the Mark.

3. Third Party Marks Support Registration of the Mark

Applicant’s Services provide users with access to software applications through the cloud. To use Applicant’s Services, a user must have his or her own computing device with a display screen. That display screen will typically be rectangular in shape. Most software is accessed by using a computing device with a rectangular display screen. The fact that software needs to be accessed through the display screen of a device that is rectangular is not a reason to

refuse registration of marks for software that consist of or incorporate the word “frame.” In fact, the USPTO has allowed registration of numerous third-party marks incorporating the word “frame” for software and software services without requiring a disclaimer. This supports the conclusion that the word “frame” is suggestive in the context of Applicant’s Services and that the Mark is as capable of registration as the following marks:

1. **Frame** (US Reg. No. 4836110)
2. **PROXIMITY FRAME** (US Reg. No. 4836110)
3. **hi-Frame** (US Reg. No. 4500156)
4. **ViFrame** (US Reg. No. 4190517)
5. **VuFrame** (US Reg. No. 4395618)
6. **InFrame** (US Appln No. 88521287; published)
7. **A-FRAME** (US Reg. No. 5731128)
8. **S-FRAME** (US Reg. No. 2156010)
9. **Q-FRAME** (US Reg. No. 4574029)
10. **vFRAME** (US Reg. No. 4974344)
11. **GFRAME** (US Reg. No. 5139800)

Print outs from the USPTO website showing the records for these marks are attached as Exhibit B. As with the marks listed above, Applicant’s Mark is similarly suggestive and therefore registrable on the Principal Register.

CONCLUSION

Based on all of the above, the Mark is suggestive, not descriptive of Applicant’s Services. First, the Mark does not convey an immediate idea of the subject matter or any quality, characteristic, function or feature of Applicant's desktop-as-a-service platforms. The origin of the Mark and the primary dictionary definitions of the word “frame” support the suggestive nature of the mark. Second, the Internet evidence attached to the Office Action is not sufficient to support the refusal on the basis that it does not provide any connection between “frame technology” and desktop-as-a-service platforms. Nor is the dictionary definition relevant in the context of Applicant’s Services. Finally, prior Office practice with respect to prosecution of marks consisting of or incorporating the word “frame” without requiring a disclaimer of this word supports registration of the Mark.

Applicant respectfully submits that doubts concerning the descriptiveness of a mark are to be resolved in favor of the Applicant during *ex parte* prosecution. *See In re Micro Instrument Corp.*, 222 U.S.P.Q. 252, 255 (TTAB 1984) (stating that “the suggestive/descriptive dichotomy can require the drawing of fine lines in a process where doubts are to be resolved in favor of applicants”); *In re LRC Prods. Ltd.*, 223 U.S.P.Q. 1250, 1252 (TTAB 1984) (stating that even in close cases, “any doubt on the question of mere descriptiveness is resolved in favor of publication”). Applicant therefore requests that registration refusal be withdrawn and Application Serial No. 88/474,593 be approved for publication.

Exhibit A



SINCE 1828

GAMES | BROWSE THESAURUS | WORD OF THE DAY | WORDS AT PLAY

LOG IN | REGISTER | SAVED WORDS

mainframe



DICTIONARY

THESAURUS



mainframe noun

Save Word

Definition of *mainframe*

- 1 : a large, powerful computer that can handle many tasks concurrently and is usually used commercially
// ... the million-dollar *mainframe* computers that took up entire floors of corporate premises ...
— John Derbyshire
- 2 *dated* : a computer with its cabinet and internal circuits especially when considered separately from any peripherals connected to the computer

Examples of *mainframe* in a Sentence

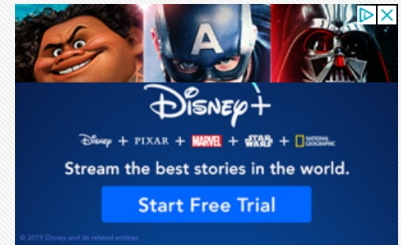
Recent Examples on the Web

// The economy was tanking, and businesses were shifting from IBM *mainframes* to personal computers.

— Asa Fitch, *WSJ*, "IBM Doubles Down on Cloud Bet With New Leadership Team," 31 Jan. 2020

// Jon Han Each big step of progress in computing — from *mainframe* to personal computer to internet to smartphone — has opened opportunities for more people to invent on the digital frontier.

— Steve Lohr, *New York Times*, "At Tech's Leading Edge, Worry About a Concentration of Power," 26 Sep. 2019



WORD OF THE DAY

filch

[See Definitions and Examples »](#)

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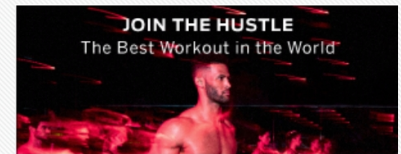


Exhibit B



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Frame

Word Mark FRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer **software** development tools; Computer **software** for computer system and application development, deployment and management; Computer **software** for modelling and engineering machine language; Computer **software** platforms for modelling and engineering machine language.
FIRST USE: 20140105. FIRST USE IN COMMERCE: 20140105

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86561986

Filing Date March 12, 2015

Current Basis 1A

Original Filing Basis 1A

Published for Opposition August 4, 2015

Registration Number 4836110

Registration Date October 20, 2015

Owner (REGISTRANT) Mark Truluck INDIVIDUAL UNITED STATES 2143 N 117th Ave Seattle WASHINGTON 98133

Attorney of Record Gavin Johnson

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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PROXIMITY FRAME

Word Mark PROXIMITY FRAME
Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer **software** for use in analyzing consumer behavior at marketing events, namely, foot traffic in an event space with multiple displays in a defined area. FIRST USE: 20150105. FIRST USE IN COMMERCE: 20150105
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 86780024
Filing Date October 6, 2015
Current Basis 1A
Original Filing Basis 1A
Published for Opposition October 4, 2016
Registration Number 5103027
Registration Date December 20, 2016
Owner (REGISTRANT) Graphic Resource Group CORPORATION MICHIGAN 528 Robbins Drive Troy MICHIGAN 48083
Attorney of Record Kelly K. Burris
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PROXIMITY" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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hi-Frame

Word Mark HI-FRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: Image analysis **software** for CD-SEMs (Scanning Electron Microscope); computer **software** platform for the management and integration of SEM (Scanning Electron Microscope) metrology applications **software**; data and image storage and management **software**

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85446492

Filing Date October 13, 2011

Current Basis 44E

Original Filing Basis 1B

Published for January 7, 2014

Opposition

Registration Number 4500156

Registration Date March 25, 2014

Owner (REGISTRANT) Kabushiki Kaisha Hitachi High-Technologies DBA Hitachi High-Technologies Corporation CORPORATION JAPAN 1-24-14 Nishi Shimbashi Minato-ku Tokyo JAPAN

Attorney of Record Michelle C. Burke

Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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ViFrame

Word Mark VIFRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: COMPUTER **SOFTWARE** FOR DATA VISUALIZATION AND INFORMATION SHARING FOR USE IN ANY FIELD THAT DEALS WITH PRESENTING LARGE AMOUNTS OF DATA AND INFORMATION, NAMELY, ENTERPRISE PERFORMANCE, EXECUTIVE REPORTING, MARKETING RESEARCH AND ANALYSIS, SALES AND MARKETING INTELLIGENCE, SUPPLY CHAIN MANAGEMENT, REAL-TIME MANUFACTURING REPORT, PROCESS AND QUALITY CONTROL, BUSINESS PROCESS IMPROVEMENT, ENTERPRISE RESOURCE PLANNING, CUSTOMER RELATIONSHIP MANAGEMENT, AND BALANCED SCORECARD. FIRST USE: 20111207. FIRST USE IN COMMERCE: 20111207

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85506489

Filing Date December 30, 2011

Current Basis 1A

Original Filing Basis 1A

Published for Opposition May 29, 2012

Registration Number 4190517

Registration Date August 14, 2012

Owner (REGISTRANT) iVIZ Group CORPORATION DELAWARE 700 Tower Drive - 4th Floor Troy MICHIGAN 48098

Attorney of Record Anne Marie Mazzara

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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VuFrame

Word Mark VUFRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer aided design (CAD) **software** for architects and the real estate industry; Computer application **software** for mobile phones, namely, **software** for the real estate, building and engineering industry, all for visualizing 3D objects; Computer game **software** for use on mobile and cellular phones; 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 **software**, namely, **software** development tools for the creation of mobile internet applications and client interfaces. FIRST USE: 20120307. FIRST USE IN COMMERCE: 20120307

IC 038. US 100 101 104. G & S: Communication services, namely, providing electronic transmission of information stored in a database via interactively communicating computer systems; Internet services, namely providing multiple-user access to information on the internet concerning the development and generation of computer **software** for use in businesses as well as the functions and application of such business **software**; Providing user access to computer programmes in data networks. FIRST USE: 20120307. FIRST USE IN COMMERCE: 20120307

IC 042. US 100 101. G & S: Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, **software** and web sites of others in the fields of architecture, building, engineering and real estate industry; Computer **software** development and computer programming development for others; Computer **software** development in the field of mobile applications; Design and development of computer game **software** and virtual reality **software**; Design of homepages and websites; Providing a website featuring information in the field of interior design and architecture for use by interior designers and architects. FIRST USE: 20120307. FIRST USE IN COMMERCE: 20120307

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85826563
Filing Date January 18, 2013
Current Basis 1A
Original Filing Basis 1A
Published for Opposition June 18, 2013
Registration Number 4395618
Registration Date September 3, 2013
Owner (REGISTRANT) doPanic GmbH LIMITED LIABILITY COMPANY FED REP GERMANY Neupfarrplatz 16 Regensburg FED REP GERMANY 93047
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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InFrame

Word Mark INFRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: Television sets; television receivers; large screen light emitting diode (LED) displays; digital signage; digital signage display panels; digital signage monitors; electronic display screens; electronic display panels for television; monitors for commercial purposes, namely, television monitors and video monitors; recorded computer application **software** for televisions, large LED displays, digital signage, digital signage monitors and electronic display screens, namely, **software** for customizing and personalizing screens by choosing pictures, paintings or digital frames

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 88521287

Filing Date July 18, 2019

Current Basis 44E

Original Filing Basis 44D

Published for Opposition December 31, 2019

Owner (APPLICANT) Samsung Electronics Co., Ltd. CORPORATION REPUBLIC OF KOREA 129, Samsung-ro, Yeongtong-gu Suwon-si, Gyeonggi-do REPUBLIC OF KOREA 16677

Attorney of Record Diane J. Mason

Priority Date July 17, 2019

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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A-FRAME

Word Mark	A-FRAME
Goods and Services	IC 038. US 100 101 104. G & S: Providing an on-line forum in the field of computer software for virtual reality. FIRST USE: 20151200. FIRST USE IN COMMERCE: 20151200
	IC 042. US 100 101. G & S: Providing temporary use of on-line non-downloadable virtual reality software development tools. FIRST USE: 20151200. FIRST USE IN COMMERCE: 20151200
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	87796972
Filing Date	February 14, 2018
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	February 5, 2019
Registration Number	5731128
Registration Date	April 23, 2019
Owner	(REGISTRANT) Mozilla Corporation CORPORATION CALIFORNIA 331 East Evelyn Avenue Mountain View CALIFORNIA 94041
Attorney of Record	Timothy J. Lyden
Type of Mark	SERVICE MARK
Register	PRINCIPAL

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Typed Drawing

Word Mark S-FRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: computer **software** to aid engineers and others in structural design and analysis. FIRST USE: 19830801. FIRST USE IN COMMERCE: 19850204

Mark Drawing Code (1) TYPED DRAWING

Serial Number 75052593

Filing Date February 2, 1996

Current Basis 1A;44E

Original Filing Basis 1A;44D

Published for Opposition February 17, 1998

Registration Number 2156010

Registration Date May 12, 1998

Owner (REGISTRANT) SOFTEK SERVICES LTD. CORPORATION CANADA SUITE 27513500 MAYCREST WAY 13500 Maycrest Way RICHMOND, BRITISH COLUMBIA CANADA V6V 2N8

(LAST LISTED OWNER) S-FRAME SOFTWARE INC. CORPORATION CANADA SUITE 275 - 13500 MAYCREST WAY RICHMOND, BC CANADA V6V 2N8

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Tanya M. Reitzel

Priority Date December 27, 1995

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20180503.

Renewal 2ND RENEWAL 20180503

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Q-FRAME

Word Mark Q-FRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission or reproduction of sound or images, namely, touch screen computer boards and screens, access control and alarm monitoring systems, LCD large-screen displays, flat panel display screens, projection screens, photosensitive display surfaces, photosensitive screens; electronic pens; electronic teaching apparatus, namely, touch-screen glass boards and screens, electronic blackboards and electronic drawing boards, laser pointers, photosensitive frames for display surfaces; electronic components, namely, electric control panels, motion detectors, electronic transformers, electronic photo sensors, electronic photosensitive detectors, electronic circuit breakers, photo-electronic relays, electronic remote controls, laser diodes, optical signaling waveguides, electronic light sensors, electronic touch sensors, electronic converters, electronic connectors and electronic circuits; data-processing equipment and computers, namely, electronic input and output devices, interfaces, electronic circuit boards for computers and detectors, photosensitive frames for display surfaces; computer peripheral devices; computer programs, namely, computer operating **software**, graphical user interface **software**, computer graphics **software**, **software** for remotely monitoring environmental conditions and controlling devices within a building, facility, grounds, or designated spatial area

IC 035. US 100 101 102. G & S: Advertising services

IC 042. US 100 101. G & S: Computer **software** and hardware design and development; providing electronic data security service; research in the field of computer programs and **software**; scientific and technological services and research in the field of information technology; implementation, maintenance, rental, outsourcing and care of computer programs and **software**; technical consultancy with regard to the creating, development, use and application of computer programs and **software**

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 79126959

Filing Date August 22, 2012

Current Basis 66A

Original Filing Basis 66A
Published for Opposition May 13, 2014
Registration Number 4574029
International Registration Number 1152071
Registration Date July 29, 2014
Owner (REGISTRANT) isiQiri interface technologies GmbH GmbH AUSTRIA Softwarepark 37 A-4232 Hagenberg AUSTRIA
Attorney of Record Catherine J. Holland
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
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vFRAME

Word Mark VFRAME

Goods and Services IC 042. US 100 101. G & S: Consulting in the field of configuration management for computer hardware and **software**; Consulting services in the field of computer-based information systems for businesses; Consulting services in the field of design, selection, implementation and use of computer hardware and **software** systems for others. FIRST USE: 20141006. FIRST USE IN COMMERCE: 20141006

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86548328

Filing Date February 27, 2015

Current Basis 1A

Original Filing Basis 1B

Published for Opposition July 28, 2015

Registration Number 4974344

Registration Date June 7, 2016

Owner (REGISTRANT) Surge Technology Group LLC DBA p1technologies LIMITED LIABILITY COMPANY CALIFORNIA #300 3701 Highland Ave Manhattan Beach CALIFORNIA 90266

Attorney of Rob G. Leach

Record

Type of Mark SERVICE MARK

Register PRINCIPAL

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GFRAME

Word Mark GFRAME

Goods and Services IC 009. US 021 023 026 036 038. G & S: Smart phones; Portable communications apparatus, namely, handsets for cellular phones, walkie-talkies, satellite telephones and personal digital assistants; Electronic display interfaces for mobile phone; Semiconductor chips; Application processors, namely, data processors; Wearable smart phones; Tablet computers; Computers; Printers for computer; Lap top computers; Commercial monitors, namely, computer monitors; Digital signage; Wearable computers; Television receivers; Electronic display panels for television receiver; Television remote controllers; LED Displays; 3D spectacles for television receivers; OLED display; Wireless headsets for smartphones; Headsets for telephones and mobile phones; Wireless headsets for mobile phone; Earphones; Audio component system composed of surround sound speakers, loudspeakers, tuners, sound mixers, equalizer, audio recorders, radio receivers; Apparatus for recording, transmission or reproduction of sound or images; NAS (Network attached Storage Hardware); Wireless chargeable battery chargers for smart phone; Liquid crystal protective films for smart phone; Smart phone rings, namely, downloadable ring tones for mobile phones; Power supplies for smart phone; DVD players; Optical and magneto-optical disc players; Portable CD players; Cases for mobile phone; Auxiliary speakers for mobile phone; Flip covers for mobile phone; Cases for tablet computer; Flip covers for tablet computer; Batteries for mobile phone; Battery chargers for mobile phone; Computer peripheral, namely, mouse; Keyboards; Universal serial bus (USB) devices, namely, blank flash drives, card readers, hubs; USB Dongles (Wireless network Adapters); Digital set top boxes; Digital cameras; Network monitoring cameras for surveillance; Motion recognizing sensors; Remote control apparatus for radios, televisions, computers; Audio speakers; Home network devices, namely, audio amplifiers, audio speakers, audio transmitters; Electronic security systems for home network comprising of **software** and hardware for providing picture, video, alarm status to a remote station; Home automation devices, namely, home automation systems comprising wireless and wired controllers, controlled devices, and **software** for lighting, HVAC, security, safety and other home monitoring and control appliances; Downloadable application **software** for smart phone for use in database management and electronic storage of data; Computer network interface devices and peripheral devices; Computer cloud servers; Servers for home network system; Computer servers for home automation; Computer hardware, namely, digital audio interface devices; Wireless audio and video receivers; Wireless communication devices for voice, data or image transmission; Loud speaker systems; Electric audio and visual apparatus and instruments, namely, electric audio players, electric video players; Portable multimedia players; Modems; Wireless routers; Antennas for wireless communications apparatus; Mobile phones; Telecommunication machines and implements, namely, telecommunication converters; Remote control apparatus for controlling lighting; Computer programs for connecting remotely to computers or computer networks; Electric control devices for heating and energy management; Computer hardware modules for use in internet of things electronic devices; Operating system programs for smart television; Operating system program for smart phone; Electronic device **software** drivers that allow computer hardware and electronic devices to communicate with each other; **Software** for network and device security

IC 014. US 002 027 028 050. G & S: Watch Bands incorporating a sensor; Watches; Parts and fittings for watches; Wrist watches; Electronic clocks and watches; Bracelets; Watchbands; Control clocks; Watches with the function of wireless communication; Watches that communicate data to personal digital assistants, smart phones, tablet computers and personal computers through internet websites and other computer and electronic communication networks; Watchbands that communicate data to personal digital assistants, smart phones, tablet computers and personal computers through internet websites and other computer and electronic communication networks; Wearable digital electronic devices comprised primarily of a bracelet that communicates data to personal digital assistants, smart phones, tablet computers and personal computers through internet websites and other computer and electronic communication networks; Watches incorporating cameras and MP3 players, and that communicate data to smart phones and PDAs

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

Serial Number 86684353

Filing Date July 6, 2015

Current Basis 44E

Original Filing Basis 1B;44D

Published for Opposition November 29, 2016

Registration Number 5139800

Registration Date February 14, 2017

Owner (REGISTRANT) LG Electronics Inc. CORPORATION REPUBLIC OF KOREA 128, Yeoui-daero, Yeongdeungpo-gu Seoul 150-721 REPUBLIC OF KOREA

Attorney of Record Robert J. Kenney

Priority Date July 1, 2015

Prior Registrations 3883434;3944251;4651122;AND OTHERS

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "GFRAME" with a stylized "G".

Type of Mark TRADEMARK

Register PRINCIPAL

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