

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARK: AMD INFINITY PLATFORM
SERIAL NO: 90760501
FILING DATE: June 8, 2021
APPLICANT: Advanced Micro Devices, Inc.
EXAMINING ATTORNEY: Jeffrey Molinoff
LAW OFFICE: 122

TO: Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

RESPONSE TO FEBRUARY 1, 2022 OFFICE ACTION

Applicant Advanced Micro Devices, Inc. (“Applicant”) responds to the Examining Attorney’s office action relating to its application for the mark AMD INFINITY PLATFORM (Serial No.90760501) ("Application"), that requests amendments to the identification of goods and services and addresses other informalities.

I. Foreign Registration Requirement and Section 44 Basis

Applicant amends its application to delete its Section 44(e) basis and relies on its Section 1(b) intent to use basis.

II. Disclaimer

Applicant has entered its disclaimer on the template as follows:

“No claim is made to the exclusive right to use ‘PLATFORM’ apart from the mark as shown.”

III. Amendment of Identifications of Goods and Services.

Within the template, Applicant has made extensive amendments to the identification of goods and services per the Examining Attorney's request. Applicant's counsel notes that this identification as filed was the same as the application for Serial No. 97024608 (AMD TOGETHER WE ADVANCE & Design), and that the Examining Attorney has requested the same amendments on this Application at issue as he did for the 97024608 application.

Applicant, likewise, proposes the same amendments herein. As amended, the identification reads as follows:

IC 009: Accelerated data processors; accelerated video processors; downloadable audio and video graphics software for real time information and image transfer, transmission, reception, processing and digitizing; computer hardware for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of audio and video graphics information; audio circuit boards; audio-video circuit boards; cards containing integrated circuits; central processing unit (CPU); central processing unit (CPU) coolers; central processing unit (CPU) fans; central processing unit (CPU) heat sinks; central processing units ~~(processors)~~; central processing units for processing information, data, sound and image; graphics processing unit (GPU); blank electronic chip cards; ~~chips (integrated circuits)~~; circuit boards with integrated circuits; circuit boards; communications computers; downloadable communication software to facilitate communications among and between persons, machines, and apparatus, and including computers; computer accelerator board; computer and computer peripherals and parts thereof, accessories and electronic components of computers; computer case fans, namely, internal cooling fans for computers; computer chips; **computer chipsets**; computer circuit boards; computer data ~~and image~~ processors; **computer image processors**, computer daughter boards; computer ~~game~~ cards for gaming; computer game programs downloaded via the Internet; computer game software, downloadable; computer game software, recorded; **computer graphics chipsets**; computer graphics boards; computer hardware for creating, remote access to and communication with local area network (LAN), virtual private network (VPN), and global computer networks; computer hardware for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of audio and video graphics information; computer hardware for the development, and use of local and wide area computer networks; computer hardware subsystems comprised of microprocessor subsystems; **microprocessor modules**; computer hardware; computer internal cooling fans; computer memories; computer memory devices, namely, volatile memory devices; computer motherboards; computer network server; downloadable computer operating software; computer peripheral devices; computer peripherals; downloadable computer programs ~~(downloadable software)~~ for computer, central processing unit (CPU) and graphics processing unit (GPU) operation; computer servers; downloadable computer software applications, ~~downloadable for computer, central processing unit (CPU) and graphics processing unit (GPU) operation~~; downloadable computer software for databasing, visualization, manipulation, virtual reality immersion and integration of information; downloadable computer software for graphics processing and rendering video games; downloadable computer software for machine learning, deep learning, artificial intelligence, and data analysis; downloadable computer software for managing network functions; downloadable computer software for operating microprocessors; computer software platforms, recorded or downloadable for developing, sharing and accessing open source software, APIs, and graphical software, for analyzing data from a wide variety of sources, data bases and files and of multiple data types for pattern recognition, data mining, data query, and data analysis, and for

software development tools, computer programs for developing and controlling user interfaces, software application programming interfaces, and software for machine learning, data mining, data query, and data analysis; computer software, recorded, for operating computers, central processing units (CPU) and graphics processing units (GPU); ~~computer software~~; computer workstations, namely, computers designed for advanced technical or scientific applications and high performance computing applications; **computers**; **coolers for use in electronic components, namely, internal cooling fans for computers, heat sinks, and liquid coolers**; cooling elements for computers, namely, fans, heat sinks and liquid coolers; **electronic heat dissipation apparatus, namely, computer heat dissipation fan, thermostat, CPU heat dissipation fan, and power supplies dissipation fan, all for use with computers**; cooling equipment for computers, namely, heat sinks; cooling kits in open or closed loops comprised primarily of internal cooling fans for computers; data fabric, namely computer hardware and software that supports storage, processing, analysis and management of disparate data; data processing apparatus; data processors; data recording and storage media for use with computers, namely internal and external hard drives, solid state drives, blank USB devices, blank electronic storage media and blank digital storage media; devices for mobile and personal computing and communication, namely computer network interface devices, input devices for computers, chipsets for connecting multimedia home devices, home and VoIP phones and digital cordless phone devices, and wireless communication devices for voice, data or image transmission; digital media streaming devices; **downloadable and recorded computer programs for developing and controlling user interface**; downloadable and recorded computer software development tools; downloadable and recorded software application programming interface (API), ~~and software widget~~ for machine learning, data mining, data query, and data analysis downloadable computer firmware for the creation of software applications and application interfaces; downloadable computer software, namely, software development tools for the creation of software applications and application interfaces; downloadable open source software, namely, computer software for use in software development; downloadable software development kits; downloadable video game programs; dynamic random access memory (DRAM) controllers; dynamic random-access memory (DRAM); electronic card for image processing; ~~electronic chip for integrated circuits~~; electronic chips, namely electronic integrated circuit chips; electronic circuit boards; electronic circuit card; electronic circuits; electronic integrated circuits; electronic publications, downloadable, for use in the fields of operation and updating software for microprocessors, central processing units (CPUs) and graphics processing units (GPUs) and in the field of computer hardware and software for operation of video games; electronic sensors for use with microprocessor communication memory and data sensor telemetry; electronic storages, being internal and external hard drives, solid state drives and blank USB devices, blank electronic storage media, and blank digital storage media; equipment for communication network namely computer hardware for communicating audio, video and data between computers via a global computer network, wide-area computer networks, and peer-to-peer computer networks; **graphics processing unit (GPU) cores**; graphics accelerators; graphics and video processors; graphics cards; graphics processing unit (GPU) for artificial intelligence, cloud computing and high performance computing (HPC); graphics processing unit (GPU) for datacenter computers; graphics processing unit (GPU); **graphics processor subsystem**; **graphics processors**; **downloadable and recorded graphics software**; handheld computers; HD integrated graphics processor (GPU) chips; headsets for virtual reality games; heat sinks for use in electronic components; integrated circuit cards being (smart cards); **integrated circuit chip sets**; integrated circuit chips; integrated circuit memories, namely integrated circuit computer memories, integrated circuit semiconductor memories; integrated circuits and circuit **boards** for mobile and personal computing and communication; integrated circuits and circuit **boards** for use with computer networks and workstations, data recording and storage media for use with computers; integrated circuits, namely, circuits for computers communications, networking and programmable logic; integrated circuits, namely, graphics, video and multimedia integrated circuits; integrated circuits; interactive video games of virtual reality comprised of computer hardware for use with an external monitor and downloadable software; intercommunication apparatus, namely microprocessor data communication interconnect architecture responsible for collecting data, command control, interconnect architecture responsible for data sensor telemetry, system on a chip (SOC) architecture that connects die-to-die, chip-to-chip, and socket-to-socket, used across different microprocessors to enable increased computing performance, and network-on-a-chip technology that provides interfaces across microprocessor CPU and GPU cores, memory, hubs and data fabric to enable microprocessor communications; internal and external cooling fans for computers; **Internet server**; laptop computers;

large scale integrated circuits; logic circuits; ~~blank~~ magnetic data media; memory boards; memory cards for video game machines; memory expansion cards; **memory expansion modules**; memory for data processing apparatus; memory for use with computers; memory modules; memory, non-volatile memory and programmable logic devices, namely, ~~flash memories, blank~~ flash memory cards, EPROMs (~~erasable programmable read-only memory~~), ROM (~~read-only memory~~)s and programmable logic ~~micro~~chips; microchips ~~being~~ (computer hardware); microchips; microprocessor communication fabric, ~~namely, downloadable microprocessor operating firmware~~; microprocessor communication memory, ~~namely random access memory (RAM) and video random access memory (VRAM) shared by a central processing unit (CPU) and graphics processing unit (GPU)~~; microprocessor subsystems comprised of one or more microprocessors, central processing unit (CPU), CPU cores, and ~~downloadable~~ software for operating the foregoing; communication devices, namely, integrated circuits and circuit boards for telephones, wireless communication ~~devices~~, radio and television transmission and reception ~~apparatus~~; microprocessors; minicomputers; **multimedia accelerator boards**; multiprocessor chips; network servers; network-on-chip, ~~namely microprocessor or hardware technology for use in scaling for high performance computing (HPC) and machine learning (ML) that provides for computer network interfaces across microprocessor central processing unit (CPU) and graphics processing unit (GPU) cores, computer memory, hubs and data fabric for enabling microprocessor communications and increasing computing performance and efficiency~~; ~~downloadable~~ operating system software; personal computers; personal digital assistants (PDAs); ~~downloadable and recorded~~ processor operating software; ~~processor software~~; semiconductor chips; semiconductors; semiconductor devices; **semiconductor integrated circuits**; semiconductor memories; **semiconductor processors**; semiconductor storage units, ~~namely random access memory (RAM), dynamic random access memory (DRAM), synchronous dynamic random access memory (SDRAM), and video random access memory (VRAM)~~; ~~servers~~; smart cards (~~being~~ integrated circuit cards); SoC architecture, ~~namely System on Chip (SoC) architecture for use with central processing units (CPU) and graphics processing units (GPU) that connects die-to-die, chip-to-chip, and socket-to-socket, used across different microprocessors for enabling increased computing performance~~; ~~downloadable~~ software for operating all of the foregoing; software programmable ~~micro~~processors; solid state drives; storage cards ~~being~~ memory cards; video capture cards; video ~~display~~ cards; ~~downloadable~~ video game software; video graphics accelerator; video graphics processors; video servers; ~~downloadable~~ virtual reality game software; virtual reality glasses; virtual reality headsets; ~~downloadable~~ virtual reality software ~~for creating realistic virtual reality experiences~~; virtual reality training simulation software ~~in the field of realistic training simulation~~; wearable computers ~~in the nature of smart watches and smart glasses~~.

IC O42: Computer chip and processor design services; computer hardware ~~design and development~~ consulting; computer network management services, namely, monitoring of network systems for technical purposes; computer network monitoring services, namely, providing information on the operation of computer networks; computer programming; computer services, namely, providing technical information, programming, maintenance and updating of cloud-based design and development software tools and presentation layer component development software for building interfaces for computer software applications, Internet software applications, XML web services, and website software; computer software consultancy; computer software design ~~for others~~; computer software installation; computer software maintenance and repair; computer software upgrading; computer ~~software~~, hardware and firmware design services; ~~design of computer software in the field of semiconductors, integrated circuits, and memory devices~~; consultancy and advisory services in respect of the design and development of data processors, computer chips and computer apparatus and equipment; consulting relating to development and research in the field of semiconductors, integrated circuits, memory devices, computer hardware and software; consulting relating to technical research in the field of semiconductors, integrated circuits, memory devices, computer hardware and software; consulting, designing, and new product development, in the field of semiconductors, integrated circuits, memory devices, computer hardware and software; consulting, designing, ~~and~~ new product development, ~~manufacturing and online publishing~~, all in the field of semiconductors, integrated circuits, memory devices and computer components; ~~contract (or custom) manufacturing in the field of semiconductors, integrated circuits, memory devices, computer hardware and software~~; data conversion of computer programs and data, not physical conversion; data encryption and

decoding services; designing and developing standards for others in the design and implementation of computer software, computer hardware and telecommunications equipment; designing of computer systems; designing semiconductors, integrated circuits, memory devices and computer hardware; development of computer platforms; development, design, and consulting services relating to computer software and hardware; industrial analysis and industrial research services in the field of computer software, computer hardware, computer networks, computer firmware, and computer software platforms; design and development of computer hardware and software; maintenance of computer software; computer memory device installation, maintenance, repair and technical support; platform as a service (PAAS) featuring computer software platforms for developing, sharing and accessing open source software, APIs, and graphical software; platform as a service (PAAS) featuring open source software platforms and computer software platforms using for analyzing data from a wide variety of sources, data bases and files and of multiple data types for pattern recognition, data mining, data query, and data analysis; platform as a service (PAAS); ~~platform as a service, namely, providing~~ featuring computer software platforms for software development tools, computer programs for developing and controlling user interfaces, software application programming interfaces, and software for machine learning, data mining, data query, and data analysis; providing software as a service, namely, providing software development tools for the creation of software applications and application interfaces; providing temporary use of online, non-downloadable software for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of audio and video graphics information; providing temporary use of online, non-downloadable software for ensuring the security of computer networks, for access control and security, and for use in protecting computer networks from data theft or damage by unauthorized users; providing temporary use of online, non-downloadable software for processing, storage, retrieval, transmission, display, input, output, compressing, decompressing, modifying, broadcasting and printout of data; providing temporary use of online, non-downloadable software for the receipt, display, and use of broadcast video, audio, and digital data signals; providing temporary use of online, non-downloadable software for wireless network communications; providing temporary use of online, non-downloadable computer software for use in software development; research and development for others in the field of semiconductors, integrated circuits, memory devices, computer hardware and software; scientific and technological services, namely, research and design in the field of computer software, computer hardware, computer networks, computer firmware, and computer software platforms; software as a service (SAAS) featuring development tools for the creation of software applications and application interfaces, software for enhancing and providing real-time transfer, transmission, reception, processing and digitizing of audio and video graphics information, software for ensuring the security of computer networks, for access control and security, and for use in protecting computer networks from data theft or damage by unauthorized users, software for processing, storage, retrieval, transmission, display, input, output, compressing, decompressing, modifying, broadcasting and printout of data, software for the receipt, display, and use of broadcast video, audio, and digital data signals, software for wireless network communications, and software for use in software development; technical design consulting services in the field of computers and wireless computing; technical support services, namely, troubleshooting in the nature of diagnosing ~~for~~ computer hardware and software problems; updating of computer software

The identifications above in normal font text reflect Applicant's amended identification that adopted the Examining Attorney's recommendations. Applicant accepted most of the Examining Attorney's proposed revisions as reflected in text or underlining. For some others, the Examining Attorney's proposals did not accurately define the technology, but Applicant has further amended them in a manner that is accurate, as reflected by underlining. Applicant has deleted provisions that are duplicative, as well as services that the Examining Attorney indicated

required amendment to new Class 40, which are reflected above with ~~strike~~throughs. The **bolded** terms above reflect identification phrases that Applicant has not amended as requested by the Examining Attorney. Applicant's grounds for declining to make those amendments are discussed hereafter.

Applicant respectfully disagrees with the Examining Attorney's requirements that it further define several of the identification clauses (in bold above) because they are accepted and listed in the USPTO standard ID Manual, specifically:

- Central processing units for processing information, data, sound and image – ID Manual 009-1334
- Computer chipsets – ID Manual 009-4718
- Computer image processors – one type – see ID Manual 009-1731
- Computer graphic chipsets – one type – ID Manual 009-4784
- Computers – ID Manual 009-367
- Downloadable computer operating software – ID Manual 009-5416
- Graphics accelerator – ID Manual 009-4985
- Internet server – ID Manual 009-2859
- Memory expansion modules – ID Manual 009-1956
- Memory modules – ID Manual 009-4980
- Multimedia accelerator boards – ID Manual 009-1085
- Multiprocessor chips – ID Manual 009-4994
- Network servers – ID Manual 009-3298
- Semiconductor devices – ID Manual 009-883
- Semiconductor memories – ID Manual 009-1808 (spelled “semi-conductor”)
- Semiconductor memory units – ID Manual 009-1809
- Video graphics accelerator – ID Manual 009-1069
- Video servers – ID Manual 009-4515

Additionally, Applicant has made amendments to several IDs that are slightly different from the Examining Attorney's proposals, but which are also found in the ID Manual, in whole or part. These include:

- Computer and computer peripherals parts thereof, accessories, and electronic components of computers, from ID Manual term 009-3529
- Downloadable computer programs for computer, central processing unit (CPU) and graphics processing unit (GPU) operation – See ID Manual 009-5415 (“operating programs”)

- Computer memory devices, namely, volatile memory devices, from ID Manual term 009-2845 (“memories for use with computers”)
- Data recording and storage media for use with computers (amended using “Blank electronic storage and digital storage media”), from ID Manual terms 009-2740, 2742
- Devices for mobile and personal computing and communications (amended with further detail), from ID Manual terms 009-3500, 009-2853, 009-3901, and 009-3578
- Electronic chips, namely electronic integrated circuit chips, from ID Manual 009-1517
- Equipment for communication networks (amended with further detail), from ID Manual term 009-3422
- Downloadable and recorded graphics software, from ID Manual term 009-742
- Integrated circuit chips – one element of ID Manual term 009-3153
- Integrated circuit memories – see ID Manual term 009-1808
- Memories for data processing equipment, from ID Manual term 009-2844
- Semiconductor integrated circuits – see part of ID Manual term 009-3060
- System on Chip (SoC) (in part used for longer identification re SoC architecture), from ID Manual term 009-5383
- Technical support services (amended with further detail), in part from ID Manual term 042-1322.

The Examining Attorney is further advised that the full identification, as now amended is consistent with the Applicant’s prior application for the word mark TOGETHER WE ADVANCE, App. Serial No. 90521988¹ (TSDR record attached hereto as Exhibit A).

Further, Applicant respectfully submits that a few other requested amendments should be withdrawn because they are regularly-used terms of art in the computer industry which have been accepted in several of Applicant’s recent prior applications and registrations. *See, e.g.*, App. Serial No. 88022783 for the mark INFINITY FABRIC; App. Serial No. 88851130 for the mark RDNA, App. Serial No. 90200632 for the mark CDNA; and App. Serial No. 88210086 for the mark V (stylized design) (TSDR records attached hereto as Exhibits B-1 through B4 respectively). These include the terms (in bold above): “cards containing integrated circuits,”

¹ A new examining attorney for that application recently issued a second non-final action with four very minor amendments which Applicant will be addressing consistent with the proposed amendments herein.

“graphics accelerators,” “microprocessor modules,” “CPU cores” (amended here only to define the CPU full term of “central processing unit”), and “GPU cores” (amended here only to define the GPU full term of “graphics processing unit”). While Applicant recognizes that Examining Attorneys are not bound by identifications in other applications, consistency is warranted in cases such as this where the marks are ones belonging to the same Applicant, involve many of the same goods and relationship to the same products, and are recent applications.

Finally, several of Applicant’s more detailed amendments to this Application are also taken from these referenced four approved applications and registrations.

Applicant’s counsel respectfully requests that, should the Examining Attorney have further questions or comments, he contact Applicant’s counsel to discuss these identifications.

IV. Conclusion.

Applicant respectfully requests that the Examining Attorney accept the current proposed amendments to the identification, and that the Application accordingly be passed to publication. Should the Examining Attorney have any further questions regarding the identifications, he is encouraged to contact Applicant’s counsel by telephone to further discuss recommended identifications.

Dated: August 1, 2022

Respectfully submitted,

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