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## Notice of Opposition

(Notification of Provisional Refusal Based on an Opposition)

Notice is hereby given that the following party opposes indicated request for extension of protection to the United States.

### Opposer Information

<b>Name</b>	NVIDIA Corporation
<b>Address</b>	2701 San Tomas Expressway Santa Clara, CA 95050 UNITED STATES

<b>Attorney information</b>	Sally M. Abel, Esq. Fenwick & West LLP 801 California Street Silicon Valley Center Mountain View, CA 94041 UNITED STATES trademarks@fenwick.com Phone:(650) 988-8500
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### Opposed Request for Extension of Protection to U.S.

<b>U.S. Serial No.</b>	79167010	<b>Publication date</b>	07/12/2016
<b>Opposition Filing Date</b>	09/12/2016	<b>Opposition Period Ends</b> <sup>1</sup>	
<b>International Registration No.</b>	1251408	<b>International Registration Date</b>	01/22/2015
<b>Name of Holder of International Registration</b>	Internet group d.o.o. Savski nasip 7  SERBIA		

### Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0


All goods and services in the class are opposed, namely: Coin-operated mechanisms for televisionsets; television apparatus namely, television apparatus for projection purposes; audio-video receivers; photographic apparatus namely, cameras; game software; recorded computer operating system programs not for use in connection with vehicles or energy storage systems; computer software and recorded computer programs for education, namely, for use in educational institutions, namely, elementary, high and other schools, and colleges for providing distance learning, easier progress tracking, online courses, student's groups, content creating and exchange evaluation, exams and feedback; computersoftware and recorded computer programs for entertainment namely, software for playing games, playing music, organizing pictures, and viewing video materials the aforementioned not for use in connection with vehicles or energy storage systems; computer software and recorded computer programs for business namely, software for improving productivity and management featuring productivity and management tools, software for communication and material exchange the aforementioned not for use in connection with vehicles or energy storage systems; downloadable computer programs and computer software for education, namely, for use in educational institutions namely, elementary, high and other schools and colleges, for providing distance learning, easier progress tracking, online courses, student's groups, content creating and exchange, evaluation, exams and feedback the aforementioned not for use in connection with vehicles or energy storage systems; downloadable computer programs and computer software for entertainment namely, software for playing games, playing music, organizing pictures, and viewing video materials the aforementioned not for use in connection with vehicles or energy storage systems; downloadable computer programs and computer software for business namely, software for improving productivity and management featuring productivity and management tools, software for material exchange the aforementioned not for use in connection with vehicles or energy storage systems and communications; downloadable computer software applications for mobile phones, portable media players, and handheld computers namely, software for education, namely, for use in educational institutions namely, elementary, high and other schools, and colleges, for providing distance learning, easier progress tracking, online courses, student's groups, content creating and exchange, evaluation, exams and feedback the aforementioned not for use in connection with vehicles or energy storage systems; downloadable computer software applications for mobile phones, portable media players, and handheld computers for entertainment namely, software for playing games, playing music, organizing pictures, and viewing video materials the aforementioned not for use in connection with vehicles or energy storage systems; downloadable computer software applications for mobile phones, portable media players, and handheld computers for business namely, software for improving productivity and management featuring productivity and management tools, software for communication and material exchange the aforementioned not for use in connection with vehicles or energy storage systems; computer programs for education, namely, for use in educational institutions namely, elementary, high and other schools, and colleges, for providing distance learning, easier progress tracking, online courses, student's groups, content creating and exchange, evaluation, exams and feedback the aforementioned not for use in connection with vehicles or energy storage systems; computer programs for entertainment namely, software for playing games, playing music, organizing pictures, and viewing video materials the aforementioned not for use in connection with vehicles or energy storage systems; computer programs for business namely, software for improving productivity and management featuring productivity and management tools, software for communication and material exchange the aforementioned not for use in connection with vehicles or energy storage systems; smartphones; telephone apparatus; telephone transmitters; portable telephones; hands-free kits for telephone; telephone receivers; video telephones

#### Grounds for Opposition

Priority and likelihood of confusion

Trademark Act Section 2(d)

#### Marks Cited by Opposer as Basis for Opposition

<b>U.S. Registration No.</b>	4168173	<b>Application Date</b>	01/09/2008
<b>Registration Date</b>	07/03/2012	<b>Foreign Priority Date</b>	NONE
<b>Word Mark</b>	TESLA		
<b>Design Mark</b>			
<b>Description of Mark</b>	NONE		
<b>Goods/Services</b>	Class 041. First use: First Use: 2009/02/28 First Use In Commerce: 2009/02/28 Educational services, namely, training in the use of computer hardware and computer systems; conducting educational conferences in the fields of computing and information technology		

<b>U.S. Registration No.</b>	4080680	<b>Application Date</b>	01/09/2008
<b>Registration Date</b>	01/03/2012	<b>Foreign Priority Date</b>	NONE
<b>Word Mark</b>	TESLA		

<b>Design Mark</b>	<b>TESLA</b>
<b>Description of Mark</b>	NONE
<b>Goods/Services</b>	Class 009. First use: First Use: 2007/12/00 First Use In Commerce: 2007/12/00 Computer hardware; integrated circuits; semiconductors; computer chipsets; micro-processors; computer software for operation of integrated circuits, semiconductors, computer chipsets and micro-processors; instructional manuals provided with the aforementioned goods; electronic publications, namely, books, magazines, newsletters and manuals regarding computer hardware, integrated circuits, semiconductors, computer chipsets and microprocessors

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

**Tracking number:** ESTTA770082

<sup>1</sup>The maximum possible opposition period is 180 days from publication, and other oppositions may therefore be filed before the end of that period.

Your response must go to the Trademark Trial and Appeal Board (TTAB) of the United States Patent and Trademark Office.

You must file a response, and serve the opposing party, within forty days from the date of the TTAB order setting discovery and trial dates. You will receive that order directly from the TTAB, and the forty day period begins on the mailing date of that order. You need not file a response until you receive that order.

You may file your answer through an attorney permitted to practice before the United States Patent and Trademark Office in trademark cases. While an attorney is not required, your answer and all other papers in this proceeding must conform to the applicable United States rules and statutes. Foreign attorneys may not represent parties before the TTAB, unless specifically permitted to do so under Patent and Trademark Rule 11.14(c). The TTAB cannot assist you in choosing an attorney.

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