

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION

U.S. APPLICATION SERIAL NO. 79250465

MARK: FIRE RESISTANT CABLE SIMPLEX UK

79250465

CORRESPONDENT ADDRESS:

Trade Mark Wizards Limited
Bentinck House,
3-8 Bolsover Street
Fitzrovia, London W1W 6AB
UNITED KINGDOM

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APPLICANT: Burn Cable Management Systems Limited

CORRESPONDENT'S REFERENCE/DOCKET NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

INTERNATIONAL REGISTRATION NO. 1446305

STRICT DEADLINE TO RESPOND TO THIS NOTIFICATION: TO AVOID ABANDONMENT OF THE REQUEST FOR EXTENSION OF PROTECTION OF THE INTERNATIONAL REGISTRATION, THE USPTO MUST RECEIVE A COMPLETE RESPONSE TO THIS PROVISIONAL FULL REFUSAL NOTIFICATION **WITHIN 6 MONTHS** OF THE "DATE ON WHICH THE NOTIFICATION WAS SENT TO WIPO (MAILING DATE)" LOCATED ON THE WIPO COVER LETTER ACCOMPANYING THIS NOTIFICATION.

In addition to the Mailing Date appearing on the WIPO cover letter, a holder (hereafter "applicant") may confirm this Mailing Date using the USPTO's Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. To do so, enter the U.S. application serial number for this application and then select "Documents." The Mailing Date used to calculate the response deadline for this provisional full refusal is the "Create/Mail Date" of the "IB-1st Refusal Note."

This is a **PROVISIONAL FULL REFUSAL** of the request for extension of protection of the mark in the above-referenced U.S. application. See 15 U.S.C. §1141h(c). See below in this notification (hereafter "Office action") for details regarding the provisional full refusal.

SUMMARY OF ISSUES

In response to this Office action, applicant must address the following issues:

- (1) Section 2(d) Refusal – Likelihood of Confusion;
- (2) Disclaimer; and
- (3) Identification of Goods.

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No(s). 2230018 and 2231449. Trademark Act Section 2(d), 15 U.S.C. §1052(d); see TMEP §§1207.01 *et seq.* See the attached registration(s).

Standard of Analysis for Section 2(d) Refusal

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods of the parties. See 15 U.S.C. §1052(d). Likelihood of confusion is determined on a

case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the “*du Pont* factors”). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Only those factors that are “relevant and of record” need be considered. *M2 Software, Inc. v. M2 Commc’ns, Inc.*, 450 F.3d 1378, 1382, 78 USPQ2d 1944, 1947 (Fed. Cir. 2006) (citing *Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1241, 73 USPQ2d 1350, 1353 (Fed. Cir. 2004)); see *In re Im at St. John’s, LLC*, 126 USPQ2d 1742, 1744 (TTAB 2018).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared goods. See *In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) (“The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods [or services] and differences in the marks.”); TMEP §1207.01.

Facts

Applicant has applied to register the mark FIRE RESISTANCE CABLE SIMPLEX UK for use on “cables; electrical cables; electrical cables namely, fire resistant cables,” in International Class 9.

U.S. Registration No. 2230018 for the mark SIMPLEX is used in connection with “fire detection, monitoring and alarm systems and accompanying accessories, namely, network systems, multiplex systems, stand alone systems, voice communication systems and fire alarm emergency phone systems, comprising, graphical command centers, manual stations, smoke detectors and sensors, flame detectors, heat detectors and sensors, water flow switches, sprinkler supervisory switches, door holders and/or closures, modems, fiber optic line drivers, alarm communicator transmitters and receivers, remote station receivers, audible and visible notification appliances, annunciators, intercoms, CRT monitors and printers, batteries and charges and transient suppressors; sound and communication systems and accompanying accessories, namely, audio, intercom,” in International Class 9.

U.S. Registration No. 2231449 for the mark SIMPLEX with stylized design is used in connection with “fire detection, monitoring and alarm systems and accompanying accessories, namely, network systems, multiplex systems, stand alone systems, voice communication systems and fire alarm emergency phone systems, comprising, graphical command centers, manual stations, smoke detectors and sensors, flame detectors, heat detectors and sensors, water flow switches, sprinkler supervisory switches, door holders and/or closures, modems, fiber optic line drivers, alarm communicator transmitters and receivers, remote station receivers, audible and visible notification appliances, annunciators, intercoms, CRT monitors and printers, batteries and charges and transient suppressors.” in International Class 9.

Similarity of the Marks

Marks are compared in their entirety for similarities in appearance, sound, connotation, and commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). “Similarity in any one of these elements may be sufficient to find the marks confusingly similar.” *In re Im at St. John’s, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)); TMEP §1207.01(b).

In this case, applicant’s mark, FIRE RESISTANCE CABLE SIMPLEX UK, is confusingly similar to registrant’s mark(s), SIMPLEX and SIMPLEX with stylized design, because the marks are highly similar in sound, appearance, connotation, and commercial impression. Specifically, the marks share the term SIMPLEX, and this term(s) would be pronounced and displayed identically, thereby creating similarities in sound and appearance.

Although marks are compared in their entirety, one feature of a mark may be more significant or dominant in creating a commercial impression. See *In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); TMEP §1207.01(b)(viii), (c)(ii). Greater weight is often given to this dominant feature when determining whether marks are confusingly similar. See *In re Detroit Athletic Co.*, 903 F.3d at 1305, 128 USPQ2d at 1050 (citing *In re Dixie Rests.*, 105 F.3d at 1407, 41 USPQ2d at 1533-34).

The applied-for mark and/or registered mark(s) contain(s) the additional term(s) FIRE RESISTANCE CABLE and UK; however, the presence of these additional term(s) does not obviate the similarities between the marks. Specifically, matter that is descriptive of or generic for a party’s goods is typically less significant or less dominant in relation to other wording in a mark. See *Anheuser-Busch, LLC v. Innvopak Sys. Pty Ltd.*, 115 USPQ2d 1816, 1824-25 (TTAB 2015) (citing *In re Chatam Int’l Inc.*, 380 F.3d 1340, 1342-43, 71 USPQ2d 1944, 1946 (Fed. Cir. 2004)). In the present case, and as explained in the *Disclaimer Required* section below, the wording FIRE RESISTANCE CABLE and UK in the applied-for mark is merely descriptive of or generic for applicant’s goods. As previously explained, the marks are virtually identical with respect to this dominant feature; thus, the presence of the additional terms does not obviate the similarities between the marks.

One of the registered marks (i.e., U.S. Registration No. 2231449) also contains design elements; however, the presence of this design elements does not obviate the similarities between the marks. When evaluating a composite mark consisting of words and a design, the word portion is normally accorded greater weight because it is likely to make a greater impression upon purchasers, be remembered by them, and be used by them to refer to or request the goods. *In re Aquitaine Wine USA, LLC*, 126 USPQ2d 1181, 1184 (TTAB 2018) (citing *In re Vittera Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012)); TMEP §1207.01(c)(ii). Thus, although marks must be compared in their entirety, the word portion is often considered the dominant feature and is accorded greater weight in determining whether marks are confusingly similar, even where the word portion has been disclaimed. *In re Vittera Inc.*, 671 F.3d at 1366-67, 101 USPQ2d at 1911 (citing *Giant Food, Inc. v. Nation’s Foodservice, Inc.*, 710 F.2d 1565, 1570-71, 218 USPQ2d 390, 395 (Fed. Cir. 1983)).

In the present case, the dominant word portions of the marks are identical in appearance, sound, connotation, and commercial impression; therefore, the addition of a design element does not obviate the similarity of the marks in this case. *See In re Shell Oil Co.*, 992 F.2d 1204, 1206, 26 USPQ2d 1687, 1688 (Fed. Cir. 1993); TMEP §1207.01(c)(ii).

Ultimately, applicant's mark is likely to cause confusion with registrant's mark(s) because the similarities in sound, appearance, and connotation create the same overall commercial impression in the minds of consumers. Thus the marks are confusingly similar.

Relatedness of Goods

The compared goods need not be identical or even competitive to find a likelihood of confusion. *See On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be "related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the goods] emanate from the same source." *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i).

The application identifies "cables; electrical cables; electrical cables namely, fire resistant cables," in International Class 9.

U.S. Registration No. 2230018 for the mark SIMPLEX is used in connection with "fire detection, monitoring and alarm systems and accompanying accessories, namely, network systems, multiplex systems, stand alone systems, voice communication systems and fire alarm emergency phone systems, comprising, graphical command centers, manual stations, smoke detectors and sensors, flame detectors, heat detectors and sensors, water flow switches, sprinkler supervisory switches, door holders and/or closures, modems, fiber optic line drivers, alarm communicator transmitters and receivers, remote station receivers, audible and visible notification appliances, annunciators, intercoms, CRT monitors and printers, batteries and charges and transient suppressors; sound and communication systems and accompanying accessories, namely, audio, intercom," in International Class 9.

U.S. Registration No. 2231449 for the mark SIMPLEX with stylized design is used in connection with "fire detection, monitoring and alarm systems and accompanying accessories, namely, network systems, multiplex systems, stand alone systems, voice communication systems and fire alarm emergency phone systems, comprising, graphical command centers, manual stations, smoke detectors and sensors, flame detectors, heat detectors and sensors, water flow switches, sprinkler supervisory switches, door holders and/or closures, modems, fiber optic line drivers, alarm communicator transmitters and receivers, remote station receivers, audible and visible notification appliances, annunciators, intercoms, CRT monitors and printers, batteries and charges and transient suppressors," in International Class 9.

In the present case, applicant's goods are related to registrant's goods because the same entity that provides cables also commonly provides voice communication systems and fiber optic line drivers amongst other goods, and these goods are all marketed together to consumers under a common mark. Moreover, these goods are sold through the same channels of trade and used by the same class of consumers in the same fields of use.

The attached Internet evidence, consisting of websites for third-party providers of goods related to telecommunications, establishes that the same entity commonly provides the relevant goods and markets the goods under the same mark, that the relevant goods are sold or provided through the same trade channels and used by the same classes of consumers in the same fields of use, and that the goods are similar or complementary in terms of purpose or function. Thus, applicant's and registrant's goods are considered related for likelihood of confusion purposes. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Therefore, because the marks are confusingly similar and the goods are closely related, purchasers encountering these goods are likely to believe, mistakenly, that they emanate from a common source. Accordingly, there is a likelihood of confusion and registration is refused pursuant to Section 2(d) of the Trademark Act.

Response to Section 2(d) Likelihood of Confusion Refusal

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration. However, if applicant responds to the refusal(s), applicant must also respond to the requirement(s) set forth below.

DISCLAIMER REQUIRED

Applicant must provide a disclaimer of the unregistrable part(s) of the applied-for mark even though the mark as a whole appears to be registrable. *See* 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(a). A disclaimer of an unregistrable part of a mark will not affect the mark's appearance. *See Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 979-80, 144 USPQ 433, 433 (C.C.P.A. 1965).

In this case, applicant must disclaim "FIRE RESISTANCE CABLE" and "UK" because the language is not inherently distinctive. These unregistrable term(s) are at best merely descriptive and primarily geographically descriptive of applicant's goods and/or services.

The nondistinctive wording “FIRE RESISTANCE CABLE” merely describes an ingredient, quality, characteristic, function, feature, purpose, or use of applicant’s goods and/or services. *See* 15 U.S.C. §§1052(e)(1); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012).

The attached evidence from a commercial website shows the wording “FIRE RESISTANCE CABLE” is commonly used in connection with similar goods and/or services to describe fire resistance cable. Therefore, this wording merely describes the goods.

In addition, the nondistinctive wording “UK” is primarily geographically descriptive of the origin of applicant’s goods and/or services. *See* 15 U.S.C. §§1052(e)(2); *In re Societe Generale des Eaux Minerales de Vittel S.A.*, 824 F.2d 957, 959, 3 USPQ2d 1450, 1451-52 (Fed. Cir. 1987); TMEP §§1210.01(a), 1210.06(a), 1213.03(a).

The attached evidence from an online dictionary shows that UK is a generally known geographic place or location. *See* TMEP §§1210.02 *et seq.* The goods and/or services for which applicant seeks registration originate in this geographic place or location as shown by applicant’s address. *See* TMEP §1210.03. Because the goods and/or services originate in this place or location, a public association of the goods and/or services with the place is presumed. *See In re Hollywood Lawyers Online*, 110 USPQ2d 1852, 1858 (TTAB 2014) (citing *In re Spirits of New Merced, LLC*, 85 USPQ2d 1614, 1621 (TTAB 2007)); TMEP §§1210.02(a) 1210.04.

Applicant may respond to this issue by submitting a disclaimer in the following format:

No claim is made to the exclusive right to use “FIRE RESISTANCE CABLE” and “UK” apart from the mark as shown.

For an overview of disclaimers and instructions on how to satisfy this issue using the Trademark Electronic Application System (TEAS), see the [Disclaimer webpage](#).

AMENDMENT REQUIRED – IDENTIFICATION OF GOODS IS OVER BROAD AND INDEFINITE

The wording “cables” in the identification of goods for International Class 9 must be clarified because it is over broad and indefinite. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03. Specifically, the exact nature and purpose of the goods is unclear. Applicant must therefore clarify this wording by further specifying the exact nature or purpose of the goods.

Applicant may substitute the following wording, if accurate:

Class 9 – “fiber optic cables.”

See TMEP §§1402.01, 1402.03.

Applicant’s goods and/or services may be clarified or limited, but may not be expanded beyond those originally itemized in the application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Applicant may clarify or limit the identification by inserting qualifying language or deleting items to result in a more specific identification; however, applicant may not substitute different goods and/or services or add goods and/or services not found or encompassed by those in the original application or as acceptably amended. *See* TMEP §1402.06(a)-(b). The scope of the goods and/or services sets the outer limit for any changes to the identification and is generally determined by the ordinary meaning of the wording in the identification. TMEP §§1402.06(b), 1402.07(a)-(b). Any acceptable changes to the goods and/or services will further limit scope, and once goods and/or services are deleted, they are not permitted to be reinserted. TMEP §1402.07(e).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO’s online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). *See* TMEP §1402.04.

RESPONSE GUIDELINES

For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see “[Responding to Office Actions](#)” and the informational video “[Response to Office Action](#)” for more information and tips on responding.

Please call or email the assigned trademark examining attorney with questions about this Office action. Although the trademark examining attorney cannot provide legal advice or statements about applicant’s rights, the trademark examining attorney can provide applicant with additional explanation

about the refusals or requirements in this Office action. See TMEP §§705.02, 709.06. Although the USPTO does not accept emails as responses to Office actions, emails can be used for informal communications and will be included in the application record. See 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

To expedite prosecution of the application, applicant is encouraged to file its response to this Office action online via the Trademark Electronic Application System (TEAS), which is available at <http://www.uspto.gov/trademarks/teas/index.jsp>. If applicant has technical questions about the TEAS response to Office action form, applicant can review the electronic filing tips available online at http://www.uspto.gov/trademarks/teas/e_filing_tips.jsp and e-mail technical questions to TEAS@uspto.gov.

WHO IS PERMITTED TO RESPOND TO THIS PROVISIONAL FULL REFUSAL: Any response to this provisional refusal must be personally signed by an individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant (e.g., a corporate officer or general partner). 37 C.F.R. §§2.62(b), 2.193(e)(2)(ii); TMEP §712.01. If applicant hires a qualified U.S. attorney to respond on his or her behalf, then the attorney must sign the response. 37 C.F.R. §§2.193(e)(2)(i), 11.18(a); TMEP §§611.03(b), 712.01. Qualified U.S. attorneys include those in good standing with a bar of the highest court of any U.S. state, the District of Columbia, Puerto Rico, and other U.S. commonwealths or U.S. territories. See 37 C.F.R. §§2.17(a), 2.62(b), 11.1, 11.14(a); TMEP §§602, 712.01. Additionally, for all responses, the proper signatory must personally sign the document or personally enter his or her electronic signature on the electronic filing. See 37 C.F.R. §2.193(a); TMEP §§611.01(b), 611.02. The name of the signatory must also be printed or typed immediately below or adjacent to the signature, or identified elsewhere in the filing. 37 C.F.R. §2.193(d); TMEP §611.01(b).

In general, foreign attorneys are not permitted to represent applicants before the USPTO (e.g., file written communications, authorize an amendment to an application, or submit legal arguments in response to a requirement or refusal). See 37 C.F.R. §11.14(c), (e); TMEP §§602.03-.03(b), 608.01.

DESIGNATION OF DOMESTIC REPRESENTATIVE: The USPTO encourages applicants who do not reside in the United States to designate a domestic representative upon whom any notice or process may be served. TMEP §610; see 15 U.S.C. §§1051(e), 1141h(d); 37 C.F.R. §2.24(a)(1)-(2). Such designations may be filed online at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

/CGJ/

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Law Office 100

Direct Dial: (571) 272-8942

Email: Charles.Joyner@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_form.jsp. Please wait 48-72 hours from the issue/mailed date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.



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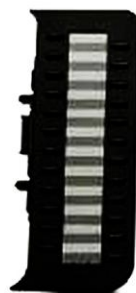
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75294963

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SIMPLEX

Standard Character Mark

No

Registration Number

2230018

Date Registered

1999/03/09

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(1) TYPED DRAWING

Owner

TYCO FIRE & SECURITY GMBH LIMITED LIABILITY COMPANY SWITZERLAND
VICTOR-VON-BRUNS-STR. 21 NEUHAUSEN AM RHEINFALL SWITZERLAND 8212

Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
fire detection, monitoring and alarm systems and accompanying
accessories, namely, network systems, multiplex systems, stand alone
systems, voice communication systems and fire alarm emergency phone
systems, comprising, graphical command centers, manual stations, smoke
detectors and sensors, flame detectors, heat detectors and sensors,
water flow switches, sprinkler supervisory switches, door holders
and/or closures, modems, fiber optic line drivers, alarm communicator
transmitters and receivers, remote station receivers, audible and
visible notification appliances, annunciators, intercoms, CRT monitors
and printers, batteries and charges and transient suppressors; [nurse
call systems and accompanying accessories, namely, audio/visual
signaling and communication systems for use in health care
environments, comprising, nurse master stations, bath stations,
patient room stations, emergency code terminals, monitors, pagers,
intercoms, notification devices, dome lights, and zone lamps; access
control systems and accompanying accessories, namely, computer

servers and work stations, security and facilities management software, network software and communication cards, computers, monitors, keyboards, modems and related peripherals, system controllers, door locks, exit requesters, sensors, switches, contacts, relays, security and access cards, card and coders, card readers, pin key pads, biometric recognition apparatus, power supplies, cabinets and batteries; closed circuit television systems and accompanying accessories, namely, cameras and lenses, video monitors, video switching hardware and software, pan and tilt mechanisms and controllers, video recording hardware and software, housing monitoring devices and related hardware, video transmission hardware and software, and power supplies; intrusion detection systems and accompanying accessories, namely, detection control panels, configuration software, keypad controllers, sensors, switches, contacts and relays, telephone dialing equipment, hardwire and cellular connectors and accessories, central intrusion monitoring stations, audio and visual annunciators, namely, sirens, horns, strobes, and lights; detention control systems and accompanying accessories, namely, computer control head end servers and work stations, and detention logic controllers;] identification systems and accompanying accessories, namely, identification cards, card production systems and associated supplies; time and attendance recorders and processors, time stamp readers, coders and recorders, identification readers, data collection terminals, job cost recorders and time stamps, attendance calculators and recorders, master time control systems, comprising, master clock interfaces and signal control relays; [automated work force management systems, namely, time and attendance computer systems, comprising, time and attendance software, data collection terminals, input devices, namely, badge readers, bar code wand, hand print readers and computer terminals, bar code and magnetic stripe badges and badge accessories, archiving software for time and attendance systems, and scheduling software for time and attendance systems;] sound and communication systems and accompanying accessories, namely, audio, intercom, [telephone and video receivers and transmitters]. First Use: 1902/00/00. First Use In Commerce: 1902/00/00.

Prior Registration(s)

1101276

Filing Date

1997/05/20

Examining Attorney

RAUEN, JAMES A.

Attorney of Record

Rick Comoglio

DESIGN MARK

Serial Number

75294967

Status

REGISTERED AND RENEWED

Word Mark

S SIMPLEX

Standard Character Mark

No

Registration Number

2231449

Date Registered

1999/03/16

Type of Mark

TRADEMARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

TYCO FIRE & SECURITY GMBH LIMITED LIABILITY COMPANY SWITZERLAND
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Goods/Services

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:
fire detection, monitoring and alarm systems and accompanying
accessories, namely, network systems, multiplex systems, stand alone
systems, voice communication systems and fire alarm emergency phone
systems, comprising, graphical command centers, manual stations, smoke
detectors and sensors, flame detectors, heat detectors and sensors,
water flow switches, sprinkler supervisory switches, door holders
and/or closures, modems, fiber optic line drivers, alarm communicator
transmitters and receivers, remote station receivers, audible and
visible notification appliances, annunciators, intercoms, CRT monitors
and printers, batteries and charges and transient suppressors; [nurse
call systems and accompanying accessories, namely, audio/visual
signaling and communication systems for use in health care
environments, comprising, nurse master stations, bath stations,
patient room stations, emergency code terminals, monitors, pagers,
intercoms, notification devices, dome lights, and zone lamps; access
control systems and accompanying accessories, namely, computer

servers and work stations, security and facilities management software, network software and communication cards, computers, monitors, keyboards, modems and related peripherals, system controllers, door locks, exit requesters, sensors, switches, contacts, relays, security and access cards, card and coders, card readers, pin key pads, biometric recognition apparatus, power supplies, cabinets and batteries; closed circuit television systems and accompanying accessories, namely, cameras and lenses, video monitors, video switching hardware and software, pan and tilt mechanisms and controllers, video recording hardware and software, housing monitoring devices and related hardware, video transmission hardware and software, and power supplies; intrusion detection systems and accompanying accessories, namely, detection control panels, configuration software, keypad controllers, sensors, switches, contacts and relays, telephone dialing equipment, hardwire and cellular connectors and accessories, central intrusion monitoring stations, audio and visual annunciators, namely, sirens, horns, strobes, and lights; detention control systems and accompanying accessories, namely, computer control head end servers and work stations, and detention logic controllers; identification systems and accompanying accessories, namely, identification cards, card production systems and associated supplies; time and attendance recorders and processors, time stamp readers, coders and recorders, identification readers, data collection terminals, job cost recorders and time stamps, attendance calculators and recorders, master time control systems, comprising, master clock interfaces and signal control relays; automated work force management systems, namely, time and attendance computer systems, comprising, time and attendance software, data collection terminals, input devices, namely, badge readers, bar code wand, hand print readers and computer terminals, bar code and magnetic stripe badges and badge accessories, archiving software for time and attendance systems, and scheduling software for time and attendance systems; sound and communication systems and accompanying accessories, namely, audio, intercom, telephone and video receivers and transmitters]. First Use: 1995/01/00. First Use In Commerce: 1995/01/00.

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1099267;1101276

Description of Mark

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Rick Comoglio

Σ Simplex



SINCE 1828

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fire

DICTIONARY

THESAURUS



x



fire noun, often attributive

ˈfɪr(ə)r

Definition of fire (Entry 1 of 4)

- 1 a (1) : the phenomenon of combustion manifested in light, flame, and heat
(2) : one of the four elements of the alchemists
// air, water, fire, and earth
b (1) : burning passion : ARDOR
// young lovers with their hearts full of fire
(2) : liveliness of imagination : INSPIRATION
// the force and fire of his oratory
- 2 a : fuel in a state of combustion (as on a hearth)
// warmed his hands at the crackling fire
b British : a small gas or electric space heater
- 3 a : a destructive burning (as of a building)
// The shack was destroyed by a fire.
b (1) : death or torture by fire
// He confessed under threat of the fire.
(2) : severe trial or ordeal
// He had proved himself in the fire of battle.
- 4 : BRILLIANCY, LUMINOSITY
// the fire of a gem
- 5 a : the firing of weapons (such as firearms, artillery, or missiles)
// The troops were ordered to **cease fire**. [=stop shooting]
// They **opened fire on** [=began shooting at] the enemy.
also : the bullets, shells, etc., that are discharged
// The soldiers endured heavy fire.

WORD OF THE DAY

largesse

liberal giving or generosity

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Challenging Vocabulary Quiz



Which is a synonym of calamitate?

misery

misfortune

luck

accelerate

— see also FRIENDLY FIRE

b : intense verbal attack or criticism

// His remarks have provoked heavy fire from his political opponents

c : a rapidly delivered series (93 of remarks):

finance, insurance, and real estate

Fire biographical name

Fire *ˈfɪər*

Definition of *Fire* (Entry 4 of 4)

Andrew Zachary 1959– American geneticist

↓ Other Words from *fire*

↓ Synonyms

↓ More Example Sentences

↓ Learn More about *fire*

Other Words from *fire*

Noun

fireless *ˈfɪər-ləs* adjective

Verb

fireable *ˈfɪər-ə-bəl* adjective

firer noun

Synonyms for *fire*

Synonyms: Noun

conflagration, holocaust, inferno

Synonyms: Verb

blast, discharge, loose, shoot, squeeze off

[Visit the Thesaurus for More](#)

Examples of *fire* in a sentence

Noun

// Stay away from the *fire*.

// The shack was destroyed by a *fire*.

[See More](#) ➞

Recent Examples on the Web: Noun

// Security returned *fire* and Roberson detained the man.

—Pat Lockhart, *Vox*, "A black security guard caught a shooting suspect — only to be shot by police minutes later," 25 Jan. 2019

// Unfortunately, using *Windows 7* after support expires is playing with *fire*.

—Mark Hachman, *PCWorld*, "For some, the glory days of Microsoft are ending in about a year," 18 Jan. 2019

These example sentences are selected automatically from various online news sources to reflect current usage of the word 'fire.' Views expressed in the examples do not represent the opinion of Norman Webster or its editors. Send us feedback.

[See More](#) ➞

First Known Use of *fire*

Noun

before the 12th century, in the meaning defined at sense 1a(1)

Verb

13th century, in the meaning defined at transitive sense 1b(1)

History and Etymology for *fire*

Noun and Verb

Middle English, from Old English *fȳr*: akin to Old High German *fūr* 'fire', Greek *pyr*

Learn More about *fire*

[Share *fire*](#)

[Resources for *fire*](#)

Share *fire*



Resources for *fire*



From the Editors at Merriam-Webster



'Nail-Biter', 'Battleground State', and 7 More Words from Your Newsfeed

The history behind 9 words from the news

Dictionary Entries near *fire*

fir club moss

Firdawsī

FIRE

fire

Fire

fire agriculture

fire alarm

Statistics for *fire*

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Time Traveler for *fire*

The first known use of *fire* was before the 12th century

See more words from the same century

More Definitions for *fire*

fire **noun**



English Language Learners Definition of *fire* (Entry 1 of 2)

: the light and heat and especially the flame produced by burning

: an occurrence in which something burns : the destruction of something (such as a building or a forest) by fire

: a controlled occurrence of fire created by burning something (such as wood or gas) in a special area (such as in a fireplace or stove)

fire verb

English Language Learners Definition of *fire* (Entry 2 of 2)

: to shoot a weapon

: to throw (something) with speed and force

: to give life or energy to (something or someone)

See the full definition for *fire* in the English Language Learners Dictionary

fire noun

ˈfɪr

Kids Definition of *fire* (Entry 1 of 2)

1 : the light and heat and especially the flame produced by burning

2 : fuel that is burning in a controlled setting (as in a fireplace)

3 : the destructive burning of something (as a building)

4 : the shooting of weapons

// rifle fire

5 : ENTHUSIASM

on fire

: actively burning

under fire

- 1 : exposed to the firing of enemy guns
- 2 : under attack

fire verb

fired; firing

Kids Definition of fire (Entry 2 of 2)

- 1 : SHOOT entry 1 sense 2
// fire a gun
- 2 : to dismiss from employment
// He was fired from his job.
- 3 : EXCITE sense 1. STIR
// It's a story to fire the imagination.
- 4 : to subject to great heat
// fire pottery
- 5 : to set off : EXPLODE
// fire a firecracker
- 6 : to set on fire
// They carelessly fired the barn.

fire noun, often attributive

ˈfaɪə(r) 🔊

Medical Definition of fire (Entry 1 of 2)

: fever or inflammation especially from a disease

fire verb

fired; firing

Medical Definition of *fire* (Entry 2 of 2)

transitive verb

- 1 : to cause to transmit a nerve impulse
- 2 : to sear (the leg of a horse) with a hot iron in order to convert a crippling chronic inflammation into an acute inflammation that will stimulate the natural healing responses of the body

intransitive verb

: to transmit a nerve impulse

// the rate at which a neuron *fires*

More from Merriam-Webster on *fire*

Rhyming Dictionary: Words that rhyme with *fire*

Thesaurus: All synonyms and antonyms for *fire*

Spanish Central: Translation of *fire*

English: Translation of *fire* for Spanish Speakers

Britannica English: Translation of *fire* for Arabic Speakers

Britannica.com: Encyclopedia article about *fire*

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The Good, The Bad, & The Semantically Imprecise
2/1/19

Words from the week
of 2/1/2019



**New England vs. Los Angeles:
A Battle of Words | Boston vs.
LA Regionalisms**

East/west
regionalisms: Super



**A Journey Around the House
in 8 Words**

Fancy names for
common parts



**'Piano': Its Name Is Only Half
the Story**

The soft and loud of it

ASK THE EDITORS



**Some Odd Words with ISMO:
"Junk in the Trunk"**

Comedian ISMO on
what separates a boot



**Some Odd Words with ISMO:
"People Tipping"**

Comedian ISMO on the
complexities of the



Literally

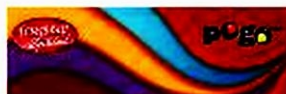
How to use a word that
(literally) drives some



**Is Singular 'They' a Better
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The awkward case of
'his or her'

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resistance

DICTIONARY

THESAURUS

X



SAVINGS AROUND THE CORNER



GEICO
NOVA

Find an agent

resistance noun

re-sis-tance | ˈrɪ-zɪ-stən(t)s

Definition of *resistance* (Entry 1 of 2)

- 1 **a** : an act or instance of resisting : OPPOSITION
b : a means of resisting
- 2 : the power or capacity to resist: such as
 - a** : the inherent ability of an organism to resist harmful influences (such as disease, toxic agents, or infection)
 - b** : the capacity of a species or strain of microorganism to survive exposure to a toxic agent (such as a drug) formerly effective against it
- 3 : an opposing or retarding force
- 4 **a** : the opposition offered by a body or substance to the passage through it of a steady electric current
b : a source of resistance
- 5 : a psychological defense mechanism wherein a patient rejects, denies, or otherwise opposes the therapeutic efforts of a psychotherapist
- 6 *often capitalized* : an underground organization of a conquered or nearly conquered country engaging in sabotage and secret operations against occupation forces and collaborators

resistance adjective



WORD OF THE DAY

largesse

liberal giving or generosity

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Challenging Words Quiz



Which is a synonym of calamitate?

calamitate calamitate calamitate calamitate

Definition of *resistance* (Entry 2 of 2)

: of, relating to, or being exercise involving pushing or pulling against a source of resistance (such as a weight) to increase strength
// resistance training

↓ **Synonyms & Antonyms**

↓ **Example Sentences**

↓ **Learn More about *resistance***

Synonyms & Antonyms for *resistance*

Synonyms: Noun

defiance, opposition

Antonyms: Noun

acquiescence

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Examples of *resistance* in a Sentence

Noun

// They have shown a stubborn *resistance* to change.

// The troops met heavy *resistance* as they approached the city.

[See More](#)

Recent Examples on the Web: Noun

// Adding a *resistance* band around your feet, like Tookes and Skriver do, intensifies the work.

— [Katie Couric](#), ["How to Get a Flat Stomach: 10 Tips From a Personal Trainer"](#), *Real Simple*, 2018

— [Katie Couric](#), ["How to Get a Flat Stomach: 10 Tips From a Personal Trainer"](#), *Real Simple*, 2018

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- 1 **squall**
Snow moves through Northeast
- 2 **vortex**
Polar vortex hits Midwest
- 3 **assimilation**
Bakewell apologizes for comm

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[See All](#)

— Leah Pinnzelli, SELF, "Why You Should Add a Resistance Band to Bicycle Crunches Like Joga," 17 Jan. 2018

// Those in the Trump resistance movement, though, see the shuttering of the brand as a victory.

Charlie Fisher, Vox, "A breakdown of this year's brand winners and losers," 27 Dec. 2016

These example sentences are selected automatically from various online news sources to reflect current usage of the word 'resistance.' Views expressed in the examples do not represent the opinion of Merriam-Webster or its editors. Send us feedback.

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First Known Use of *resistance*

Noun

14th century, in the meaning defined at sense 1a

Adjective

1976, in the meaning defined above

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Share *resistance*



Resources for *resistance*



Dictionary Entries near *resistance*

resiny
resipiscence
resist
resistance
resistance box
resistance coil

Phrases Related to *resistance*

offer resistance
take/follow the path/line of least resistance



resistance coil

resistance derivatives

Statistics for *resistance*

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Time Traveler for *resistance*

The first known use of *resistance* was in the 14th century

See more words from the same century

More Definitions for *resistance*

resistance noun

Financial Definition of *resistance*

What It Is

In technical trading analysis, **resistance** is an upper limit in a price channel in which a security's price tends to stay.

How It Works

Price channels can slope up (indicating bullish sentiment) or down (indicating bearish sentiment); they don't have to simply go "sideways." The important geometric characteristic is that the resistance lines and support lines (the opposite of the resistance) are parallel, as shown in this price channel for ChevronTexaco (CVX). The channel lines themselves are often based on multiday moving averages or logarithmic scales that reflect price movements in percentage terms. However, technical trading is as much an art as it is a science, and so one technical trader's price channel might be different from another's.

When a stock's price touches the resistance, this may signal a trend change, which is why resistance levels are very important to technical traders.





Why It Matters

Price channels help tip traders off about trend changes in a stock or "unusual" activity when the price goes above or below the price channel lines (we call this a breakout). For example, a technical trader might sell when a stock hits resistance on a downward-sloping channel.

Source: [InvestingAnswers](#)



resistance noun



English Language Learners Definition of *resistance*

- : refusal to accept something new or different
- : effort made to stop or to fight against someone or something
- : the ability to prevent something from having an effect

See the full definition for *resistance* in the English Language Learners Dictionary

resistance noun

resistance / ˌrɪz.ɪˈstəns /

re-sis-tance | ˌrɪˈzɪ-stəns ⓘ

Kids Definition of *resistance*

- 1 : an act or instance of opposing
- 2 : the ability to withstand the force or effect of
// *resistance to disease*
- 3 : an opposing or slowing force
// *The car's sleek design reduces wind resistance.*
- 4 : the opposition offered by a substance to the passage through it of an electric current



resistance noun

re-sis-tance | ˌrɪˈzɪs-tən(t)s ⓘ

Medical Definition of *resistance*

- 1
 - a : power or capacity to resist
especially : the inherent ability of an organism to resist harmful influences (as disease, toxic agents, or infection)
 - b : the capacity of a species or strain of microorganism to survive exposure to a toxic agent (as a drug) formerly effective against it due to genetic mutation and selection for and accumulation of genes conferring protection from the agent *especially* as a result of overuse of the agent which selectively destroys individual microorganisms lacking the protective genes
- 2
 - a : the opposition offered by a body to the passage through it of a steady electric current
 - b : opposition or impediment to the flow of a fluid (as blood or respiratory gases) through one or more passages
— *see* VASCULAR RESISTANCE
- 3 : a psychological defense mechanism wherein a psychoanalysis patient rejects, denies, or otherwise opposes therapeutic efforts by the analyst

...and, of course, it's a good idea to be skeptical of the evidence.

More from Merriam-Webster on *resistance*

Rhyming Dictionary: Words that rhyme with *resistance*

Thesaurus: All synonyms and antonyms for *resistance*

Spanish Central: Translation of *resistance*

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DICTIONARY | THESAURUS



cable noun, often attributive

cable | ˈka-bəl

Definition of *cable* (Entry 1 of 3)

- a** : a strong rope especially of 10 inches (25 centimeters) or more in circumference

b : a cable-laid rope

c : a wire rope or metal chain of great tensile strength

d : a wire or wire rope by which force is exerted to control or operate a mechanism
- : CABLE LENGTH
- a** : an assembly of electrical conductors insulated from each other but laid up together (as by being twisted around a central core)

b : CABLEGRAM

also : a radio message or telegram
- : something resembling or fashioned like a cable
// a fiber-optic cable
- a** : CABLE TELEVISION

// a house with cable

b : a cable infrastructure used to provide services other than television —often used before another noun

// cable Internet

// cable telephony



WORD OF THE DAY

largesse

liberal giving or generosity

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Challenging Words Quiz



Which is a synonym of calamitate?

cable verb

cabled; cabling ˈkɑːb(ə-)lɪŋ ⓘ

Definition of cable (Entry 2 of 3)

transitive verb

- 1 : to fasten with or as if with a cable
- 2 : to provide with a cable or cables
- 3 : to telegraph by submarine cable
- 4 : to make into a cable or into a form resembling a cable

intransitive verb

: to communicate by a submarine cable

Cable biographical name

Cable | ˈkɑːbəl ⓘ

Definition of Cable (Entry 3 of 3)

George Washington 1844–1925 American novelist

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Other Words from cable

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Snow moves through Northeast
- 2 vortex
Polar vortex hits Midwest
- 3 assimilation
Brokaw apologizes for comment

SEE ALL »



Learn More

Verb

cabler ˈkɑːb(ə)lɪər *noun*

Synonyms for *cable*

Synonyms: Noun

cord, lace, lacing, line, rope, string, wire

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Examples of *cable* in a Sentence

Noun

// The bridge is held up by *cables*.

// Their company supplied *cable* for the project.

[See More](#)

Recent Examples on the Web: Noun

// Critics howled during the early days of the campaign, when cable news carried Trump's rallies live and uninterrupted.

— Isaac Stanley-Becker, *The Seattle Times*, "Critics demand networks fact-check Trump's live immigration speech," 8 Jan. 2019

// For the third year in a row, NBC has teamed up with Verizon to provide those without a cable TV subscription 360-degree live stream coverage of the parade.

Christa Williams, *Country Living*, "How to Watch and Live Stream the Macy's Thanksgiving Day Parade," 14 Nov. 2016

These example sentences are selected automatically from various online news sources to reflect current usage of the word 'cable.' Views expressed in the examples do not represent the opinion of Cambridge Dictionary or its licensors. Send us feedback.

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First Known Use of *cable*



FIRST KNOWN USE OF *cable*

Noun

13th century, in the meaning defined at sense 1a

Verb

circa 1500, in the meaning defined at transitive sense 1

History and Etymology for *cable*

Noun

Middle English, from Anglo-French, from Medieval Latin *capulum* lasso, from Latin *capere* to take — more at HEAVE

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Dictionary Entries near *cable*

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cabin
Cabini
cable
Cable
cable's length
cable address

Phrases Related to *cable*

cable box

Statistics for *cable*

Last Updated

24 Jan 2019

Look-up Popularity

Bottom 40% of words

Time Traveler for *cable*

The first known use of *cable* was in the 13th century

See more words from the same century



More Definitions for *cable*

cable **noun**



English Language Learners Definition of *cable* (Entry 1 of 2)

: a thick, strong rope made of wires that are twisted together

: a wire that moves a part in a machine

: a group of wires, glass fibers, etc., covered in plastic or rubber and used to carry electricity or electrical signals

cable verb

English Language Learners Definition of *cable* (Entry 2 of 2)

: to send a message by telegraph

See the full definition for *cable* in the English Language Learners Dictionary

cable noun

cable | \ ˈkɑ-bəl |

Kids Definition of *cable* (Entry 1 of 2)

- 1 : a very strong rope, wire, or chain
- 2 : a bundle of wires to carry electric current
- 3 : TELEGRAM
- 4 : CABLE TELEVISION

cable verb

cabled; cabling

Kids Definition of *cable* (Entry 2 of 2)

: to send a message by telegraph
// She *cabled* the news to her parents.



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The awkward case of 'his or her'

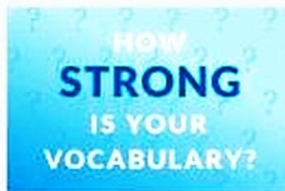
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WORD OF THE DAY

largesse

liberal giving or generosity

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heel

accidents

ament

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UK abbreviation

Kids Definition of *UK*

United Kingdom

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Snow moves through Northeast
- 2 **vortex**
Polar vortex hits Midwest
- 3 **assimilation**
Brokaw apologizes for comment

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Installation cable

Control and instrumentation cable

Fire-resistant cable

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Advanced search

Home - Fire-resistant cables

Fire-resistant cable

Fire Alarm Cable FRHF
300/500 V

Installation cable FRHF
450/750 V

Control cable FRHF
450/750 V

Fire-resistant cables

Fire-resistant Flamerex cables from Reka Cables are suitable for applications where power supply needs to be secured, also during a fire. Fire-resistant cables are halogen-free, and do not

FlameRex



Fire Alarm Cable FRHF 300/500 V »

The cables specified in this technical specification are primarily intended for use in emergency lighting, fire detection and fire alarm system circuits.



Installation cable FRHF 450/750 V »

For fixed installation indoors and outdoors, not to be laid directly in soil nor in road concrete.

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Control cable FRHF 450/750 V »

Cables may be used for fixed installation in measuring, control and signalling circuits, indoor, outdoor, on surface, in conduits.

EMC Power Cable FRHF-EMC 0,6/1 (1,2) kV »

Cables may be used for fixed installations, indoor, outdoor and in soil.

During a fire, the cable maintains its operating capacity thanks to the non-flammable and insulating mica band wrapped over copper conductors. In addition, fire-resistant cables generate only a small amount of smoke and do

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sake of safety, it is required that alarm, control, signal and energy supply systems operate in case of a fire.

0 1 2 0 2 2 0 0 1 2 1 0 7 PM

Reka Cables offers fire-resistant installation cables, power cables, EMC power cables and signal cables. All accessories used in the installation of fire-resistant cables must also be fire-resistant.

Fire-resistant Flamerex cables are intended for fixed surface and flush mounting, also in wet conditions, both indoors and outdoors. It is recommended that they are used in areas where the cable needs to remain operational during a fire, and that are crowded and are difficult to evacuate. If a fire-resistant cable is equipped with a concentric conductor, it is also suitable for ground installation.

Our fire-resistant cables are also halogen-free and generate only a small amount of smoke during fire. For cable, being fire-resistant and halogen-free, are highly important, but separate and independent properties that are tested

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installation have increased. New applications include hospitals and other treatment facilities where the fire-resistance and non-use of halogen in installation equipment offers significant benefits in case of a fire. Uninterrupted power supply is a precondition for the success of many treatment procedures. To facilitate installation, we have prepared separate installation instructions for fire-resistant cables. By following these instructions, you can rely on the functionality of the installation, also during a fire.

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