

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of

Trademark Application Serial Nos. 76/035,136 and 76/035,135

Marks: INTUITOUCH and INTUIVISION

Intuit Inc.)	
)	
vs.)	Consolidated Opposition Nos.
)	91/124,742 and 91/124,758
Interlink Electronics, Inc.)	
Applicant)	

Express Mail mailing label No. <u>EV51844481US</u>	
Date of Deposit <u>8/14/06</u>	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Trademark, P.O. Box 1451, Alexandria, Virginia 22313-1451.	
<u>Phyllis O'Sullivan</u>	
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(Signature of Person Mailing Paper or Fee)	

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P.O. Box 1451
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OPPOSER'S NOTICE OF RELIANCE
PURSUANT TO RULE 2.120(e) ON OFFICIAL RECORDS

Pursuant to Rule 2.122(e) of the Trademark Rules of Practice, Intuit Inc. ("Opposer") hereby submits this Notice of Reliance in regard to Opposer's rebuttal testimony. Opposer hereby makes of record in this proceeding the following notices and orders from proceedings at the Trademark Trial and Appeal Board which are official U.S. Patent and Trademark Office records and are relevant in this proceeding:

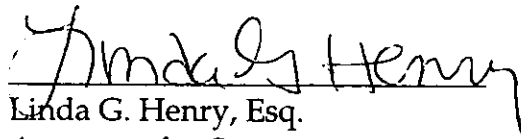
Tab	Description of Materials
1	Stipulated Motion to Extend and Reset Testimony Periods Pursuant to Settlement Agreement in Opposition No. 94,134.

- 2 Withdrawal of Notice of Opposition Pursuant to Settlement Agreement in
Opposition No. 94,134.
- 3 Request for Second Extension of Time to File Notice of Opposition against
Application Serial No. 76/273,264.
- 4 Order Granting Request to Extend Time to Oppose Application Serial No.
76/273264.
- 5 First 90 Day Request for Extension of Time to Oppose for Good Cause Against
Application Serial No. 78265513.
- 6 Order Granting Request to Extend Time to Oppose Application Serial No.
78265513.
- 7 Order Denying Applicant's Motion for Partial Summary Judgment (to dispute
fame of INTUIT mark) in Opposition No. 91/157414

The foregoing materials are relevant evidence of the facts alleged in the Notice of Opposition including, without limitation, the facts alleged in Paragraphs 2 and 3, and are relevant evidence to counter Applicant's Notice of Reliance Pursuant to Rule 2.122(e) on Printed Publications and Applicant's Notice of Reliance Pursuant to Rule 2.122(e) on Official Records. In particular, the materials underscore the strength of Opposer's mark and that a likelihood of confusion exists between Opposer's INTUIT mark and Applicant's INTUITOUCH and INTUIVISION marks. Accordingly, the materials are admissible pursuant to Rule 2.122(e).

Opposer's submission of the foregoing material is without prejudice to Opposer's right to object to its use by Applicant pursuant to the Federal Rules of Evidence, Board rules and procedures, Board precedent, and general federal common law.

Dated: August 14, 2006


Linda G. Henry, Esq.
Attorneys for Opposer
FENWICK & WEST
Silicon Valley Center
801 California Street
Mountain View, CA 94041
(650) 988-8500

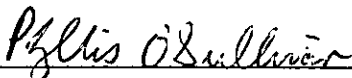
PROOF OF SERVICE BY MAIL

I declare that:

I am employed in the County of Santa Clara, California. I am over the age of eighteen years and not a party to the within cause; my business address is Silicon Valley Center, 801 California Street, Mountain View, CA 94041. On August 14, 2006, I served the within OPPOSER'S NOTICE OF RELIANCE PURSUANT RULE 2.120(e) ON OFFICIAL RECORDS, on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Mark A. Cantor, Esq.
Anessa O. Kramer, Esq.
Brooks & Kushman P.C.
1000 Town Center
Twenty-Second Floor
Southfield, Michigan 48075

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 14 day of August, 2006.



Phyllis O'Sullivan

20797/00070/DOCS/1648086.1

TAB 1

C

TTAB

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL
AND APPEAL BOARD

In the matter of
Trademark Application Serial No. 74/410,846
Mark: INTUITY

TRADEMARK TRIAL AND
APPEAL BOARD
07-24-2002
AUG 2 AM 8:33
U.S. Patent & TMO/TM Mail Room

INTUIT INC.

Opposer,

vs.

Opposition No. 94,134

AVAYA INC.

(by assignment from Lucent Technologies, Inc.)
Applicant.

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Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

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7/22/02

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Phyllis O'Sullivan
(Type or Print Name of Person Mailing Paper or Fee)

Phyllis O'Sullivan
(Signature of Person Mailing Paper or Fee)

STIPULATED MOTION TO EXTEND AND RESET
TESTIMONY PERIODS

Sir:

Opposer, INTUIT INC., by and through its attorneys, hereby moves the Trademark Trial and Appeal Board for an order that the discovery and testimony periods set in the above-entitled matter be extended for a period of sixty (60) days and reset as follows:

Testimony period for party in position
of plaintiff to close (opening 30 days
prior thereto)

September 21, 2002

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