

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

|   |
|---|
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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. |

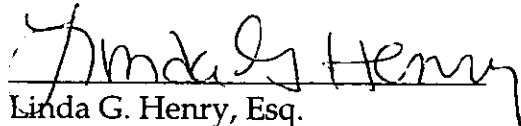


- 2 Withdrawal of Notice of Opposition Pursuant to Settlement Agreement in Opposition No. 94,134.
- 3 Request for Second Extension of Time to File Notice of Opposition against Application Serial No. 76/273,264.
- 4 Order Granting Request to Extend Time to Oppose Application Serial No. 76/273264.
- 5 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

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**TAB 1**



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