

Generated on: This page was generated by TSDR on 2025-07-19 18:44:35 EDT

Mark: MOVIE CUBE



US Serial Number: 77144031

Application Filing Mar. 29, 2007

Date:

US Registration 3432306  
Number:

Registration Date: May 20, 2008

Register: Principal

Mark Type: Service Mark

TM5 Common Status  
Descriptor:



DEAD/REGISTRATION/Cancelled/Invalidated

The trademark application was registered, but subsequently it was cancelled or invalidated and removed from the registry.

Status: Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Dec. 26, 2014

Publication Date: Oct. 16, 2007 Notice of Allowance Date: Jan. 08, 2008

Date Cancelled: Dec. 26, 2014

## Mark Information

Mark Literal MOVIE CUBE  
Elements:

Standard Character No  
Claim:

Mark Drawing 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S) /NUMBER(S)  
Type:

Description of Mark: The mark consists of word "MOVIE" with a three dimensional cube as the letter "O" above the word "CUBE".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Disclaimer: "MOVIE"

Design Search 26.19.25 - Geometric solids other than spheres, cylinders, cones, cube, prisms or pyramids  
Code(s): 27.03.01 - Geometric figures forming letters, numerals or punctuation

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

For: rental of DVDs, videotapes and motion pictures

International 041 - Primary Class  
Class(es):

U.S Class(es): 100, 101, 107

Class Status: SECTION 8 - CANCELLED

First Use: Apr. 16, 2007

Use in Commerce: Apr. 16, 2007

## Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: REDBOX AUTOMATED RETAIL, LLC

Owner Address: ONE TOWER LANE, SUITE 1200  
OAKBROOK TERRACE, ILLINOIS UNITED STATES 60181

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE  
Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Jason S. Howell

Docket Number: 72292.4000.0

Attorney Primary: [pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)  
Email Address:

Attorney Email: Yes  
Authorized:

### Correspondent

Correspondent: Jason S. Howell

Name/Address: Perkins Coie LLP  
1201 Third Avenue, Suite 4900  
Seattle, WASHINGTON UNITED STATES 98101

Phone: (206) 359-8000

Fax: (206) 359-9000

Correspondent e-: [pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)  
mail:

Correspondent e-: Yes  
mail Authorized:

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 26, 2014	CANCELLED SEC. 8 (6-YR)	
Jul. 18, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 09, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 09, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 07, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 07, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 15, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 20, 2008	REGISTERED-PRINCIPAL REGISTER	
Apr. 16, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	
Apr. 10, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 04, 2008	STATEMENT OF USE PROCESSING COMPLETE	
Mar. 17, 2008	USE AMENDMENT FILED	
Mar. 17, 2008	TEAS STATEMENT OF USE RECEIVED	
Jan. 08, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 16, 2007	PUBLISHED FOR OPPOSITION	
Sep. 26, 2007	NOTICE OF PUBLICATION	
Sep. 11, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Sep. 10, 2007	ASSIGNED TO LIE	
Aug. 02, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 02, 2007	EXAMINER'S AMENDMENT ENTERED	
Aug. 02, 2007	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	
Aug. 02, 2007	EXAMINERS AMENDMENT E-MAILED	
Aug. 02, 2007	EXAMINERS AMENDMENT -WRITTEN	
Jul. 26, 2007	TEAS/EMAIL CORRESPONDENCE ENTERED	
Jul. 25, 2007	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Jul. 25, 2007 TEAS RESPONSE TO OFFICE ACTION RECEIVED  
Jun. 22, 2007 NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED  
Jun. 22, 2007 EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED  
Jun. 22, 2007 EXAMINER'S AMENDMENT AND/OR PRIORITY ACTION - COMPLETED  
Jun. 04, 2007 ASSIGNED TO EXAMINER  
Apr. 04, 2007 NOTICE OF DESIGN SEARCH CODE MAILED  
Apr. 03, 2007 NEW APPLICATION ENTERED

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 16, 2008

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 4

Registrant: The New Release

### Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4023/0284](#)

Pages: 4

Date Recorded: Jul. 13, 2009

Supporting [assignment-tm-4023-0284.pdf](#)  
Documents:

#### Assignor

Name: [THE NEW RELEASE](#)

Execution Date: May 01, 2009

Legal Entity Type: LIMITED PARTNERSHIP

State or Country TEXAS

Where Organized:

#### Assignee

Name: [NCR CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country MARYLAND

Where Organized:

Address: 1700 S. PATTERSON BLVD.  
DAYTON, OHIO 45479

#### Correspondent

Correspondent SHIRLEY A BYRD  
Name:

Correspondent 1700 S. PATTERSON BLVD.  
Address: WHQ-3E  
DAYTON, OH 45479

#### Domestic Representative - Not Found

### Assignment 2 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4819/0987](#)

Pages: 4

Date Recorded: Jul. 12, 2012

Supporting [assignment-tm-4819-0987.pdf](#)  
Documents:

#### Assignor

Name: [NCR CORPORATION](#)

Execution Date: Jun. 22, 2012

Legal Entity Type: CORPORATION

State or Country MARYLAND

Where Organized:

#### Assignee

Name: [REDBOX AUTOMATED RETAIL, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE

Where Organized:

**Address:** ONE TOWER LANE, SUITE 1200  
OAKBROOK TERRACE, ILLINOIS 60181

**Correspondent**

**Correspondent** JASON S. HOWELL, C/O PERKINS COIE LLP  
**Name:**

**Correspondent** 1201 THIRD AVENUE, SUITE 4900  
**Address:** SEATTLE, WA 98101

**Domestic Representative - Not Found**

**Assignment 3 of 4**

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [5310/0031](#)

**Pages:** 7

**Date Recorded:** Jun. 26, 2014

**Supporting Documents:** [assignment-tm-5310-0031.pdf](#)

**Assignor**

**Name:** [REDBOX AUTOMATED RETAIL, LLC](#)

**Execution Date:** Jun. 24, 2014

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** DELAWARE  
**Where Organized:**

**Assignee**

**Name:** [BANK OF AMERICA, N.A.](#)

**Legal Entity Type:** NATIONAL ASSOCIATION

**State or Country** UNITED STATES  
**Where Organized:**

**Address:** 901 MAIN STREET  
DALLAS, TEXAS 75202

**Correspondent**

**Correspondent** HAYNES AND BOONE, LLP  
**Name:**

**Correspondent** 2323 VICTORY AVENUE, SUITE 700  
**Address:** GAVIN GEORGE  
DALLAS, TX 75219

**Domestic Representative - Not Found**

**Assignment 4 of 4**

**Conveyance:** RELEASE OF INTELLECTUAL PROPERTY SECURITY INTEREST

**Reel/Frame:** [5885/0636](#)

**Pages:** 16

**Date Recorded:** Sep. 27, 2016

**Supporting Documents:** [assignment-tm-5885-0636.pdf](#)

**Assignor**

**Name:** [BANK OF AMERICA, N.A.](#)

**Execution Date:** Sep. 27, 2016

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

**State or Country** UNITED STATES  
**Where Organized:**

**Assignee**

**Name:** [REDBOX AUTOMATED RETAIL, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** DELAWARE  
**Where Organized:**

**Address:** ONE TOWER LANE, SUITE 900  
OAKBROOK TERRACE, ILLINOIS 60181

**Correspondent**

**Correspondent** VENISA DARK, HAYNES AND BOONE LLP  
**Name:**

**Correspondent** 2323 VICTORY AVENUE, SUITE 700  
**Address:** DALLAS, TX 75219

**Domestic Representative - Not Found**

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77144031
<b>REGISTRATION NUMBER</b>	3432306
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 113
<b>ATTORNEY DOCKET NUMBER</b>	72292.4000.0009.US001
<b>MARK SECTION</b>	
<b>MARK</b>	MOVIE CUBE (stylized and/or with design)
<b>NEW ATTORNEY ADDRESS</b>	
<b>STATEMENT TEXT</b>	By submission of this request, the undersigned REVOKEs the power of attorney currently of record, as listed above, and hereby APPOINTs the following new attorney:
<b>NAME</b>	Jason S. Howell
<b>FIRM NAME</b>	Perkins Coie LLP
<b>STREET</b>	1201 Third Avenue, Suite 4900
<b>CITY</b>	Seattle
<b>STATE</b>	Washington
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	98101
<b>PHONE</b>	(206) 359-8000
<b>FAX</b>	(206) 359-9000
<b>EMAIL</b>	pctrademarks@perkinscoie.com
<b>ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>ATTORNEY DOCKET NUMBER</b>	72292.4000.0009.US001
<b>NEW OTHER APPOINTED ATTORNEYS</b>	Lynne E. Graybeal, Heidi L. Sachs, Grace Han Stanton, James L. Vana, Kathleen J. Buckley, Julianne A. Henley, Elizabeth A. Kristoferson, Makalika D. Naholowaa, Jeffrey A. Nelson, Lisa T. Oratz, Andrea M. Sander, Sarah J. Taylor, and Robert G. Woolston
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NAME</b>	Jason S. Howell
<b>FIRM NAME</b>	Perkins Coie LLP
<b>STREET</b>	1201 Third Avenue, Suite 4900
<b>CITY</b>	Seattle
<b>STATE</b>	Washington

COUNTRY	United States
POSTAL/ZIP CODE	98101
PHONE	(206) 359-8000
FAX	(206) 359-9000
EMAIL	pctrademarks@perkinscoie.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES

#### SIGNATURE SECTION

SIGNATORY FILE	
ORIGINAL PDF FILE	<a href="#">hw_198221004-180803531_.NCR_to_Redbox_POA.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\\EXPORT16\\IMAGEOUT16\\771\\440\\77144031\\xml1\\RAA0002.JPG</a>
SIGNATORY NAME	Donald R. Rench
SIGNATORY POSITION	Vice President
SIGNATORY PHONE NUMBER	N/A

#### FILING INFORMATION SECTION

SUBMIT DATE	Mon Jul 09 20:03:24 EDT 2012
TEAS STAMP	USPTO/RAA-XXX.XX.XXX.X-20 120709200324800927-780278 62-4908d1a90913cf014fba4e a2d383883f40-N/A-N/A-2012 0709194742603144

---

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

To the Commissioner for Trademarks:

**MARK:** MOVIE CUBE (stylized and/or with design)

**SERIAL NUMBER:** 77144031

**REGISTRATION NUMBER:** 3432306

**ATTORNEY DOCKET NUMBER** 72292.4000.0009.US001

### Original Correspondence Address :

PAUL W. MARTIN  
700 BUILDING  
3097 SATELLITE BOULEVARD  
DULUTH Georgia 30096  
US  
678.808.5231  
404.487.8949  
ptomail.law@ncr.com;paul.w.martin@ncr.com;tammy.brackett@ncr.com

By submission of this request, the undersigned REVOKEs the power of attorney currently of record, as listed above, and hereby APPOINTs the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

### Newly Appointed Attorney:

Jason S. Howell  
Perkins Coie LLP  
1201 Third Avenue, Suite 4900  
Seattle, Washington 98101  
United States  
(206) 359-8000  
(206) 359-9000  
pctrademarks@perkinscoie.com  
72292.4000.0009.US001

### Other Appointed Attorneys:

Lynne E. Graybeal, Heidi L. Sachs, Grace Han Stanton, James L. Vana, Kathleen J. Buckley, Julianne A. Henley, Elizabeth A. Kristoferson, Makalika D. Naholowaa, Jeffrey A. Nelson, Lisa T. Oratz, Andrea M. Sander, Sarah J. Taylor, and Robert G. Woolston

### The following is to be used as the correspondence address:

Jason S. Howell  
Perkins Coie LLP  
1201 Third Avenue, Suite 4900  
Seattle, Washington 98101  
United States  
(206) 359-8000  
(206) 359-9000  
pctrademarks@perkinscoie.com

### Original PDF file:

[hw\\_198221004-180803531\\_.NCR\\_to\\_Redbox\\_POA.pdf](hw_198221004-180803531_.NCR_to_Redbox_POA.pdf)

**Converted PDF file(s) (1 page)**

[Signature File1](#)

Signatory's Name: Donald R. Rench

Signatory's Position: Vice President

Signatory's Phone Number: N/A

Serial Number: 77144031

Internet Transmission Date: Mon Jul 09 20:03:24 EDT 2012

TEAS Stamp: USPTO/RAA-XXX.XX.XXX.X-20120709200324800

927-78027862-4908d1a90913cf014fba4ea2d38

3883f40-N/A-N/A-20120709194742603144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Redbox Automated Retail, LLC

REGISTRATION NUMBERS: 2573752,  
2967191, 2985154, 2959630, 3432333, 3432228,  
3432307, 3432306, and 3186792

REVOCATION OF POWER OF  
ATTORNEY AND APPOINTMENT  
OF NEW ATTORNEY

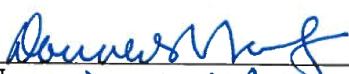
Applicant hereby revokes all previous powers of attorney and appoints the law firm Perkins Coie LLP, 1201 Third Avenue, Suite 4800, Seattle, Washington 98101-3099, (206) 359-8000, including Kathleen J. Buckley, Lynne E. Graybeal, Julianne A. Henley, Jason S. Howell, Elizabeth A. Kristoferson, Makalika D. Naholowaa, Jeffrey A. Nelson, Lisa T. Oratz, Heidi L. Sachs, Andrea M. Sander, Grace Han Stanton, Sarah J. Taylor, James L. Vana and Robert G. Woolston, each of whom is admitted to practice law in the State of Washington and/or another state of the United States, with full power of substitution and revocation, to make alterations and amendments and to transact all business in the U.S. Patent and Trademark Office in connection with this matter.

Please direct all correspondence to Jason S. Howell at said firm.

DATED: July 9, 2012

REDBOX AUTOMATED RETAIL, LLC

By:

  
Name: Donald R. Rench  
Title: Vice President

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77144031
REGISTRATION NUMBER	3432306
LAW OFFICE ASSIGNED	LAW OFFICE 113
MARK SECTION	
MARK	MOVIE CUBE (stylized and/or with design)
ATTORNEY SECTION	
ORIGINAL ADDRESS	RALPH KALISH SUITE 2400 720 OLIVE STREET SAINT LOUIS Missouri (MO) 63101-2338 US 314-345-6000 314-345-6060 pto-sl@blackwellsanders.com
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above.
NEW CORRESPONDENCE ADDRESS	
NAME	Paul W. Martin
FIRM NAME	NCR Corporation
INTERNAL ADDRESS	700 Building
STREET	3097 Satellite Boulevard
CITY	Duluth
STATE	Georgia
COUNTRY	United States
POSTAL/ZIP CODE	30096
PHONE	678.808.5231
FAX	404.487.8949
EMAIL	ptomail.law@ncr.com; paul.w.martin@ncr.com; tammy.brackett@ncr.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
SIGNATURE SECTION	
SIGNATURE	/martipw/
SIGNATORY NAME	Paul W. Martin
SIGNATORY DATE	05/07/2012
SIGNATORY POSITION	Attorney Of Record

<b>SIGNATORY PHONE NUMBER</b>	678.808.5231
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue May 08 09:37:46 EDT 2012
<b>TEAS STAMP</b>	USPTO/RAA-XXX.XXX.XX.X-20 120508093746577964-771440 31-490efe77b8923e818b83e4 5069ff0c0d8-N/A-N/A-20120 507172811406797

---

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

To the Commissioner for Trademarks:

**MARK:** MOVIE CUBE (stylized and/or with design)

**SERIAL NUMBER:** 77144031

**REGISTRATION NUMBER:** 3432306

### **The original attorney**

RALPH KALISH  
SUITE 2400  
720 OLIVE STREET  
SAINT LOUIS Missouri 63101-2338  
US  
314-345-6000  
314-345-6060  
pto-sl@blackwellsanders.com

By submission of this request, the undersigned REVOKEs the power of attorney currently of record, as listed above.

### **Original Correspondence Address :**

RALPH KALISH  
SUITE 2400  
720 OLIVE STREET  
SAINT LOUIS Missouri 63101-2338  
US  
314-345-6000  
314-345-6060  
pto-sl@blackwellsanders.com

### **The following is to be used as the correspondence address:**

Paul W. Martin  
NCR Corporation  
700 Building  
3097 Satellite Boulevard  
Duluth, Georgia 30096  
United States

678.808.5231  
404.487.8949  
ptomail.law@ncr.com; paul.w.martin@ncr.com; tammy.brackett@ncr.com

Signature: /martipw/ Date: 05/07/2012

Signatory's Name: Paul W. Martin

Signatory's Position: Attorney Of Record

Signatory's Phone Number: 678.808.5231

Serial Number: 77144031

Internet Transmission Date: Tue May 08 09:37:46 EDT 2012

TEAS Stamp: USPTO/RAA-XXX.XXX.XX.X-20120508093746577

964-77144031-490efe77b8923e818b83e45069f

f0c0d8-N/A-N/A-20120507172811406797

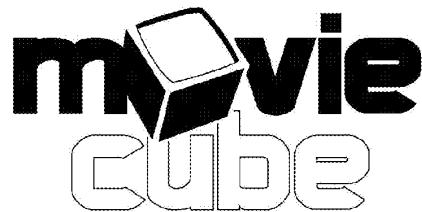
Int. Cl.: 41

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 3,432,306  
Registered May 20, 2008

SERVICE MARK  
PRINCIPAL REGISTER



THE NEW RELEASE (TEXAS LIMITED PARTNERSHIP)  
5200 MITCHELLDALE, D1  
HOUSTON, TX 77092

FOR: RENTAL OF DVDS, VIDEOTAPES AND  
MOTION PICTURES, IN CLASS 41 (U.S. CLS. 100, 101  
AND 107).

FIRST USE 4-16-2007; IN COMMERCE 4-16-2007.

NO CLAIM IS MADE TO THE EXCLUSIVE  
RIGHT TO USE "MOVIE", APART FROM THE  
MARK AS SHOWN.

THE MARK CONSISTS OF WORD "MOVIE"  
WITH A THREE DIMENSIONAL CUBE AS THE  
LETTER "O" ABOVE THE WORD "CUBE".

SN 77-144,031, FILED 3-29-2007.

AHSEN KHAN, EXAMINING ATTORNEY



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

### NOTICE OF ACCEPTANCE OF STATEMENT OF USE

Apr 17, 2008

TM13

Ralph Kalish  
Husch Blackwell Sanders LLP  
Suite 2400  
720 Olive Street  
SAINT LOUIS MO 63101-2338

ATTORNEY  
REFERENCE NUMBER:

718700.29

---

**SERIAL NUMBER:** 77/144031  
**MARK:** MOVIE CUBE  
**OWNER:** The New Release

---

The Statement of Use (SOU) filed for the trademark application identified above has been accepted. This acceptance means that the mark will register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information please check the USPTO web site at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

## Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

### OVERVIEW

SERIAL NUMBER	77144031	FILING DATE	03/29/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

### PUB INFORMATION

RUN DATE	04/17/2008
PUB DATE	10/16/2007
STATUS	819-SU - REGISTRATION REVIEW COMPLETE
STATUS DATE	04/16/2008
LITERAL MARK ELEMENT	MOVIE CUBE

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	MOVIE CUBE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	The New Release
ADDRESS	5200 Mitchelldale, D1 Houston, TX 77092
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, a Citizenship of Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	rental of DVDs, videotapes and motion pictures

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	04/16/2007	FIRST USE IN COMMERCE DATE	04/16/2007	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------------	----------------------------	------------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"MOVIE"
DESCRIPTION OF MARK	The mark consists of word "MOVIE" with a three dimensional cube as the letter "O" above the word "CUBE".

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/16/2008	REGV	O	LAW OFFICE REGISTRATION REVIEW COMPLETED	024
04/10/2008	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	023
04/04/2008	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	022
03/17/2008	IUAF	S	USE AMENDMENT FILED	021
03/17/2008	EISU	I	TEAS STATEMENT OF USE RECEIVED	020
01/08/2008	NOAM	O	NOTICE OF ALLOWANCE-MAILED	019
10/16/2007	PUBO	A	PUBLISHED FOR OPPOSITION	018
09/26/2007	NPUB	O	NOTICE OF PUBLICATION	017
09/11/2007	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
09/10/2007	ALIE	A	ASSIGNED TO LIE	015
08/02/2007	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
08/02/2007	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
08/02/2007	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
08/02/2007	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
08/02/2007	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
07/26/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
07/25/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
07/25/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007

06/22/2007	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006
06/22/2007	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	005
06/22/2007	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	004
06/04/2007	DOCK	D	ASSIGNED TO EXAMINER	003
04/04/2007	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
04/03/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Ralph Kalish
CORRESPONDENCE ADDRESS	Ralph Kalish Husch Blackwell Sanders LLP Suite 2400 720 Olive Street SAINT LOUIS MO 63101-2338
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release
ADDRESS	1233 West Olympic Blvd. Los Angeles, CA 90064
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas

movie  
cube

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	77144031	FILING DATE	03/29/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

### PUB INFORMATION

RUN DATE	04/11/2008
PUB DATE	10/16/2007
STATUS	818-SU - STATEMENT OF USE ACCEPTED - APPROVED FOR REGISTRATION
STATUS DATE	04/10/2008
LITERAL MARK ELEMENT	MOVIE CUBE

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	YES	1 (a)	NO
1 (b)	YES	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	MOVIE CUBE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	The New Release
ADDRESS	5200 Mitchelldale, D1 Houston, TX 77092
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, a Citizenship of Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	rental of DVDs, videotapes and motion pictures

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	04/16/2007	FIRST USE IN COMMERCE DATE	04/16/2007	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------------	----------------------------	------------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"MOVIE"
DESCRIPTION OF MARK	The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/10/2008	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	023
04/04/2008	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	022
03/17/2008	IUAF	S	USE AMENDMENT FILED	021
03/17/2008	EISU	I	TEAS STATEMENT OF USE RECEIVED	020
01/08/2008	NOAM	O	NOTICE OF ALLOWANCE-MAILED	019
10/16/2007	PUBO	A	PUBLISHED FOR OPPOSITION	018
09/26/2007	NPUB	O	NOTICE OF PUBLICATION	017
09/11/2007	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
09/10/2007	ALIE	A	ASSIGNED TO LIE	015
08/02/2007	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
08/02/2007	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
08/02/2007	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
08/02/2007	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
08/02/2007	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
07/26/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
07/25/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
07/25/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2007	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006

06/22/2007	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	005
06/22/2007	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	004
06/04/2007	DOCK	D	ASSIGNED TO EXAMINER	003
04/04/2007	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
04/03/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### **CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Ralph Kalish
CORRESPONDENCE ADDRESS	Ralph Kalish Husch Blackwell Sanders LLP Suite 2400 720 Olive Street SAINT LOUIS MO 63101-2338
DOMESTIC REPRESENTATIVE	NONE

#### **PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release
ADDRESS	1233 West Olympic Blvd. Los Angeles, CA 90064
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas

movie  
cube

**Trademark Snap Shot ITU Unit Action**  
 (Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77144031	FILING DATE	03/29/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	04/05/2008
PUB DATE	10/16/2007
STATUS	748-STATEMENT OF USE - TO EXAMINER
STATUS DATE	04/04/2008
LITERAL MARK ELEMENT	MOVIE CUBE

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	MOVIE CUBE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	The New Release
ADDRESS	5200 Mitchelldale, D1 Houston, TX 77092
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, a Citizenship of Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	rental of DVDs, videotapes and motion pictures

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	04/16/2007	FIRST USE IN COMMERCE DATE	04/16/2007	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------------	----------------------------	------------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"MOVIE"
DESCRIPTION OF MARK	The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/04/2008	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	022
03/17/2008	IUAF	S	USE AMENDMENT FILED	021
03/17/2008	EISU	I	TEAS STATEMENT OF USE RECEIVED	020
01/08/2008	NOAM	O	NOTICE OF ALLOWANCE-MAILED	019
10/16/2007	PUBO	A	PUBLISHED FOR OPPOSITION	018
09/26/2007	NPUB	O	NOTICE OF PUBLICATION	017
09/11/2007	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
09/10/2007	ALIE	A	ASSIGNED TO LIE	015
08/02/2007	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
08/02/2007	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
08/02/2007	GNEN	O	NOTIFICATION OF EXAMINER'S AMENDMENT E-MAILED	012
08/02/2007	GNEA	O	EXAMINER'S AMENDMENT E-MAILED	011
08/02/2007	CNEA	R	EXAMINER'S AMENDMENT -WRITTEN	010
07/26/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
07/25/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
07/25/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2007	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006
06/22/2007	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	005

06/22/2007	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	004
06/04/2007	DOCK	D	ASSIGNED TO EXAMINER	003
04/04/2007	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
04/03/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

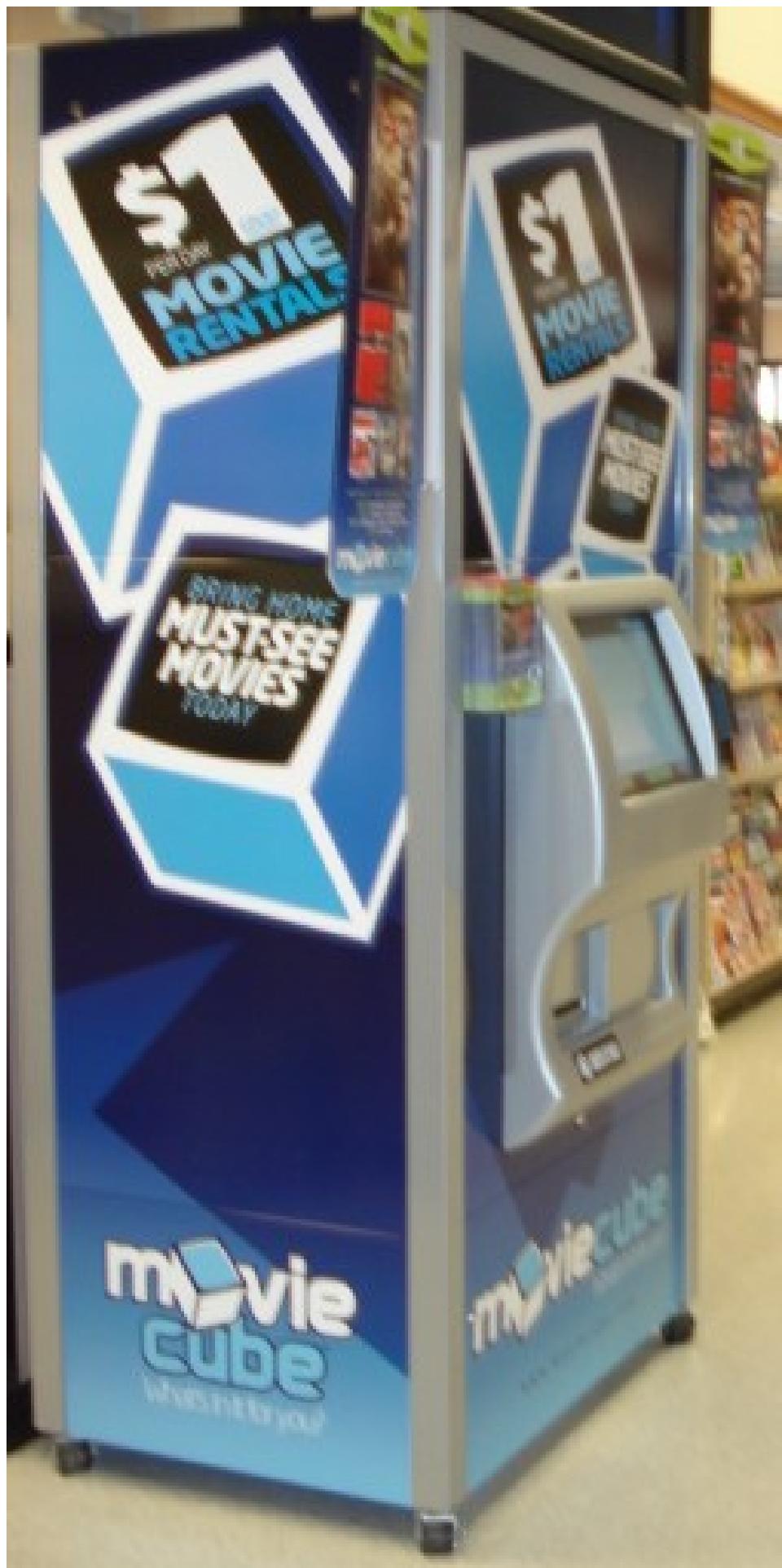
#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Ralph Kalish
CORRESPONDENCE ADDRESS	Ralph Kalish Husch Blackwell Sanders LLP Suite 2400 720 Olive Street SAINT LOUIS MO 63101-2338
DOMESTIC REPRESENTATIVE	NONE

#### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release
ADDRESS	1233 West Olympic Blvd. Los Angeles, CA 90064
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas

movie  
cube



## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77144031
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 113
<b>NOTICE OF ALLOWANCE</b>	YES
<b>EXTENSION OF USE</b>	NO
<b>REQUEST TO DIVIDE</b>	NO
<b>MARK SECTION</b>	
<b>STANDARD CHARACTERS</b>	NO
<b>USPTO-GENERATED IMAGE</b>	NO
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	The New Release
<b>STREET</b>	1233 West Olympic Blvd.
<b>CITY</b>	Los Angeles
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	90064
<b>COUNTRY</b>	United States
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	The New Release
<b>STREET</b>	5200 Mitchelldale, D1
<b>CITY</b>	Houston
<b>STATE</b>	Texas
<b>ZIP/POSTAL CODE</b>	77092
<b>COUNTRY</b>	United States
<b>ATTORNEY SECTION (current)</b>	
<b>NAME</b>	Ralph Kalish
<b>FIRM NAME</b>	BLACKWELL SANDERS PEPER MARTIN LLP
<b>STREET</b>	720 OLIVE ST FL 24
<b>CITY</b>	SAINT LOUIS
<b>STATE</b>	Missouri
<b>POSTAL CODE</b>	63101-2338
<b>COUNTRY</b>	United States

PHONE	314-345-6000
FAX	314-345-6060
EMAIL	pto-sl@blackwellsanders.com
ATTORNEY DOCKET NUMBER	718700.29

#### ATTORNEY SECTION (proposed)

NAME	Ralph Kalish
FIRM NAME	Husch Blackwell Sanders LLP
INTERNAL ADDRESS	Suite 2400
STREET	720 Olive Street
CITY	SAINT LOUIS
STATE	Missouri
POSTAL CODE	63101-2338
COUNTRY	United States
PHONE	314-345-6000
FAX	314-345-6060
EMAIL	pto-sl@blackwellsanders.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
ATTORNEY DOCKET NUMBER	718700.29
OTHER APPOINTED ATTORNEY	Alan Nemes, Wendy Boldt Cohen, Samuel Digirolamo, Alisha Huls, Changhoon Lee, Daniel Cohn, Arkadia DeLay

#### GOODS AND/OR SERVICES SECTION

INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	rental of DVDs, videotapes and motion pictures
GOODS AND/OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	04/16/2007
FIRST USE IN COMMERCE DATE	04/16/2007
SPECIMEN FILE NAME(S)	<a href="\\TICRS2\EXPORT15\771\440\77144031\xml2\SOU0002.JP.G">\\TICRS2\EXPORT15\771\440\77144031\xml2\SOU0002.JP.G</a>
SPECIMEN DESCRIPTION	digitally scanned photograph of a movie dispensing machine used for the rental of movies

#### PAYMENT SECTION

NUMBER OF CLASSES	1
SUBTOTAL AMOUNT	100
TOTAL AMOUNT	100

#### SIGNATURE SECTION

SIGNATURE	/Timothy D. Belton/
SIGNATORY'S NAME	Timothy D. Belton
SIGNATORY'S POSITION	President and Chief Executive Officer
DATE SIGNED	03/17/2008

**FILING INFORMATION**

<b>SUBMIT DATE</b>	Mon Mar 17 17:48:50 EDT 2008
<b>TEAS STAMP</b>	USPTO/SOU-XX.XXX.XX.X-200 80317174850355304-7714403 1-400a2deb23a556599a8d310 b860a8f79f2-CC-3086-20080 317114453356792

---

**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** MOVIE CUBE (stylized and/or with design)

**SERIAL NUMBER:** 77144031

This Allegation of Use is being filed after a Notice of Allowance has issued.

The applicant, The New Release, having an address of 5200 Mitchelldale, D1, Houston, Texas United States 77092, is using or is using through a related company or licensee the mark in commerce on or in connection with the goods and/or services as follows:

For International Class 041:

Current identification: rental of DVDs, videotapes and motion pictures

The applicant, or the applicant's related company or licensee, is using the mark in commerce on or in connection with all goods and/or services listed in the application or Notice of Allowance or as subsequently modified.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 04/16/2007, and first used in commerce at least as early as 04/16/2007, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) digitally scanned photograph of a movie dispensing machine used for the rental of movies.

Specimen File1

The applicant hereby appoints Ralph Kalish and Alan Nemes, Wendy Boldt Cohen, Samuel Digirolamo, Alisha Huls, Changhoon Lee, Daniel Cohn, Arkadia DeLay of Husch Blackwell Sanders LLP, Suite 2400, 720 Olive Street, SAINT LOUIS, Missouri United States 63101-2338 to submit this Trademark/Service Mark Statement of Use on behalf of the applicant. The attorney docket/reference number is 718700.29.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for 1 class.

**Declaration**

Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /Timothy D. Belton/ Date Signed: 03/17/2008

Signatory's Name: Timothy D. Belton

Signatory's Position: President and Chief Executive Officer

Mailing Address:

BLACKWELL SANDERS PEPER MARTIN LLP

720 OLIVE ST FL 24

SAINT LOUIS, Missouri 63101-2338

Mailing Address:

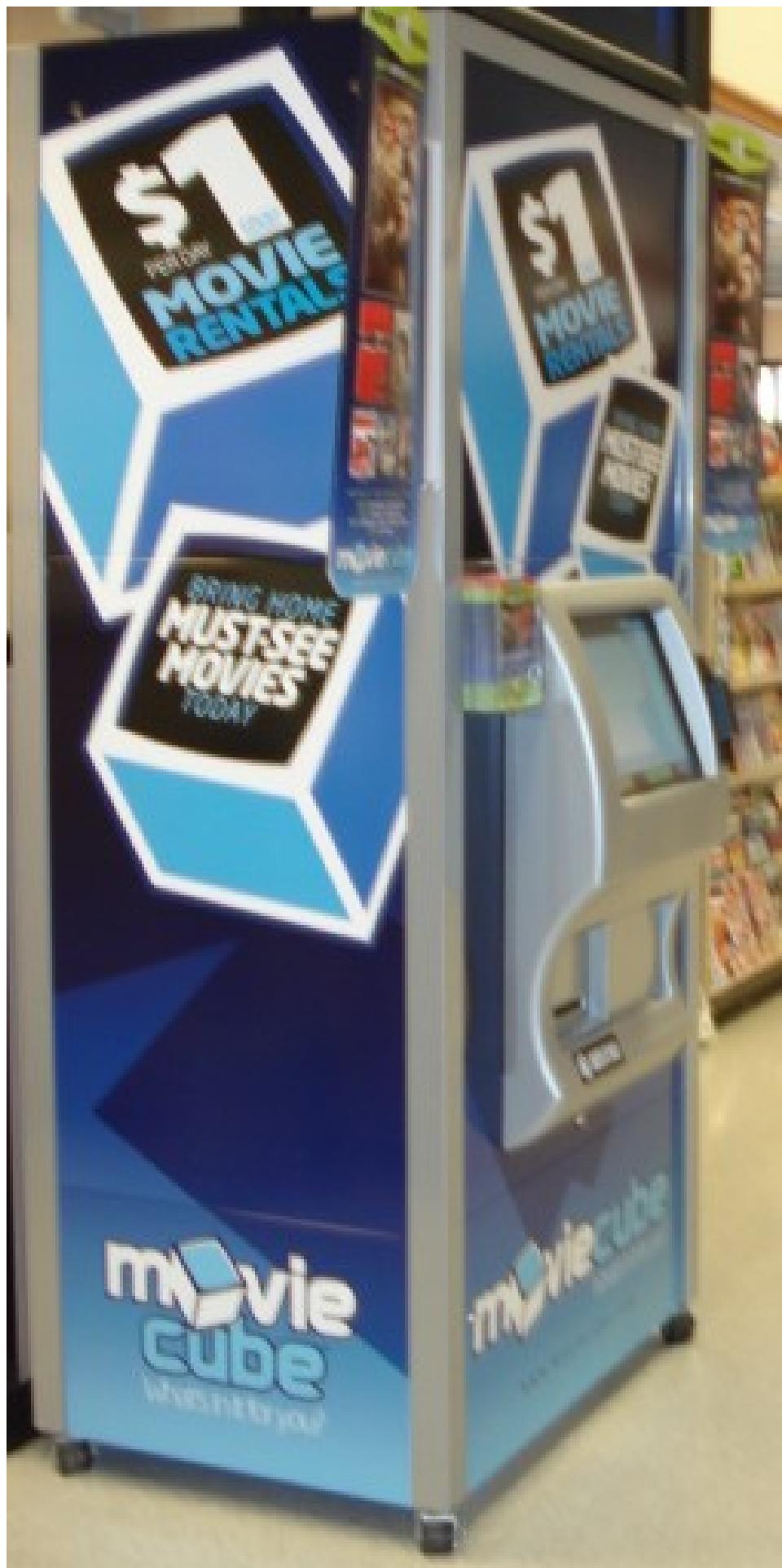
Husch Blackwell Sanders LLP

Suite 2400

720 Olive Street  
SAINT LOUIS, Missouri 63101-2338

RAM Sale Number: 3086  
RAM Accounting Date: 03/18/2008

Serial Number: 77144031  
Internet Transmission Date: Mon Mar 17 17:48:50 EDT 2008  
TEAS Stamp: USPTO/SOU-XX.XXX.XX.X-200803171748503553  
04-77144031-400a2deb23a556599a8d310b860a  
8f79f2-CC-3086-20080317114453356792



**FEE RECORD SHEET****Serial Number:** 77144031**RAM Sale Number:** 3086**Total Fees:** \$100**RAM Accounting Date:** 20080318

<b><u>Transaction</u></b>	<b><u>Fee Code</u></b>	<b><u>Transaction Date</u></b>	<b><u>Fee per Class</u></b>	<b><u>Number of Classes</u></b>	<b><u>Total Fee</u></b>
Statement of Use (SOU)	7003	20080317	\$100	1	\$100

**Transaction Date:** 20080317

**U.S. Patent and Trademark Office (USPTO)**

**NOTICE OF ALLOWANCE**

NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 571-273-9550. Please include the serial number of your application on ALL correspondence with the USPTO.

**ISSUE DATE:** Jan 8, 2008

RALPH KALISH  
BLACKWELL SANDERS PEPER MARTIN LLP  
720 OLIVE ST FL 24  
SAINT LOUIS, MO 63101-2338

ATTORNEY  
REFERENCE NUMBER  
718700.29

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

You filed the trademark application identified below based upon a bona fide intention to use the mark in commerce. You must use the mark in commerce and file a Statement of Use (a.k.a. Allegation of Use) before the USPTO will register the mark. You have six (6) MONTHS from the ISSUE DATE of this Notice of Allowance (NOA) to file either a Statement of Use, or if you are not yet using the mark in commerce, a Request for Extension of Time to File a Statement of use ("Extension Request"). If you file an extension request, you must continue to file a new request every six months until the Statement of Use is filed. Applicant may file a total of five (5) extension requests. FAILURE TO FILE A REQUIRED DOCUMENT DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF YOUR APPLICATION.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements including fees. Therefore, we encourage use of the USPTO forms, available online at <http://www.uspto.gov/teas/index.html> (under "File a PRE-registration form"), to avoid the possible omission of important information. Please note that the Trademark Electronic Application System (TEAS) provides line-by-line help instructions for completing the Extension Request or Statement of Use forms online. If you do not have access to the Internet, you may call 1-800-786-9199 to request the printed form(s).

**The following information should be reviewed for accuracy:**

SERIAL NUMBER: 77/144031

MARK: MOVIE CUBE (AND DESIGN)

OWNER: The New Release  
1233 West Olympic Blvd.  
Los Angeles, CALIFORNIA 90064

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

041 - rental of DVDs, videotapes and motion pictures -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE  
ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

---

**ADDITIONAL INFORMATION MAY BE PRESENT IN THE USPTO RECORDS**



**NOTICE OF PUBLICATION UNDER §12(a)**

**MAILING DATE: Sep 26, 2007**

**PUBLICATION DATE: Oct 16, 2007**

The mark identified below will be published in the Official Gazette on Oct 16, 2007. Any party who believes they will be damaged by registration of the mark may oppose its registration by filing an opposition to registration or a request to extend the time to oppose within thirty (30) days from the publication date on this notice. If no opposition is filed within the time specified by law, the USPTO may issue a Notice of Allowance.

To view the Official Gazette online or to order a paper copy, visit the USPTO website at <http://www.uspto.gov/web/trademarks/tmog/> any time within the five-week period after the date of publication. You may also order a printed version from the U.S. Government Printing Office (GPO) at <http://bookstore.gpo.gov> or 202-512-1800. To check the status of your application, go to <http://tarr.uspto.gov/>.

**SERIAL NUMBER:** 77144031

**MARK:** MOVIE CUBE

**OWNER:** The New Release

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

RALPH KALISH  
BLACKWELL SANDERS PEPER MARTIN LLP  
720 OLIVE ST FL 24  
SAINT LOUIS, MO 63101-2338

## Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

### OVERVIEW

SERIAL NUMBER	77144031	FILING DATE	03/29/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

### PUB INFORMATION

RUN DATE	09/12/2007
PUB DATE	10/16/2007
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE
STATUS DATE	09/11/2007
LITERAL MARK ELEMENT	MOVIE CUBE

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	MOVIE CUBE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release
ADDRESS	1233 West Olympic Blvd. Los Angeles, CA 90064
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, a Citizenship of Texas

### GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	rental of DVDs, videotapes and motion pictures

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------	----------------------------	------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	"MOVIE"
DESCRIPTION OF MARK	The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/11/2007	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
09/10/2007	ALIE	A	ASSIGNED TO LIE	015
08/02/2007	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
08/02/2007	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
08/02/2007	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
08/02/2007	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
08/02/2007	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
07/26/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
07/25/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
07/25/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2007	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006
06/22/2007	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	005
06/22/2007	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	004
06/04/2007	DOCK	D	ASSIGNED TO EXAMINER	003
04/04/2007	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
04/03/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Ralph Kalish
CORRESPONDENCE ADDRESS	RALPH KALISH BLACKWELL SANDERS PEPER MARTIN LLP 720 OLIVE ST FL 24 SAINT LOUIS, MO 63101-2338
DOMESTIC REPRESENTATIVE	NONE

movie  
cube

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	77144031	FILING DATE	03/29/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

### PUB INFORMATION

RUN DATE	08/03/2007
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	08/02/2007
LITERAL MARK ELEMENT	MOVIE CUBE

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	MOVIE CUBE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release
ADDRESS	1233 West Olympic Blvd. Los Angeles, CA 90064
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, LLC, Tx

### GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	rental of DVDs, videotapes and motion pictures

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------	----------------------------	------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	MOVIE
DESCRIPTION OF MARK	The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/02/2007	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
08/02/2007	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
08/02/2007	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
08/02/2007	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
08/02/2007	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
07/26/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
07/25/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
07/25/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2007	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006
06/22/2007	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	005
06/22/2007	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	004
06/04/2007	DOCK	D	ASSIGNED TO EXAMINER	003
04/04/2007	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
04/03/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Ralph Kalish
----------	--------------

CORRESPONDENCE ADDRESS	RALPH KALISH BLACKWELL SANDERS PEPER MARTIN LLP 720 OLIVE ST FL 24 SAINT LOUIS, MO 63101-2338
DOMESTIC REPRESENTATIVE	NONE

movie  
cube

## Trademark Snap Shot Amendment & Mail Processing Stylesheet

(Table presents the data on Amendment & Mail Processing Complete)

### OVERVIEW

SERIAL NUMBER	77144031	FILING DATE	03/29/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

### PUB INFORMATION

RUN DATE	08/03/2007
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	08/02/2007
LITERAL MARK ELEMENT	MOVIE CUBE

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	MOVIE CUBE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release
ADDRESS	1233 West Olympic Blvd. Los Angeles, CA 90064
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, LLC, Tx

### GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	rental of DVDs, videotapes and motion pictures

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------	----------------------------	------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.
DISCLAIMER W/PREDETER TXT	MOVIE
DESCRIPTION OF MARK	The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/02/2007	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
08/02/2007	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
08/02/2007	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
08/02/2007	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
08/02/2007	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
07/26/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
07/25/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
07/25/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2007	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006
06/22/2007	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	005
06/22/2007	CPEA	R	EXAMINERS AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	004
06/04/2007	DOCK	D	ASSIGNED TO EXAMINER	003
04/04/2007	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
04/03/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Ralph Kalish
----------	--------------

CORRESPONDENCE ADDRESS	RALPH KALISH BLACKWELL SANDERS PEPER MARTIN LLP 720 OLIVE ST FL 24 SAINT LOUIS, MO 63101-2338
DOMESTIC REPRESENTATIVE	NONE

movie  
cube

---

**To:** The New Release ([pto-sl@blackwellsanders.com](mailto:pto-sl@blackwellsanders.com))  
**Subject:** TRADEMARK APPLICATION NO. 77144031 - MOVIE CUBE - 718700.29  
**Sent:** 8/2/2007 5:39:41 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

---

## UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 77/144031

**MARK:** MOVIE CUBE

**\*77144031\***

**CORRESPONDENT ADDRESS:**

RALPH KALISH  
BLACKWELL SANDERS PEPPER MARTIN LLP  
720 OLIVE ST FL 24  
SAINT LOUIS, MO 63101-2338

**GENERAL TRADEMARK INFORMATION:**  
<http://www.uspto.gov/main/trademarks.htm>

**APPLICANT:** The New Release

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
718700.29

**CORRESPONDENT E-MAIL ADDRESS:**  
[pto-sl@blackwellsanders.com](mailto:pto-sl@blackwellsanders.com)

## EXAMINER'S AMENDMENT

**ISSUE/MAILING DATE:** **8/2/2007**

**OFFICE SEARCH:** The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 704.02.

**AMENDMENT:** In accordance with the authorization granted by Ralph Kalish on August 2, 2007, the application has been AMENDED as indicated below. Please advise the undersigned immediately if there is an objection to the amendment.

If the identification of goods or services has been amended, please note that any future amendments must be in accordance with 37 C.F.R. 2.71(a); TMEP section 1402.07(e).

Applicant, a limited partnership is composed of TNR Holdings, which is organized under the laws of Texas. 37 C.F.R. §2.32(a)(3)(iii); TMEP §§803.03(b) and 803.04.

/ahsenkhan/  
Trademark Attorney  
Law Office 113  
(571) 272 1479

**STATUS CHECK:** Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

---

**To:** The New Release ([pto-sl@blackwellsanders.com](mailto:pto-sl@blackwellsanders.com))  
**Subject:** TRADEMARK APPLICATION NO. 77144031 - MOVIE CUBE - 718700.29  
**Sent:** 8/2/2007 5:39:43 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

---

**IMPORTANT NOTICE**  
**USPTO OFFICE ACTION HAS ISSUED ON *8/2/2007* FOR**  
**APPLICATION SERIAL NO. 77144031**

Please follow the instructions below to continue the prosecution of your application:

**VIEW OFFICE ACTION:** Click on this link  
[http://portal.uspto.gov/external/portal/tow?DDA=Y&serial\\_number=77144031&doc\\_type=EXA&mail\\_date=20070802](http://portal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77144031&doc_type=EXA&mail_date=20070802) (or copy and paste this URL into the address field of your browser), or visit <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to access the Office action.

**PLEASE NOTE:** The Office action may not be immediately available but will be viewable within 24 hours of this notification.

**RESPONSE MAY BE REQUIRED:** You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable response time period. Your response deadline will be calculated from ***8/2/2007***.

**Do NOT hit “Reply” to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.**

**HELP:** For *technical* assistance in accessing the Office action, please e-mail  
[TDR@uspto.gov](mailto:TDR@uspto.gov). Please contact the assigned examining attorney with questions about the Office action.

**WARNING**

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
  
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**

## NOTE TO THE FILE

SERIAL NUMBER: 77144031

DATE: 08/02/2007

NAME: akhan3

### NOTE:

- Checked LEXIS/NEXIS
- Searched internet using [insert search engine or web site]
- Checked with Law Library re surname.
- Checked geographic significance.
- Checked with translations branch.
- Checked ID with ID/Class
- Checked ID with Senior Attorney/Managing Attorney
- Telephoned attorney/applicant leaving message re: \_\_\_\_\_
- Telephoned attorney/applicant, application was signed on \_\_\_\_\_
- Personal interview conducted with attorney/applicant re \_\_\_\_\_
- Attorney/applicant called to discuss \_\_\_\_\_
- Bulky specimens with examiner.
- Acronym website searched.
- Changed Tradeups to add. \_\_\_\_\_
- Changed Tradeups to delete. \_\_\_\_\_
- Changed Tradeups to add Examiner's Amendment.
- Letter of Protest Granted
- OTHER (insert reason for Note)

## NOTE TO THE FILE

SERIAL NUMBER: 77144031

DATE: 07/31/2007

NAME: akhan3

### NOTE:

- Checked LEXIS/NEXIS
- Searched internet using [insert search engine or web site]
- Checked with Law Library re surname.
- Checked geographic significance.
- Checked with translations branch.
- Checked ID with ID/Class
- Checked ID with Senior Attorney/Managing Attorney
- Telephoned attorney/applicant leaving message re: \_\_\_\_\_
- Telephoned attorney/applicant, application was signed on \_\_\_\_\_
- Personal interview conducted with attorney/applicant re \_\_\_\_\_
- Attorney/applicant called to discuss \_\_\_\_\_
- Bulky specimens with examiner.
- Acronym website searched.
- Changed Tradeups to add. examiner's amendment
- Changed Tradeups to delete.\_\_\_\_\_
- OTHER (insert reason for Note)

## Trademark Snap Shot Amendment & Mail Processing Stylesheet

(Table presents the data on Amendment & Mail Processing Complete)

### OVERVIEW

SERIAL NUMBER	77144031	FILING DATE	03/29/2007
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KHAN, AHSEN M	L.O. ASSIGNED	113

### PUB INFORMATION

RUN DATE	07/27/2007
PUB DATE	N/A
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED
STATUS DATE	07/26/2007
LITERAL MARK ELEMENT	MOVIE CUBE

DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

### FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

### MARK DATA

STANDARD CHARACTER MARK	NO
LITERAL MARK ELEMENT	MOVIE CUBE
MARK DRAWING CODE	3-AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/LETTER(S)/NUMBER(S)
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release
ADDRESS	1233 West Olympic Blvd. Los Angeles, CA 90064
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, LLC, US

### GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	automated and non-automated DVD, VHS, and other video rental services

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------	----------------------------	------	--------------	----------

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DESCRIPTION OF MARK	The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/26/2007	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
07/25/2007	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
07/25/2007	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2007	GEAN	O	NOTIFICATION OF EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	006
06/22/2007	GEAP	F	EXAMINER'S AMENDMENT/PRIORITY ACTION E-MAILED	005
06/22/2007	CPEA	R	EXAMINER'S AMENDMENT AND/OR PRIORITY ACTION - COMPLETED	004
06/04/2007	DOCK	D	ASSIGNED TO EXAMINER	003
04/04/2007	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
04/03/2007	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Ralph Kalish
CORRESPONDENCE ADDRESS	RALPH KALISH BLACKWELL SANDERS PEPER MARTIN LLP 720 OLIVE ST FL 24 SAINT LOUIS, MO 63101-2338
DOMESTIC REPRESENTATIVE	NONE

movie  
cube

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77144031
LAW OFFICE ASSIGNED	LAW OFFICE 113
MARK SECTION (no change)	
OWNER SECTION (no change)	
LEGAL ENTITY SECTION (current)	
TYPE	LIMITED PARTNERSHIP
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Texas
LEGAL ENTITY SECTION (proposed)	
TYPE	LIMITED PARTNERSHIP
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Texas
NAME OF ALL GENERAL PARTNERS, ACTIVE MEMBERS, INDIVIDUAL, TRUSTEES, OR EXECUTORS, AND CITIZENSHIP/ INCORPORATION	TNR Holdings, LLC, US
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Ralph W. Kalish, Jr./
SIGNATORY'S NAME	Ralph W. Kalish, Jr.
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	07/25/2007
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Jul 25 17:54:49 EDT 2007
TEAS STAMP	USPTO/ROA-XX.XXX.XX.X-200 70725175449557382-7714403 1-380fe71d18e955cefb142cc 305725ba385-N/A-N/A-20070 723174901731247

## Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **77144031** has been amended as follows:

**APPLICANT AND/OR ENTITY INFORMATION****Applicant proposes to amend the following:**

**Current:** The New Release, a limited partnership having an address of 1233 West Olympic Blvd. Los Angeles, California United States 90064.

**Proposed:** The New Release, a limited partnership legally organized under the laws of Texas, comprising of TNR Holdings, LLC, US, having an address of 1233 West Olympic Blvd. Los Angeles, California United States 90064.

**SIGNATURE(S)****Response Signature**

Signature: /Ralph W. Kalish, Jr./ Date: 07/25/2007

Signatory's Name: Ralph W. Kalish, Jr.

Signatory's Position: Attorney for Applicant

The signatory has confirmed that he/she is either (1) an attorney who is a member in good standing of the bar of the highest court of a U.S. state; or (2) a Canadian attorney/agent who has been granted reciprocal recognition under 37 C.F.R. §10.14(c) by the USPTO's Office of Enrollment and Discipline. He/she further confirms that (1) the applicant has not previously been represented in this matter by an authorized attorney; and (2) he/she is the applicant's attorney or an associate of that attorney.

Serial Number: 77144031

Internet Transmission Date: Wed Jul 25 17:54:49 EDT 2007

TEAS Stamp: USPTO/ROA-XX.XXX.XX.X-200707251754495573

82-77144031-380fe71d18e955cefb142cc30572

5ba385-N/A-N/A-20070723174901731247

**To:** The New Release ([pto-sl@blackwellsanders.com](mailto:pto-sl@blackwellsanders.com))  
**Subject:** TRADEMARK APPLICATION NO. 77144031 - MOVIE CUBE - 718700.29  
**Sent:** 6/22/2007 9:47:09 AM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

## UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 77/144031

**MARK:** MOVIE CUBE

**\*77144031\***

**CORRESPONDENT ADDRESS:**

RALPH KALISH  
BLACKWELL SANDERS PEPER MARTIN LLP  
720 OLIVE ST FL 24  
SAINT LOUIS, MO 63101-2338

**RESPOND TO THIS ACTION:**

<http://www.uspto.gov/teas/eTEASpageD.htm>

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/main/trademarks.htm>

**APPLICANT:** The New Release

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
718700.29

**CORRESPONDENT E-MAIL ADDRESS:**  
[pto-sl@blackwellsanders.com](mailto:pto-sl@blackwellsanders.com)

## EXAMINER'S AMENDMENT/PRIORITY ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

ISSUE/MAILING DATE: **6/22/2007**

### EXAMINER'S AMENDMENT

**OFFICE SEARCH:** The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 704.02.

**AMENDMENT:** In accordance with the authorization granted by Ralph Kalish on June 18, 2007, the application has been AMENDED as indicated below. Please advise the undersigned immediately if there is an objection to the amendment.

If the identification of goods or services has been amended, please note that any future amendments must be in accordance with 37 C.F.R. 2.71(a); TMEP section 1402.07(e).

### Recitation of Services

The identification of services is amended to read as follows: "rental of DVDs, videotapes and motion pictures in International Class 41." TMEP §1402.01(e).

### Disclaimers

The following disclaimer statement is added to the record:

No claim is made to the exclusive right to use "movie" apart from the mark as shown.

15 U.S.C. §1056; TMEP §§1213, 1213.03(a) and 1213.08(a)(i).

### **PRIORITY ACTION**

The application will be given priority as an amended application if a response to the requirements stated below is received within two months of the issue/mailing date.

The following issues were discussed in communication with Ralph Kalish on June 18, 2007.

#### **Partner Information**

The applicant partnership will specify for the record the names, entity types and citizenship of all general partners. 37 C.F.R. §§2.32(a)(3)(ii) and (iii); TMEP §§803.03(b) and 803.04.

**PLEASE NOTE:** Applicant is encouraged to telephone the trademark examining attorney to resolve the issues raised below.

/ahsenkhan/  
Trademark Attorney  
Law Office 113  
(571) 272 1479

**RESPOND TO THIS ACTION:** If there are any questions about the Office action, please contact the assigned examining attorney. A response to this Office Action should be filed using the Office's Response to Office action form available at <http://www.uspto.gov/teas/eTEASpageD.htm>. If notification of this Office action was received via e-mail, no response using this form may be filed for 72 hours after receipt of the notification. **Do not attempt to respond by e-mail as the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

**STATUS CHECK:** Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

---

**To:** The New Release ([pto-sl@blackwellsanders.com](mailto:pto-sl@blackwellsanders.com))  
**Subject:** TRADEMARK APPLICATION NO. 77144031 - MOVIE CUBE - 718700.29  
**Sent:** 6/22/2007 9:47:10 AM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

---

**IMPORTANT NOTICE**  
**USPTO OFFICE ACTION HAS ISSUED ON 6/22/2007 FOR**  
**APPLICATION SERIAL NO. 77144031**

Please follow the instructions below to continue the prosecution of your application:

**VIEW OFFICE ACTION:** Click on this link  
[http://portal.uspto.gov/external/portal/tow?DDA=Y&serial\\_number=77144031&doc\\_type=EAP&mail\\_date=20070622](http://portal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77144031&doc_type=EAP&mail_date=20070622) (or copy and paste this URL into the address field of your browser), or visit <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to access the Office action.

**PLEASE NOTE:** The Office action may not be immediately available but will be viewable within 24 hours of this notification.

**RESPONSE MAY BE REQUIRED:** You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable response time period. Your response deadline will be calculated from **6/22/2007**.

**Do NOT hit “Reply” to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.**

**HELP:** For *technical* assistance in accessing the Office action, please e-mail  
[TDR@uspto.gov](mailto:TDR@uspto.gov). Please contact the assigned examining attorney with questions about the Office action.

**WARNING**

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
  
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**

\*\*\* User:akhan3 \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search	Search
						Duration
01	484	0	2	484	0:03	160103[dc] not dead[ld]
02	1048	N/A	0	0	0:04	261904[dc] not dead[ld]
03	1	0	1	1	0:01	1 and 2
04	1527319	N/A	0	0	0:02	"035"[cc]
05	587	0	2	587	0:01	2 and 4

Session started 6/4/2007 3:35:17 PM

Session finished 6/4/2007 3:41:09 PM

Total search duration 0 minutes 11 seconds

Session duration 5 minutes 52 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77144031

\*\*\* User:akhan3 \*\*\*

#	Total Marks	Dead Marks	Live	Live	Status/ Search	Search
			Viewed Docs	Viewed Images		
01	4178	N/A	0	0	0:04	*m{v:2}v{v:2}*[bi,ti] not dead[ld]
02	1816	N/A	0	0	0:02	*{"cqkx"}ub*[bi,ti] not dead[ld]
03	10	0	10	9	0:01	1 and 2
04	1485	N/A	0	0	0:04	m{v:2}v{v:2}[bi,ti] not dead[ld]
05	485	N/A	0	0	0:02	{"ckqx"}ube[bi,ti] not dead[ld]
06	1527319	N/A	0	0	0:02	"035"[cc]
07	906	N/A	0	0	0:01	4 and 6
08	107	0	107	76	0:01	5 and 6
09	544	N/A	0	0	0:03	movie[bi,ti] not dead[ld]
10	338	0	338	199	0:01	6 and 9

Session started 6/4/2007 3:22:34 PM

Session finished 6/4/2007 3:30:12 PM

Total search duration 0 minutes 21 seconds

Session duration 7 minutes 38 seconds

Defaut NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77144031

---

**From:** TMDesignCodeComments  
**Sent:** Wednesday, April 4, 2007 00:09 AM  
**To:** XXXX  
**Subject:** Notice of Design Search Code for Serial Number: 77144031

---

**ATTORNEY REFERENCE NUMBER:** 718700.29

---

The USPTO may assign design search codes, as appropriate, to new applications to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

DESIGN SEARCH CODES are numerical codes assigned to figurative, non-textual elements found in marks. For example, if your mark contains the design of a flower, design search code 05.05 would be assigned to your application. Design search codes are described on Internet Web page <http://www.uspto.gov/tmdb/dscm/index.html>.

You are not required to respond to this notice. However, if you would like to suggest additions or changes to the design search codes assigned to your mark, please send an email to [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV) or call 1-800-786-9199 to speak to a Customer Service representative. No fee is necessary. (Please include the serial number of your application on ALL correspondence with the USPTO.) The USPTO will review your request and update the record if appropriate.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

**Design search codes assigned to the referenced serial number are listed below.**

**DESIGN SEARCH CODES:**

26.19.25 - Geometric solids other than spheres, cylinders, cones, cube, prisms or pyramids  
27.03.01 - Geometric figures forming letters, numerals or punctuation

# Trademark/Service Mark Application, Principal Register

Serial Number: 77144031  
Filing Date: 03/29/2007

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77144031
<b>MARK INFORMATION</b>	
*MARK	<a href="\\TICRS2\EXPORT12\771\440\77144031\xml1\APP0002.JPG">\\TICRS2\EXPORT12\771\440\77144031\xml1\APP0002.JPG</a>
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	MOVIE CUBE
COLOR MARK	NO
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	901 x 447
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	The New Release
*STREET	1233 West Olympic Blvd.
*CITY	Los Angeles
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	90064
<b>LEGAL ENTITY INFORMATION</b>	
*TYPE	LIMITED PARTNERSHIP
*STATE/COUNTRY WHERE LEGALLY ORGANIZED	Texas
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	041
DESCRIPTION	automated and non-automated DVD, VHS, and other video rental services
FILING BASIS	SECTION 1(b)
<b>ATTORNEY INFORMATION</b>	
NAME	Ralph Kalish
ATTORNEY DOCKET NUMBER	718700.29

FIRM NAME	Blackwell Sanders Peper Martin LLP
STREET	720 Olive St.
INTERNAL ADDRESS	24th Floor
CITY	St. Louis
STATE	Missouri
COUNTRY	United States
ZIP/POSTAL CODE	63101
PHONE	314-345-6000
FAX	314-345-6060
EMAIL ADDRESS	pto-sl@blackwellsanders.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Danica Mathes, Samuel Digirolamo, Alisha Huls, Alan Nemes, Wendy Boldt Cohen

#### CORRESPONDENCE INFORMATION

NAME	Ralph Kalish
FIRM NAME	Blackwell Sanders Peper Martin LLP
STREET	720 Olive St.
INTERNAL ADDRESS	24th Floor
CITY	St. Louis
STATE	Missouri
COUNTRY	United States
ZIP/POSTAL CODE	63101
PHONE	314-345-6000
FAX	314-345-6060
EMAIL ADDRESS	pto-sl@blackwellsanders.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

#### FEE INFORMATION

NUMBER OF CLASSES	1
FEES PER CLASS	325
TOTAL FEE DUE	325

#### SIGNATURE INFORMATION

SIGNATURE	/Ralph W. Kalish, Jr./
SIGNATORY'S NAME	Ralph W. Kalish, Jr.
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	03/29/2007

#### FILING INFORMATION SECTION

SUBMIT DATE	Thu Mar 29 16:51:27 EDT 2007
	USPTO/BAS-XX.XXX.XX.X-200

TEAS STAMP

70329165127818846-7714403  
1-370e215daa08ab0f154f2d8  
ed8fdb55b2ac-CC-513-20070  
329154500483988

---

## Trademark/Service Mark Application, Principal Register

**Serial Number: 77144031**  
**Filing Date: 03/29/2007**

### To the Commissioner for Trademarks:

**MARK:** MOVIE CUBE (stylized and/or with design, see [mark](#))

The literal element of the mark consists of MOVIE CUBE. The applicant is not claiming color as a feature of the mark. The mark consists of word MOVIE with a three dimensional cube as the letter O above the word CUBE.

The applicant, The New Release, a limited partnership legally organized under the laws of Texas, having an address of 1233 West Olympic Blvd., Los Angeles, California, United States, 90064, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 041: automated and non-automated DVD, VHS, and other video rental services

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Ralph Kalish and Danica Mathes, Samuel Digirolamo, Alisha Huls, Alan Nemes, Wendy Boldt Cohen of Blackwell Sanders Peper Martin LLP, 24th Floor, 720 Olive St., St. Louis, Missouri, United States, 63101 to submit this application on behalf of the applicant. The attorney docket/reference number is 718700.29.

Correspondence Information: Ralph Kalish

24th Floor  
720 Olive St.  
St. Louis, Missouri 63101  
314-345-6000(phone)  
314-345-6060(fax)  
pto-sl@blackwellsanders.com (authorized)

A fee payment in the amount of \$325 will be submitted with the application, representing payment for 1 class(es).

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Ralph W. Kalish, Jr./ Date Signed: 03/29/2007

Signatory's Name: Ralph W. Kalish, Jr.

Signatory's Position: Attorney for Applicant

RAM Sale Number: 513

RAM Accounting Date: 03/30/2007

Serial Number: 77144031

Internet Transmission Date: Thu Mar 29 16:51:27 EDT 2007

TEAS Stamp: USPTO/BAS-XX.XXX.XX.X-200703291651278188  
46-77144031-370e215daa08ab0f154f2d8ed8fd  
b55b2ac-CC-513-20070329154500483988

movie  
cube

movie  
cube