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**Mark:** RENT HERE, RETURN ANYWHERE

RENT HERE, RETURN ANYWHERE

**US Serial Number:** 77464184

**Application Filing Date:** May 02, 2008

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



DEAD/APPLICATION/Refused/Dismissed or Invalidated

This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.

**Status:** Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

**Status Date:** Mar. 19, 2009

**Date Abandoned:** Feb. 24, 2009

## Mark Information

**Mark Literal Elements:** RENT HERE, RETURN ANYWHERE

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## 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 entertainment media through automated vending machines

**International Class(es):** 041 - Primary Class

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

**Class Status:** ACTIVE

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** Yes

**Currently ITU:** Yes

**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:** Suite 1200, One Tower Lane  
Oakbrook Terrace, ILLINOIS UNITED STATES 60181

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** James P. Muraff  
**Attorney Primary Email Address:** [ipdocket@ngelaw.com](mailto:ipdocket@ngelaw.com)  
**Docket Number:** 19638.05T1  
**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** JAMES P. MURAFF  
NEAL, GERBER & EISENBERG LLP  
2 N LASALLE ST STE 2200  
CHICAGO, ILLINOIS UNITED STATES 60602-3963  
**Phone:** 312.269-8000  
**Correspondent e-mail:** [ipdocket@ngelaw.com](mailto:ipdocket@ngelaw.com)  
**Fax:** 312.269-1747  
**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 03, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 19, 2009	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Mar. 19, 2009	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Aug. 21, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Aug. 21, 2008	NON-FINAL ACTION E-MAILED	
Aug. 21, 2008	NON-FINAL ACTION WRITTEN	
Aug. 18, 2008	ASSIGNED TO EXAMINER	
May 06, 2008	NEW APPLICATION ENTERED	

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:** MCCAULEY, BRENDAN  
**Law Office Assigned:** LAW OFFICE 114

### File Location

**Current Location:** TMO LAW OFFICE 114 - EXAMINING ATTORNEY ASSIGNED  
**Date in Location:** Mar. 19, 2009

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 3  
**Applicant:** Redbox Automated Retail, LLC

### Assignment 1 of 3

**Conveyance:** SECURITY INTEREST  
**Reel/Frame:** [3952/0006](#)  
**Date Recorded:** Mar. 13, 2009  
**Supporting Documents:** [assignment-tm-3952-0006.pdf](#)  
**Pages:** 8

### Assignor

**Name:** [REDBOX AUTOMATED RETAIL, LLC](#)  
**Legal Entity Type:** LIMITED LIABILITY COMPANY  
**Execution Date:** Mar. 09, 2009  
**State or Country Where Organized:** DELAWARE

### Assignee

**Name:** [BANK OF AMERICA, N.A.](#)  
**Legal Entity Type:** NATIONAL BANKING ASSOCIATION  
**State or Country Where Organized:** No Place of Organization Found

**Address:** 231 S. LASALLE STREET  
CHICAGO, ILLINOIS 60697

**Correspondent**

**Correspondent Name:** RYAN G. MOSHELL

**Correspondent Address:** HAYNES AND BOONE, LLP  
2323 VICTORY AVENUE, SUITE 700  
DALLAS, TX 75219

**Domestic Representative - Not Found**

**Assignment 2 of 3**

**Conveyance:** AMENDED AND RESTATED SECURITY AGREEMENT

**Reel/Frame:** [4590/0957](#)

**Pages:** 8

**Date Recorded:** Jul. 26, 2011

**Supporting Documents:** [assignment-tm-4590-0957.pdf](#)

**Assignor**

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

**Execution Date:** Jul. 15, 2011

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

**Assignee**

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

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

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

**Address:** 901 MAIN STREET  
MAIL CODE: TX1-492-14-14  
DALLAS, TEXAS 75202

**Correspondent**

**Correspondent Name:** GAVIN GEORGE

**Correspondent Address:** HAYNES AND BOONE, LLP  
2323 VICTORY AVENUE, SUITE 700  
DALLAS, TX 75219

**Domestic Representative - Not Found**

**Assignment 3 of 3**

**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 Where Organized:** UNITED STATES

**Assignee**

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

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

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

**Correspondent**

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

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

**Domestic Representative - Not Found**

Side - 1



**NOTICE OF ABANDONMENT**  
**MAILING DATE: Mar 19, 2009**

The trademark application identified below was abandoned in full because a response to the Office Action mailed on Aug 21, 2008 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.**

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 77464184  
**MARK:** RENT HERE, RETURN ANYWHERE  
**OWNER:** Redbox Automated Retail, LLC

Side - 2

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COMMISSIONER FOR TRADEMARKS  
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ALEXANDRIA, VA 22313-1451

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NEAL, GERBER & EISENBERG LLP  
2 N LASALLE ST STE 2200  
CHICAGO , IL 60602-3963

**To:** Redbox Automated Retail, LLC ([ipdocket@ngelaw.com](mailto:ipdocket@ngelaw.com))  
**Subject:** TRADEMARK APPLICATION NO. 77464184 - RENT HERE, RETURN AN - 19638.05T1  
**Sent:** 8/21/2008 10:03:32 AM  
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[Attachment - 7](#)  
[Attachment - 8](#)

## UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 77/464184

**MARK:** RENT HERE, RETURN AN

**\*77464184\***

**CORRESPONDENT ADDRESS:**

JAMES P. MURAFF  
NEAL, GERBER & EISENBERG LLP  
2 N LASALLE ST STE 2200  
CHICAGO, IL 60602-3963

**RESPOND TO THIS ACTION:**

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

**GENERAL TRADEMARK INFORMATION:**

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

**APPLICANT:** Redbox Automated Retail, LLC

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

19638.05T1

**CORRESPONDENT E-MAIL ADDRESS:**

[ipdocket@ngelaw.com](mailto:ipdocket@ngelaw.com)

## OFFICE 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: 8/21/2008**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

### SECTION 2(e)(1) REFUSAL – MERELY DESCRIPTIVE

Registration is refused because the applied-for mark merely describes a characteristic of feature of applicant's goods and/or services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the specified goods and/or services. TMEP §1209.01(b); *see In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005); *In re Gyulay*, 820 F.2d 1216, 1217-18, 3 USPQ2d 1009, 1010 (Fed. Cir. 1987). Moreover, a mark that identifies a group of users to whom an applicant directs its

goods and/or services is also merely descriptive. TMEP §1209.03(i); see *In re Planalytics, Inc.*, 70 USPQ2d 1453, 1454 (TTAB 2004).

The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 USPQ 215, 218 (C.C.P.A. 1978); TMEP §1209.01(b); see, e.g., *In re Polo Int'l Inc.*, 51 USPQ2d 1061 (TTAB 1999) (finding DOC in DOC-CONTROL would be understood to refer to the “documents” managed by applicant’s software, not “doctor” as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (finding CONCURRENT PC-DOS merely descriptive of “computer programs recorded on disk” where relevant trade used the denomination “concurrent” as a descriptor of a particular type of operating system). “Whether consumers could guess what the product is from consideration of the mark alone is not the test.” *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985).

Applicant’s mark is RENT HERE, RETURN ANYWHERE for rental of entertainment media through automated vending machines. In relation to the services, the wording in the mark describes a feature or characteristic of applicant’s services, i.e. rent of entertainment media here in the vending machine provided by applicant at various locations and return the rental in anywhere of the return vending machines. Thus, the wording in the mark indicates a feature or characteristic of the services.

In support of the descriptive nature of the wording in relation to the services, the examining attorney attaches web pages describing applicant’s policy regarding renting and returning. The web pages helps support the descriptive nature of the wording in the mark in relation to the services. See attached web pages. In particular, applicant services are described as follows:

Redbox is the nation’s leading fully automated DVD rental machine. Each redbox kiosk holds more than 500 DVDs, representing the latest releases at the convenience of your fingertips. In less than one minute you can take home the latest DVD for only \$1 a night plus tax. As easy to use as an ATM, redbox offers a convenient new way to rent your favorite movie(s) for only \$1 a night plus tax. Simply use the touch screen to review and select your favorite movie(s), swipe your valid credit or debit card, and go! The newest releases are available, while supplies last, at each machine every Tuesday. Consumers can return their redbox DVDs to any other redbox location nationwide.

Thus, as evidenced by the description of the services above, the nature of applicant’s services are described as basically rent here at the kiosk/vending machine and return the DVD rental to anywhere, namely, to any other redbox location nationwide. Thus, for these reasons, the mark as used in connection with the services is descriptive for a feature or characteristic of applicant’s services.

Although applicant’s mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration.

#### INFORMATIONAL SLOGAN/MATTER SERVICES POSSIBLE REFUSAL INTENT TO USE ADVISORY

Applicant is advised that, upon consideration of an allegation of use, registration may be refused on the ground that the applied-for mark, as used on the specimen of record, is merely informational matter or an informational slogan, and as such does not function as a service mark to identify and distinguish applicant’s services and to indicate the source of applicant’s services. Trademark Act Sections 1, 2, 3 and 45, 15 U.S.C. §§1051-1053, 1127; see TMEP §§904.07(b), 1301.02(a); see, e.g., *In re Standard Oil Co.*, 275 F.2d 945, 947, 125 USPQ 227, 229 (C.C.P.A. 1960) (holding the wording GUARANTEED STARTING not registrable because it would be perceived only as informational wording and not as a service mark for “winterizing” motor vehicles); *In re Melville Corp.*, 228 USPQ 970, 971 (TTAB 1986) (holding the wording BRAND NAMES FOR LESS not registrable because it would be perceived only as an informational phrase and not as a service mark for retail store services).

In determining whether the public would perceive the applied-for mark as a service mark or merely as informational matter or an informational slogan, the commercial impression created by the applied-for mark as shown on the specimen will be considered. See TMEP §1301.02(a).

#### REQUIREMENT(S)

Applicant must respond to the requirement(s) set forth below.

#### IDENTIFICATION OF SERVICES

The wording “entertainment media” in the identification of services is indefinite and must be clarified because the wording does not indicate the nature of what is being rented with enough specificity for proper identification and classification in this class. See TMEP §1402.01. Applicant must amend this wording to specify the common commercial or generic name for the services. If there is no common commercial or generic name for the services, then applicant must describe the nature of the services as well as their main purpose, channels of trade, and the intended consumer(s).

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahtml/tidm.html>. See TMEP §1402.04.

Applicant may adopt the following identification of services, if accurate:

Rental of entertainment media, namely, DVDs featuring movies and films, CDs featuring music, and video games (or indicate exact nature of entertainment media), through automated vending machines, International Class 41.

Identifications of services can be amended only to clarify or limit the services; adding to or broadening the scope of the services is not permitted. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include services that are not within the scope of the services set forth in the present identification.

#### SEARCH OF OFFICE RECORDS

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

/Brendan D. McCauley/  
Brendan D. McCauley  
Examining Attorney  
Law Office 114  
571-272-9459

**RESPOND TO THIS ACTION:** Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For technical assistance with the form, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; 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.

This is Google's cache of <http://www.careerbuilder.com/Jobs/Company/C8H06Q79R38C2VSMS99/Redbox/>. It is a snapshot of the page as it appeared on Aug 12, 2008 08:31:47 GMT. The [current page](#) could have changed in the meantime. [Learn more](#)

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redbox

Company Website

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### About redbox

redbox is the nation's leading fully automated DVD rental machine. Each redbox kiosk holds more than 500 DVDs, representing the latest releases at the convenience of your fingertips. In less than one minute you can take home the latest DVD for only \$1 a night plus tax. As easy to use as an ATM, redbox offers a convenient new way to rent your favorite movie(s) for

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convenient new way to rent your favorite movie(s) for only \$1 a night plus tax. Simply use the touch screen to review and select your favorite movie(s), swipe your valid credit or debit card, and go! The newest releases are available, while supplies last, at each machine every Tuesday. Consumers can return their redbox DVDs to any other redbox location nationwide.



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ON CBS.COM: **Farting dog is expelled**



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## Business Services Industry

### Meal and a Movie Made Easy with Redbox™ and McDonald's® USA

Business Wire, Nov 30, 2006

E-MAIL PRINT LINK

The Nation's Leading Fully Automated DVD Rental Kiosks to Expand Presence in McDonald's U.S. Restaurants

OAKBROOK TERRACE, Ill. -- Redbox, the nation's leader in automated DVD rental services, and McDonald's USA, LLC, today announced an agreement to offer fully automated DVD rental kiosks to a growing number of McDonald's restaurants nationwide. Redbox kiosks will begin appearing in McDonald's restaurants in select new U.S. markets early next year, offering McDonald's customers the latest DVD titles for only \$1 per night. The agreement follows a two-year test with McDonald's.

#### Most Popular

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McDonald's began testing redbox fully automated DVD rentals in 2004 in Denver. Redbox offers the latest titles, quick, self-service transactions, a \$1 per night price point and a convenient **rent-and-return anywhere** policy. Today redbox kiosks are featured in more than 800 McDonald's restaurants in the following six markets: Baltimore, Denver, Houston, Minneapolis, Salt Lake City and St. Louis.

"Redbox is excited to be named the exclusive automated

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#### Public Speaking Fear To Public Speaking Excellence

Redbox is excited to be named the exclusive automated DVD rental kiosk supplier for McDonald's USA, expanding our footprint and growth potential," said Gregg Kaplan, chief executive officer, redbox. "In the last 12 months, we've garnered more than 15 million rentals at McDonald's

locations alone. Whether renting at kiosk or online, redbox looks forward to providing our customers with even more locations to rent and return nationwide."

"In addition to our great-tasting food and beverage choices, our guests expect fast service, convenience and value every time they visit our restaurants," said Karen Wells, Vice President of Strategy, McDonald's USA. "Redbox at McDonald's is value added for our busy customers and it gives them one less thing to worry about."

Each fully automated redbox DVD rental kiosk holds more than 500 DVDs, representing over 70 of the newest movie releases, with new titles available every Tuesday. Consumers 18 years of age or older can use a touch screen to select their favorite movies, swipe a valid credit or debit card and go. Customers can keep the DVD for as long as they'd like for \$1 per night plus tax, and return their DVD to any redbox kiosk nationwide. For added convenience, customers can visit [www.redbox.com](http://www.redbox.com) to choose their favorite title online and pick it up immediately at the redbox location of their choice.

Redbox has over three years of planning, consumer testing, refinement and actual operations, and currently features more than 1,800 locations nationwide, including select McDonald's restaurants, major supermarket chains and prestigious office buildings. An interactive redbox locator featuring an updated list of locations can be found at [www.redbox.com](http://www.redbox.com).

#### About Redbox

Redbox Automated Retail, LLC is a leading renter of DVDs through automated kiosks. Featuring an unmatched price point and convenient **rent-and-return anywhere** policy, redbox continues to revolutionize the DVD rental industry. In September 2006, redbox launched online rentals - offering guaranteed and immediate access to new release titles with no membership or mailman required. McDonald's Corporation, the parent company of McDonald's USA, LLC, indirectly owns a minority interest in redbox. More information about redbox can be found at [www.redbox.com](http://www.redbox.com).

#### About McDonald's USA

McDonald's USA, LLC, is the leading foodservice provider in the United States serving a variety of wholesome foods made from quality ingredients to millions of customers every day. More than 80 percent of McDonald's 13,700 U.S. restaurants are independently owned and operated by local franchisees. For more information about McDonald's visit [www.mcdonalds.com](http://www.mcdonalds.com).

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# Davis Freeberg's Digital Connection

## The Subtle Advantages of Redbox's DVD Kisoks

October 25th, 2006 Davis Posted in [DVDs](#), [Kiosks](#), [Disclosure](#) - I own stock in co. mentioned, [Netflix](#), [Uncategorized](#) |

About 6 months ago, Byrus from the Daily Gadget, wrote a [brief review](#) of Redbox's DVD rental machines in Colorado. Since that time, Redbox has made two major enhancements to their DVD rental program, so he went back and wrote an excellent update on [his experience using the Redbox DVD machines](#). Over the last 9 months we've seen Redbox [upgrade their older DVD vending machines](#) from a capacity of 100 discs to 500 discs and we've seen them add support for [online reservations](#). The combination of both of these enhancements has created a subtle advantage that kiosks have over Blockbuster and Netflix.

*"Because you can **rent and return anywhere**, and you can rent online from any box this is a great service for travelers. You can rent a DVD on the way to the airport, watch it on the plane and return it when you land (if you are going somewhere that has a RedBox) just make sure you look up a location at the other end of the trip. Another option is to do the same during a road trip. You can even rent a new one at your next stop online. Try that with NetFlix or Blockbuster."*

Part of why I think Redbox has been so successful has been because they've been targeting communities one at a time, instead of trying to immediately go national with their service. As their business expands, we'll see Redbox spread to other cities, but by saturating a local market, they give their customers more rental options instead of just targeting a single location. This enables the company to offer more titles because they can put different new releases at different locations. It also makes it easier for customers to return their discs if they live or work near several different kiosks.




In reading through the review, I found it interesting to learn that Redbox has started renting television shows along with the new release movies that they are known for. While it's entirely possible that they may have been offering television shows all along, at a cost of \$1 per DVD and with most DVDs having four shows, you can go through an entire season of TV for only \$6, if you are efficient in watching your rentals. This is a considerable cost savings over traditional video stores and iTunes, in addition to offering a significant time advantage over DVD by mail. While not everyone will want to binge on massive amounts of TV at once

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offering a significant time advantage over DVD by mail. While not everyone will want to binge on massive amounts of TV at once, I know that I enjoy watching a season of television from end to end vs. having to deal with cliff hangers all year long. One of my favorite things about Netflix has been my ability to go back and discover old television shows for the first time and while renting an entire season in one week sounds intense, I've always had a secret fantasy to try and relive an entire season of 24 over an actual 24 hour period.

I don't believe that Redbox is going to replace the longtail experience that Netflix offers, but I do think that there are consumers, like Byrus, who appreciate the flexibility and value that a kiosk experience provides. My dream DVD experience would be to see Redbox combine the convenience of a DVD kiosk with an online DVD by mail subscription. Such a combination would give me the ability to have an all you can watch experience, but to also still have access to the longtail content that I crave. While, to date there have not been a lot of consumer reviews on Redbox, I have a feeling that as we see more and more locations deployed nationally, that we'll see more positive experiences like the one that Byrus describes.

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**Subject:** TRADEMARK APPLICATION NO. 77464184 - RENT HERE, RETURN AN - 19638.05T1  
**Sent:** 8/21/2008 10:03:35 AM  
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DATE: 08/19/2008

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☐ Checked with Law Library re surname.

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☐ Checked ID with ID/Class

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☐ Telephoned attorney/applicant leaving message re: \_\_\_\_\_

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☐ 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)

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#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	9	0	9	7	0:02	"Redbox Automated Retail"[on]
02	8967	N/A	0	0	0:01	*rent*[bi,ti]
03	17510	N/A	0	0	0:01	*here*[bi,ti]
04	1182	N/A	0	0	0:01	*return*[bi,ti]
05	1376	N/A	0	0	0:02	*any\$2where*[bi,ti]
06	1468	N/A	0	0	0:02	*any*[bi,ti] and *where*[bi,ti]
07	71	0	71	49	0:01	2 and 3 not dead[Id]
08	4	0	4	3	0:01	2 and 4 not dead[Id]
09	2	0	2	2	0:01	2 and 5 not dead[Id]
10	2	0	2	2	0:01	2 and 6 not dead[Id]
11	5	0	5	4	0:01	3 and 4 not dead[Id]
12	580	0	26	20	0:01	3 and 5 not dead[Id]
13	620	0	27	21	0:01	3 and 6 not dead[Id]
14	2	0	2	2	0:01	4 and 5 not dead[Id]
15	2	0	2	2	0:01	4 and 6 not dead[Id]
16	2	1	1	0	0:02	"here"[bi,ti] and "any where"[bi,ti]
17	33	15	18	14	0:01	"here"[bi,ti] and "anywhere"[bi,ti]

Session started 8/18/2008 3:09:24 PM

Session finished 8/18/2008 3:14:18 PM

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## Trademark/Service Mark Application, Principal Register

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The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77464184
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">RENT HERE, RETURN ANYWHERE</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	RENT HERE, RETURN ANYWHERE
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Redbox Automated Retail, LLC
<b>*STREET</b>	Suite 1200, One Tower Lane
<b>*CITY</b>	Oakbrook Terrace
<b>*STATE</b> (Required for U.S. applicants)	Illinois
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE</b> (Required for U.S. applicants only)	60181
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	limited liability company
<b>STATE/COUNTRY WHERE LEGALLY ORGANIZED</b>	Delaware
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>*INTERNATIONAL CLASS</b>	041
<b>*IDENTIFICATION</b>	Rental of entertainment media through automated vending machines
<b>FILING BASIS</b>	SECTION 1(b)
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	James P. Muraff
<b>ATTORNEY DOCKET NUMBER</b>	19638.05T1
<b>FIRM NAME</b>	Neal, Gerber & Eisenberg LLP
<b>STREET</b>	Two North LaSalle Street, Suite 2200
<b>CITY</b>	Chicago

STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312.269-8000
FAX	312.269-1747
EMAIL ADDRESS	ipdocket@ngelaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	All other attorneys of the firm
<b>CORRESPONDENCE INFORMATION</b>	
NAME	James P. Muraff
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AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>FEE INFORMATION</b>	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
<b>SIGNATURE INFORMATION</b>	
SIGNATURE	/Frederick W. Stein/
SIGNATORY'S NAME	Frederick W. Stein
SIGNATORY'S POSITION	Vice President, General Counsel & Secretary
DATE SIGNED	05/02/2008

---

## Trademark/Service Mark Application, Principal Register

**Serial Number: 77464184**

**Filing Date: 05/02/2008**

### To the Commissioner for Trademarks:

**MARK:** RENT HERE, RETURN ANYWHERE (Standard Characters, see [mark](#))

The literal element of the mark consists of RENT HERE, RETURN ANYWHERE.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Redbox Automated Retail, LLC, a limited liability company legally organized under the laws of Delaware, having an address of  
Suite 1200, One Tower Lane  
Oakbrook Terrace, Illinois 60181  
United States

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: Rental of entertainment media through automated vending machines

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 James P. Muraff and All other attorneys of the firm of Neal, Gerber & Eisenberg LLP

Two North LaSalle Street, Suite 2200

Chicago, Illinois 60602

United States

to submit this application on behalf of the applicant. The attorney docket/reference number is 19638.05T1.

Correspondence Information: James P. Muraff

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312.269-8000(phone)

312.269-1747(fax)

ipdocket@ngelaw.com (authorized)

A fee payment in the amount of \$325 has been 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: /Frederick W. Stein/ Date Signed: 05/02/2008

Signatory's Name: Frederick W. Stein

Signatory's Position: Vice President, General Counsel & Secretary

RAM Sale Number: 6305

RAM Accounting Date: 05/02/2008

Serial Number: 77464184

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