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Mark: GAMEBOX

GAMEBOX

US Serial Number: 77753465

Application Filing Date: Jun. 05, 2009

US Registration Number: 3958469

Registration Date: May 10, 2011

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. 15, 2017

Publication Date: Aug. 10, 2010 **Notice of Allowance Date:** Oct. 05, 2010

Date Cancelled: Dec. 15, 2017

Mark Information

Mark Literal Elements: GAMEBOX

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: Retail services provided through automated vending machines kiosks featuring movies and video games

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: SECTION 8 - CANCELLED

First Use: Sep. 2009

Use in Commerce: Sep. 2009

For: Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

International Class(es): 041 - Primary Class

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

Class Status: SECTION 8 - CANCELLED

First Use: Sep. 2010

Use in Commerce: Sep. 2010

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: James P. Muraff

Docket Number: 19638.09T1

Attorney Primary ipdocket@ngelaw.com
Email Address:

Attorney Email No
Authorized:

Correspondent

Correspondent JAMES P. MURAFF
Name/Address: NEAL, GERBER & EISENBERG LLP
2 N LASALLE ST STE 1700
CHICAGO, ILLINOIS UNITED STATES 60602-4000

Phone: 312-269-8000

Fax: 312-269-1747

Correspondent e- ipdocket@ngelaw.com
mail:

Correspondent e- No
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 15, 2017	CANCELLED SEC. 8 (6-YR)	
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 03, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 10, 2011	REGISTERED-PRINCIPAL REGISTER	
Apr. 08, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 07, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	
Apr. 06, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 06, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 05, 2011	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 02, 2011	USE AMENDMENT FILED	
Apr. 05, 2011	SOU EXTENSION 1 GRANTED	
Apr. 02, 2011	SOU EXTENSION 1 FILED	
Apr. 04, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	
Apr. 02, 2011	SOU TEAS EXTENSION RECEIVED	
Apr. 02, 2011	TEAS STATEMENT OF USE RECEIVED	
Oct. 05, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 10, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 10, 2010	PUBLISHED FOR OPPOSITION	
Jul. 08, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Jul. 08, 2010	ASSIGNED TO LIE	
Jun. 24, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 24, 2010	EXAMINER'S AMENDMENT ENTERED	
Jun. 24, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	
Jun. 24, 2010	EXAMINERS AMENDMENT E-MAILED	
Jun. 24, 2010	EXAMINERS AMENDMENT -WRITTEN	
Jun. 03, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	
Jun. 02, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	

Jun. 02, 2010	TEAS REQUEST FOR RECONSIDERATION RECEIVED
Mar. 25, 2010	NOTIFICATION OF FINAL REFUSAL EMAILED
Mar. 25, 2010	FINAL REFUSAL E-MAILED
Mar. 25, 2010	FINAL REFUSAL WRITTEN
Mar. 10, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED
Mar. 09, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE
Mar. 09, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED
Sep. 14, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED
Sep. 14, 2009	NON-FINAL ACTION E-MAILED
Sep. 14, 2009	NON-FINAL ACTION WRITTEN
Sep. 05, 2009	ASSIGNED TO EXAMINER
Jun. 10, 2009	NOTICE OF PSEUDO MARK MAILED
Jun. 09, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Jun. 09, 2009	NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 07, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Registrant: Redbox Automated Retail, LLC

Assignment 1 of 5

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 2 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [5885/0027](#)

Pages: 8

Date Recorded: Sep. 27, 2016

Supporting Documents: [assignment-tm-5885-0027.pdf](#)

Assignor

Name: [REDBOX AUTOMATED RETAIL, LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY
Execution Date: Sep. 27, 2016
State or Country Where Organized: DELAWARE

Assignee

Name: [JEFFERIES FINANCE LLC, AS COLLATERAL AGENT](#)
Legal Entity Type: BANK
State or Country Where Organized: UNITED STATES
Address: 520 MADISON AVENUE
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: CORPORATION SERVICE COMPANY
Correspondent Address: 1090 VERMONT AVENUE, NW
WASHINGTON, DC 20005

Domestic Representative - Not Found**Assignment 3 of 5**

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.](#)
Legal Entity Type: NATIONAL BANKING ASSOCIATION
Execution Date: Sep. 27, 2016
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**Assignment 4 of 5**

Conveyance: SECURITY INTEREST
Reel/Frame: [6187/0046](#) **Pages:** 7
Date Recorded: Oct. 20, 2017
Supporting Documents: [assignment-tm-6187-0046.pdf](#)

Assignor

Name: [REDBOX AUTOMATED RETAIL LLC](#)
Legal Entity Type: LIMITED LIABILITY COMPANY
Execution Date: Oct. 20, 2017
State or Country Where Organized: DELAWARE

Assignee

Name: [HPS INVESTMENT PARTNERS, LLC, AS COLLATERAL AGENT](#)
Legal Entity Type: LIMITED LIABILITY COMPANY
State or Country Where Organized: DELAWARE
Address: 40 WEST 57TH STREET
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: KRISTIN YOHANNAN, ESQ.

Correspondent Address: 1850 K STREET, NW, SUITE 1100
MILBANK, TWEED, HADLEY & MCCLOY, LLP
WASHINGTON, DC 20006

Domestic Representative - Not Found**Assignment 5 of 5**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [7819/0650](#)

Pages: 7

Date Recorded: Aug. 11, 2022

Supporting Documents: [assignment-tm-7819-0650.pdf](#)

Assignor

Name: [JEFFERIES FINANCE LLC, AS COLLATERAL AGENT](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: BANK

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
OAKBROOK TERRACE, ILLINOIS 60181

Correspondent

Correspondent Name: EPSTEIN DRANGEL LLP

Correspondent Address: 60 EAST 42ND STREET
SUITE 1250
NEW YORK, NY 10165

Domestic Representative - Not Found

United States of America

United States Patent and Trademark Office

GAMEBOX

Reg. No. 3,958,469

Registered May 10, 2011

Int. Cls.: 35 and 41

SERVICE MARK

PRINCIPAL REGISTER

REDBOX AUTOMATED RETAIL, LLC (DELAWARE LIMITED LIABILITY COMPANY)
ONE TOWER LANE, SUITE 1200
OAKBROOK TERRACE, IL 60181

FOR: RETAIL SERVICES PROVIDED THROUGH AUTOMATED VENDING MACHINES
KIOSKS FEATURING MOVIES AND VIDEO GAMES, IN CLASS 35 (U.S. CLS. 100, 101 AND
102).

FIRST USE 9-0-2009; IN COMMERCE 9-0-2009.

FOR: RENTAL OF ENTERTAINMENT MEDIA, NAMELY, MOVIES AND VIDEO GAMES,
PROVIDED THROUGH AUTOMATED VENDING MACHINES KIOSKS, IN CLASS 41 (U.S.
CLS. 100, 101 AND 107).

FIRST USE 9-0-2010; IN COMMERCE 9-0-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-753,465, FILED 6-5-2009.

KIM SAITO, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

From: TMOOfficialNotices@USPTO.GOV
Sent: Friday, April 8, 2011 00:10 AM
To: XXXX
Subject: Trademark Serial Number 77753465 : Official USPTO Notice of Acceptance of Statement of Use

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

Serial Number: 77-753,465
Mark: GAMEBOX(STANDARD CHARACTER MARK)
Owner: Redbox Automated Retail, LLC
Reference Number: 19638.09T1

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at www.uspto.gov or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of an application, go to <http://tarr.uspto.gov/>.

Trademark Snap Shot Publication & Issue Review Stylesheet
(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	04/08/2011		
PUB DATE	08/10/2010		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	04/07/2011		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
------------	-------------------------

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services provided through automated vending machines kiosks featuring movies and video games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	09/00/2009	FIRST USE IN COMMERCE DATE	09/00/2009	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	09/00/2010	FIRST USE IN COMMERCE DATE	09/00/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/08/2011	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	037
04/07/2011	REGV	O	LAW OFFICE REGISTRATION REVIEW COMPLETED	036
04/06/2011	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	035
04/06/2011	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	034
04/05/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	033
04/02/2011	IUAF	S	USE AMENDMENT FILED	032
04/05/2011	EX1G	S	EXTENSION 1 GRANTED	031
04/02/2011	EXT1	S	EXTENSION 1 FILED	030
04/04/2011	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	029
04/02/2011	EEXT	I	TEAS EXTENSION RECEIVED	028
04/02/2011	EISU	I	TEAS STATEMENT OF USE RECEIVED	027
10/05/2010	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	026
08/10/2010	NPUB	E	NOTICE OF PUBLICATION E-MAILED	025
08/10/2010	PUBO	A	PUBLISHED FOR OPPOSITION	024
07/08/2010	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	023
07/08/2010	ALIE	A	ASSIGNED TO LIE	022

06/24/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	021
06/24/2010	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
06/24/2010	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	019
06/24/2010	GNEA	O	EXAMINERS AMENDMENT E-MAILED	018
06/24/2010	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	017
06/03/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
06/02/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
06/02/2010	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
03/25/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
03/25/2010	GNFR	O	FINAL REFUSAL E-MAILED	012
03/25/2010	CNFR	R	FINAL REFUSAL WRITTEN	011
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/09/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GAMEBOX

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	04/07/2011		
PUB DATE	08/10/2010		
STATUS	818-SU - STATEMENT OF USE ACCEPTED - APPROVED FOR REGISTRATION		
STATUS DATE	04/06/2011		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
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NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services provided through automated vending machines kiosks featuring movies and video games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	09/00/2009	FIRST USE IN COMMERCE DATE	09/00/2009	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	09/00/2010	FIRST USE IN COMMERCE DATE	09/00/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/06/2011	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	035
04/06/2011	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	034
04/05/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	033
04/02/2011	IUAF	S	USE AMENDMENT FILED	032
04/05/2011	EX1G	S	EXTENSION 1 GRANTED	031
04/02/2011	EXT1	S	EXTENSION 1 FILED	030
04/04/2011	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	029
04/02/2011	EEXT	I	TEAS EXTENSION RECEIVED	028
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08/10/2010	PUBO	A	PUBLISHED FOR OPPOSITION	024
07/08/2010	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	023
07/08/2010	ALIE	A	ASSIGNED TO LIE	022
06/24/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	021
06/24/2010	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020

06/24/2010	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	019
06/24/2010	GNEA	O	EXAMINERS AMENDMENT E-MAILED	018
06/24/2010	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	017
06/03/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
06/02/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
06/02/2010	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
03/25/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
03/25/2010	GNFR	O	FINAL REFUSAL E-MAILED	012
03/25/2010	CNFR	R	FINAL REFUSAL WRITTEN	011
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/09/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GAMEBOX

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, April 6, 2011 00:11 AM
To: XXXX
Subject: Trademark Serial Number 77753465 : Official USPTO Notice of Approval of Extension Request

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 77-753,465
Mark: GAMEBOX(STANDARD CHARACTER MARK)
Owner: Redbox Automated Retail, LLC
Extension Request Number: 1
Reference Number: 19638.09T1
Notice of Allowance Date: Oct 5, 2010

The USPTO issued a Notice of Allowance on **Oct 5, 2010** for the trademark application identified above. Applicant's **FIRST** request for Extension of Time to File a Statement of Use has been **GRANTED**.

PLEASE NOTE:

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at www.uspto.gov or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of an application, go to <http://tarr.uspto.gov/>.

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

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	04/06/2011		
PUB DATE	08/10/2010		
STATUS	748-STATEMENT OF USE - TO EXAMINER		
STATUS DATE	04/05/2011		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
------------	-------------------------

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services provided through automated vending machines kiosks featuring movies and video games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	09/00/2009	FIRST USE IN COMMERCE DATE	09/00/2009	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	09/00/2010	FIRST USE IN COMMERCE DATE	09/00/2010	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/06/2011	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	034
04/05/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	033
04/02/2011	IUAF	S	USE AMENDMENT FILED	032
04/05/2011	EX1G	S	EXTENSION 1 GRANTED	031
04/02/2011	EXT1	S	EXTENSION 1 FILED	030
04/04/2011	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	029
04/02/2011	EEXT	I	TEAS EXTENSION RECEIVED	028
04/02/2011	EISU	I	TEAS STATEMENT OF USE RECEIVED	027
10/05/2010	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	026
08/10/2010	NPUB	E	NOTICE OF PUBLICATION E-MAILED	025
08/10/2010	PUBO	A	PUBLISHED FOR OPPOSITION	024
07/08/2010	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	023
07/08/2010	ALIE	A	ASSIGNED TO LIE	022
06/24/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	021
06/24/2010	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
06/24/2010	GNEA	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	019

06/24/2010	GNEA	O	EXAMINERS AMENDMENT E-MAILED	018
06/24/2010	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	017
06/03/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
06/02/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
06/02/2010	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
03/25/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
03/25/2010	GNFR	O	FINAL REFUSAL E-MAILED	012
03/25/2010	CNFR	R	FINAL REFUSAL WRITTEN	011
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/09/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GAMEBOX

SOU Extension Request (15 U.S.C. Section 1051(d))

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77753465
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION	
OWNER SECTION (no change)	
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Retail services provided through automated vending machines kiosks featuring movies and video games
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	1
ALLOWANCE MAIL DATE	10/05/2010
STATEMENT OF USE	YES
PAYMENT SECTION	
NUMBER OF CLASSES	2
SUBTOTAL AMOUNT	300
TOTAL AMOUNT	300
SIGNATURE SECTION	
SIGNATURE	/Frederick W. Stein/
SIGNATORY'S NAME	Fredrick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel
DATE SIGNED	03/30/2011
FILING INFORMATION	
SUBMIT DATE	Sat Apr 02 17:42:06 EDT 2011
TEAS STAMP	USPTO/ESU-XX.XX.XXX.XXX-2 0110402174206849904-77753 465-4804f6c56bf66e47b25b0 18de2ddce81-DA-6219-20110 329215016887266

**SOU Extension Request
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

MARK: GAMEBOX

SERIAL NUMBER: 77753465

The applicant, Redbox Automated Retail, LLC, having an address of
One Tower Lane, Suite 1200
Oakbrook Terrace, Illinois 60181
United States

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 10/05/2010.

For International Class 035:

Current identification: Retail services provided through automated vending machines kiosks featuring movies and video games

The applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all of the goods and/or services listed in the Notice of Allowance or as subsequently modified for this specific class.

For International Class 041:

Current identification: Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

The applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all of the goods and/or services listed in the Notice of Allowance or as subsequently modified for this specific class.

This is the first extension request.

A Statement of Use is being submitted along with the Extension request as evidence that applicant believes that it has made valid use of the mark in commerce. If the USPTO finds the Statement of Use to be fatally defective, the applicant requests additional time to file an amended or substitute Statement of Use.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 2 classes.

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 may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; 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: 03/30/2011

Signatory's Name: Frederick W. Stein

Signatory's Position: Vice President and General Counsel

RAM Sale Number: 6219

RAM Accounting Date: 04/04/2011

Serial Number: 77753465

Internet Transmission Date: Sat Apr 02 17:42:06 EDT 2011
TEAS Stamp: USPTO/ESU-XX.XX.XXX.XXX-2011040217420684
9904-77753465-4804f6c56bf66e47b25b018de2
ddce81-DA-6219-20110329215016887266

TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 77753465



Mark: GAMEBOX

Mail Date: 2011/04/02



Examiner Number: 72517



Examiner Name:
SAITO, KIM TSUKIYO

LIE Number: 73787



LIE Name:
WHITE, LORRI N

L.O. Assigned: LAW OFFICE 102

Special Instruction(s):

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20110402	\$150	2	\$300

Note: SOU has been previously filed. Do NOT automatically grant the extension.





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

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77753465
LAW OFFICE ASSIGNED	LAW OFFICE 102
EXTENSION OF USE	NO
MARK SECTION	
MARK	GAMEBOX
OWNER SECTION (no change)	
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Retail services provided through automated vending machines kiosks featuring movies and video games
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	09/00/2009
FIRST USE IN COMMERCE DATE	09/00/2009
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT11\IMAGEOUT 11\777\534\77753465\xml4\SOU0002.JPG
SPECIMEN DESCRIPTION	photograph of kiosk
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	09/00/2010
FIRST USE IN COMMERCE DATE	09/00/2010
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT11\IMAGEOUT 11\777\534\77753465\xml4\SOU0003.JPG
SPECIMEN DESCRIPTION	photograph of kiosk
REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	2
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	200
TOTAL AMOUNT	200
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Frederick W. Stein/

SIGNATORY'S NAME	Fredrick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel
DATE SIGNED	03/30/2011
FILING INFORMATION	
SUBMIT DATE	Sat Apr 02 18:16:26 EDT 2011
TEAS STAMP	USPTO/SOU-XX.XXX.XXX.XX-2 0110402181626726440-77753 465-480da3e53314c463da07c 979e56c4ba3a7c-DA-6240-20 110329193318545912

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

To the Commissioner for Trademarks:

MARK: GAMEBOX

SERIAL NUMBER: 77753465

The applicant, Redbox Automated Retail, LLC, having an address of
One Tower Lane, Suite 1200
Oakbrook Terrace, Illinois 60181
United States

is submitting the following allegation of use information:

For International Class 035:

Current identification: Retail services provided through automated vending machines kiosks featuring movies and video games

The mark is in use in commerce on or in connection with all goods or services listed in the application or Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 09/00/2009, and first used in commerce at least as early as 09/00/2009, 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) photograph of kiosk.

[Specimen File1](#)

For International Class 041:

Current identification: Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

The mark is in use in commerce on or in connection with all goods or services listed in the application or Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 09/00/2010, and first used in commerce at least as early as 09/00/2010, 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) photograph of kiosk.

[Specimen File1](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$200 will be submitted with the form, representing payment for the allegation of use for 2 classes.

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 so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; 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: 03/30/2011

Signatory's Name: Fredrick W. Stein

Signatory's Position: Vice President and General Counsel

RAM Sale Number: 6240

RAM Accounting Date: 04/04/2011

Serial Number: 77753465

Internet Transmission Date: Sat Apr 02 18:16:26 EDT 2011

TEAS Stamp: USPTO/SOU-XX.XXX.XXX.XX-2011040218162672

6440-77753465-480da3e53314c463da07c979e5

6c4ba3a7c-DA-6240-20110329193318545912





FEE RECORD SHEET

Serial Number: 77753465



RAM Sale Number: 6240

Total Fees: \$200

RAM Accounting Date: 20110404

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20110402	\$100	2	\$200

Transaction Date: 20110402



From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, October 5, 2010 00:05 AM
To: XXXX
Subject: Trademark Serial Number 77753465: Official USPTO Notice of Allowance

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Oct 5, 2010

Serial Number: 77-753,465
Mark: GAMEBOX(STANDARD CHARACTER MARK)
Attorney Reference Number: 19638.09T1

No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). **WARNING:** An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.

SIX (6)-MONTH DEADLINE: Applicant has six (6) MONTHS from the NOA issue date to file either:

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); **OR**
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. **WARNING:** An SOU may **not** be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.

How to file SOU and/or Extension Request:

Use the Trademark Electronic Application System (TEAS). Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at <http://www.uspto.gov/teas/index.html> (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp.

FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.

REVIEW APPLICATION INFORMATION FOR ACCURACY

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) FORMS" category, available at <http://www.uspto.gov/teas/index.html>. Do **NOT** reply to this e-mail, as e-mailed filings will NOT be processed.

Serial Number:	77-753,465
Mark:	GAMEBOX(STANDARD CHARACTER MARK)
Attorney Reference Number:	19638.09T1
Owner:	Redbox Automated Retail, LLC One Tower Lane, Suite 1200 Oakbrook Terrace , ILLINOIS 60181
Correspondence Address:	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO	Section 1(b): YES	Section 44(e): NO
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GOODS/SERVICES BY INTERNATIONAL CLASS

035 -	Retail services provided through automated vending machines kiosks featuring movies and video games -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
041 -	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED.

Fraudulent statements may result in registration being cancelled: Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

Additional information: For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at www.uspto.gov or call the Trademark Assistance Center at 1-800-786-9199.

Checking status: To check the status of an application, go to <http://tarr.uspto.gov>. Please check the status of any application at least every three (3) months after the application filing date.

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, August 10, 2010 00:22 AM
To: XXXX
Subject: Official USPTO Notice of Publication: Serial Number 77753465

NOTICE OF PUBLICATION

Serial Number: 77-753,465
Mark: GAMEBOX(STANDARD CHARACTER MARK)
International Class(es): 035, 041
Applicant: Redbox Automated Retail, LLC
Attorney Reference Number: 19638.09T1

The mark identified above has been published in the *Trademark Official Gazette* (OG) on Aug 10, 2010. Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then within twelve (12) weeks of the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the OG for accuracy (see steps, *below*). If any information is incorrect, the applicant should immediately email the requested correction to **TMPostPubQuery@uspto.gov**. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

1. Click on the following link or paste the URL into an internet browser: http://www.uspto.gov/web/trademarks/tmog/20100810_OG.pdf#page=1
2. Wait for the total OG to download completely (as indicated on bottom of OG page).
3. At the top/side of the displayed page, click wherever the "binoculars" icon appears.
4. Enter in the "search" box the name of the applicant (for individual: last name, first name) or the serial number in this exact format (with hyphen and comma): 77-753,465, e.g.
5. View the retrieved result(s). If multiple results appear in the "results" box, click directly on each "search term" shown in the box to access all separate appearances in the OG.

Trademark Snap Shot Publication & Issue Review Stylesheet
(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	07/09/2010		
PUB DATE	08/10/2010		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	07/08/2010		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
------------	-----------------------

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services provided through automated vending machines kiosks featuring movies and video games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/08/2010	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	023
07/08/2010	ALIE	A	ASSIGNED TO LIE	022
06/24/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	021
06/24/2010	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
06/24/2010	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	019
06/24/2010	GNEA	O	EXAMINERS AMENDMENT E-MAILED	018
06/24/2010	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	017
06/03/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
06/02/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
06/02/2010	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
03/25/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
03/25/2010	GNFR	O	FINAL REFUSAL E-MAILED	012
03/25/2010	CNFR	R	FINAL REFUSAL WRITTEN	011
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008

09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/09/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

GAMEBOX

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	06/25/2010		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	06/24/2010		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
------------	-----------------------

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services provided through automated vending machines kiosks featuring movies and video games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/24/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	021
06/24/2010	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
06/24/2010	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	019
06/24/2010	GNEA	O	EXAMINERS AMENDMENT E-MAILED	018
06/24/2010	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	017
06/03/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
06/02/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
06/02/2010	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
03/25/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
03/25/2010	GNFR	O	FINAL REFUSAL E-MAILED	012
03/25/2010	CNFR	R	FINAL REFUSAL WRITTEN	011
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006

09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/09/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

GAMEBOX

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	06/25/2010		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	06/24/2010		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
------------	-----------------------

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services provided through automated vending machines kiosks featuring movies and video games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/24/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	021
06/24/2010	XAEC	I	EXAMINER'S AMENDMENT ENTERED	020
06/24/2010	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	019
06/24/2010	GNEA	O	EXAMINERS AMENDMENT E-MAILED	018
06/24/2010	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	017
06/03/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
06/02/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
06/02/2010	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
03/25/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
03/25/2010	GNFR	O	FINAL REFUSAL E-MAILED	012
03/25/2010	CNFR	R	FINAL REFUSAL WRITTEN	011
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006

09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/09/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

GAMEBOX

To: Redbox Automated Retail, LLC (ipdocket@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77753465 - GAMEBOX - 19638.09T1
Sent: 6/24/2010 12:31:40 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

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

APPLICATION SERIAL NO. 77753465

MARK: GAMEBOX

77753465

CORRESPONDENT ADDRESS:

JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
2 N LASALLE ST STE 1700
CHICAGO, IL 60602-4000

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

APPLICANT: Redbox Automated Retail, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO :
19638.09T1

CORRESPONDENT E-MAIL ADDRESS:
ipdocket@ngelaw.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 6/24/2010

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by J. Muraff on June 24, 2010, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq*

Identification of Services

The identification of services is amended to read as follows:

Class 35: Retail services provided through automated vending machines kiosks featuring movies and video games

Class 41: Rental of entertainment media, namely, movies and video games, provided through automated vending machines kiosks.

See TMEP §§1402.01, 1402.01(e).

/Kim Saito/

Examining Attorney, Law Office 102
571-272-9214

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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

To: Redbox Automated Retail, LLC (ipdocket@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77753465 - GAMEBOX - 19638.09T1
Sent: 6/24/2010 12:31:49 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

Your trademark application (Serial No. 77753465) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office action”) on **6/24/2010** to which you must respond (*unless the Office letter specifically states that no response is required*). Please follow these steps:

1. **Read** the Office letter by clicking on this [link](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77753465&doc_type=EXA&mail_date=20100624) **OR** go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact TDR@uspto.gov.

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

2. **Contact** the examining attorney who reviewed your application if you have any questions about the content of the Office letter (contact information appears at the end thereof).

3. **Respond** within 6 months, calculated from **6/24/2010** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System (TEAS) [Response to Office Action form](#). If you have difficulty using TEAS, contact TEAS@uspto.gov.

ALERT:

Failure to file any required response by the applicable deadline will result in the [ABANDONMENT](#) (loss) of your application.

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.

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	06/04/2010		
PUB DATE	N/A		
STATUS	645-FINAL REFUSAL - MAILED		
STATUS DATE	03/25/2010		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
------------	-----------------------

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services provided through automated vending machines featuring entertainment media, namely entertainment content, namely movies and video games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of entertainment media, namely entertainment content, namely movies and video games, provided through automated vending machines

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/03/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	016
06/02/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	015
06/02/2010	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	014
03/25/2010	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	013
03/25/2010	GNFR	O	FINAL REFUSAL E-MAILED	012
03/25/2010	CNFR	R	FINAL REFUSAL WRITTEN	011
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002

06/09/2009

NWAP

I

NEW APPLICATION ENTERED IN TRAM

001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY

James P. Muraff

CORRESPONDENCE ADDRESS

JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
2 N LASALLE ST STE 1700
CHICAGO, IL 60602-4000

DOMESTIC REPRESENTATIVE

NONE

GAMEBOX

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77753465
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail services via automated vending machines featuring entertainment content and media	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(proposed)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail services provided through automated vending machines featuring entertainment media, namely entertainment content, namely movies and video games	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
DESCRIPTION	
Entertainment content and media rental and sale services through automated machines	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
DESCRIPTION	
Rental of entertainment media, namely entertainment content, namely movies and video games, provided through automated vending machines	
FILING BASIS	Section 1(b)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney of Record, Illinois bar member
DATE SIGNED	06/01/2010
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	

SUBMIT DATE	Wed Jun 02 16:51:27 EDT 2010
TEAS STAMP	USPTO/RFR-XX.XXX.XXX.XX-2 0100602165127693895-77753 465-460c0379d8b813eefd7d4 7be20cc6e6ec-N/A-N/A-2010 0527184024154864

PTO Form (Rev 4/2000)
OMB No. 0651-.... (Exp. 08/31/2004)

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **77753465** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 035 for Retail services via automated vending machines featuring entertainment content and media

Original Filing Basis:

Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed: Class 035 for Retail services provided through automated vending machines featuring entertainment media, namely entertainment content, namely movies and video games

Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 041 for Entertainment content and media rental and sale services through automated machines

Original Filing Basis:

Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed: Class 041 for Rental of entertainment media, namely entertainment content, namely movies and video games, provided through automated vending machines

Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /James P. Muraff/ Date: 06/01/2010

Signatory's Name: James P. Muraff

Signatory's Position: Attorney of Record, Illinois bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77753465

Internet Transmission Date: Wed Jun 02 16:51:27 EDT 2010

TEAS Stamp: USPTO/RFR-XX.XXX.XXX.XX-2010060216512769

3895-77753465-460c0379d8b813eefd7d47be20

cc6e6ec-N/A-N/A-20100527184024154864

To: Redbox Automated Retail, LLC (ipdocket@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77753465 - GAMEBOX - 19638.09T1
Sent: 3/25/2010 8:42:01 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/753465

MARK: GAMEBOX

77753465

CORRESPONDENT ADDRESS:

JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
2 N LASALLE ST STE 1700
CHICAGO, IL 60602-4000

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 :

19638.09T1

CORRESPONDENT E-MAIL ADDRESS:

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: 3/25/2010

THIS IS A FINAL ACTION.

Second Action

This letter responds to the applicant's communication filed on March 9, 2010. The examining attorney notes the applicant has added a class.

IDENTIFICATION OF SERVICES

The examining attorney maintains and makes **FINAL** the requirement for an acceptable and definite identification of services.

The identification of services in the application is: automated entertainment media rental and sale services.

The applicant amended the identification of services to:

Class 35: Retail services via automated vending machines featuring entertainment content and media

Class 41: Entertainment content and media rental and sale services through automated machines

For both classes 35 and 41, the proposed amendment to the identification cannot be accepted because it refers to goods and/or services that are not within the scope of the identification that was set forth in the application at the time of filing. *See* 37 C.F.R. §2.71(a).

The amendment identifies the following goods and/or services: “entertainment content and media.” This wording is beyond the scope of the original wording because the applicant indicated only "entertainment media" in the application.

Identifications can be amended only to clarify or limit the goods and/or services; adding to or broadening the scope of the goods and/or services is not permitted. *Id.*; see TMEP §§1402.06 *et seq.*, 1402.07. Therefore, this wording should be deleted from the identification.

Class 35

The class 35 identification is unacceptable as indefinite because the applicant must be more specific about the goods encompassed by "entertainment media." The applicant must indicate what the vending machines are selling, i.e. compact discs featuring music, DVDs featuring movies.

The applicant may adopt the following in class 35: retail services via automated vending machines featuring [specify particular entertainment media, i.e. compact discs featuring music].

Class 41

The class 41 identification is unacceptable as indefinite because the applicant must be more specific the goods that are encompassed by "entertainment media." The applicant must clarify what it means by "automated machines."

The applicant should also note that sales services are usually in class 35. The word “sales” in the identification of services is indefinite and must be clarified. See TMEP §1402.01. To be a service, an activity must be primarily for the benefit of someone other than the applicant. See *In re Reichhold Chems., Inc.*, 167 USPQ 376, 377 (TTAB 1970). “Sales” or “selling” is not a service rendered for the benefit of others. See TMEP §§1301.01(a)(ii), 1402.11. Therefore, applicant must delete “sale(s)” and indicate with greater specificity the nature of the service.

The applicant may adopt the following, if accurate in class 41: rental of movies and entertainment themed videotapes via vending machines.

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/netathtml/tidm.html>. See TMEP §1402.04.

Identifications of goods can be amended only to clarify or limit the goods; adding to or broadening the scope of the goods 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 goods that are not within the scope of the goods set forth in the present identification.

RESPONSE

If applicant does not respond within six months of the date of issuance of this final Office action, the application will be abandoned. 15 U.S.C. §1062(b); 37 C.F.R. §2.65(a). Applicant may respond to this final Office action by:

- (1) Submitting a response that fully satisfies all outstanding requirements, if feasible; and/or
- (2) Filing an appeal to the Trademark Trial and Appeal Board, with an appeal fee of \$100 per class.

37 C.F.R. §§2.6(a)(18), 2.64(a); TBMP ch. 1200; TMEP §714.04.

In certain rare circumstances, a petition to the Director may be filed pursuant to 37 C.F.R. §2.63(b)(2) to review a final Office action that is limited to procedural issues. 37 C.F.R. §2.64(a); TMEP §714.04; see 37 C.F.R. §2.146(b); TBMP §1201.05; TMEP §1704 (explaining petitionable matters). The petition fee is \$100. 37 C.F.R. §2.6(a)(15).

/Kim Saito/
Examining Attorney, Law Office 102
571-272-9214

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. 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.

To: Redbox Automated Retail, LLC (ipdocket@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77753465 - GAMEBOX - 19638.09T1
Sent: 3/25/2010 8:42:02 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

Your trademark application (Serial No. 77753465) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office action”) on **3/25/2010** to which you must respond (*unless the Office letter specifically states that no response is required*). Please follow these steps:

1. **Read** the Office letter by clicking on this [link](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77753465&doc_type=OOA&mail_date=20100325) **OR** go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact TDR@uspto.gov.

PLEASE NOTE: The Office letter may not be immediately available but will be viewable within 24 hours of this e-mail notification.

2. **Contact** the examining attorney who reviewed your application if you have any questions about the content of the Office letter (contact information appears at the end thereof).

3. **Respond** within 6 months, calculated from **3/25/2010** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System (TEAS) [Response to Office Action form](#). If you have difficulty using TEAS, contact TEAS@uspto.gov.

ALERT:

Failure to file any required response by the applicable deadline will result in the [ABANDONMENT](#) (loss) of your application.

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.

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	77753465	FILING DATE	06/05/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SAITO, KIM TSUKIYO	L.O. ASSIGNED	102

PUB INFORMATION

RUN DATE	03/11/2010		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	03/10/2010		
LITERAL MARK ELEMENT	GAMEBOX		
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	YES
LITERAL MARK ELEMENT	GAMEBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
------------	-----------------------

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Retail services via automated vending machines featuring entertainment content and media
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Entertainment content and media rental and sale services through automated machines

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	GAME BOX

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/10/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	010
03/09/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	009
03/09/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
09/14/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
09/14/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
09/14/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
09/05/2009	DOCK	D	ASSIGNED TO EXAMINER	004
06/10/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
06/09/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
06/09/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000

DOMESTIC REPRESENTATIVE

NONE

GAMEBOX

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77753465
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
DESCRIPTION	Automated entertainment media rental and sale services
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	
Automated entertainment media rental and sale services; Entertainment content and media rental and sale services through automated machines.	
FINAL DESCRIPTION	
Entertainment content and media rental and sale services through automated machines.	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(class added)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Retail services via automated vending machines featuring entertainment content and media.	
FILING BASIS	Section 1(b)
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
TOTAL FEES DUE	325
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Frederick W. Stein/
SIGNATORY'S NAME	Frederick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel
DATE SIGNED	03/09/2010
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney of record, Illinois bar member

DATE SIGNED	03/09/2010
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Mar 09 19:25:23 EST 2010
TEAS STAMP	USPTO/ROA-XX.XX.XXX.XXX-2 0100309192523904110-77753 465-460e4f119fc1af95f246f fcf284faf37e1-DA-5787-201 00309143333148328

PTO Form 1957 (Rev 9/2005)
OMB No. 0651-0050 (Exp. 04/30/2011)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **77753465** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 041 for Automated entertainment media rental and sale services

Original Filing Basis:

Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed:

Tracked Text Description: ~~Automated entertainment media rental and sale services;~~ [Entertainment content and media rental and sale services through automated machines.](#)

Class 041 for Entertainment content and media rental and sale services through automated machines.

Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Applicant hereby adds the following class of goods/services to the application:

New: Class 035 for Retail services via automated vending machines featuring entertainment content and media.

Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

FEE(S)

Fee(s) in the amount of \$325 is being submitted.

SIGNATURE(S)

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had 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 as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 244. 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 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; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Frederick W. Stein/ Date: 03/09/2010
Signatory's Name: Frederick W. Stein
Signatory's Position: Vice President and General Counsel

Response Signature

Signature: /James P. Muraff/ Date: 03/09/2010
Signatory's Name: James P. Muraff
Signatory's Position: Attorney of record, Illinois bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

RAM Sale Number: 5787
RAM Accounting Date: 03/10/2010

Serial Number: 77753465
Internet Transmission Date: Tue Mar 09 19:25:23 EST 2010
TEAS Stamp: USPTO/ROA-XX.XX.XXX.XXX-2010030919252390
4110-77753465-460e4f119fc1af95f246ffcf28
4faf37e1-DA-5787-20100309143333148328

RAM SALE NUMBER: 5787
RAM ACCOUNTING DATE: 20100310

INTERNET TRANSMISSION DATE:
2010/03/09

SERIAL NUMBER:
77/753465

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2010/03/09	325	1	325

To: Redbox Automated Retail, LLC (ipdocket@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77753465 - GAMEBOX - 19638.09T1
Sent: 9/14/2009 8:52:31 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/753465

MARK: GAMEBOX

77753465

CORRESPONDENT ADDRESS:

JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
2 N LASALLE ST STE 1700
CHICAGO, IL 60602-4000

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 :

19638.09T1

CORRESPONDENT E-MAIL ADDRESS:

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: 9/14/2009

First Action

The assigned examining attorney has reviewed the referenced application and determined the following.

SEARCH RESULTS

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. §1052(d). TMEP §704.02.

RECITATION OF SERVICES

The identification of services is unacceptable as indefinite and overly broad. 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.

The applicant must clarify what it means by "automated entertainment media."

The word "sales" in the identification of services is indefinite and must be clarified. See TMEP §1402.01. To be a service, an activity must be primarily for the benefit of someone other than the applicant. See *In re Reichhold Chems., Inc.*, 167 USPQ 376, 377 (TTAB 1970). "Sales" or "selling" is not a service rendered for the benefit of others. See TMEP §1301.01(a)(ii).

Therefore, applicant must delete “sale(s)” and indicate with greater specificity the nature of the service, e.g., “retail store services featuring [indicate type of entertainment]” or “on-line retail store services featuring [indicate type of entertainment].”

The applicant may adopt the following, if accurate:

Class 35: retail services via automated vending machines featuring motion picture films and pre-recorded videos.

Class 41: motion picture and video rental services through automated machines.

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.

COMBINED CLASS APPLICATION

If applicant prosecutes this application as a combined, or multiple-class application, then applicant must comply with each of the following for those goods and/or services based on an intent to use the mark in commerce under Trademark Act Section 1(b):

- (1) Applicant must list the goods and/or services by international class; and
- (2) Applicant must submit a filing fee for each international class of goods and/or services not covered by the fee already paid (current fee information should be confirmed at <http://www.uspto.gov>).

See 15 U.S.C. §§1051(b), 1112, 1126(e); 37 C.F.R. §§2.34(a)(2)-(3), 2.86(a); TMEP §§1403.01, 1403.02(c).

The filing fee for adding classes to an application is as follows:

- (1) \$325 per class, when the fees are submitted with a response filed online via the Trademark Electronic Application System (TEAS) at <http://www.uspto.gov/teas/index.html>; or
- (2) \$375 per class, when the fees are submitted with a paper response.

37 C.F.R. §2.6(a)(1)(i)-(a)(1)(ii); TMEP §810.

/Kim Saito/
Examining Attorney, Law Office 102
571-272-9214

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. 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.**

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To: Redbox Automated Retail, LLC (ipdocket@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 77753465 - GAMEBOX - 19638.09T1
Sent: 9/14/2009 8:52:34 PM
Sent As: ECOM102@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

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1. **Read** the Office letter by clicking on this [link](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77753465&doc_type=OOA&mail_date=20090914) **OR** go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact TDR@uspto.gov.

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2. **Contact** the examining attorney who reviewed your application if you have any questions about the content of the Office letter (contact information appears at the end thereof).

3. **Respond** within 6 months, calculated from **9/14/2009** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System (TEAS) [Response to Office Action form](#). If you have difficulty using TEAS, contact TEAS@uspto.gov.

ALERT:

Failure to file any required response by the applicable deadline will result in the [ABANDONMENT](#) (loss) of your application.

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.

*** User:ksaito ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	75	N/A	0	0	0:01	*gam\$b\${"Cqkx"}*[bi,ti]
02	14676	N/A	0	0	0:01	*gam*[bi,ti]
03	13471	N/A	0	0	0:02	*bo{"ckqx"}*[bi,ti]
04	40	30	10	5	0:01	2 and 3
05	11624	N/A	0	0	0:01	*box*[bi,ti]
06	35	25	10	5	0:01	2 and 5

Session started 9/12/2009 3:02:42 PM
Session finished 9/12/2009 3:04:21 PM
Total search duration 0 minutes 7 seconds
Session duration 1 minutes 39 seconds
Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77753465

From: TMDesignCodeComments
Sent: Wednesday, June 10, 2009 00:16 AM
To: XXXX
Subject: Notice of Pseudo Mark for Serial Number: 77753465
ATTORNEY REFERENCE NUMBER: 19638.09T1

The USPTO may assign pseudo marks, 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.

A PSEUDO MARK may be assigned to marks that include words, numbers, compound words, symbols, or acronyms that can have alternative spellings or meanings. For example, if the mark comprises the words 'YOU ARE' surrounded by a design of a box, the pseudo mark field in the USPTO database would display the mark as 'YOU ARE SQUARE'. A mark filed as 'URGR8' would receive a pseudo mark of 'YOU ARE GREAT'.

Response to this notice is not required; however, to suggest additions or changes to the pseudo mark assigned to your mark, please e-mail TMDesignCodeComments@USPTO.GOV. You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

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.

Pseudo marks assigned to the referenced serial number are listed below.

PSEUDO MARK:

GAME BOX

Trademark/Service Mark Application, Principal Register

Serial Number: 77753465

Filing Date: 06/05/2009

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77753465
MARK INFORMATION	
*MARK	GAMEBOX
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	GAMEBOX
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Redbox Automated Retail, LLC
*STREET	One Tower Lane, Suite 1200
*CITY	Oakbrook Terrace
*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	60181
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Delaware
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	041
*IDENTIFICATION	Automated entertainment media rental and sale services
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	James P. Muraff
ATTORNEY DOCKET NUMBER	19638.09T1
FIRM NAME	Neal, Gerber & Eisenberg LLP
STREET	Two North LaSalle Street, Suite 1700
CITY	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
CORRESPONDENCE INFORMATION	
NAME	James P. Muraff
FIRM NAME	Neal, Gerber & Eisenberg LLP
STREET	Two North LaSalle Street, Suite 1700
CITY	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
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/Frederick W. Stein/
SIGNATORY'S NAME	Frederick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel
DATE SIGNED	06/05/2009

Trademark/Service Mark Application, Principal Register

Serial Number: 77753465

Filing Date: 06/05/2009

To the Commissioner for Trademarks:

MARK: GAMEBOX (Standard Characters, see [mark](#))

The literal element of the mark consists of GAMEBOX.

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
One Tower Lane, Suite 1200
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, for the following:

International Class 041: Automated entertainment media rental and sale 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's current Attorney Information:

James P. Muraff and all other attorneys of the firm of Neal, Gerber & Eisenberg LLP
Two North LaSalle Street, Suite 1700
Chicago, Illinois 60602
United States

The attorney docket/reference number is 19638.09T1.

The applicant's current Correspondence Information:

James P. Muraff
Neal, Gerber & Eisenberg LLP
Two North LaSalle Street, Suite 1700
Chicago, Illinois 60602
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: 06/05/2009

Signatory's Name: Frederick W. Stein

Signatory's Position: Vice President and General Counsel

RAM Sale Number: 3489
RAM Accounting Date: 06/08/2009

Serial Number: 77753465
Internet Transmission Date: Fri Jun 05 17:09:37 EDT 2009
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