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**Mark:** GRAB A MOVIE TONIGHT

GRAB A MOVIE TONIGHT

**US Serial Number:** 77958723

**Application Filing Date:** Mar. 15, 2010

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



DEAD/APPLICATION/Refused/Dismissed or Invalidated

This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.

**Status:** Abandoned because no Statement of Use or Extension Request timely filed after Notice of Allowance was issued. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

**Status Date:** Dec. 15, 2014

**Publication Date:** Sep. 13, 2011 **Notice of Allowance Date:** Nov. 08, 2011

**Date Abandoned:** Dec. 15, 2014

## Mark Information

**Mark Literal:** GRAB A MOVIE TONIGHT  
**Elements:**

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

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

## 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:** Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

**International:** 035 - Primary Class  
**Class(es):**

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

**Class Status:** ACTIVE

**For:** Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

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

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

**Class Status:** ACTIVE

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** Yes

**Currently ITU:** Yes

**Filed 44D:** No

**Currently 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** Redbox Automated Retail, LLC

**Owner Address:** Suite 1200  
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.

**Attorney Primary Email Address:** [trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** JAMES P MURAFF

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-mail:** [trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 15, 2014	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Dec. 15, 2014	ABANDONMENT - NO USE STATEMENT FILED	
Apr. 19, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 18, 2014	SOU EXTENSION 5 GRANTED	
Apr. 15, 2014	SOU EXTENSION 5 FILED	
Apr. 15, 2014	SOU TEAS EXTENSION RECEIVED	
Nov. 02, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 01, 2013	SOU EXTENSION 4 GRANTED	
Oct. 28, 2013	SOU EXTENSION 4 FILED	
Oct. 28, 2013	SOU TEAS EXTENSION RECEIVED	
Jun. 01, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
May 31, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 30, 2013	SOU EXTENSION 3 GRANTED	
Apr. 30, 2013	SOU EXTENSION 3 FILED	
May 24, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	
Apr. 30, 2013	SOU TEAS EXTENSION RECEIVED	
Nov. 08, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 07, 2012	SOU EXTENSION 2 GRANTED	
Nov. 05, 2012	SOU EXTENSION 2 FILED	
Nov. 06, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	
Nov. 05, 2012	SOU TEAS EXTENSION RECEIVED	
May 05, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 03, 2012	SOU EXTENSION 1 GRANTED	
May 03, 2012	SOU EXTENSION 1 FILED	
May 03, 2012	SOU TEAS EXTENSION RECEIVED	
Nov. 08, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 13, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 13, 2011	PUBLISHED FOR OPPOSITION	
Aug. 08, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Aug. 04, 2011	EXPARTE APPEAL TERMINATED	958723

Aug. 04, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 03, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 05, 2011	EX PARTE APPEAL-INSTITUTED	958723
Jul. 05, 2011	JURISDICTION RESTORED TO EXAMINING ATTORNEY	958723
Jul. 05, 2011	EXPARTE APPEAL RECEIVED AT TTAB	
Jul. 05, 2011	ASSIGNED TO LIE	
Jun. 21, 2011	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Jan. 04, 2011	NOTIFICATION OF FINAL REFUSAL EMAILED	
Jan. 04, 2011	FINAL REFUSAL E-MAILED	
Jan. 04, 2011	FINAL REFUSAL WRITTEN	
Dec. 01, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	
Dec. 01, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Dec. 01, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 22, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jun. 22, 2010	NON-FINAL ACTION E-MAILED	
Jun. 22, 2010	NON-FINAL ACTION WRITTEN	
Jun. 16, 2010	ASSIGNED TO EXAMINER	
Mar. 19, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Mar. 18, 2010	NEW APPLICATION ENTERED	

## TM Staff and Location Information

### TM Staff Information

TM Attorney:

Law Office LAW OFFICE 107  
Assigned:

### File Location

Current Location: INTENT TO USE SECTION

Date in Location: May 24, 2013

## Assignment Abstract Of Title Information

### Summary

Total Assignments: 2

Applicant: Redbox Automated Retail, LLC

### Assignment 1 of 2

Conveyance: AMENDED AND RESTATED SECURITY AGREEMENT

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

Pages: 8

Date Recorded: Jul. 26, 2011

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

### Assignor

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

Execution Date: Jul. 15, 2011

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE  
Where Organized:

### Assignee

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

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country UNITED STATES  
Where Organized:

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

### Correspondent

Correspondent GAVIN GEORGE  
Name:

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

### Domestic Representative - Not Found

## Assignment 2 of 2

**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:** UNITED STATES  
**Where Organized:**

### Assignee

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

**Legal Entity Type:** LIMITED LIABILITY COMPANY

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

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

### Correspondent

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

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

### Domestic Representative - Not Found

## Proceedings

### Summary

**Number of Proceedings:** 1

**Proceedings:**

### Type of Proceeding: Ex parte Appeal

**Proceeding Number:** [77958723](#)

**Filing Date:** Jul 05, 2011

**Status:** Terminated

**Status Date:** Aug 04, 2011

**Interlocutory Attorney:**

### Plaintiff(s)

**Name:** Redbox Automated Retail, LLC

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

**Correspondent e-mail:** [trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
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GRAB A MOVIE TONIGHT

[77958723](#)

### Prosecution History

Entry Number	History Text	Date	Due Date
5	TERMINATED	Aug 04, 2011	
4	REQUEST FOR RECONSIDERATION	Jun 21, 2011	
3	INSTITUTED	Jul 05, 2011	
2	APPEAL ACKNOWLEDGED; CASE REMANDED	Jul 05, 2011	
1	APPEAL TO BOARD	Jul 05, 2011	

## Trademark Snap Shot ITU Unit Action

(Table presents the data on ITU Unit Action)

### OVERVIEW

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

### PUB INFORMATION

RUN DATE	12/16/2014
PUB DATE	09/13/2011
STATUS	606-ABANDONED - NO STATEMENT OF USE FILED
STATUS DATE	12/15/2014
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

DATE ABANDONED	12/15/2014	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	GRAB A MOVIE TONIGHT
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	Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
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### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/15/2014	MAB6	O	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	049
12/15/2014	ABN6	S	ABANDONMENT - NO USE STATEMENT FILED	048
04/19/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	047
04/18/2014	EX5G	S	EXTENSION 5 GRANTED	046
04/15/2014	EXT5	S	EXTENSION 5 FILED	045
04/15/2014	EEXT	I	TEAS EXTENSION RECEIVED	044
11/02/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	043
11/01/2013	EX4G	S	EXTENSION 4 GRANTED	042
10/28/2013	EXT4	S	EXTENSION 4 FILED	041
10/28/2013	EEXT	I	TEAS EXTENSION RECEIVED	040
06/01/2013	EXRA	O	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	039
05/31/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	038
05/30/2013	EX3G	S	EXTENSION 3 GRANTED	037
04/30/2013	EXT3	S	EXTENSION 3 FILED	036
05/24/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	035
04/30/2013	EEXT	I	TEAS EXTENSION RECEIVED	034
11/08/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	033

11/07/2012	EX2G	S	EXTENSION 2 GRANTED	032
11/05/2012	EXT2	S	EXTENSION 2 FILED	031
11/06/2012	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	030
11/05/2012	EEXT	I	TEAS EXTENSION RECEIVED	029
05/05/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	028
05/03/2012	EX1G	S	EXTENSION 1 GRANTED	027
05/03/2012	EXT1	S	EXTENSION 1 FILED	026
05/03/2012	EEXT	I	TEAS EXTENSION RECEIVED	025
11/08/2011	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
09/13/2011	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
09/13/2011	PUBO	A	PUBLISHED FOR OPPOSITION	022
08/08/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/04/2011	EXPT	T	EXPARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
07/05/2011	EXPI	T	EX PARTE APPEAL-INSTITUTED	017
07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EXPARTE APPEAL RECEIVED AT TTAB	015
07/05/2011	ALIE	A	ASSIGNED TO LIE	014
06/21/2011	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	013
01/04/2011	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
01/04/2011	GNFR	O	FINAL REFUSAL E-MAILED	011
01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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	Suite 1200

	One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GRAB A MOVIE TONIGHT



**NOTICE OF ABANDONMENT**  
**MAILING DATE: Dec 15, 2014**

The trademark application identified below was abandoned because the applicant failed to file for a statement of use or an extension of time.

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

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

**SERIAL NUMBER:** 77958723

**MARK:** GRAB A MOVIE TONIGHT

**OWNER:** Redbox Automated Retail, LLC

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

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

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

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Saturday, April 19, 2014 00:10 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 77958723: GRAB A MOVIE TONIGHT: Docket/Reference No. 19638.

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 77958723  
**Mark:** GRAB A MOVIE TONIGHT  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 5  
**Docket/Reference Number:** 19638.  
**Notice of Allowance Date:** Nov 8, 2011

The USPTO issued a Notice of Allowance on **Nov 8, 2011** for the trademark application identified above. Applicant's **FIFTH** request for Extension of Time to File a Statement of Use has been **GRANTED**. If you are currently using the mark in commerce, please visit <https://www.uspto.gov/trademarks/apply/intent-use-itu-forms> and select form number 1 ("Statement of Use/Amendment to Allege Use for Intent-to-Use Application") to file your statement of use and complete the registration process.

**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 abandon the application.
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.

To check the status of the application, go to [https://tsdr.uspto.gov/#caseNumber=77958723&caseType=SERIAL\\_NO&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=77958723&caseType=SERIAL_NO&searchType=statusSearch) or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to [https://tsdr.uspto.gov/#caseNumber=77958723&caseType=SERIAL\\_NO&searchType=documentSearch](https://tsdr.uspto.gov/#caseNumber=77958723&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

For further information on filing a Statement of Use or an additional extension request, if applicable, please consult the USPTO website at <https://www.uspto.gov/trademarks> or contact the Trademark Assistance Center at 1-800-786-9199.

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

**OVERVIEW**

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

**PUB INFORMATION**

RUN DATE	04/19/2014
PUB DATE	09/13/2011
STATUS	734-FIFTH EXTENSION - GRANTED
STATUS DATE	04/18/2014
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
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### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
04/19/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	047
04/18/2014	EX5G	S	EXTENSION 5 GRANTED	046
04/15/2014	EXT5	S	EXTENSION 5 FILED	045
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11/01/2013	EX4G	S	EXTENSION 4 GRANTED	042
10/28/2013	EXT4	S	EXTENSION 4 FILED	041
10/28/2013	EEXT	I	TEAS EXTENSION RECEIVED	040
06/01/2013	EXRA	O	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	039
05/31/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	038
05/30/2013	EX3G	S	EXTENSION 3 GRANTED	037
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11/08/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	033
11/07/2012	EX2G	S	EXTENSION 2 GRANTED	032
11/05/2012	EXT2	S	EXTENSION 2 FILED	031

11/06/2012	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	030
11/05/2012	EEXT	I	TEAS EXTENSION RECEIVED	029
05/05/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	028
05/03/2012	EX1G	S	EXTENSION 1 GRANTED	027
05/03/2012	EXT1	S	EXTENSION 1 FILED	026
05/03/2012	EEXT	I	TEAS EXTENSION RECEIVED	025
11/08/2011	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
09/13/2011	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
09/13/2011	PUBO	A	PUBLISHED FOR OPPOSITION	022
08/08/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/04/2011	EXPT	T	EXPARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
07/05/2011	EXPI	T	EX PARTE APPEAL-INSTITUTED	017
07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EXPARTE APPEAL RECEIVED AT TTAB	015
07/05/2011	ALIE	A	ASSIGNED TO LIE	014
06/21/2011	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	013
01/04/2011	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
01/04/2011	GNFR	O	FINAL REFUSAL E-MAILED	011
01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO



GRAB A MOVIE TONIGHT

## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	77958723
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>MARK SECTION</b>	
<b>MARK</b>	GRAB A MOVIE TONIGHT
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	GRAB A MOVIE TONIGHT
<b>OWNER SECTION</b>	
<b>NAME</b>	Redbox Automated Retail, LLC
<b>STREET</b>	Suite 1200
<b>CITY</b>	Oakbrook Terrace
<b>STATE</b>	Illinois
<b>ZIP/POSTAL CODE</b>	60181
<b>COUNTRY</b>	United States
<b>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	5
<b>ONGOING EFFORT</b>	product or service research or development
<b>ALLOWANCE MAIL DATE</b>	11/08/2011
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	2

<b>SUBTOTAL AMOUNT</b>	300
<b>TOTAL AMOUNT</b>	300
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/James P. Muraff/
<b>SIGNATORY'S NAME</b>	James P. Muraff
<b>SIGNATORY'S POSITION</b>	Attorney for Applicant, Illinois Bar Member
<b>DATE SIGNED</b>	04/15/2014
<b>SIGNATORY'S PHONE NUMBER</b>	312.269.8000
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Tue Apr 15 20:31:06 EDT 2014
<b>TEAS STAMP</b>	USPTO/ESU-XX.XXX.XX.X-201 40415203106397167-7795872 3-5006e155bed23553d75b114 9c9b1f69d70892c5b3048cad5 69b474fe299cc6c77-DA-6975 -20140411160847545468

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

To the Commissioner for Trademarks:

**MARK: GRAB A MOVIE TONIGHT**  
**SERIAL NUMBER: 77958723**

The applicant, Redbox Automated Retail, LLC, having an address of  
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 11/08/2011.

For International Class 035:

Current identification: Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 041:

Current identification: Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

This is the fifth extension request. The applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of those goods/services covered by the extension request: product or service research or development

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

**Declaration**

**STATEMENTS:** The signatory believes that: 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 the goods/services under Section 1(b) in the notice of allowance or as subsequently modified; and that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any resulting registration, declares 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: /James P. Muraff/ Date Signed: 04/15/2014  
Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member  
Signatory's Phone: 312.269.8000

RAM Sale Number: 77958723  
RAM Accounting Date: 04/16/2014

Serial Number: 77958723  
Internet Transmission Date: Tue Apr 15 20:31:06 EDT 2014  
TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201404152031063971  
67-77958723-5006e155bed23553d75b1149c9b1  
f69d70892c5b3048cad569b474fe299cc6c77-DA  
-6975-20140411160847545468

**TEAS ROUTING SHEET****To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 77958723****Mark: GRAB A MOVIE TONIGHT****Mail Date: 2014/04/15****Examiner Number: 78353****Examiner Name:  
DUBOIS, MICHELLE E****LIE Number: 66213****LIE Name:  
PUGH, ALANE C****L.O. Assigned: LAW OFFICE 107****Special Instruction(s):**

<b><u>Transaction</u></b>	<b><u>Fee Code</u></b>	<b><u>Transaction Date</u></b>	<b><u>Fee per Class</u></b>	<b><u>Number of Classes</u></b>	<b><u>Total Fee</u></b>
Extension Request for SOU	7004	20140415	\$150	2	\$300

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Saturday, November 2, 2013 00:10 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 77958723 : Official USPTO Notice of Approval of Extension Request

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 77958723  
**Mark:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 4  
**Docket/Reference Number:** 19638.  
**Notice of Allowance Date:** Nov 8, 2011

The USPTO issued a Notice of Allowance on **Nov 8, 2011** for the trademark application identified above. Applicant's **FOURTH** 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 <http://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/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=77958723>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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

**OVERVIEW**

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

**PUB INFORMATION**

RUN DATE	11/02/2013
PUB DATE	09/13/2011
STATUS	733-FOURTH EXTENSION - GRANTED
STATUS DATE	11/01/2013
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
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### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/02/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	043
11/01/2013	EX4G	S	EXTENSION 4 GRANTED	042
10/28/2013	EXT4	S	EXTENSION 4 FILED	041
10/28/2013	EEXT	I	TEAS EXTENSION RECEIVED	040
06/01/2013	EXRA	O	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	039
05/31/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	038
05/30/2013	EX3G	S	EXTENSION 3 GRANTED	037
04/30/2013	EXT3	S	EXTENSION 3 FILED	036
05/24/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	035
04/30/2013	EEXT	I	TEAS EXTENSION RECEIVED	034
11/08/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	033
11/07/2012	EX2G	S	EXTENSION 2 GRANTED	032
11/05/2012	EXT2	S	EXTENSION 2 FILED	031
11/06/2012	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	030
11/05/2012	EEXT	I	TEAS EXTENSION RECEIVED	029
05/05/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	028
05/03/2012	EX1G	S	EXTENSION 1 GRANTED	027

05/03/2012	EXT1	S	EXTENSION 1 FILED	026
05/03/2012	EEXT	I	TEAS EXTENSION RECEIVED	025
11/08/2011	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
09/13/2011	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
09/13/2011	PUBO	A	PUBLISHED FOR OPPOSITION	022
08/08/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/04/2011	EXPT	T	EXPARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
07/05/2011	EXPI	T	EX PARTE APPEAL-INSTITUTED	017
07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EXPARTE APPEAL RECEIVED AT TTAB	015
07/05/2011	ALIE	A	ASSIGNED TO LIE	014
06/21/2011	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	013
01/04/2011	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
01/04/2011	GNFR	O	FINAL REFUSAL E-MAILED	011
01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GRAB A MOVIE TONIGHT

## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	77958723
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>MARK SECTION</b>	
<b>MARK</b>	GRAB A MOVIE TONIGHT
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	GRAB A MOVIE TONIGHT
<b>OWNER SECTION</b>	
<b>NAME</b>	Redbox Automated Retail, LLC
<b>STREET</b>	Suite 1200
<b>CITY</b>	Oakbrook Terrace
<b>STATE</b>	Illinois
<b>ZIP/POSTAL CODE</b>	60181
<b>COUNTRY</b>	United States
<b>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	4
<b>ONGOING EFFORT</b>	product or service research or development
<b>ALLOWANCE MAIL DATE</b>	11/08/2011
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	2

<b>SUBTOTAL AMOUNT</b>	300
<b>TOTAL AMOUNT</b>	300
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/James P. Muraff/
<b>SIGNATORY'S NAME</b>	James P. Muraff
<b>SIGNATORY'S POSITION</b>	Attorney for Applicant, Illinois Bar Member
<b>DATE SIGNED</b>	10/25/2013
<b>SIGNATORY'S PHONE NUMBER</b>	312.269.8000
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Mon Oct 28 23:24:35 EDT 2013
<b>TEAS STAMP</b>	USPTO/ESU-XX.XXX.XXX.XX-2 0131028232435920460-77958 723-50035a04ff4252f90842b 18a7e9a169fa55e0e9698576b 9151aa5916adac089ab-DA-97 06-20131025173917335320

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

To the Commissioner for Trademarks:

**MARK: GRAB A MOVIE TONIGHT**  
**SERIAL NUMBER: 77958723**

The applicant, Redbox Automated Retail, LLC, having an address of  
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 11/08/2011.

For International Class 035:

Current identification: Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 041:

Current identification: Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

This is the fourth extension request. The applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of those goods/services covered by the extension request: product or service research or development

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: /James P. Muraff/ Date Signed: 10/25/2013  
Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member

Signatory's Phone: 312.269.8000

RAM Sale Number: 77958723

RAM Accounting Date: 10/29/2013

Serial Number: 77958723

Internet Transmission Date: Mon Oct 28 23:24:35 EDT 2013

TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2013102823243592

0460-77958723-50035a04ff4252f90842b18a7e

9a169fa55e0e9698576b9151aa5916adac089ab-

DA-9706-20131025173917335320

**TEAS ROUTING SHEET****To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 77958723****Mark: GRAB A MOVIE TONIGHT****Mail Date: 2013/10/28****Examiner Number: 78353****LIE Number: 66213****Examiner Name:  
DUBOIS, MICHELLE E****LIE Name:  
PUGH, ALANE C****L.O. Assigned: LAW OFFICE 107****Special Instruction(s):**

<b><u>Transaction</u></b>	<b><u>Fee Code</u></b>	<b><u>Transaction Date</u></b>	<b><u>Fee per Class</u></b>	<b><u>Number of Classes</u></b>	<b><u>Total Fee</u></b>
Extension Request for SOU	7004	20131028	\$150	2	\$300



**NOTICE OF APPROVAL  
OF EXTENSION REQUEST  
MAILING DATE: Jun 1, 2013**

A Notice of Allowance issued for the trademark application identified below on Nov 8, 2011 . The THIRD request for extension of time to file a Statement of Use has been approved. Applicant must continue to file extension requests every 6 months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed. Please note that a Statement of Use cannot be filed more than 36 months from the issuance date of the Notice of Allowance.

For further information, visit our website at: <http://www.uspto.gov> or call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 77958723  
**MARK:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)  
**OWNER:** Redbox Automated Retail, LLC

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

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

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

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Friday, May 31, 2013 00:10 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 77958723 : Official USPTO Notice of Approval of Extension Request

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 77958723  
**Mark:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 3  
**Docket/Reference Number:** 19638.  
**Notice of Allowance Date:** Nov 8, 2011

The USPTO issued a Notice of Allowance on **Nov 8, 2011** for the trademark application identified above. Applicant's **THIRD** 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 <http://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/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=77958723>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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

**OVERVIEW**

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

**PUB INFORMATION**

RUN DATE	05/31/2013
PUB DATE	09/13/2011
STATUS	732-THIRD EXTENSION - GRANTED
STATUS DATE	05/30/2013
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
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### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/31/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	038
05/30/2013	EX3G	S	EXTENSION 3 GRANTED	037
04/30/2013	EXT3	S	EXTENSION 3 FILED	036
05/24/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	035
04/30/2013	EEXT	I	TEAS EXTENSION RECEIVED	034
11/08/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	033
11/07/2012	EX2G	S	EXTENSION 2 GRANTED	032
11/05/2012	EXT2	S	EXTENSION 2 FILED	031
11/06/2012	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	030
11/05/2012	EEXT	I	TEAS EXTENSION RECEIVED	029
05/05/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	028
05/03/2012	EX1G	S	EXTENSION 1 GRANTED	027
05/03/2012	EXT1	S	EXTENSION 1 FILED	026
05/03/2012	EEXT	I	TEAS EXTENSION RECEIVED	025
11/08/2011	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
09/13/2011	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
09/13/2011	PUBO	A	PUBLISHED FOR OPPOSITION	022

08/08/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/04/2011	EXPT	T	EXPARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
07/05/2011	EXPI	T	EX PARTE APPEAL-INSTITUTED	017
07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EXPARTE APPEAL RECEIVED AT TTAB	015
07/05/2011	ALIE	A	ASSIGNED TO LIE	014
06/21/2011	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	013
01/04/2011	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
01/04/2011	GNFR	O	FINAL REFUSAL E-MAILED	011
01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GRAB A MOVIE TONIGHT

## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	77958723
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>MARK SECTION</b>	
<b>MARK</b>	GRAB A MOVIE TONIGHT
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	GRAB A MOVIE TONIGHT
<b>OWNER SECTION</b>	
<b>NAME</b>	Redbox Automated Retail, LLC
<b>STREET</b>	Suite 1200
<b>CITY</b>	Oakbrook Terrace
<b>STATE</b>	Illinois
<b>ZIP/POSTAL CODE</b>	60181
<b>COUNTRY</b>	United States
<b>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	3
<b>ONGOING EFFORT</b>	product or service research or development
<b>ALLOWANCE MAIL DATE</b>	11/08/2011
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	2

<b>SUBTOTAL AMOUNT</b>	300
<b>TOTAL AMOUNT</b>	300
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/James P. Muraff/
<b>SIGNATORY'S NAME</b>	James P. Muraff
<b>SIGNATORY'S POSITION</b>	Attorney for Applicant, Illinois Bar Member
<b>DATE SIGNED</b>	04/30/2013
<b>SIGNATORY'S PHONE NUMBER</b>	312.269.8000
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Tue Apr 30 18:45:39 EDT 2013
<b>TEAS STAMP</b>	USPTO/ESU-XX.XXX.XXX.XX-2 0130430184539029700-77958 723-500ae3b1855bbe4b37b57 2c879d91976e14f06b9234fdc 80f04761befc430498-DA-672 4-20130428141245929491

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

To the Commissioner for Trademarks:

**MARK: GRAB A MOVIE TONIGHT**  
**SERIAL NUMBER: 77958723**

The applicant, Redbox Automated Retail, LLC, having an address of  
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 11/08/2011.

For International Class 035:

Current identification: Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 041:

Current identification: Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

This is the third extension request. The applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of those goods/services covered by the extension request: product or service research or development

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: /James P. Muraff/ Date Signed: 04/30/2013  
Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member

Signatory's Phone: 312.269.8000

RAM Sale Number: 77958723

RAM Accounting Date: 05/01/2013

Serial Number: 77958723

Internet Transmission Date: Tue Apr 30 18:45:39 EDT 2013

TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2013043018453902

9700-77958723-500ae3b1855bbe4b37b572c879

d91976e14f06b9234fdc80f04761befc430498-D

A-6724-20130428141245929491

**TEAS ROUTING SHEET****To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 77958723****Mark: GRAB A MOVIE TONIGHT****Mail Date: 2013/04/30****Examiner Number: 78353****LIE Number: 66213****Examiner Name:  
DUBOIS, MICHELLE E****LIE Name:  
PUGH, ALANE C****L.O. Assigned: LAW OFFICE 107****Special Instruction(s):**

<b><u>Transaction</u></b>	<b><u>Fee Code</u></b>	<b><u>Transaction Date</u></b>	<b><u>Fee per Class</u></b>	<b><u>Number of Classes</u></b>	<b><u>Total Fee</u></b>
Extension Request for SOU	7004	20130430	\$150	2	\$300

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Thursday, November 8, 2012 00:11 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 77958723 : Official USPTO Notice of Approval of Extension Request

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 77958723  
**Mark:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 2  
**Docket/Reference Number:** 19638.  
**Notice of Allowance Date:** Nov 8, 2011

The USPTO issued a Notice of Allowance on **Nov 8, 2011** for the trademark application identified above. Applicant's **SECOND** 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 <http://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/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=77958723>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

## Trademark Snap Shot ITU Unit Action

(Table presents the data on ITU Unit Action)

### OVERVIEW

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

### PUB INFORMATION

RUN DATE	11/08/2012
PUB DATE	09/13/2011
STATUS	731-SECOND EXTENSION - GRANTED
STATUS DATE	11/07/2012
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
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### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/08/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	033
11/07/2012	EX2G	S	EXTENSION 2 GRANTED	032
11/05/2012	EXT2	S	EXTENSION 2 FILED	031
11/06/2012	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	030
11/05/2012	EEXT	I	TEAS EXTENSION RECEIVED	029
05/05/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	028
05/03/2012	EX1G	S	EXTENSION 1 GRANTED	027
05/03/2012	EXT1	S	EXTENSION 1 FILED	026
05/03/2012	EEXT	I	TEAS EXTENSION RECEIVED	025
11/08/2011	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
09/13/2011	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
09/13/2011	PUBO	A	PUBLISHED FOR OPPOSITION	022
08/08/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/04/2011	EXPT	T	EX PARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
07/05/2011	EXPI	T	EX PARTE APPEAL-INSTITUTED	017

07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EXPARTE APPEAL RECEIVED AT TTAB	015
07/05/2011	ALIE	A	ASSIGNED TO LIE	014
06/21/2011	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	013
01/04/2011	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
01/04/2011	GNFR	O	FINAL REFUSAL E-MAILED	011
01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GRAB A MOVIE TONIGHT

## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	77958723
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>MARK SECTION</b>	
<b>MARK</b>	GRAB A MOVIE TONIGHT
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	GRAB A MOVIE TONIGHT
<b>OWNER SECTION</b>	
<b>NAME</b>	Redbox Automated Retail, LLC
<b>STREET</b>	Suite 1200
<b>CITY</b>	Oakbrook Terrace
<b>STATE</b>	Illinois
<b>ZIP/POSTAL CODE</b>	60181
<b>COUNTRY</b>	United States
<b>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	2
<b>ONGOING EFFORT</b>	product or service research or development
<b>ALLOWANCE MAIL DATE</b>	11/08/2011
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	2

<b>SUBTOTAL AMOUNT</b>	300
<b>TOTAL AMOUNT</b>	300
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/James P. Muraff/
<b>SIGNATORY'S NAME</b>	James P. Muraff
<b>SIGNATORY'S POSITION</b>	Attorney for Applicant, Illinois Bar Member
<b>DATE SIGNED</b>	11/05/2012
<b>SIGNATORY'S PHONE NUMBER</b>	312.269.8000
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Mon Nov 05 16:07:50 EST 2012
<b>TEAS STAMP</b>	USPTO/ESU-XX.XX.XXX.XXX-2 0121105160750116533-77958 723-49056c7a05c8fbe80838d 68db91f994e349-DA-3033-20 121101010606658985

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

To the Commissioner for Trademarks:

**MARK: GRAB A MOVIE TONIGHT**  
**SERIAL NUMBER: 77958723**

The applicant, Redbox Automated Retail, LLC, having an address of  
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 11/08/2011.

For International Class 035:

Current identification: Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 041:

Current identification: Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

This is the second extension request. The applicant has made the following ongoing efforts to use the mark in commerce on or in connection with each of those goods/services covered by the extension request: product or service research or development

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: /James P. Muraff/ Date Signed: 11/05/2012  
Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member

Signatory's Phone: 312.269.8000

RAM Sale Number: 3033

RAM Accounting Date: 11/06/2012

Serial Number: 77958723

Internet Transmission Date: Mon Nov 05 16:07:50 EST 2012

TEAS Stamp: USPTO/ESU-XX.XX.XXX.XXX-2012110516075011

6533-77958723-49056c7a05c8fbe80838d68db9

1f994e349-DA-3033-201211010606658985

**TEAS ROUTING SHEET****To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 77958723****Mark: GRAB A MOVIE TONIGHT****Mail Date: 2012/11/05****Examiner Number: 78353****LIE Number: 66213****Examiner Name:  
DUBOIS, MICHELLE E****LIE Name:  
PUGH, ALANE C****L.O. Assigned: LAW OFFICE 107****Special Instruction(s):**

<b><u>Transaction</u></b>	<b><u>Fee Code</u></b>	<b><u>Transaction Date</u></b>	<b><u>Fee per Class</u></b>	<b><u>Number of Classes</u></b>	<b><u>Total Fee</u></b>
Extension Request for SOU	7004	20121105	\$150	2	\$300

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Saturday, May 5, 2012 00:11 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 77958723 : Official USPTO Notice of Approval of Extension Request

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 77958723  
**Mark:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 1  
**Docket/Reference Number:** 19638.  
**Notice of Allowance Date:** Nov 8, 2011

The USPTO issued a Notice of Allowance on **Nov 8, 2011** 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 <http://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/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=77958723>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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

**OVERVIEW**

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

**PUB INFORMATION**

RUN DATE	05/05/2012
PUB DATE	09/13/2011
STATUS	730-FIRST EXTENSION - GRANTED
STATUS DATE	05/03/2012
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
------------------------	----

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/05/2012	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	028
05/03/2012	EX1G	S	EXTENSION 1 GRANTED	027
05/03/2012	EXT1	S	EXTENSION 1 FILED	026
05/03/2012	EEXT	I	TEAS EXTENSION RECEIVED	025
11/08/2011	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	024
09/13/2011	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
09/13/2011	PUBO	A	PUBLISHED FOR OPPOSITION	022
08/08/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/04/2011	EXPT	T	EX PARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
07/05/2011	EXPI	T	EX PARTE APPEAL-INSTITUTED	017
07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EX PARTE APPEAL RECEIVED AT TTAB	015
07/05/2011	ALIE	A	ASSIGNED TO LIE	014
06/21/2011	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	013

01/04/2011	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
01/04/2011	GNFR	O	FINAL REFUSAL E-MAILED	011
01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GRAB A MOVIE TONIGHT

## Request for Extension of Time to File a Statement of Use (15 U.S.C. Section 1051(d))

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	77958723
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 107
<b>MARK SECTION</b>	
<b>MARK</b>	GRAB A MOVIE TONIGHT
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	GRAB A MOVIE TONIGHT
<b>OWNER SECTION</b>	
<b>NAME</b>	Redbox Automated Retail, LLC
<b>STREET</b>	Suite 1200
<b>CITY</b>	Oakbrook Terrace
<b>STATE</b>	Illinois
<b>ZIP/POSTAL CODE</b>	60181
<b>COUNTRY</b>	United States
<b>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	1
<b>ALLOWANCE MAIL DATE</b>	11/08/2011
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	2
<b>SUBTOTAL AMOUNT</b>	300

<b>TOTAL AMOUNT</b>	300
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/Frederick W. Stein/
<b>SIGNATORY'S NAME</b>	Frederick W. Stein
<b>SIGNATORY'S POSITION</b>	Vice President and General Counsel
<b>DATE SIGNED</b>	05/02/2012
<b>SIGNATORY'S PHONE NUMBER</b>	6307568255
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Thu May 03 08:15:08 EDT 2012
<b>TEAS STAMP</b>	USPTO/ESU-XX.XXX.XXX.XX-2 0120503081508289045-77958 723-49046c46afc1a55c5e37b acc0d795d5bbc1-DA-9965-20 120502181226195659

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

To the Commissioner for Trademarks:

**MARK: GRAB A MOVIE TONIGHT**  
**SERIAL NUMBER: 77958723**

The applicant, Redbox Automated Retail, LLC, having an address of  
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 11/08/2011.

For International Class 035:

Current identification: Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

For International Class 041:

Current identification: Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

For a trademark/service mark: The applicant has a continued bona fide intention, and is entitled, to use the mark in commerce on or in connection with all of the goods/services listed in the Notice of Allowance or as subsequently modified for this specific class; for a collective/certification mark: the applicant has a continued bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce on or in connection with the goods/services/collective membership organization listed in the Notice of Allowance, or as subsequently modified for this specific class.

This is the first extension request.

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: 05/02/2012  
Signatory's Name: Frederick W. Stein  
Signatory's Position: Vice President and General Counsel  
Signatory's Phone: 6307568255

RAM Sale Number: 9965  
RAM Accounting Date: 05/03/2012

Serial Number: 77958723  
Internet Transmission Date: Thu May 03 08:15:08 EDT 2012  
TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2012050308150828  
9045-77958723-49046c46afc1a55c5e37bacc0d  
795d5bbc1-DA-9965-20120502181226195659

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, November 8, 2011 00:04 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 77958723: Official USPTO Notice of Allowance

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## NOTICE OF ALLOWANCE (NOA)

**ISSUE DATE: Nov 8, 2011**

**Serial Number:** 77-958,723

**Mark:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)

**Attorney Reference Number:** 19638.

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](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:** 77-958,723  
**Mark:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)  
**Attorney Reference Number:** 19638.  
**Owner:** Redbox Automated Retail, LLC  
Suite 1200  
One Tower Lane  
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

## GOODS/SERVICES BY INTERNATIONAL CLASS

035 - Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

041 - Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

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

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**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](http://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:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, September 13, 2011 00:24 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Publication: Serial Number 77958723

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## NOTICE OF PUBLICATION

**Serial Number:** 77-958,723  
**Mark:** GRAB A MOVIE TONIGHT(STANDARD CHARACTER MARK)  
**International Class(es):** 035, 041  
**Applicant:** Redbox Automated Retail, LLC  
**Attorney Reference Number:** 19638.

The mark identified above has been published in the *Trademark Official Gazette* (OG) on Sep 13, 2011. 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/20110913\\_OG.pdf#page=1](http://www.uspto.gov/web/trademarks/tmog/20110913_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): 77-958,723, 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	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

### PUB INFORMATION

RUN DATE	08/09/2011
PUB DATE	09/13/2011
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE
STATUS DATE	08/08/2011
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
------------------------	----

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/08/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	021
08/04/2011	EXPT	T	EXPARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
07/05/2011	EXPI	T	EX PARTE APPEAL-INSTITUTED	017
07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EXPARTE APPEAL RECEIVED AT TTAB	015
07/05/2011	ALIE	A	ASSIGNED TO LIE	014
06/21/2011	ERFR	I	TEAS REQUEST FOR RECONSIDERATION RECEIVED	013
01/04/2011	GNFN	O	NOTIFICATION OF FINAL REFUSAL EMAILED	012
01/04/2011	GNFR	O	FINAL REFUSAL E-MAILED	011
01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006

06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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

**GRAB A MOVIE TONIGHT**

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

### PUB INFORMATION

RUN DATE	08/05/2011
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	08/04/2011
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Automated retail services, namely, rental of pre-recorded electronic media featuring entertainment content, DVDs, movies, and games

### 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
------------------------	----

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/04/2011	EXPT	T	EXPARTE APPEAL TERMINATED	020
08/04/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	019
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	018
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07/05/2011	JURT	T	JURISDICTION RESTORED TO EXAMINING ATTORNEY	016
07/05/2011	EXAF	T	EXPARTE APPEAL RECEIVED AT TTAB	015
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01/04/2011	CNFR	R	FINAL REFUSAL WRITTEN	010
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12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005

06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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

GRAB A MOVIE TONIGHT

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77958723
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase; automated retail services, namely sale of entertainment content, media, DVDs, movies and games
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(proposed)	
INTERNATIONAL CLASS	035
TRACKED TEXT DESCRIPTION	<p>Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase; Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games; automated retail services, namely sale of entertainment content, media, DVDs, movies and games</p>
FINAL DESCRIPTION	Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
DESCRIPTION	Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	<p>Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; Automated retail services, namely rental of pre-recorded electronic media featuring entertainment content, DVDs, movies and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games</p>
FINAL DESCRIPTION	Automated retail services, namely rental of pre-recorded electronic media featuring entertainment content, DVDs, movies and games

<b>FILING BASIS</b>		Section 1(b)
<b>SIGNATURE SECTION</b>		
<b>RESPONSE SIGNATURE</b>	/James P. Muraff/	
<b>SIGNATORY'S NAME</b>	James P. Muraff	
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Illinois Bar Member	
<b>DATE SIGNED</b>	06/21/2011	
<b>AUTHORIZED SIGNATORY</b>	YES	
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO	
<b>FILING INFORMATION SECTION</b>		
<b>SUBMIT DATE</b>	Tue Jun 21 12:15:05 EDT 2011	
<b>TEAS STAMP</b>	USPTO/RFR-XX.XXX.XXX.XX-2 0110621121505140663-77958 723-480212120daa386cd8349 9840a059a8ff9-N/A-N/A-201 10618143502471371	

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. **77958723** 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 Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase; automated retail services, namely sale of entertainment content, media, DVDs, movies and games

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 retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase; Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games; automated retail services, namely sale of entertainment content, media, DVDs, movies and games~~

Class 035 for Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and 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 rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games

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:** ~~Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; Automated retail services, namely rental of pre-recorded electronic media featuring entertainment content, DVDs, movies and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games~~

Class 041 for Automated retail services, namely rental of pre-recorded electronic media featuring entertainment content, DVDs, movies and 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)).

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /James P. Muraff/ Date: 06/21/2011

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: 77958723

Internet Transmission Date: Tue Jun 21 12:15:05 EDT 2011

TEAS Stamp: USPTO/RFR-XX.XXX.XXX.XX-2011062112150514

0663-77958723-480212120daa386cd83499840a

059a8ff9-N/A-N/A-20110618143502471371

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 77958723 - GRAB A MOVIE TONIGHT - 19638.  
**Sent:** 1/4/2011 3:13:02 PM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:**

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

**APPLICATION SERIAL NO.** 77958723

**MARK:** GRAB A MOVIE TONIGHT

**\*77958723\***

**CORRESPONDENT ADDRESS:**

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

**CLICK HERE TO RESPOND TO THIS LETTER:**  
<http://www.uspto.gov/teas/eTEASpageD.htm>

**APPLICANT:** Redbox Automated Retail, LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
19638.

**CORRESPONDENT E-MAIL ADDRESS:**  
[trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE: 1/4/2011**

**THIS IS A FINAL ACTION.**

This Office action is in response to applicant's communication filed on 12/1/10.

The requirement for a properly amended identification of services is now made partially FINAL for the reasons set forth below. TMEP §1402.01; 37 C.F.R. §2.64(a). Portions of the identifications remain unacceptable.

**AMENDMENT OF IDENTIFICATION OF SERVICES REQUIRED – International Class 35**

Applicant was previously advised that the word "sales" in the identification of services is indefinite and must be clarified. *See* TMEP §1402.01. This wording appears in the following phrase: "automated retail services, namely sale of entertainment content, media, DVDs, movies and games." 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 ~," "mail order services featuring ~," or "on-line retail store services featuring ~."

Applicant was also notified that it must more specifically indicate the nature of the "entertainment content," and "media." For example, applicant must specify the form of the goods containing the entertainment content and the type of media to be sold.

The following amendment is recommended: “Automated retail services, namely, online retail store services featuring pre-recorded electronic media featuring entertainment content, DVDs, movies, and games,” in International Class 35.

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.

#### **AMENDMENT OF IDENTIFICATION OF SERVICES REQUIRED – International Class 41**

Similar to the above, the wording “automated retail services, namely, rental of entertainment content, media” in the identification of services is indefinite and must be clarified. *See* TMEP §1402.01. As noted in the previous Office action, applicant must indicate the form of the entertainment content and indicate a specific type of media. Applicant must also clarify the subject matter of the media to allow for proper classification. Applicant may substitute the following wording, if accurate:

“Automated retail services, namely rental of pre-recorded electronic media featuring entertainment content, DVDs, movies and games,” in International Class 41.

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

#### **PARTIAL ABANDONMENT ADVISORY**

If applicant does not respond within six months of the date of issuance of this final Office action, the following services to which the final refusal(s) and/or requirement(s) apply will be **deleted** from the application by Examiner’s Amendment: “automated retail services, namely sale of entertainment content, media, DVDs, movies and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games.”

The application will then proceed for the following services: “Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase,” in International Class 35, and “Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games,” in International Class 41.” 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).

/Michelle E. Dubois/  
Michelle E. Dubois  
Trademark Attorney  
U.S. Patent & Trademark Office  
Law Office 107  
(571) 272-5887

**TO RESPOND TO THIS LETTER:** Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**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 ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 77958723 - GRAB A MOVIE TONIGHT - 19638.  
**Sent:** 1/4/2011 3:13:05 PM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:**

## **IMPORTANT NOTICE REGARDING YOUR U.S. TRADEMARK APPLICATION**

### **USPTO OFFICE ACTION HAS ISSUED ON 1/4/2011 FOR SERIAL NO. 77958723**

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

**TO READ OFFICE ACTION:** Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

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

**RESPONSE IS REQUIRED:** You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from 1/4/2011 (or sooner if specified in the office action).

**Do NOT hit “Reply” to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).**

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

## **WARNING**

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

## Trademark Snap Shot Amendment & Mail Processing Stylesheet

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

### OVERVIEW

SERIAL NUMBER	77958723	FILING DATE	03/15/2010
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	DUBOIS, MICHELLE E	L.O. ASSIGNED	107

### PUB INFORMATION

RUN DATE	12/02/2010
PUB DATE	N/A
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED
STATUS DATE	12/01/2010
LITERAL MARK ELEMENT	GRAB A MOVIE TONIGHT

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	GRAB A MOVIE TONIGHT
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	Suite 1200 One Tower Lane Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase; automated retail services, namely sale of entertainment content, media, DVDs, movies and games
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games

### 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
------------------------	----

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/01/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
12/01/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
12/01/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
06/22/2010	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
06/22/2010	GNRT	F	NON-FINAL ACTION E-MAILED	005
06/22/2010	CNRT	R	NON-FINAL ACTION WRITTEN	004
06/16/2010	DOCK	D	ASSIGNED TO EXAMINER	003
03/19/2010	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
03/18/2010	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

GRAB A MOVIE TONIGHT

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77958723
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
DESCRIPTION	Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (041)(proposed)	
INTERNATIONAL CLASS	041
TRACKED TEXT DESCRIPTION	Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games
FINAL DESCRIPTION	Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(class added)	
INTERNATIONAL CLASS	035
DESCRIPTION	Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase; automated retail services, namely sale of entertainment content, media, DVDs, movies and games
FILING BASIS	Section 1(b)
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEES 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	11/26/2010
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney of Record, Illinois bar member
DATE SIGNED	12/01/2010
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Wed Dec 01 15:56:20 EST 2010
TEAS STAMP	USPTO/ROA-XX.XXX.XXX.XX-2 0101201155620804764-77958 723-47069ba70c1cb9eb5242a 85a48b9206c75-DA-2617-201 01124175042421959

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. **77958723** 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 retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games

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 retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and games

Class 041 for Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games; automated retail services, namely rental of entertainment content, media, DVDs, movies and 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 hereby adds the following class of goods/services to the application:**

**New:** Class 035 for Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase; automated retail services, namely sale of entertainment content, media, DVDs, movies and 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)).

**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. 2.44. 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: 11/26/2010

Signatory's Name: Frederick W. Stein

Signatory's Position: Vice President and General Counsel

**Response Signature**

Signature: /James P. Muraff/ Date: 12/01/2010

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.

RAM Sale Number: 2617

RAM Accounting Date: 12/02/2010

Serial Number: 77958723

Internet Transmission Date: Wed Dec 01 15:56:20 EST 2010

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XX-2010120115562080

4764-77958723-47069ba70c1cb9eb5242a85a48

b9206c75-DA-2617-20101124175042421959

RAM SALE NUMBER: 2617  
RAM ACCOUNTING DATE: 20101202

INTERNET TRANSMISSION DATE: SERIAL NUMBER:  
2010/12/01 77/958723

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2010/12/01	325	1	325

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 77958723 - GRAB A MOVIE TONIGHT - 19638.  
**Sent:** 6/22/2010 5:49:50 PM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:**

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

**APPLICATION SERIAL NO.** 77958723

**MARK:** GRAB A MOVIE TONIGHT

**\*77958723\***

**CORRESPONDENT ADDRESS:**

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

**CLICK HERE TO RESPOND TO THIS LETTER:**  
<http://www.uspto.gov/teas/eTEASpageD.htm>

**APPLICANT:** Redbox Automated Retail, LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
19638.

**CORRESPONDENT E-MAIL ADDRESS:**  
[trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE:** **6/22/2010**

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

**SEARCH OF OFFICE'S DATABASE OF MARKS**

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

**AMENDMENT OF IDENTIFICATION OF SERVICES REQUIRED**

The wording “Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental” in the identification of services is indefinite and must be clarified. *See* TMEP §1402.01. Applicant must specify the exact nature of “entertainment content” and “media.” In addition, please note that “rental” services are properly classified according to the subject matter of the goods. Applicant may substitute the following wording, if accurate:

“Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games,” in International Class 41.

“Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase,” in International Class 35.

The wording “automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games” in the identification of services must be amended. 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 ~,” “mail order services featuring ~,” or “on-line retail store services featuring ~.”

As stated above, applicant must also specify the exact nature of “entertainment content” and “media.” In addition, please note that “rental” services are properly classified according to the subject matter of the goods.

The following amendments are recommended:

“Automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase,” in International Class 35.

“Automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games,” in International Class 41.

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

#### **MULTIPLE-CLASS APPLICATION REQUIREMENTS**

The application identifies goods and/or services that are classified in at least 2 classes; however, the fees submitted are sufficient for only 1 class(es). In a multiple-class application, a fee for each class is required. 37 C.F.R. §2.86(a)(2); TMEP §§810.01, 1403.01.

Therefore, applicant must either (1) restrict the application to the number of class(es) covered by the fee(s) already paid, or (2) submit the fees for the additional class(es).

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.

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

/Michelle E. Dubois/  
Michelle E. Dubois  
Trademark Attorney  
U.S. Patent & Trademark Office  
Law Office 107  
(571) 272-5887

**TO RESPOND TO THIS LETTER:** Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by (1) an individual applicant; (2) someone with legal authority to bind applicant (i.e., a corporate officer, a general partner, all joint applicants); or (3) an authorized attorney, if one is appointed to represent applicant.

**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 ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 77958723 - GRAB A MOVIE TONIGHT - 19638.  
**Sent:** 6/22/2010 5:49:53 PM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:**

## **IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION**

Your trademark application (Serial No. 77958723) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office action”) on **6/22/2010** 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=77958723&doc\\_type=OOA&mail\\_date=20100622](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77958723&doc_type=OOA&mail_date=20100622) 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](mailto: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 **6/22/2010** (*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](mailto: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:mdubois \*\*\*

#	Total	Dead	Live	Live	Status/	Search
	Marks	Marks	Viewed	Viewed	Search	
			Docs	Images	Duration	
01	1311	N/A	0	0	0:02	*grab*[bi,ti]
02	9267	N/A	0	0	0:02	*mo\$1v{"iey"}*[bi,ti]
03	13984	N/A	0	0	0:03	*ton{"iy"}ght*[bi,ti] or *n{"iy"}te*[bi,ti]
04	9	7	2	2	0:01	1 and (2 3)
05	21	3	13	11	0:02	redbox[on]
06	28	18	4	3	0:01	2 and 3
07	145	70	5	5	0:02	1 and (035 041 042 a b 200)[ic]

Session started 6/18/2010 10:26:19 AM

Session finished 6/18/2010 10:32:01 AM

Total search duration 0 minutes 13 seconds

Session duration 5 minutes 42 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77958723

# Trademark/Service Mark Application, Principal Register

Serial Number: 77958723  
Filing Date: 03/15/2010

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77958723
<b>MARK INFORMATION</b>	
*MARK	<a href="#">GRAB A MOVIE TONIGHT</a>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	GRAB A MOVIE TONIGHT
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Redbox Automated Retail, LLC
INTERNAL ADDRESS	Suite 1200
*STREET	One Tower Lane
*CITY	Oakbrook Terrace
*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	60181
EMAIL ADDRESS	XXXX
<b>LEGAL ENTITY INFORMATION</b>	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Delaware
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
INTERNATIONAL CLASS	041
*IDENTIFICATION	Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games.
FILING BASIS	SECTION 1(b)
<b>ATTORNEY INFORMATION</b>	
NAME	James P. Muraff

ATTORNEY DOCKET NUMBER	19638.
FIRM NAME	Neal, Gerber & Eisenberg LLP
INTERNAL ADDRESS	Two North LaSalle Street, Suite 1700
STREET	c/o Trademark Administrator
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312-269-8000
FAX	312-269-1747
EMAIL ADDRESS	trademarks@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
INTERNAL ADDRESS	Two North LaSalle Street, Suite 1700
STREET	c/o Trademark Administrator
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312-269-8000
FAX	312-269-1747
EMAIL ADDRESS	trademarks@ngelaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

#### FEE INFORMATION

NUMBER OF CLASSES	1
FEES 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	03/13/2010



## Trademark/Service Mark Application, Principal Register

**Serial Number: 77958723**  
**Filing Date: 03/15/2010**

### To the Commissioner for Trademarks:

**MARK:** GRAB A MOVIE TONIGHT (Standard Characters, see [mark](#))

The literal element of the mark consists of GRAB A MOVIE TONIGHT.

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

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

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 041: Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games.

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  
c/o Trademark Administrator  
Chicago, Illinois 60602  
United States

The attorney docket/reference number is 19638..

The applicant's current Correspondence Information:

James P. Muraff  
Neal, Gerber & Eisenberg LLP  
Two North LaSalle Street, Suite 1700  
c/o Trademark Administrator  
Chicago, Illinois 60602  
312-269-8000(phone)  
312-269-1747(fax)  
trademarks@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: 03/13/2010  
Signatory's Name: Frederick W. Stein  
Signatory's Position: Vice President and General Counsel

RAM Sale Number: 8513  
RAM Accounting Date: 03/15/2010

Serial Number: 77958723  
Internet Transmission Date: Mon Mar 15 11:23:53 EDT 2010  
TEAS Stamp: USPTO/BAS-XX.XX.XXX.XXX-2010031511235320  
6048-77958723-460d0a3ac43ad8f3eb4b619dfe  
4bf3be2-DA-8513-20100311171432172276

GRAB A MOVIE TONIGHT

GRAB A MOVIE TONIGHT