

**Generated on:** This page was generated by TSDR on 2025-07-19 18:42:07 EDT

**Mark:** DVDPLAY

# DVDPLAY

**US Serial Number:** 78437318

**Application Filing Date:** Jun. 17, 2004

**US Registration Number:** 2967191

**Registration Date:** Jul. 12, 2005

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



DEAD/REGISTRATION/Cancelled/Invalidated

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

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

**Status Date:** Oct. 12, 2012

**Publication Date:** Apr. 19, 2005

**Date Cancelled:** Oct. 12, 2012

## Mark Information

**Mark Literal Elements:** DVDPLAY

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

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

## Related Properties Information

**Claimed Ownership of US Registrations:** 2463432, 2573752

## 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 kiosk vending machines for the rental and sale of music, games, videos, and other recorded materials

**International Class(es):** 009 - Primary Class

**U.S Class(es):** 021, 023, 026, 036, 038

**Class Status:** SECTION 8 - CANCELLED

**First Use:** Mar. 26, 2004

**Use in Commerce:** Mar. 26, 2004

## Basis Information (Case Level)

**Filed Use:** Yes

**Currently Use:** Yes

Filed ITU: No	Currently ITU: No
Filed 44D: No	Currently 44D: No
Filed 44E: No	Currently 44E: No
Filed 66A: No	Currently 66A: No
Filed No Basis: No	Currently No Basis: No

## Current Owner(s) Information

Owner Name: REDBOX AUTOMATED RETAIL, LLC  
 Owner Address: ONE TOWER LANE, SUITE 1200  
 OAKBROOK TERRACE, ILLINOIS UNITED STATES 60181  
 Legal Entity Type: LIMITED LIABILITY COMPANY  
 State or Country: DELAWARE  
 Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Jason S. Howell  
 Attorney Primary Email: [pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)  
 Email Address:

### Correspondent

Correspondent: Jason S. Howell  
 Name/Address: Perkins Coie LLP  
 1201 Third Avenue, Suite 4900  
 Seattle, WASHINGTON UNITED STATES 98101  
 Phone: (206) 359-8000  
 Correspondent e-mail: [pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)  
 Correspondent e-mail Authorized:

Fax: (206) 359-9000

Correspondent e-mail Authorized:

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 12, 2012	CANCELLED SEC. 8 (6-YR)	
Jul. 18, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 09, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 09, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 30, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 05, 2007	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Oct. 05, 2007	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 12, 2005	REGISTERED-PRINCIPAL REGISTER	
Apr. 19, 2005	PUBLISHED FOR OPPOSITION	
Mar. 30, 2005	NOTICE OF PUBLICATION	
Feb. 03, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Jan. 31, 2005	ASSIGNED TO LIE	
Jan. 21, 2005	EXAMINER'S AMENDMENT MAILED	
Jan. 21, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 21, 2005	EXAMINERS AMENDMENT -WRITTEN	
Jan. 21, 2005	ASSIGNED TO EXAMINER	
Jun. 23, 2004	NEW APPLICATION ENTERED	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 12, 2005

## Assignment Abstract Of Title Information

**Summary****Total Assignments:** 2**Registrant:** DVDPlay, Inc.**Assignment 1 of 2****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [4232/0966](#)**Pages:** 7**Date Recorded:** Jun. 28, 2010**Supporting Documents:** [assignment-tm-4232-0966.pdf](#)**Assignor****Name:** [DVDPLAY, INC.](#)**Execution Date:** Nov. 23, 2009**Legal Entity Type:** CORPORATION**State or Country** DELAWARE  
**Where Organized:****Assignee****Name:** [NCR CORPORATION](#)**State or Country** MARYLAND  
**Where Organized:****Address:** 1700 S. PATTERSON BLVD.  
DAYTON, OHIO 45479**Composed Of:** COMPOSED OF ASSET PURCHASE  
AGREEMENT**Correspondent****Correspondent** SHIRLEY A. BYRD  
**Name:****Correspondent** 1700 S. PATTERSON BLVD.  
**Address:** WHQ-3E  
DAYTON, OH 45479**Domestic Representative - Not Found****Assignment 2 of 2****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [4819/0987](#)**Pages:** 4**Date Recorded:** Jul. 12, 2012**Supporting Documents:** [assignment-tm-4819-0987.pdf](#)**Assignor****Name:** [NCR CORPORATION](#)**Execution Date:** Jun. 22, 2012**Legal Entity Type:** CORPORATION**State or Country** MARYLAND  
**Where Organized:****Assignee****Name:** [REDBOX AUTOMATED RETAIL, LLC](#)**State or Country** DELAWARE  
**Where Organized:****Legal Entity Type:** LIMITED LIABILITY COMPANY**Address:** ONE TOWER LANE, SUITE 1200  
OAKBROOK TERRACE, ILLINOIS 60181**Correspondent****Correspondent** JASON S. HOWELL, C/O PERKINS COIE LLP  
**Name:****Correspondent** 1201 THIRD AVENUE, SUITE 4900  
**Address:** SEATTLE, WA 98101**Domestic Representative - Not Found**

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

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78437318
REGISTRATION NUMBER	2967191
LAW OFFICE ASSIGNED	LAW OFFICE 105
ATTORNEY DOCKET NUMBER	72292.4000.0003.US001
MARK SECTION	
MARK	DVDPLAY
ATTORNEY SECTION	
ORIGINAL ADDRESS	CURTIS A. VOCC SUITE 300 4845 PEARL EAST CIRCLE BOULDER Colorado (CO) 80301-6113 US 720-931-3000 720-931-3001 ny_ipdocketing@lathropgage.com
NEW ATTORNEY ADDRESS	
STATEMENT TEXT	By submission of this request, the undersigned REVOKEs the power of attorney currently of record, as listed above, and hereby APPOINTs the following new attorney:
NAME	Jason S. Howell
FIRM NAME	Perkins Coie LLP
STREET	1201 Third Avenue, Suite 4900
CITY	Seattle
STATE	Washington
COUNTRY	United States
POSTAL/ZIP CODE	98101
PHONE	(206) 359-8000
FAX	(206) 359-9000
EMAIL	pctrademarks@perkinscoie.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
ATTORNEY DOCKET NUMBER	72292.4000.0003.US001
NEW OTHER APPOINTED ATTORNEYS	Lynne E. Graybeal, Heidi L. Sachs, Grace Han Stanton, James L. Vana, Kathleen J. Buckley, Julianne A. Henley, Elizabeth A. Kristoferson, Makalika D. Naholowaa, Jeffrey A. Nelson, Lisa T. Oratz, Andrea M. Sander, Sarah J. Taylor, and Robert G. Woolston

### NEW CORRESPONDENCE ADDRESS

NAME	Jason S. Howell
FIRM NAME	Perkins Coie LLP
STREET	1201 Third Avenue, Suite 4900
CITY	Seattle
STATE	Washington
COUNTRY	United States
POSTAL/ZIP CODE	98101
PHONE	(206) 359-8000
FAX	(206) 359-9000
EMAIL	pctrademarks@perkinscoie.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES

### SIGNATURE SECTION

SIGNATORY FILE	
ORIGINAL PDF FILE	<a href="#">hw_198221004-180803531_.NCR_to_Redbox_POA.pdf</a>
CONVERTED PDF FILE(S) (1 page)	<a href="#">\\TICRS\\EXPORT16\\IMAGEOUT16\\784\\373\\78437318\\xml1\\RAA0002.JPG</a>
SIGNATORY NAME	Donald R. Rench
SIGNATORY POSITION	Vice President
SIGNATORY PHONE NUMBER	N/A

### FILING INFORMATION SECTION

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

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

To the Commissioner for Trademarks:

**MARK:** DVDISPLAY

**SERIAL NUMBER:** 78437318

**REGISTRATION NUMBER:** 2967191

**ATTORNEY DOCKET NUMBER** 72292.4000.0003.US001

### **The original attorney**

CURTIS A. VOCC

SUITE 300

4845 PEARL EAST CIRCLE

BOULDER Colorado 80301-6113

US

720-931-3000

720-931-3001

ny\_ipdocketing@lathropgage.com

### **Original Correspondence Address :**

CURTIS A. VOCC

SUITE 300

4845 PEARL EAST CIRCLE

BOULDER Colorado 80301-6113

US

720-931-3000

720-931-3001

ny\_ipdocketing@lathropgage.com

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

### **Newly Appointed Attorney:**

Jason S. Howell

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, Washington 98101

United States

(206) 359-8000

(206) 359-9000

pctrademarks@perkinscoie.com

72292.4000.0003.US001

### **Other Appointed Attorneys:**

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

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

Jason S. Howell

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, Washington 98101

United States

(206) 359-8000  
(206) 359-9000  
pctrademarks@perkinscoie.com

**Original PDF file:**

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

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

[Signature File1](#)

Signatory's Name: Donald R. RENCH

Signatory's Position: Vice President

Signatory's Phone Number: N/A

Serial Number: 78437318

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

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

927-78027862-4908d1a90913cf014fba4ea2d38

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Redbox Automated Retail, LLC

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

REVOCATION OF POWER OF  
ATTORNEY AND APPOINTMENT  
OF NEW ATTORNEY

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

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

DATED: July 9, 2012

REDBOX AUTOMATED RETAIL, LLC

By:

  
Name: Donald R. Rench  
Title: Vice President

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

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78437318
REGISTRATION NUMBER	2967191
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION	
MARK	DVDPLAY
ATTORNEY SECTION	
ORIGINAL ADDRESS	Mickie Lee DVDPlay, Inc. 750 University Avenue Los Gatos, CA 95032 408-395-1997 408-395-1727 mlee@dvdplay.net
CORRESPONDENCE SECTION	
ORIGINAL ADDRESS	Mickie Lee DVDPlay, Inc. 750 University Avenue Los Gatos, CA 95032 408-395-1997 408-395-1727 mlee@dvdplay.net
NEW ATTORNEY ADDRESS	
STATEMENT TEXT	By submission of this request, the undersigned REVOKEs the power of attorney currently of record, as listed above, and hereby APPOINTs the following new attorney:
NAME	Curtis A. Vock
FIRM NAME	Lathrop & Gage L.C.
INTERNAL ADDRESS	Suite 300
STREET	4845 Pearl East Circle
CITY	Boulder
STATE	Colorado
COUNTRY	United States
POSTAL/ZIP CODE	80301-6113
PHONE	720-931-3000
FAX	720-931-3001
EMAIL	ny_ipdocketing@lathropgagelaw.com

ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
<b>NEW CORRESPONDENCE ADDRESS</b>	
NAME	Curtis A. Vock
FIRM NAME	Lathrop & Gage L.C.
INTERNAL ADDRESS	Suite 300
STREET	4845 Pearl East Circle
CITY	Boulder
STATE	Colorado
COUNTRY	United States
POSTAL/ZIP CODE	80301-6113
PHONE	720-931-3000
FAX	720-931-3001
EMAIL	ny_ipdocketing@lathropgage.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
<b>SIGNATURE SECTION</b>	
SIGNATURE	/curtis voek/
SIGNATORY NAME	Curtis A. Vock
SIGNATORY DATE	10/05/2007
SIGNATORY POSITION	Attorney
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Fri Oct 05 12:43:52 EDT 2007
TEAS STAMP	USPTO/RAA-XX.XXX.XXX.XX-2 0071005124352556420-78591 552-400d2608dbd35248752f9 6217f9633f4c1-N/A-N/A-200 71005124002374253

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

To the Commissioner for Trademarks:

**MARK:** DVDPLAY

**SERIAL NUMBER:** 78437318

**REGISTRATION NUMBER:** 2967191

### **The original attorney**

Mickie Lee

DVDPlay, Inc.

750 University Avenue

Los Gatos, CA 95032

408-395-1997

408-395-1727

mlee@dvdplay.net

### **Original Correspondence Address :**

Mickie Lee

DVDPlay, Inc.

750 University Avenue

Los Gatos, CA 95032

408-395-1997

408-395-1727

mlee@dvdplay.net

By submission of this request, the undersigned REVOKEs the power of attorney currently of record, as listed above, and hereby APPOINTs the following new attorney:

### **Newly Appointed Attorney:**

Curtis A. Vock

Lathrop & Gage L.C.

Suite 300

4845 Pearl East Circle

Boulder, Colorado 80301-6113

United States

720-931-3000

720-931-3001

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

Curtis A. Vock

Lathrop & Gage L.C.

Suite 300

4845 Pearl East Circle

Boulder, Colorado 80301-6113

United States

720-931-3000

720-931-3001

ny\_ipdocketing@lathropgpage.com

Signature: /curtis vock/ Date: 10/05/2007

Signatory's Name: Curtis A. Vock

Signatory's Position: Attorney

Serial Number: 78437318

Internet Transmission Date: Fri Oct 05 12:43:52 EDT 2007

TEAS Stamp: USPTO/RAA-XX.XXX.XXX.XX-2007100512435255

6420-78591552-400d2608dbd35248752f96217f

9633f4c1-N/A-N/A-20071005124002374253

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,967,191

United States Patent and Trademark Office

Registered July 12, 2005

TRADEMARK  
PRINCIPAL REGISTER

DVDPLAY

DVDPLAY, INC. (DELAWARE CORPORATION)  
750 UNIVERSITY AVENUE  
LOS GATOS, CA 95032

FOR: AUTOMATED KIOSK VENDING MACHINES FOR THE RENTAL AND SALE OF MUSIC, GAMES, VIDEOS, AND OTHER RECORDED MATERIALS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-26-2004; IN COMMERCE 3-26-2004.

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

OWNER OF U.S. REG. NOS. 2,463,432 AND 2,573,752.

SER. NO. 78-437,318, FILED 6-17-2004.

LEIGH CAROLINE CASE, EXAMINING ATTORNEY

---

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

Mar 30, 2005

## NOTICE OF PUBLICATION UNDER 12(a)

1. Serial No.:	2. Mark:
78/437,318	DVDPLAY Standard Character Mark
3. International Class(es):	5. Applicant:
9	DVDPlay, Inc.
4. Publication Date:	
Apr 19, 2005	

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: (202) 512-1800

By direction of the Commissioner.

---

### Correspondence Address:

Mickie Lee  
DVDPlay, Inc.  
750 University Avenue  
Los Gatos, CA 95032

TMP&I

# UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/437318

APPLICANT: DVDPlay, Inc.

\*78437318\*

**CORRESPONDENT ADDRESS:**

Mickie Lee  
DVDPlay, Inc.  
750 University Avenue  
Los Gatos, CA 95032

**RETURN ADDRESS:**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

MARK: DVDPLAY

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

CORRESPONDENT'S REFERENCE/DOCKET NO : N/A

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and email address.

## EXAMINER'S AMENDMENT

Serial Number 78/437318. In accordance with the policy and procedures announced in TMEP section 707.02, the Office has entered the amendment noted below in the referenced application. Please note that if the identification of goods or services has been amended below, any future amendments must be in accordance with 37 C.F.R. 2.71(a); TMEP section 1402.07(e). No response is necessary unless there is an objection to the amendment. If there is an objection to the amendment, the applicant should notify the examining attorney immediately.

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

**Ownership of Prior Registrations**

The following statement has been added to the application: The applicant is the owner of Reg. Nos. 2463432 and 2573752.

Copies of these registrations are attached.

**NOTICE: FEE CHANGE**

Effective January 31, 2005 and pursuant to the Consolidated Appropriations Act, 2005, Pub. L. 108-447, the following are the fees that will be charged for filing a trademark application:

- (1) \$325 per international class if filed electronically using the Trademark Electronic Application System (TEAS); or
- (2) \$375 per international class if filed on paper.

These fees will be charged not only when a new application is filed, but also when payments are made to add classes to an existing application. If such payments are submitted with a TEAS response, the fee will be \$325 per class, and if such payments are made with a paper response, the fee will be \$375 per class.

The new fee requirements will apply to any fees filed on or after January 31, 2005.

## **NOTICE: TRADEMARK OPERATION RELOCATION**

The Trademark Operation has relocated to Alexandria, Virginia. Effective October 4, 2004, all Trademark-related paper mail (except documents sent to the Assignment Services Division for recordation, certain documents filed under the Madrid Protocol, and requests for copies of trademark documents) must be sent to:

**Commissioner for Trademarks**  
**P.O. Box 1451**  
**Alexandria, VA 22313-1451**

Applicants, attorneys and other Trademark customers are strongly encouraged to correspond with the USPTO online via the Trademark Electronic Application System (TEAS), at <http://www.uspto.gov/teas/index.html>.

/Leigh Caroline Case/  
Trademark Attorney, Law Office 105  
(571) 272-9140

Print: Jan 21, 2005

75821033

**DESIGN MARK**

**Serial Number**  
75821033

**Status**  
REGISTERED

**Word Mark**  
DVD PLAY

**Standard Character Mark**  
No

**Registration Number**  
2463432

**Date Registered**  
2001/06/26

**Type of Mark**  
TRADEMARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(1) TYPED DRAWING

**Owner**  
DVDISPLAY, INC. CORPORATION DELAWARE 750 UNIVERSITY AVENUE, SUITE 280  
LOS GATOS CALIFORNIA 95032

**Goods/Services**  
Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:  
AUTOMATED, STAND-ALONE KIOSK VENDING MACHINES FOR THE RENTAL AND SALES  
OF MUSIC, GAMES, VIDEOS AND OTHER RECORDED MATERIALS. First Use:  
1999/12/02. First Use In Commerce: 1999/12/05.

**Disclaimer Statement**

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

**Filing Date**  
1999/10/12

**Examining Attorney**  
MCMORROW, JANICE L.

**Attorney of Record**  
Steven C. Petersen

**DVD PLAY**

**TYPED DRAWING**

**Serial Number**  
78027862

**Status**  
REGISTERED

**Word Mark**  
DVD PLAY

**Standard Character Mark**  
No

**Registration Number**  
2573752

**Date Registered**  
2002/05/28

**Type of Mark**  
SERVICE MARK

**Register**  
PRINCIPAL

**Mark Drawing Code**  
(1) TYPED DRAWING

**Owner**  
DVDISPLAY, INC. CORPORATION DELAWARE 750 UNIVERSITY AVENUE, SUITE 280  
LOS GATOS CALIFORNIA 95032

**Goods/Services**  
Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Stand-alone retail kiosk vending machine services, featuring music, games, videos and other recorded materials; on-line retail store services featuring music, games, videos and other recorded materials; network management and network administration services in the computer industry. First Use: 1999/12/02. First Use In Commerce: 1999/12/05.

**Goods/Services**  
Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: Automated rental of music, games, videos and other recorded materials via a stand-alone kiosk vending machine; on-line rental of music, games, videos and other recorded materials. First Use: 1999/12/02. First Use In Commerce: 1999/12/05.

**Disclaimer Statement**

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

Print: Jan 21, 2005

78027862

**Filing Date**

2000/09/27

**Examining Attorney**

ORTIGA, RAMONA

**Attorney of Record**

Curtis Vock

## NOTE TO THE FILE

SERIAL NUMBER: 78437318

DATE: 01/21/2005

NAME: lcase

### NOTE:

- Checked LEXIS/NEXIS
- Searched internet using [insert search engine or web site]
- Checked with Law Library re surname.
- Checked geographic significance.
- Checked with translations branch.
- Checked ID with ID/Class
- Checked ID with Senior Attorney/Managing Attorney
- Telephoned attorney/applicant leaving message re: \_\_\_\_\_
- Telephoned attorney/applicant, application was signed on \_\_\_\_\_
- Personal interview conducted with attorney/applicant re \_\_\_\_\_
- Attorney/applicant called to discuss \_\_\_\_\_
- Bulky specimens with examiner.
- Acronym website searched.
- Changed Tradeups to add EA 1/21/05
- Changed Tradeups to delete.\_\_\_\_\_
- OTHER (insert reason for Note)

\*\*\* User:lcase \*\*\*

#	Total Marks	Dead Marks	Live	Live	Status/ Search	Search
			Viewed Docs	Viewed Images		
01	1	0	1	1	0:01	78437318[SN]
02	704	N/A	0	0	0:02	(*dvd* or "d vd" or "dv d" or "d v d")[bi,ti]
03	7216	N/A	0	0	0:04	*d{"iy"}{"gj"}{v:1}t*[bi,ti]
04	11106	N/A	0	0	0:01	*pla{"iye"}*[bi,ti]
05	16	3	13	8	0:01	2 and 4
06	24	11	13	7	0:01	3 and 4
07	1784799	N/A	0	0	0:05	009[cc]
08	631	N/A	0	0	0:01	2 and 7
09	6435	N/A	0	0	0:01	4 and 7
10	600703	N/A	0	0	0:06	"009"[ic] or a[ic] or b[ic] or 200[ic]
11	442	N/A	0	0	0:01	2 and 10
12	1835	N/A	0	0	0:01	4 and 10
13	237	0	237	114	0:05	11 not dead[ld]
14	10105	N/A	0	0	0:01	*play*[bi,ti]
15	6016	N/A	0	0	0:02	14 and 7
16	1714	N/A	0	0	0:01	14 and 10

Session started 1/21/2005 10:39:50 AM

Session finished 1/21/2005 10:52:08 AM

Total search duration 0 minutes 34 seconds

Session duration 12 minutes 18 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 78437318

# Trademark/Service Mark Application, Principal Register

Serial Number: 78437318  
Filing Date: 06/17/2004

The table below presents the data as entered.

Input Field	Entered
<strong>MARK SECTION</strong>	
MARK	<u>DVDPLAY</u>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	DVDPLAY
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<strong>OWNER SECTION</strong>	
NAME	DVDPlay, Inc.
STREET	750 University Avenue
CITY	Los Gatos
STATE	CA
ZIP/POSTAL CODE	95032
COUNTRY	United States
PHONE	408-395-1727
FAX	408-395-1997
EMAIL	XXXX
AUTHORIZED EMAIL COMMUNICATION	No
<strong>LEGAL ENTITY SECTION</strong>	
TYPE	CORPORATION
STATE/COUNTRY OF INCORPORATION	Delaware
<strong>GOODS AND/OR SERVICES SECTION</strong>	
INTERNATIONAL CLASS	009
DESCRIPTION	Automated kiosk vending machines for the rental and sale of music, games, videos, and other recorded materials.
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 03/26/2004
FIRST USE IN COMMERCE DATE	At least as early as 03/26/2004
SPECIMEN FILE NAME(S)	<u>\tiers\EXPORT10\IMAGEOUT 10\784\373\78437318\xml1\APP0003.JPG</u>

SPECIMEN DESCRIPTION		The billboard that is part of the DVD dispensing machine.
<b>SIGNATURE SECTION</b>		
SIGNATURE		/mickie88/
SIGNATORY NAME		Mickie Lee
SIGNATORY DATE		06/17/2004
SIGNATORY POSITION		General Counsel of DVDPlay, Inc.
<b>PAYMENT SECTION</b>		
NUMBER OF CLASSES		1
NUMBER OF CLASSES PAID		1
SUBTOTAL AMOUNT		335
TOTAL AMOUNT		335
<b>CORRESPONDENCE SECTION</b>		
NAME		Mickie Lee
FIRM NAME		DVDPlay, Inc.
STREET		750 University Avenue
CITY		Los Gatos
STATE		CA
ZIP/POSTAL CODE		95032
COUNTRY		United States
EMAIL		mlee@dvdplay.net
AUTHORIZED EMAIL COMMUNICATION		No
<b>FILING INFORMATION</b>		
SUBMIT DATE		Thu Jun 17 19:05:19 EDT 2004
TEAS STAMP		USPTO/BAS-XXXXXXXXXX-2004 0617190519790674-78437318 -200fc5d4405df87aa0a9b567 17e895de8-CC-580-20040617 185457955490

## Trademark/Service Mark Application, Principal Register

**Serial Number: 78437318**  
**Filing Date: 06/17/2004**

### To the Commissioner for Trademarks:

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

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

The literal element of the mark consists of DVDPLAY.

The applicant, DVDPlay, Inc., a corporation of Delaware, residing at 750 University Avenue, Los Gatos, CA, United States, 95032, 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.

The applicant, or the applicant's related company or licensee, is using the mark in commerce, and lists below the dates of use by the applicant, or the applicant's related company, licensee, or predecessor in interest, of the mark on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

International Class 009: Automated kiosk vending machines for the rental and sale of music, games, videos, and other recorded materials.

In International Class 009, the mark was first used at least as early as 03/26/2004, and first used in commerce at least as early as 03/26/2004, and is now in use in such commerce. The applicant is submitting or will submit one specimen for *each class* showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) The billboard that is part of the DVD dispensing machine..

#### Specimen - 1

A fee payment in the amount of \$335 will be submitted with the application, representing payment for 1 class(es).

### Declaration

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

Signature: /mickie88/ Date: 06/17/2004

Signatory's Name: Mickie Lee

Signatory's Position: General Counsel of DVDPlay, Inc.

Mailing Address:

Mickie Lee  
750 University Avenue  
Los Gatos, CA 95032

RAM Sale Number: 580

RAM Accounting Date: 06/18/2004

Serial Number: 78437318

Internet Transmission Date: Thu Jun 17 19:05:19 EDT 2004

TEAS Stamp: USPTO/BAS-XXXXXXXXX-2004061719051979067

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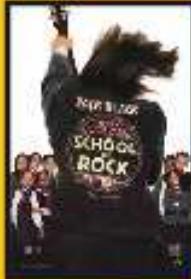
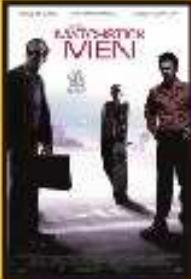
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DVDPLAY

INTRODUCTORY OFFER

# 69¢ MOVIE RENTALS

Rent Hit New Release Movies  
Right HERE, Right NOW



Connected and Powered by DVDPlay.

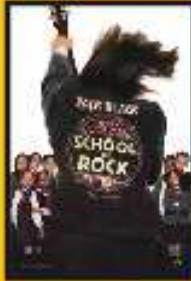
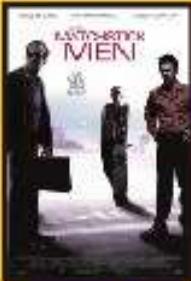
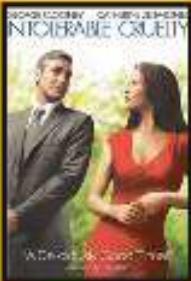


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