

Generated on: This page was generated by TSDR on 2025-07-19 18:47:16 EDT

Mark: THE NEW RELEASE



US Serial Number: 78803776

Application Filing Date: Jan. 31, 2006

US Registration Number: 3186792

Registration Date: Dec. 19, 2006

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



DEAD/REGISTRATION/Cancelled/Invalidated

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

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

Status Date: Jul. 26, 2013

Publication Date: Oct. 03, 2006

Date Cancelled: Jul. 26, 2013

Mark Information

Mark Literal Elements: THE NEW RELEASE

Standard Character Claim: No

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

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

Disclaimer: "NEW RELEASE"

Design Search Code(s): 16.01.05 - Albums, record; Compact discs (CDs); DVDs; Digital versatile discs or digital video discs (DVDs); Phonograph records; Record albums; Records, phonograph
26.17.03 - Dotted line(s); Lines, dotted

Goods and Services

Note:

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

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

For: Rental of pre-recorded videos by means of an automatic rental kiosk

International Class(es): 041 - Primary Class

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

Class Status: SECTION 8 - CANCELLED

First Use: Dec. 31, 2002

Use in Commerce: Jul. 31, 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

Docket Number: 72292.4000.0

Attorney Primary pctrademarks@perkinscoie.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Jason S. Howell
Name/Address: Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WASHINGTON UNITED STATES 98101

Phone: (206) 359-8000

Fax: (206) 359-9000

Correspondent e-mail: pctrademarks@perkinscoie.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 26, 2013	CANCELLED SEC. 8 (6-YR)	
Jul. 18, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 09, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 09, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 07, 2012	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 07, 2012	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 15, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 19, 2006	REGISTERED-PRINCIPAL REGISTER	
Oct. 03, 2006	PUBLISHED FOR OPPOSITION	
Sep. 13, 2006	NOTICE OF PUBLICATION	
Aug. 12, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Aug. 09, 2006	ASSIGNED TO LIE	
Jul. 25, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 25, 2006	EXAMINER'S AMENDMENT ENTERED	
Jul. 25, 2006	EXAMINERS AMENDMENT E-MAILED	
Jul. 25, 2006	EXAMINERS AMENDMENT -WRITTEN	
Jul. 20, 2006	ASSIGNED TO EXAMINER	
Feb. 08, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Feb. 07, 2006	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 19, 2006

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: The New Release LP

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4023/0280](#)

Pages: 4

Date Recorded: Jul. 13, 2009

Supporting Documents: [assignment-tm-4023-0280.pdf](#)

Assignor

Name: [THE NEW RELEASE LP](#)

Execution Date: May 01, 2009

Legal Entity Type: LIMITED PARTNERSHIP

State or Country Where Organized: TEXAS

Assignee

Name: [NCR CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MARYLAND

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

Correspondent

Correspondent Name: SHIRLEY A. BYRD

Correspondent Address: 1700 S. PATTERSON BLVD.
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 Where Organized: MARYLAND

Assignee

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

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

Correspondent

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

Correspondent Address: 1201 THIRD AVENUE, SUITE 4900
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	78803776
REGISTRATION NUMBER	3186792
LAW OFFICE ASSIGNED	LAW OFFICE 111
ATTORNEY DOCKET NUMBER	72292.4000.0010.US001
MARK SECTION	
MARK	THE NEW RELEASE (stylized and/or with design)
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	72292.4000.0010.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	hw_198221004-180803531_.NCR_to_Redbox_POA.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\788\037\78803776\xml1\RAA0002.JPG
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: THE NEW RELEASE (stylized and/or with design)

SERIAL NUMBER: 78803776

REGISTRATION NUMBER: 3186792

ATTORNEY DOCKET NUMBER 72292.4000.0010.US001

Original Correspondence Address :

PAUL W. MARTIN

700 BUILDING

3097 SATELLITE BOULEVARD

DULUTH Georgia 30096

US

678.808.5231

404.487.8949

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

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

Newly Appointed Attorney:

Jason S. Howell

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, Washington 98101

United States

(206) 359-8000

(206) 359-9000

pctrademarks@perkinscoie.com

72292.4000.0010.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: 78803776

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

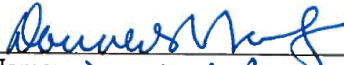
REVOCATION OF POWER OF
ATTORNEY AND APPOINTMENT
OF NEW ATTORNEY

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	78803776
REGISTRATION NUMBER	3186792
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION	
MARK	THE NEW RELEASE (stylized and/or with design)
ATTORNEY SECTION	
ORIGINAL ADDRESS	D. BRIT NELSON 3400 JPMORGAN CHASE TOWER 600 TRAVIS HOUSTON Texas (TX) 77002-3095 US 713-226-1200 713-223-3717 ipdocket-houston@lockeliddell.com
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above.
NEW CORRESPONDENCE ADDRESS	
NAME	Paul W. Martin
FIRM NAME	NCR Corporation
INTERNAL ADDRESS	700 Building
STREET	3097 Satellite Boulevard
CITY	Duluth
STATE	Georgia
COUNTRY	United States
POSTAL/ZIP CODE	30096
PHONE	678.808.5231
FAX	404.487.8949
EMAIL	ptomail.law@ncr.com;paul.w.martin@ncr.com;tammy.brackett@ncr.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
SIGNATURE SECTION	
SIGNATURE	/martipw/
SIGNATORY NAME	Paul W. Martin
SIGNATORY DATE	05/07/2012
SIGNATORY POSITION	Attorney Of Record

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

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

To the Commissioner for Trademarks:

MARK: THE NEW RELEASE (stylized and/or with design)

SERIAL NUMBER: 78803776

REGISTRATION NUMBER: 3186792

The original attorney

D. BRIT NELSON
3400 JPMORGAN CHASE TOWER
600 TRAVIS
HOUSTON Texas 77002-3095
US
713-226-1200
713-223-3717
ipdocket-houston@lockeliddell.com

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

Original Correspondence Address :

D. BRIT NELSON
3400 JPMORGAN CHASE TOWER
600 TRAVIS
HOUSTON Texas 77002-3095
US
713-226-1200
713-223-3717
ipdocket-houston@lockeliddell.com

The following is to be used as the correspondence address:

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

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

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

Signatory's Name: Paul W. Martin

Signatory's Position: Attorney Of Record

Signatory's Phone Number: 678.808.5231

Serial Number: 78803776

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

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

964-77144031-490efe77b8923e818b83e45069f

f0c0d8-N/A-N/A-20120507172811406797

Int. Cl.: 41

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

United States Patent and Trademark Office

Reg. No. 3,186,792

Registered Dec. 19, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

THE NEW RELEASE
..........

THE NEW RELEASE LP (TEXAS LIMITED PART-
NERSHIP)
SUITE D1
5200 MITCHELLEDALE
HOUSTON, TX 77092

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

FOR: RENTAL OF PRE-RECORDED VIDEOS BY
MEANS OF AN AUTOMATIC RENTAL KIOSK, IN
CLASS 41 (U.S. CLS. 100, 101 AND 107).

SER. NO. 78-803,776, FILED 1-31-2006.

FIRST USE 12-31-2002; IN COMMERCE 7-31-2004.

MARGERY A. TIERNEY, EXAMINING ATTORNEY

Side - 1



NOTICE OF PUBLICATION UNDER §12(a)

MAILING DATE: Sep 13, 2006

PUBLICATION DATE: Oct 3, 2006

The mark identified below will be published in the Official Gazette on Oct 3, 2006. Any party who believes they will be damaged by registration of the mark may oppose its registration by filing an opposition to registration or a request to extend the time to oppose within thirty (30) days from the publication date on this notice. If no opposition is filed within the time specified by law, the USPTO may issue a Certificate of Registration.

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

SERIAL NUMBER: 78803776

MARK: THE NEW RELEASE

OWNER: The New Release LP

Side - 2

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

FIRST-CLASS MAIL
U.S POSTAGE
PAID

D BRIT NELSON
LOCKE LIDDELL & SAPP LLP
3400 JPMORGAN CHASE TWR
600 TRAVIS
HOUSTON, TX 77002-3095

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

OVERVIEW

SERIAL NUMBER	78803776	FILING DATE	01/31/2006
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	TIERNEY, MARGERY ANN	L.O. ASSIGNED	111

PUB INFORMATION

RUN DATE	07/26/2006		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	07/25/2006		
LITERAL MARK ELEMENT	THE NEW RELEASE		
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)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

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

CURRENT OWNER INFORMATION

--	--

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	The New Release LP
ADDRESS	Suite D1 5200 Mitchelldale Houston, TX 77092
ENTITY	13-LIMITED PARTNERSHIP
CITIZENSHIP	Texas
COMPOSED OF	TNR Holdings, LLC, a Texas limited liability company, its General Partner

GOODS AND SERVICES

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of pre-recorded videos by means of an automatic rental kiosk

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	041	FIRST USE DATE	12/31/2002	FIRST USE IN COMMERCE DATE	07/31/2004	CLASS STATUS	6-ACTIVE
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MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	NEW RELEASE

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/25/2006	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	007
07/25/2006	XAEC	I	EXAMINER'S AMENDMENT ENTERED	006
07/25/2006	GNEA	F	EXAMINERS AMENDMENT E-MAILED	005
07/25/2006	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	004
07/20/2006	DOCK	D	ASSIGNED TO EXAMINER	003
02/08/2006	MDSC	O	NOTICE OF DESIGN SEARCH CODE MAILED	002
02/07/2006	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	D. Brit Nelson
CORRESPONDENCE ADDRESS	D. BRIT NELSON LOCKE LIDDELL & SAPP LLP 3400 JPMORGAN CHASE TOWER 600 TRAVIS HOUSTON, TX 77002-3095
DOMESTIC REPRESENTATIVE	NONE

THE NEW RELEASE

.....



.....

To: The New Release LP (ipdocket-houston@lockeliddell.com)
Subject: TRADEMARK APPLICATION NO. 78803776 - THE NEW RELEASE - 016169-00005
Sent: 7/25/2006 10:36:49 AM
Sent As: ECOM111@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/803776

APPLICANT: The New Release LP

78803776

CORRESPONDENT ADDRESS:

D. BRIT NELSON
LOCKE LIDDELL & SAPP LLP
3400 JPMORGAN CHASE TOWER
600 TRAVIS
HOUSTON, TX 77002-3095

RETURN ADDRESS:

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

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

MARK: THE NEW RELEASE

CORRESPONDENT'S REFERENCE/DOCKET NO : 016169-00005

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

ipdocket-houston@lockeliddell.com

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.

Serial Number 78/803776

EXAMINER'S AMENDMENT

OFFICE RECORDS SEARCH: The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

ADVISORY – AMENDMENTS TO GOODS/SERVICES: If the identification of goods and/or services has been amended below, any future amendments must be in accordance with 37 C.F.R. §2.71(a) and TMEP §1402.07(e).

AMENDMENT(S) AUTHORIZED: As authorized by Brit Nelson on July 25, 2006, the application is amended as noted below. *If applicant disagrees with or objects to any of the amendments below, please notify the undersigned trademark examining attorney immediately.* Otherwise, no response is necessary. TMEP §707.

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

/Margery A. Tierney/
Trademark Examining Attorney
Law Office 111
Phone: 571-272-9234
margery.tierney@uspto.gov
Fax: 571-273-9111

*** User:mtierney ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	78803776[SN]
02	31130	N/A	0	0	0:01	*new*[bi,ti]
03	842	N/A	0	0	0:01	*releas*[bi,ti]
04	1215	N/A	0	0	0:01	160105[dc]
05	2714	N/A	0	0	0:01	261703[dc]
06	26	17	9	6	0:01	2 and 3
07	5	2	3	3	0:01	4 and 5
08	2	1	1	1	0:01	3 and 4
09	1	0	1	1	0:01	3 and 5

Session started 7/25/2006 10:20:26 AM

Session finished 7/25/2006 10:30:18 AM

Total search duration 0 minutes 9 seconds

Session duration 9 minutes 52 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 78803776

Trademark/Service Mark Application, Principal Register

Serial Number: 78803776

Filing Date: 01/31/2006

The table below presents the data as entered.

Input Field	Entered
MARK SECTION	
MARK FILE NAME	\\TICRS\EXPORT7\IMAGEOUT7\788\037\78803776\xml1\AP P0002.JPG
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	THE NEW RELEASE
COLOR MARK	NO
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	948 x 197
OWNER SECTION	
NAME	The New Release LP
INTERNAL ADDRESS	Suite D1
STREET	5200 Mitchelldale
CITY	Houston
STATE	Texas
ZIP/POSTAL CODE	77092
COUNTRY	United States
AUTHORIZED EMAIL COMMUNICATION	No
LEGAL ENTITY SECTION	
TYPE	LIMITED PARTNERSHIP
STATE/COUNTRY UNDER WHICH ORGANIZED	Texas
NAME(S) OF GENERAL PARTNER(S) & CITIZENSHIP/INCORPORATION	TNR Holdings, LLC, a Texas limited liability company, its General Partner
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	041
DESCRIPTION	Rental of pre-recorded videos by means of an automatic rental kiosk
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 12/31/2002
FIRST USE IN COMMERCE DATE	At least as early as 07/31/2004

SPECIMEN FILE NAME(S)	\\TICRS\EXPORT7\IMAGEOUT7\788\037\78803776\xml1\AP P0003.JPG
	\\TICRS\EXPORT7\IMAGEOUT7\788\037\78803776\xml1\AP P0004.JPG
SPECIMEN DESCRIPTION	A specimen showing the mark used for the services
SIGNATURE SECTION	
SIGNATURE	/John Mark Osborne/
SIGNATORY NAME	John Mark Osborne
SIGNATORY DATE	01/31/2006
SIGNATORY POSITION	President
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	325
TOTAL AMOUNT	325
PAYMENT METHOD	DA
ATTORNEY	
NAME	D. Brit Nelson
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AUTHORIZED EMAIL COMMUNICATION	Yes
ATTORNEY DOCKET NUMBER	016169-00005
OTHER APPOINTED ATTORNEY(S)	Paul C. Van Slyke; Albert B. Deaver, Jr.
CORRESPONDENCE SECTION	
NAME	D. Brit Nelson
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AUTHORIZED EMAIL COMMUNICATION	Yes
FILING INFORMATION	
SUBMIT DATE	Tue Jan 31 18:46:16 EST 2006
TEAS STAMP	USPTO/BAS-XXXXXXXX-200601 31184616557837-78803776-2 003e976acdc75e71a879cdc3e c39234db-DA-791-200601271 52234770946

Trademark/Service Mark Application, Principal Register

Serial Number: 78803776

Filing Date: 01/31/2006

To the Commissioner for Trademarks:

MARK: THE NEW RELEASE (stylized and/or with design, see [mark](#))

The literal element of the mark consists of THE NEW RELEASE.

The applicant, The New Release LP, a limited partnership organized under the laws of Texas, comprising of TNR Holdings, LLC, a Texas limited liability company, its General Partner, residing at Suite D1, 5200 Mitchelldale, Houston, Texas, United States, 77092, 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 041: Rental of pre-recorded videos by means of an automatic rental kiosk

In International Class 041, the mark was first used at least as early as 12/31/2002, and first used in commerce at least as early as 07/31/2004, 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) A specimen showing the mark used for the services.

[Specimen - 1](#)

[Specimen - 2](#)

The applicant hereby appoints D. Brit Nelson and Paul C. Van Slyke; Albert B. Deaver, Jr. of Locke Liddell & Sapp LLP, 3400 JPMorgan Chase Tower, 600 Travis, Houston, Texas, United States, 77002-3095 to submit this application on behalf of the applicant. The attorney docket/reference number is 016169-00005.

The USPTO is authorized to communicate with the applicant or its representative at the following email address: ipdocket-houston@lockeliddell.com.

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

Declaration

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

Signature: /John Mark Osborne/ Date: 01/31/2006

Signatory's Name: John Mark Osborne

Signatory's Position: President

Mailing Address:

D. Brit Nelson
3400 JPMorgan Chase Tower
600 Travis
Houston, Texas 77002-3095

RAM Sale Number: 791

RAM Accounting Date: 02/01/2006

Serial Number: 78803776

Internet Transmission Date: Tue Jan 31 18:46:16 EST 2006

TEAS Stamp: USPTO/BAS-XXXXXXXX-20060131184616557837-

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Brandon Lang (McConaughy) the protégé of sports gambler, Walter Abrams (Pacin
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Release Date: 1/31
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Release Date: 1/31
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