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Mark: INSIDE REDBOX

INSIDE REDBOX

US Serial Number: 85229208

Application Filing Date: Jan. 28, 2011

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This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.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: Mar. 09, 2015

Publication Date: Jan. 31, 2012 **Notice of Allowance Date:** Jul. 31, 2012

Date Abandoned: Mar. 09, 2015

Mark Information

Mark Literal: INSIDE REDBOX
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:

Related Properties Information

Claimed Ownership: 2919854, 3082012, 3229436
of US
Registrations:

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: Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

For: Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

International Class(es): 038 - Primary Class

U.S Class(es): 100, 101, 104

Class Status: ACTIVE

For: Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: Yes

Currently ITU: Yes

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Redbox Automated Retail, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: James P. Muraff

Docket Number: 19638.16T1

Attorney Primary trademarks@ngelaw.com
Email Address:

Attorney Email: Yes
Authorized:

Correspondent

Correspondent: JAMES P. MURAFF

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

Phone: 312-269-8000

Fax: 312-269-1747

Correspondent e- trademarks@ngelaw.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 09, 2015	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Mar. 09, 2015	ABANDONMENT - NO USE STATEMENT FILED	
Aug. 05, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 04, 2014	SOU EXTENSION 4 GRANTED	
Jul. 30, 2014	SOU EXTENSION 4 FILED	
Jul. 30, 2014	SOU TEAS EXTENSION RECEIVED	
Feb. 22, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 21, 2014	SOU EXTENSION 3 GRANTED	
Jan. 28, 2014	SOU EXTENSION 3 FILED	
Jan. 28, 2014	SOU TEAS EXTENSION RECEIVED	
Aug. 09, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Aug. 08, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 07, 2013	SOU EXTENSION 2 GRANTED	
Jul. 29, 2013	SOU EXTENSION 2 FILED	
Jul. 29, 2013	SOU TEAS EXTENSION RECEIVED	
Feb. 12, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Feb. 11, 2013	SOU EXTENSION 1 GRANTED	
Jan. 30, 2013	SOU EXTENSION 1 FILED	

Feb. 11, 2013 CASE ASSIGNED TO INTENT TO USE PARALEGAL
Jan. 30, 2013 SOU TEAS EXTENSION RECEIVED
Jul. 31, 2012 NOA E-MAILED - SOU REQUIRED FROM APPLICANT
Jun. 15, 2012 EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED
Feb. 29, 2012 EXTENSION OF TIME TO OPPOSE RECEIVED
Jan. 31, 2012 OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
Jan. 31, 2012 PUBLISHED FOR OPPOSITION
Jan. 11, 2012 NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Dec. 28, 2011 LAW OFFICE PUBLICATION REVIEW COMPLETED
Dec. 28, 2011 ASSIGNED TO LIE
Dec. 06, 2011 APPROVED FOR PUB - PRINCIPAL REGISTER
Dec. 06, 2011 EXAMINER'S AMENDMENT ENTERED
Dec. 06, 2011 NOTIFICATION OF EXAMINER'S AMENDMENT E-MAILED
Dec. 06, 2011 EXAMINER'S AMENDMENT E-MAILED
Dec. 06, 2011 EXAMINER'S AMENDMENT -WRITTEN
Dec. 05, 2011 PREVIOUS ALLOWANCE COUNT WITHDRAWN
Nov. 28, 2011 APPROVED FOR PUB - PRINCIPAL REGISTER
Nov. 04, 2011 TEAS/EMAIL CORRESPONDENCE ENTERED
Nov. 03, 2011 CORRESPONDENCE RECEIVED IN LAW OFFICE
Nov. 03, 2011 TEAS RESPONSE TO OFFICE ACTION RECEIVED
Aug. 03, 2011 ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY
May 03, 2011 NOTIFICATION OF NON-FINAL ACTION E-MAILED
May 03, 2011 NON-FINAL ACTION E-MAILED
May 03, 2011 NON-FINAL ACTION WRITTEN
Apr. 26, 2011 ASSIGNED TO EXAMINER
Feb. 03, 2011 NOTICE OF PSEUDO MARK MAILED
Feb. 02, 2011 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Feb. 01, 2011 NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information

TM Attorney: GLASSER, CARYN

Law Office: LAW OFFICE 108
Assigned:

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Feb. 11, 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 Documents: [assignment-tm-4590-0957.pdf](#)

Assignor

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

Execution Date: Jul. 15, 2011

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: 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.](#)

Execution Date: Sep. 27, 2016

Legal Entity Type: NATIONAL BANKING ASSOCIATION

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

Type of Proceeding: Extension of Time

Proceeding Number: [85229208](#)

Filing Date: Feb 29, 2012

Status: Terminated

Status Date: Jun 15, 2012

Interlocutory Attorney:

Defendant

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

Associated marks

Mark	Application Status	Serial Number	Registration Number
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INSIDE REDBOX

[85229208](#)

Potential Opposer(s)

Name: Red Bee Media

Correspondent Stacey R. Halpern

Address: KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine CA UNITED STATES , 92614

Correspondent e-mail: efiling@kmob.com , shalpern@kmob.com

Prosecution History

Entry Number	History Text	Date	Due Date
2	EXTENSION OF TIME GRANTED	Feb 29, 2012	
1	INCOMING - EXT TIME TO OPPOSE FILED	Feb 29, 2012	

Trademark Snap Shot ITU Unit Action

(Table presents the data on ITU Unit Action)

OVERVIEW

SERIAL NUMBER	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	03/10/2015
PUB DATE	01/31/2012
STATUS	606-ABANDONED - NO STATEMENT OF USE FILED
STATUS DATE	03/09/2015
LITERAL MARK ELEMENT	INSIDE REDBOX

DATE ABANDONED	03/09/2015	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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

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

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/09/2015	MAB6	O	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	046
03/09/2015	ABN6	S	ABANDONMENT - NO USE STATEMENT FILED	045
08/05/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	044
08/04/2014	EX4G	S	EXTENSION 4 GRANTED	043
07/30/2014	EXT4	S	EXTENSION 4 FILED	042
07/30/2014	EEXT	I	TEAS EXTENSION RECEIVED	041

02/22/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	040
02/21/2014	EX3G	S	EXTENSION 3 GRANTED	039
01/28/2014	EXT3	S	EXTENSION 3 FILED	038
01/28/2014	EEXT	I	TEAS EXTENSION RECEIVED	037
08/09/2013	EXRA	O	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	036
08/08/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	035
08/07/2013	EX2G	S	EXTENSION 2 GRANTED	034
07/29/2013	EXT2	S	EXTENSION 2 FILED	033
07/29/2013	EEXT	I	TEAS EXTENSION RECEIVED	032
02/12/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	031
02/11/2013	EX1G	S	EXTENSION 1 GRANTED	030
01/30/2013	EXT1	S	EXTENSION 1 FILED	029
02/11/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	028
01/30/2013	EEXT	I	TEAS EXTENSION RECEIVED	027
07/31/2012	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	026
06/15/2012	ETOP	T	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	025
02/29/2012	ETOF	T	EXTENSION OF TIME TO OPPOSE RECEIVED	024
01/31/2012	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
01/31/2012	PUBO	A	PUBLISHED FOR OPPOSITION	022
01/11/2012	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	021
12/28/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	020
12/28/2011	ALIE	A	ASSIGNED TO LIE	019
12/06/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	018
12/06/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	017
12/06/2011	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	016
12/06/2011	GNEA	O	EXAMINERS AMENDMENT E-MAILED	015
12/06/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	014
12/05/2011	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	013
11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
05/03/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP

	2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE
PRIOR OWNER INFORMATION	
PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

INSIDE REDBOX



NOTICE OF ABANDONMENT
MAILING DATE: Mar 9, 2015

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: 85229208
MARK: INSIDE REDBOX
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

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

OVERVIEW

SERIAL NUMBER	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	08/05/2014
PUB DATE	01/31/2012
STATUS	733-FOURTH EXTENSION - GRANTED
STATUS DATE	08/04/2014
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

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05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
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02/01/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

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

PRIOR OWNER INFORMATION

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

INSIDE REDBOX

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, August 5, 2014 00:11 AM
To: XXXX
Subject: Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85229208: INSIDE REDBOX: Docket/Reference No. 19638.16T1

NOTICE OF APPROVAL OF EXTENSION REQUEST

U.S. Serial Number: 85229208
Mark: INSIDE REDBOX
Owner: Redbox Automated Retail, LLC
Extension Request Number: 4
Docket/Reference Number: 19638.16T1
Notice of Allowance Date: Jul 31, 2012

The USPTO issued a Notice of Allowance on **Jul 31, 2012** for the trademark application identified above. Applicant's **FOURTH** 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=85229208&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=85229208&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.

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
SERIAL NUMBER	85229208
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION	
MARK	INSIDE REDBOX
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	INSIDE REDBOX
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	038
CURRENT IDENTIFICATION	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	4
ONGOING EFFORT	product or service research or development
ALLOWANCE MAIL DATE	07/31/2012
STATEMENT OF USE	NO
PAYMENT SECTION	
NUMBER OF CLASSES	3
SUBTOTAL AMOUNT	450
TOTAL AMOUNT	450
SIGNATURE SECTION	
SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
DATE SIGNED	07/30/2014
SIGNATORY'S PHONE NUMBER	312.269.8000
FILING INFORMATION	
SUBMIT DATE	Wed Jul 30 22:45:28 EDT 2014
TEAS STAMP	USPTO/ESU-XX.XXX.XXX.XX-2 0140730224528844795-85229 208-500e5db758bf346ccd6c8 a8c994ecb74de502582be4729 9455ae5e4a3d18f6eed-DA-76 43-20140728224036421988

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

To the Commissioner for Trademarks:

MARK: INSIDE REDBOX
SERIAL NUMBER: 85229208

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

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 07/31/2012.

For International Class 035:

Current identification: Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental

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 038:

Current identification: Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

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: Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

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 \$450 will be submitted with the form, representing payment for 3 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: 07/30/2014

Signatory's Name: James P. Muraff

Signatory's Position: Attorney for Applicant, Illinois Bar Member

Signatory's Phone: 312.269.8000

RAM Sale Number: 85229208

RAM Accounting Date: 07/31/2014

Serial Number: 85229208

Internet Transmission Date: Wed Jul 30 22:45:28 EDT 2014

TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2014073022452884

4795-85229208-500e5db758bf346cccd6c8a8c99

4ecb74de502582be47299455ae5e4a3d18f6eed-

DA-7643-20140728224036421988

TEAS ROUTING SHEET**To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 85229208****Mark: INSIDE REDBOX****Mail Date: 2014/07/30****Examiner Number: 82426****LIE Number: 68123****Examiner Name:
GLASSER, CARYN****LIE Name:
DURANT, LAWANA D****L.O. Assigned: LAW OFFICE 108****Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20140730	\$150	3	\$450

From: TMOfficialNotices@USPTO.GOV
Sent: Saturday, February 22, 2014 00:11 AM
To: XXXX
Subject: Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85229208: INSIDE REDBOX: Docket/Reference No. 19638.16T1

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 85229208
Mark: INSIDE REDBOX
Owner: Redbox Automated Retail, LLC
Extension Request Number: 3
Docket/Reference Number: 19638.16T1
Notice of Allowance Date: Jul 31, 2012

The USPTO issued a Notice of Allowance on **Jul 31, 2012** 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=85229208>. 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	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	02/22/2014
PUB DATE	01/31/2012
STATUS	732-THIRD EXTENSION - GRANTED
STATUS DATE	02/21/2014
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

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

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/22/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	040
02/21/2014	EX3G	S	EXTENSION 3 GRANTED	039
01/28/2014	EXT3	S	EXTENSION 3 FILED	038
01/28/2014	EEXT	I	TEAS EXTENSION RECEIVED	037
08/09/2013	EXRA	O	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	036
08/08/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	035

08/07/2013	EX2G	S	EXTENSION 2 GRANTED	034
07/29/2013	EXT2	S	EXTENSION 2 FILED	033
07/29/2013	EEXT	I	TEAS EXTENSION RECEIVED	032
02/12/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	031
02/11/2013	EX1G	S	EXTENSION 1 GRANTED	030
01/30/2013	EXT1	S	EXTENSION 1 FILED	029
02/11/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	028
01/30/2013	EEXT	I	TEAS EXTENSION RECEIVED	027
07/31/2012	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	026
06/15/2012	ETOP	T	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	025
02/29/2012	ETOF	T	EXTENSION OF TIME TO OPPOSE RECEIVED	024
01/31/2012	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
01/31/2012	PUBO	A	PUBLISHED FOR OPPOSITION	022
01/11/2012	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	021
12/28/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	020
12/28/2011	ALIE	A	ASSIGNED TO LIE	019
12/06/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	018
12/06/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	017
12/06/2011	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	016
12/06/2011	GNEA	O	EXAMINERS AMENDMENT E-MAILED	015
12/06/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	014
12/05/2011	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	013
11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
05/03/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

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

PRIOR OWNER INFORMATION

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

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

INSIDE REDBOX

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
SERIAL NUMBER	85229208
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION	
MARK	INSIDE REDBOX
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	INSIDE REDBOX
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	038
CURRENT IDENTIFICATION	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	3
ONGOING EFFORT	product or service research or development
ALLOWANCE MAIL DATE	07/31/2012
STATEMENT OF USE	NO
PAYMENT SECTION	
NUMBER OF CLASSES	3
SUBTOTAL AMOUNT	450
TOTAL AMOUNT	450
SIGNATURE SECTION	
SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
DATE SIGNED	01/28/2014
SIGNATORY'S PHONE NUMBER	312.269.8000
FILING INFORMATION	
SUBMIT DATE	Tue Jan 28 18:49:53 EST 2014
TEAS STAMP	USPTO/ESU-XX.XXX.XXX.XX-2 0140128184953398180-85229 208-500ef1d7a1470565cb71a e238d1becdb4e2b3fcfab5f2a 9735dae747e19d7ad57-DA-50 60-20140123181948376120

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

To the Commissioner for Trademarks:

MARK: INSIDE REDBOX
SERIAL NUMBER: 85229208

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

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 07/31/2012.

For International Class 035:

Current identification: Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental

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 038:

Current identification: Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

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: Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

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 \$450 will be submitted with the form, representing payment for 3 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: 01/28/2014

Signatory's Name: James P. Muraff

Signatory's Position: Attorney for Applicant, Illinois Bar Member

Signatory's Phone: 312.269.8000

RAM Sale Number: 85229208

RAM Accounting Date: 01/29/2014

Serial Number: 85229208

Internet Transmission Date: Tue Jan 28 18:49:53 EST 2014

TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2014012818495339

8180-85229208-500ef1d7a1470565cb71ae238d

1becdb4e2b3fcfab5f2a9735dae747e19d7ad57-

DA-5060-20140123181948376120

TEAS ROUTING SHEET**To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 85229208****Mark: INSIDE REDBOX****Mail Date: 2014/01/28****Examiner Number: 82426****LIE Number: 68123****Examiner Name:
GLASSER, CARYN****LIE Name:
DURANT, LAWANA D****L.O. Assigned: LAW OFFICE 108****Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20140128	\$150	3	\$450



**NOTICE OF APPROVAL
OF EXTENSION REQUEST
MAILING DATE: Aug 9, 2013**

A Notice of Allowance issued for the trademark application identified below on Jul 31, 2012. The SECOND 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: 85229208
MARK: INSIDE REDBOX(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

From: TMOfficialNotices@USPTO.GOV
Sent: Thursday, August 8, 2013 00:11 AM
To: XXXX
Subject: Trademark Serial Number 85229208 : Official USPTO Notice of Approval of Extension Request

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 85229208
Mark: INSIDE REDBOX(STANDARD CHARACTER MARK)
Owner: Redbox Automated Retail, LLC
Extension Request Number: 2
Docket/Reference Number: 19638.16T1
Notice of Allowance Date: Jul 31, 2012

The USPTO issued a Notice of Allowance on **Jul 31, 2012** 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=85229208>. 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	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	08/08/2013
PUB DATE	01/31/2012
STATUS	731-SECOND EXTENSION - GRANTED
STATUS DATE	08/07/2013
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

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

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
08/08/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	035
08/07/2013	EX2G	S	EXTENSION 2 GRANTED	034
07/29/2013	EXT2	S	EXTENSION 2 FILED	033
07/29/2013	EEXT	I	TEAS EXTENSION RECEIVED	032
02/12/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	031
02/11/2013	EX1G	S	EXTENSION 1 GRANTED	030

01/30/2013	EXT1	S	EXTENSION 1 FILED	029
02/11/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	028
01/30/2013	EEXT	I	TEAS EXTENSION RECEIVED	027
07/31/2012	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	026
06/15/2012	ETOP	T	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	025
02/29/2012	ETOF	T	EXTENSION OF TIME TO OPPOSE RECEIVED	024
01/31/2012	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
01/31/2012	PUBO	A	PUBLISHED FOR OPPOSITION	022
01/11/2012	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	021
12/28/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	020
12/28/2011	ALIE	A	ASSIGNED TO LIE	019
12/06/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	018
12/06/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	017
12/06/2011	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	016
12/06/2011	GNEA	O	EXAMINERS AMENDMENT E-MAILED	015
12/06/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	014
12/05/2011	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	013
11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
05/03/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

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

PRIOR OWNER INFORMATION

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

INSIDE REDBOX

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
SERIAL NUMBER	85229208
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION	
MARK	INSIDE REDBOX
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	INSIDE REDBOX
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	038
CURRENT IDENTIFICATION	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	2
ONGOING EFFORT	product or service research or development
ALLOWANCE MAIL DATE	07/31/2012
STATEMENT OF USE	NO
PAYMENT SECTION	
NUMBER OF CLASSES	3
SUBTOTAL AMOUNT	450
TOTAL AMOUNT	450
SIGNATURE SECTION	
SIGNATURE	/Frederick W. Stein/
SIGNATORY'S NAME	Frederick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel
DATE SIGNED	07/29/2013
SIGNATORY'S PHONE NUMBER	6307568255
FILING INFORMATION	
SUBMIT DATE	Mon Jul 29 15:04:03 EDT 2013
TEAS STAMP	USPTO/ESU-XX.XXX.XX.X-201 30729150403326571-8522920 8-500191cf7848edf408de6b8 d1354c93ff15d473f08421ddf 68776a2149f61e7376f-DA-16 04-20130728193220891864

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

To the Commissioner for Trademarks:

MARK: INSIDE REDBOX
SERIAL NUMBER: 85229208

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

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 07/31/2012.

For International Class 035:

Current identification: Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental

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 038:

Current identification: Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

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: Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

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 \$450 will be submitted with the form, representing payment for 3 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: 07/29/2013

Signatory's Name: Frederick W. Stein

Signatory's Position: Vice President and General Counsel

Signatory's Phone: 6307568255

RAM Sale Number: 85229208

RAM Accounting Date: 07/30/2013

Serial Number: 85229208

Internet Transmission Date: Mon Jul 29 15:04:03 EDT 2013

TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201307291504033265

71-85229208-500191cf7848edf408de6b8d1354

c93ff15d473f08421ddf68776a2149f61e7376f-

DA-1604-20130728193220891864

TEAS ROUTING SHEET**To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 85229208****Mark: INSIDE REDBOX****Mail Date: 2013/07/29****Examiner Number: 82426****LIE Number: 68123****Examiner Name:
GLASSER, CARYN****LIE Name:
DURANT, LAWANA D****L.O. Assigned: LAW OFFICE 108****Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20130729	\$150	3	\$450

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, February 12, 2013 00:12 AM
To: XXXX
Subject: Trademark Serial Number 85229208 : Official USPTO Notice of Approval of Extension Request

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 85229208
Mark: INSIDE REDBOX(STANDARD CHARACTER MARK)
Owner: Redbox Automated Retail, LLC
Extension Request Number: 1
Docket/Reference Number: 19638.16T1
Notice of Allowance Date: Jul 31, 2012

The USPTO issued a Notice of Allowance on **Jul 31, 2012** 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=85229208>. 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	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	02/12/2013
PUB DATE	01/31/2012
STATUS	730-FIRST EXTENSION - GRANTED
STATUS DATE	02/11/2013
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

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

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/12/2013	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	031
02/11/2013	EX1G	S	EXTENSION 1 GRANTED	030
01/30/2013	EXT1	S	EXTENSION 1 FILED	029
02/11/2013	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	028
01/30/2013	EEXT	I	TEAS EXTENSION RECEIVED	027
07/31/2012	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	026

06/15/2012	ETOP	T	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	025
02/29/2012	ETOF	T	EXTENSION OF TIME TO OPPOSE RECEIVED	024
01/31/2012	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	023
01/31/2012	PUBO	A	PUBLISHED FOR OPPOSITION	022
01/11/2012	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	021
12/28/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	020
12/28/2011	ALIE	A	ASSIGNED TO LIE	019
12/06/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	018
12/06/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	017
12/06/2011	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	016
12/06/2011	GNEA	O	EXAMINERS AMENDMENT E-MAILED	015
12/06/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	014
12/05/2011	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	013
11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
05/03/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

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

PRIOR OWNER INFORMATION

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

INSIDE REDBOX

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
SERIAL NUMBER	85229208
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION	
MARK	INSIDE REDBOX
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	INSIDE REDBOX
OWNER SECTION (current)	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
OWNER SECTION (proposed)	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	038

CURRENT IDENTIFICATION	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	1
ALLOWANCE MAIL DATE	07/31/2012
STATEMENT OF USE	NO
PAYMENT SECTION	
NUMBER OF CLASSES	3
SUBTOTAL AMOUNT	450
TOTAL AMOUNT	450
SIGNATURE SECTION	
SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
DATE SIGNED	01/30/2013
SIGNATORY'S PHONE NUMBER	312.269.8000
FILING INFORMATION	
SUBMIT DATE	Wed Jan 30 19:27:07 EST 2013
TEAS STAMP	USPTO/ESU-XX.XXX.XX.X-201 30130192707568459-8522920 8-4909a6483442afc98014638 8bbb9c22d-DA-9741-2013013 0183203050321

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

To the Commissioner for Trademarks:

MARK: INSIDE REDBOX
SERIAL NUMBER: 85229208

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

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 07/31/2012.

For International Class 035:

Current identification: Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental

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 038:

Current identification: Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

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: Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

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 \$450 will be submitted with the form, representing payment for 3 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: 01/30/2013

Signatory's Name: James P. Muraff

Signatory's Position: Attorney for Applicant, Illinois Bar Member

Signatory's Phone: 312.269.8000

RAM Sale Number: 9741

RAM Accounting Date: 01/31/2013

Serial Number: 85229208

Internet Transmission Date: Wed Jan 30 19:27:07 EST 2013

TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201301301927075684

59-85229208-4909a6483442afc980146388bbb9

c22d-DA-9741-20130130183203050321

TEAS ROUTING SHEET**To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 85229208****Mark: INSIDE REDBOX****Mail Date: 2013/01/30****Examiner Number: 82426****LIE Number: 68123****Examiner Name:
GLASSER, CARYN****LIE Name:
DURANT, LAWANA D****L.O. Assigned: LAW OFFICE 108****Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20130130	\$150	3	\$450

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, July 31, 2012 00:03 AM
To: XXXX
Subject: Trademark Serial Number 85229208: Official USPTO Notice of Allowance

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Jul 31, 2012

Serial Number: 85229208
Mark: INSIDE REDBOX(STANDARD CHARACTER MARK)
Docket/Reference Number: 19638.16T1

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

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

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

How to file SOU and/or Extension Request:

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

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

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

REVIEW APPLICATION INFORMATION FOR ACCURACY

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

Serial Number: 85229208
Mark: INSIDE REDBOX(STANDARD CHARACTER MARK)
Docket/Reference Number: 19638.16T1
Owner: Redbox Automated Retail, LLC
One Tower Lane, Suite 1200
Oakbrook Terrace , ILLINOIS 60181
Correspondence Address: JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
2 N LASALLE ST STE 1700
CHICAGO, IL 60602-4000

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

Section 1(a): NO Section 1(b): YES Section 44(e): NO

GOODS/SERVICES BY INTERNATIONAL CLASS

035 - Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

038 - Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

041 - Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

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

Fraudulent statements may result in registration being cancelled: Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may

result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

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

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

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85229208>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, January 31, 2012 00:21 AM
To: XXXX
Subject: 19638.16T1 Official USPTO Notification: OG Publication Confirmation for Serial Number 85229208

OFFICIAL GAZETTE PUBLICATION CONFIRMATION

Serial Number: 85-229,208
Mark: INSIDE REDBOX(STANDARD CHARACTER MARK)
International Class(es): 035, 038, 041
Applicant: Redbox Automated Retail, LLC
Docket/Reference Number: 19638.16T1

The mark identified above has been published in the *Trademark Official Gazette* (OG) on Jan 31, 2012. 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/20120131_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): 85-229,208, 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.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85229208>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

Jan 11, 2012

NOTICE OF PUBLICATION

1. Serial No.:	2. Mark:
85-229,208	INSIDE REDBOX (STANDARD CHARACTER MARK)
3. International Class(es):	5. Applicant:
35, 38, 41	Redbox Automated Retail, LLC
4. Publication Date:	
Jan 31, 2012	

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 notice of allowance pursuant to section 13(b) of the Statute.

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.

Email Address(es):

trademarks@ngelaw.com

From: TMOfficialNotices@USPTO.GOV
Sent: Wednesday, January 11, 2012 03:20 AM
To: XXXX
Subject: 19638.16T1 Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85229208

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85229208) is scheduled to publish in the *Official Gazette* on Jan 31, 2012. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85229208>. If you have difficulty accessing the Notice of Publication, contact TDR@uspto.gov.

PLEASE NOTE:

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact TMPostPubQuery@uspto.gov.

Trademark Snap Shot Publication & Issue Review Stylesheet

(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	12/29/2011
PUB DATE	01/31/2012
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE
STATUS DATE	12/28/2011
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

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

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/28/2011	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	020
12/28/2011	ALIE	A	ASSIGNED TO LIE	019
12/06/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	018
12/06/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	017
12/06/2011	GNEN	O	NOTIFICATION OF EXAMINER'S AMENDMENT E-MAILED	016
12/06/2011	GNEA	O	EXAMINER'S AMENDMENT E-MAILED	015

12/06/2011	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	014
12/05/2011	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	013
11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
05/03/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	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

INSIDE REDBOX

Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	12/07/2011
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	12/06/2011
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely, providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/06/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	018
12/06/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	017
12/06/2011	GNEN	O	NOTIFICATION OF EXAMINER'S AMENDMENT E-MAILED	016
12/06/2011	GNEA	O	EXAMINER'S AMENDMENT E-MAILED	015
12/06/2011	CNEA	R	EXAMINER'S AMENDMENT -WRITTEN	014
12/05/2011	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	013

11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
05/03/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	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

INSIDE REDBOX

Trademark Snap Shot Amendment & Mail Processing Stylesheet

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

OVERVIEW

SERIAL NUMBER	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	12/07/2011
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	12/06/2011
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
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NAME	Redbox Automated Retail, LLC
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INTERNATIONAL CLASS	041
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GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

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12/06/2011	XAEC	I	EXAMINER'S AMENDMENT ENTERED	017
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12/06/2011	GNEA	O	EXAMINER'S AMENDMENT E-MAILED	015
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12/05/2011	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	013

11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
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08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
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05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	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

INSIDE REDBOX

To: Redbox Automated Retail, LLC (trademarks@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85229208 - INSIDE REDBOX - 19638.16T1
Sent: 12/6/2011 3:59:54 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

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

APPLICATION SERIAL NO. 85229208

MARK: INSIDE REDBOX

85229208

CORRESPONDENT ADDRESS:

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

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

APPLICANT: Redbox Automated Retail, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO :
19638.16T1

CORRESPONDENT E-MAIL ADDRESS:

trademarks@ngelaw.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: **12/6/2011**

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

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by James P. Muraff on December 6, 2011, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

Amendment of Identification of Services – Class 035

The identification of services is amended to read as follows: "Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental." *See* TMEP §§1402.01, 1402.01(e).

Class 041

The identification of services is amended to read as follows: "Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; providing facilities for DVD, movie, and video game rental." *See* TMEP §§1402.01, 1402.01(e).

/cglasser/
Caryn Glasser
Trademark Examining Attorney
Law Office 108
Ph: 571 270-1517
Fax: 571 270-2517
caryn.glasser@uspto.gov

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)
Subject: U.S. TRADEMARK APPLICATION NO. 85229208 - INSIDE REDBOX - 19638.16T1
Sent: 12/6/2011 3:59:55 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR U.S. TRADEMARK APPLICATION

**USPTO LETTER (AN OFFICE ACTION) HAS ISSUED ON 12/6/2011 FOR
SERIAL NO. 85229208**

Please follow the instructions below:

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

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

HELP: For *technical* assistance in accessing the Office correspondence, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office letter.

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

OVERVIEW

SERIAL NUMBER	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	11/29/2011
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	11/28/2011
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

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

GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental; automated retail services, namely retail facilities featuring automated DVD, movies and game rental
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/28/2011	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
05/03/2011	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007

05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006
05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	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

INSIDE REDBOX

Trademark Snap Shot Amendment & Mail Processing Stylesheet

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

OVERVIEW

SERIAL NUMBER	85229208	FILING DATE	01/28/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	11/05/2011
PUB DATE	N/A
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED
STATUS DATE	11/04/2011
LITERAL MARK ELEMENT	INSIDE REDBOX

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	INSIDE REDBOX
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

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

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DESCRIPTION TEXT	Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks

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INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	INSIDE RED BOX
OWNER OF US REG NOS	2919854 3082012 3229436

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/04/2011	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
11/03/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
11/03/2011	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	009
08/03/2011	ASCK	I	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	008
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05/03/2011	GNRT	F	NON-FINAL ACTION E-MAILED	006

05/03/2011	CNRT	R	NON-FINAL ACTION WRITTEN	005
04/26/2011	DOCK	D	ASSIGNED TO EXAMINER	004
02/03/2011	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
02/02/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/01/2011	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

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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

INSIDE REDBOX

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85229208
LAW OFFICE ASSIGNED	LAW OFFICE 108
MARK SECTION (no change)	
ARGUMENT(S)	

REMARKS

In the Office Action relating to the above-captioned mark mailed on May 3, 2011, the Examining Attorney preliminarily refused registration on the basis that Applicant's mark, when used in connection with Applicant's services, so resembles the mark in Registration No. 1,554,867 (the "Cited Registration"), as to be likely to confuse, to cause mistake or to deceive consumers. Applicant respectfully disagrees with the Examining Attorney's assertion because at least the differences between the services and goods used in connection with each mark, the care exercised by the respective consumers, and the differences between the respective marks are sufficient to avoid consumer confusion. Accordingly, Applicant believes that its mark is ready for registration and respectfully requests that its mark be allowed to proceed to publication on the Principal Register.

I. Applicant's Mark is Not Likely to Cause Confusion with the Cited Registration .

Whether a likelihood of confusion exists depends upon a multitude of factors, including at least the differences between the respective services and goods, the care exercised by consumers in making a purchasing decision, and the differences in the marks themselves. *See In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361 (C.C.P.A. 1973). Applying these factors, it is apparent consumers are not likely to confuse Applicant's mark with the Cited Registration, and Applicant's mark should be allowed to proceed to publication.

A. The Distinctions Between the Services and Goods in Connection with which the Marks are used and the Care Exercised by Consumers are Sufficient to Avoid a Likelihood of Confusion.

The services used in connection with Applicant's mark differ from the goods of the Cited Registration, weighing against a likelihood of confusion. Indeed, where a similar mark is used in connection with different goods or services, confusion is unlikely and marks may co-exist. *See TMEP § 1207.01(a)(i); Shen Mfg. Co., Inc. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1245 (Fed. Cir. 2004) (finding no confusion where identical marks were used on cooking classes and kitchen towels). Moreover, it is well-settled that if the goods and services at issue are "not ... marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, then, even if the marks are identical, confusion is not likely." *TMEP §1207.01(a)(i)*.

In this case, the goods of the Cited Registration are toys and video games. Specifically, these children's toys, such as puzzle blocks and toy kitchens, are marketed under a Redbox House Mark (as indicated in the registration) and other marks such as "My Precious Baby" and "Tool Tech" to consumers who wish to purchase children's toys. *See Exhibit A*. In contrast, Applicant offers the rental and sale of movies, DVDs, video games, and other pre-recorded electronic media through vending machines or online services. Moreover, Applicant has specifically amended this application to recite "video games" instead of just "games." Further, Applicant's rental and sale kiosks are located in convenient situations, such as in McDonald's restaurants and 7-Eleven stores, where consumers over 18 years old can complete these automated transactions. Thus, marketing of the respective goods and services indicates they would not be encountered by consumers who would assume the children's toys of the owner of the Cited Registration and the automated sales and rental services of Applicant would emanate from the same source. This factor, therefore, militates against a likelihood of confusion.

Moreover, in purchasing goods such as children's toys and games, consumers seek specific goods and exercise a great deal of care to ensure that they are buying a particular product. *See, e.g., E.S. Originals Inc. v. Stride Rite Corp.*, 2 U.S.P.Q.2d 1934, 1941 n.14 (S.D.N.Y. 1987) (noting that "[a] child carefully programmed by an effective advertising campaign is most likely to insist on the advertised product and is not likely to accept a substitute"). Therefore, when consumers are encountering the mark of the Cited Registration in the marketplace, they are seeking not just any toy or game; they are seeking out a particular toy or game, typically for their own child. As a result, consumers will not be confused by the services for which Applicant seeks registration and the goods of the Cited Registration. Therefore, Applicant's mark should be allowed to proceed to publication on this basis alone.

B. Applicant's Mark has a Distinct Commercial Impression from the Cited Registration.

In addition, Applicant's mark is significantly different from the Cited Registration in sight, sound and meaning. However, the analysis of this factor in the Office Action states only that "Applicant has merely added language to a registered trademark." Applicant respectfully disagrees with this assertion, because a mark must be reviewed as whole to determine whether it is likely to confuse, and a confusing similarity determination should not be based on a single component. *In re Hearst Corp.*, 982 F.2d 493, 494 (Fed. Cir. 1992) (holding that "all components [of a mark] must be given appropriate weight"). Even where marks have common elements, design elements can distinguish two

marks and create different commercial impressions. *See In re TSI Brands Inc.*, 67 USPQ2d 1657 (TTAB 2002) (holding that “significant distinguishing design elements” must be considered even where marks have common elements to determine a likelihood of confusion).

Considering the marks at issue under these principles, the Cited Registration should not act as a bar to the registration of Applicant’s mark. The Cited Registration is for “REDBOX” and features a stylized, puffy type with a capital letter “R” that has a smiley-face on it. In addition, the design is reversed white type on a shaded oval background. In contrast, Applicant’s mark is for the phrase, “INSIDE REDBOX.” This immediate difference of the presence of design elements in the Cited Registration, on one hand, and the purely textual form of Applicant’s mark, on the other, serves to bolster each mark’s respective distinct commercial impression. Moreover, Applicant’s mark sounds different when spoken, and evokes in the consumer’s mind Applicant’s other registered marks for “REDBOX.” *See* Registration Nos. 2,988,869, 3,082,012, 3,229,436, and 2,919,854.

Indeed, these other REDBOX marks owned by Applicant bolster the distinct commercial impression of the instant application. The mark at issue – “INSIDE REDBOX.” – serves to expand Applicant’s already well-established REDBOX brand. Thus, the assertion in the Office Action that “Applicant has merely added language to a registered trademark” could apply to Applicant’s own other REDBOX registered marks in that the present mark is an extension of Applicant’s already established brand. Thus, these differences sufficiently distinguish the two marks to avoid any likelihood of confusion.

In light of the foregoing, Applicant respectfully requests that the Trademark Office withdraw its objection under Section 2(d) of the Trademark Act because there is no likelihood of confusion between Applicant’s Mark and the Cited Registration. Accordingly, Applicant requests that its Mark be allowed to proceed to publication for registration on the Principal Register.

II. Claim of Ownership

Applicant submits the following claim of ownership:

Applicant is the owner of U.S. Registration Nos. 3082012, 3229436, 2919854 and others.

III. Amendment of Identification of Services

Applicant submits the following amendment of the identification of its services:

International Class 035: Distributorship services in the field of video games, DVD’s featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental; automated retail services, namely retail facilities featuring automated DVD, movies and game rental;

International Class 38: Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; and

International Class 41: Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks.

IV. Conclusion

Applicant believes that its mark is ready for publication and therefore respectfully requests that its

Application be allowed to proceed to publication on the Principal Register.

GOODS AND/OR SERVICES SECTION (038)(current)

INTERNATIONAL CLASS	038
DESCRIPTION	
Distribution of entertainment content; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks	

FILING BASIS	Section 1(b)
--------------	--------------

GOODS AND/OR SERVICES SECTION (038)(proposed)

INTERNATIONAL CLASS	038
TRACKED TEXT DESCRIPTION	
Distribution of entertainment content; Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks	

FINAL DESCRIPTION

Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks	
FILING BASIS	Section 1(b)
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; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games	
FINAL DESCRIPTION	
Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (035)(class added)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental; automated retail services, namely retail facilities featuring automated DVD, movies and game rental	
FILING BASIS	Section 1(b)
ADDITIONAL STATEMENTS SECTION	
PRIOR REGISTRATION(S)	The applicant claims ownership of U.S. Registration Number(s) 3082012, 3229436, and 2919854.
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEES PER CLASS	325
TOTAL FEES DUE	325
SIGNATURE SECTION	
DECLARATION SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney of Record, Illinois Bar Member
DATE SIGNED	11/03/2011
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff

SIGNATORY'S POSITION	Attorney of Record, Illinois Bar Member
DATE SIGNED	11/03/2011
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Nov 03 20:56:30 EDT 2011
TEAS STAMP	USPTO/ROA-XX.XXX.XXX.XX-2 0111103205630204237-85229 208-480645bd658ec1ae125a9 66b20c3acc787-DA-6806-201 11103183321353507

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. **85229208** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

REMARKS

In the Office Action relating to the above-captioned mark mailed on May 3, 2011, the Examining Attorney preliminarily refused registration on the basis that Applicant's mark, when used in connection with Applicant's services, so resembles the mark in Registration No. 1,554,867 (the "Cited Registration"), as to be likely to confuse, to cause mistake or to deceive consumers. Applicant respectfully disagrees with the Examining Attorney's assertion because at least the differences between the services and goods used in connection with each mark, the care exercised by the respective consumers, and the differences between the respective marks are sufficient to avoid consumer confusion. Accordingly, Applicant believes that its mark is ready for registration and respectfully requests that its mark be allowed to proceed to publication on the Principal Register.

I. Applicant's Mark is Not Likely to Cause Confusion with the Cited Registration.

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Moreover, in purchasing goods such as children's toys and games, consumers seek specific goods and exercise a great deal of care to ensure that they are buying a particular product. *See, e.g., E.S. Originals Inc. v. Stride Rite Corp.*, 2 U.S.P.Q.2d 1934, 1941 n.14 (S.D.N.Y. 1987) (noting that “[a] child carefully programmed by an effective advertising campaign is most likely to insist on the advertised product and is not likely to accept a substitute”). Therefore, when consumers are encountering the mark of the Cited Registration in the marketplace, they are seeking not just any toy or game; they are seeking out a particular toy or game, typically for their own child. As a result, consumers will not be confused by the services for which Applicant seeks registration and the goods of the Cited Registration. Therefore, Applicant's mark should be allowed to proceed to publication on this basis alone.

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In light of the foregoing, Applicant respectfully requests that the Trademark Office withdraw its objection under Section 2(d) of the Trademark Act because there is no likelihood of confusion between Applicant's Mark and the Cited Registration. Accordingly, Applicant requests that its Mark be allowed to proceed to publication for registration on the Principal Register.

II. Claim of Ownership

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III. Amendment of Identification of Services

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International Class 38: Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; and

International Class 41: Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks.

IV. Conclusion

Applicant believes that its mark is ready for publication and therefore respectfully requests that its

Application be allowed to proceed to publication on the Principal Register.

CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

Current: Class 038 for Distribution of entertainment content; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks

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: ~~Distribution of entertainment content; Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks~~

Class 038 for Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks

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 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; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games~~

Class 041 for Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks

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 Distributorship services in the field of video games, DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, Automated retail services, namely providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and video games, for purchase and rental; automated retail services, namely retail facilities featuring automated DVD, movies and game rental

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)).

ADDITIONAL STATEMENTS

Claim of Prior Registration(s)

The applicant claims ownership of U.S. Registration Number(s) 3082012, 3229436, and 2919854.

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: /James P. Muraff/ Date: 11/03/2011

Signatory's Name: James P. Muraff

Signatory's Position: Attorney of Record, Illinois Bar Member

Response Signature

Signature: /James P. Muraff/ Date: 11/03/2011

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.

RAM Sale Number: 6806

RAM Accounting Date: 11/04/2011

Serial Number: 85229208

Internet Transmission Date: Thu Nov 03 20:56:30 EDT 2011

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XX-2011110320563020

4237-85229208-480645bd658ec1ae125a966b20

c3acc787-DA-6806-20111103183321353507

RAM SALE NUMBER: 6806
RAM ACCOUNTING DATE: 20111104

INTERNET TRANSMISSION DATE: SERIAL NUMBER:
2011/11/03 85/229208

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2011/11/03	325	1	325

To:	Redbox Automated Retail, LLC (trademarks@ngelaw.com)
Subject:	U.S. TRADEMARK APPLICATION NO. 85229208 - INSIDE REDBOX - 19638.16T1
Sent:	5/3/2011 4:13:26 PM
Sent As:	ECOM108@USPTO.GOV
Attachments:	Attachment - 1 Attachment - 2

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

APPLICATION SERIAL NO. 85229208

MARK: INSIDE REDBOX

85229208

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/trademarks/teas/response_forms.jsp

APPLICANT: Redbox Automated Retail, LLC

CORRESPONDENT'S REFERENCE/DOCKET NO :
19638.16T1

CORRESPONDENT E-MAIL ADDRESS:
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: 5/3/2011

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

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 1554867. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the enclosed registration.

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely that a potential consumer would be confused or mistaken or deceived as to the source of the goods and/or services of the applicant and registrant. *See* 15 U.S.C. §1052(d). The court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) listed the principal factors to be considered when determining whether there is a likelihood of confusion under Section 2(d). *See* TMEP §1207.01. However, not all of the factors are necessarily relevant or of equal weight, and any one factor may be dominant in a given case, depending upon the evidence of record. *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); *see In re E. I. du Pont*, 476 F.2d at 1361-62, 177 USPQ at 567.

Taking into account the relevant *du Pont* factors, a likelihood of confusion determination in this case involves a two-part analysis. The marks are compared for similarities in their appearance, sound, connotation and commercial impression. TMEP §§1207.01, 1207.01(b). The goods and/or services are compared to determine whether they are similar or commercially related or travel in the same trade channels. *See* *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002); *Han Beauty, Inc. v. Alberto-Culver Co.*, 236 F.3d 1333, 1336, 57 USPQ2d 1557, 1559 (Fed. Cir. 2001); TMEP §§1207.01, 1207.01(a)(vi).

In the case at hand, applicant seeks registration of “INSIDE REDBOX” in standard form for various services related to games. The cited mark in Registration No. 1554867 is “REDBOX” with a design element for a housemark for a full line of toys and games.

Comparison of the Marks

Regarding the first part of the test, applicant’s mark, “INSIDE REDBOX” is highly similar in connotation and commercial impression to registrant’s mark, “REDBOX” because both are constructed with the dominant word REDBOX. Regarding the issue of likelihood of confusion, applicant should consider the following:

The question is not whether people will confuse the marks, but whether the marks will confuse people into believing that the goods and/or services they identify come from the same source. *In re West Point-Pepperell, Inc.*, 468 F.2d 200, 201, 175 USPQ 558, 558-59 (C.C.P.A. 1972); TMEP §1207.01(b). For that reason, the test of likelihood of confusion is not whether the marks can be distinguished when subjected to a side-by-side comparison. The question is whether the marks create the same overall impression. *See Recot, Inc. v. M.C. Becton*, 214 F.2d 1322, 1329-30, 54 USPQ2d 1894, 1899 (Fed. Cir. 2000); *Visual Info. Inst., Inc. v. Vicon Indus. Inc.*, 209 USPQ 179, 189 (TTAB 1980). The focus is on the recollection of the average purchaser who normally retains a general rather than specific impression of trademarks. *Chemetron Corp. v. Morris Coupling & Clamp Co.*, 203 USPQ 537, 540-41 (TTAB 1979); *Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106, 108 (TTAB 1975); TMEP §1207.01(b).

When a mark consists of a word portion and a design portion, the word portion is more likely to be impressed upon a purchaser’s memory and to be used in calling for the goods and/or services. Therefore, the word portion is normally accorded greater weight in determining likelihood of confusion. *In re Dakin’s Miniatures, Inc.*, 59 USPQ2d 1593, 1596 (TTAB 1999); *In re Appetito Provisions Co.*, 3 USPQ2d 1553, 1554 (TTAB 1987); *Amoco Oil Co. v. Amerco, Inc.*, 192 USPQ 729, 735 (TTAB 1976); TMEP §1207.01(c)(ii). Therefore, the design element in the registered mark is less significant in a Section 2(d) analysis.

Moreover, the mere addition of a term to a registered mark generally does not obviate the similarity between the marks nor does it overcome a likelihood of confusion under Trademark Act Section 2(d). *See, e.g., In re Chatam Int’l Inc.*, 380 F.3d 1340, 71 USPQ2d 1944 (Fed. Cir. 2004); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266 (TTAB 2009); *In re El Torito Rests., Inc.*, 9 USPQ2d 2002 (TTAB 1988). The only exceptions are when the matter common to the marks is merely descriptive or diluted, and not likely to be perceived by purchasers as distinguishing source, or when the marks in their entirieties convey a significantly different commercial impression. TMEP §1207.01(b)(iii); *see, e.g., Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 73 USPQ2d 1350 (Fed. Cir. 2004); *Citigroup Inc. v. Capital City Bank Grp., Inc.*, 94 USPQ2d 1645 (TTAB 2010); *In re Shawnee Milling Co.*, 225 USPQ 747 (TTAB 1985); *In re S.D. Fabrics, Inc.*, 223 USPQ 54 (TTAB 1984). Here, applicant has simply added the word “INSIDE” to the registered mark, REDBOX.

Considering the above, the marks are sufficiently similar to cause a likelihood of confusion under Section 2(d) of the Trademark Act.

Comparison of the Goods and Services

Consumers are likely to be confused by the use of similar marks on or in connection with goods and with services featuring or related to those goods. TMEP §1207.01(a)(ii); *see In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988) (holding BIGG’S for retail grocery and general merchandise store services likely to be confused with BIGGS for furniture); *In re United Serv. Distribrs., Inc.*, 229 USPQ 237 (TTAB 1986) (holding design for distributorship services in the field of health and beauty aids likely to be confused with design for skin cream); *In re Phillips-Van Heusen Corp.*, 228 USPQ 949 (TTAB 1986) (holding 21 CLUB for various items of men’s, boys’, girls’ and women’s clothing likely to be confused with THE “21” CLUB (stylized) for restaurant services and towels); *In re U.S. Shoe Corp.*, 229 USPQ 707 (TTAB 1985) (holding CAREER IMAGE (stylized) for retail women’s clothing store services and clothing likely to be confused with CREST CAREER IMAGES (stylized) for uniforms); *Steelcase Inc. v. Steelcare Inc.*, 219 USPQ 433 (TTAB 1983) (holding STEELCARE INC. for refinishing of furniture, office furniture, and machinery likely to be confused with STEELCASE for office furniture and accessories); *Mack Trucks, Inc. v. Huskie Freightways, Inc.*, 177 USPQ 32 (TTAB 1972) (holding similar marks for trucking services and on motor trucks and buses likely to cause confusion).

If the goods and/or services of the respective parties are “similar in kind and/or closely related,” the degree of similarity between the marks required to support a finding of likelihood of confusion is not as great as would be required with diverse goods and/or services. *In re J.M. Originals Inc.*, 6 USPQ2d 1393, 1394 (TTAB 1987); *see Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1242, 73 USPQ2d 1350, 1354 (Fed. Cir. 2004); TMEP §1207.01(b).

Here, the applicant’s services feature the registrant’s goods, this being games. Therefore, with the contemporaneous use of highly similar marks, consumers are likely to reach the mistaken conclusion that the goods are related and originate from a common source. As such, registration must be refused under Trademark Action Section 2(d).

In a likelihood of confusion analysis, the comparison of the parties’ goods and/or services is based on the goods and/or services as they are

identified in the application and registration, without limitations or restrictions that are not reflected therein. *Hewlett-Packard Co. v. Packard Press Inc.*, 281 F.3d 1261, 1267, 62 USPQ2d 1001, 1004 (Fed. Cir. 2002); *In re Dakin's Miniatures, Inc.*, 59 USPQ2d 1593, 1595 (TTAB 1999); *see* TMEP §1207.01(a)(iii).

In this case, the identification set forth in the cited registration uses broad wording to describe registrant's goods (games) and does not contain any limitations as to nature, type, channels of trade or classes of purchasers. Therefore, it is presumed that the registration encompasses all goods and/or services of the type described (games), including those in applicant's more specific identification, that the goods and/or services move in all normal channels of trade, and that they are available to all potential customers. *See In re Thor Tech, Inc.*, 90 USPQ2d 1634, 1638-39 (TTAB 2009); *In re Jump Designs LLC*, 80 USPQ2d 1370, 1374 (TTAB 2006); *In re Elbaum*, 211 USPQ 639, 640 (TTAB 1981); TMEP §1207.01(a)(iii).

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

If applicant chooses to respond to the refusal to register, then applicant must also respond to the following requirement.

Identification of Services

The wording in the identification of services needs clarification because (1) it is too broad and could include services classified in other international classes, and (2) is indefinite. *See* TMEP §§1402.01, 1402.03.

Applicant must use the common commercial or generic names for the services, be as complete and specific as possible, and avoid the use of indefinite words and phrases. If applicant uses indefinite words and phrases, such wording must be followed by "namely," and a list of the specific services identified by their common commercial or generic names. *See* TMEP §§1402.01, 1402.03(a).

The examining attorney indicated below where clarification is required and provided suggestions that would be acceptable if adopted by applicant.

Applicant may consider the following (suggestions in bold italics):

Class 035 (if adopted by applicant)

"Distributorship services in the field of video games, DVD's featuring movies, etc.}; online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs, etc.}; Automated retail services, namely providing retail facilities featuring automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely retail facilities featuring automated DVD, movies and game rental."

Class 038

"Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, **data** signals, messages and information by electronic communications networks,"

- distribution of entertainment content is indefinite and includes services in other international classes. For example, distribution of data or audio visual images via a global computer network or the Internet is classified in Class 038 and film distribution is in Class 041. Applicant must clarify the nature of the services and what it referring to with the wording "entertainment content." In addition, if applicant is referring to distributorship services, applicant must indicate this services and the field (ex: video games, motion picture films, etc.)

Class 041

"Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks"

An applicant may amend an identification of goods and services only to clarify or limit the goods and services; adding to or broadening the scope of the goods and/or services is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07 *et seq.*

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

Requirements for a Combined Application

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

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

See 37 C.F.R. §§2.34(a)(2)-(3), 2.86(a); TMEP §§1403.01, 1403.02(c).

Fees for Adding Classes

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.

Claim of Ownership of Prior Pending Registrations

If applicant is the owner of U.S. Registration No. 2988869, 3082012, 3229436 and others, then applicant must submit a claim of ownership. 37 C.F.R. §2.36; TMEP §812. The following standard format is suggested:

Applicant is the owner of U.S. Registration No. 2988869, 3082012, 3229436 and others

/Caryn Glasser/
Trademark Examining Attorney
Law Office 108
Phone: (571) 270-1517
Fax: (571) 270-2517
caryn.glasser@uspto.gov(informal)

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. 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. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

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>.

DESIGN MARK

Serial Number
73690802

Status
REGISTERED AND RENEWED

Word Mark
REDBOX

Standard Character Mark
No

Registration Number
1554867

Date Registered
1989/09/05

Type of Mark
TRADEMARK

Register
PRINCIPAL

Mark Drawing Code
(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner
RED BOX TOY FACTORY LIMITED HONG KONG MANDARIN PLAZA, 902 TOWER B
TSIMSHATSUI EAST, KOWLOON HONG KONG

Goods/Services
Class Status -- ACTIVE. IC 028. US 022. G & S: HOUSEMARK FOR A
FULL LINE OF TOYS AND GAMES. First Use: 1985/09/04. First Use In
Commerce: 1985/10/00.

Prior Registration(s)
0919290

Filing Date
1987/10/20

Examining Attorney
UNKNOWN

Attorney of Record
ROBERT R. PRIDDY



To: Redbox Automated Retail, LLC (trademarks@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85229208 - INSIDE REDBOX - 19638.16T1
Sent: 5/3/2011 4:13:28 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR U.S. TRADEMARK APPLICATION

USPTO OFFICE ACTION HAS ISSUED ON *5/3/2011* FOR SERIAL NO. 85229208

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 *5/3/2011* (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. 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.

*** User:cglasser ***

#	Total	Dead	Live	Live	Status/	Search
	Marks	Marks	Viewed	Viewed	Search	
			Docs	Images	Duration	
01	4446	N/A	0	0	0:06	*{v}n{"scz"}{v}d* [bi,ti]not dead [ld]
02	2254	N/A	0	0	0:05	1 and "038"[cc]
03	119	0	119	105	0:02	1 and ("038" A B 200) [ic]
04	660	0	660	566	0:02	1 and ("041" A B 200) [ic]
05	987	0	987	823	0:04	"inside" [bi,ti]not dead [ld]
06	18	0	18	17	0:02	*inside*[bi,ti] and *red*[bi,ti]not dead [ld]

Session started 5/3/2011 3:36:55 PM

Session finished 5/3/2011 4:02:52 PM

Total search duration 0 minutes 21 seconds

Session duration 25 minutes 57 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85229208

*** User:cglasser ***

#	Total Marks	Dead Marks	Live	Live	Status/ Search	Search
			Viewed Docs	Viewed Images		
01	58585	N/A	0	0	0:06	*r{V}d*[bi,ti]not dead [ld]
02	23045	N/A	0	0	0:05	*b{V}{"ckqx"}*[bi,ti]not dead [ld]
03	635	0	635	532	0:01	1 and 2
04	5439	N/A	0	0	0:04	"red"[bi,ti]not dead [ld]
05	1846	N/A	0	0	0:03	4 and "038"[cc]
06	99	0	99	82	0:02	4 and ("038" A B 200) [ic]
07	579	0	579	496	0:02	4 and ("041" A B 200) [ic]
08	3572	N/A	0	0	0:04	"box" [bi,ti]not dead [ld]
09	2026110	N/A	0	0	0:03	8 anbd "038" [cc]
10	1440	N/A	0	0	0:03	8 and "038" [cc]
11	128	0	128	114	0:02	8 and ("038" A B 200) [ic]
12	42	0	42	34	0:01	"red"[bi,ti] and "box"[bi,ti]not dead [ld]
13	34212	N/A	0	0	0:03	261709[dc]not dead [ld]
14	18546	N/A	0	0	0:03	13 and "038"[cc]
15	1367	0	7	1367	0:02	13 and ("038" A B 200) [ic]
16	4333	0	14	4333	0:03	13 and ("041" A B 200) [ic]

Session started 4/26/2011 5:21:05 PM

Session finished 4/26/2011 5:52:49 PM

Total search duration 0 minutes 47 seconds

Session duration 31 minutes 44 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85229208

*** User:cglasser ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	58585	N/A	0	0	0:06	*r{V}d*[bi,ti]not dead [ld]
02	23045	N/A	0	0	0:05	*b{V}{"ckqx"}*[bi,ti]not dead [ld]
03	635	0	635	532	0:01	1 and 2
04	5439	N/A	0	0	0:04	"red"[bi,ti]not dead [ld]
05	1846	N/A	0	0	0:03	4 and "038"[cc]
06	99	0	99	82	0:02	4 and ("038" A B 200) [ic]
07	579	0	579	496	0:02	4 and ("041" A B 200) [ic]
08	3572	N/A	0	0	0:04	"box" [bi,ti]not dead [ld]
09	2026110	N/A	0	0	0:03	8 anbd "038" [cc]
10	1440	N/A	0	0	0:03	8 and "038" [cc]
11	128	0	128	114	0:02	8 and ("038" A B 200) [ic]
12	42	0	42	34	0:01	"red"[bi,ti] and "box"[bi,ti]not dead [ld]

Session started 4/26/2011 5:21:05 PM

Session finished 4/26/2011 5:39:30 PM

Total search duration 0 minutes 36 seconds

Session duration 18 minutes 25 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85229208

From: TMDesignCodeComments
Sent: Thursday, February 3, 2011 00:15 AM
To: XXXX
Subject: Notice of Pseudo Mark for Serial Number: 85229208
ATTORNEY REFERENCE NUMBER: 19638.16T1

The USPTO may assign pseudo marks, as appropriate, to new applications to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

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

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

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

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

PSEUDO MARK:

INSIDE RED BOX

Trademark/Service Mark Application, Principal Register

Serial Number: 85229208
Filing Date: 01/28/2011

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85229208
MARK INFORMATION	
*MARK	INSIDE REDBOX
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	INSIDE REDBOX
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Redbox Automated Retail, LLC
*STREET	One Tower Lane, Suite 1200
*CITY	Oakbrook Terrace
*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	60181
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Delaware
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	038
*IDENTIFICATION	Distribution of entertainment content; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks
FILING BASIS	SECTION 1(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)
ATTORNEY INFORMATION	
NAME	James P. Muraff
ATTORNEY DOCKET NUMBER	19638.16T1
FIRM NAME	Neal, Gerber & Eisenberg LLP
INTERNAL ADDRESS	c/o Trademark Administrator
STREET	Two North LaSalle Street, Suite 1700
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312-269-8000
FAX	312-269-1747
EMAIL ADDRESS	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	c/o Trademark Administrator
STREET	Two North LaSalle Street, Suite 1700
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312-269-8000
FAX	312-269-1747
EMAIL ADDRESS	trademarks@ngelaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEES INFORMATION	
NUMBER OF CLASSES	2
FEE PER CLASS	325
*TOTAL FEE DUE	650
*TOTAL FEE PAID	650
SIGNATURE INFORMATION	
SIGNATURE	/Frederick W. Stein/

SIGNATORY'S NAME	Frederick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel
DATE SIGNED	01/28/2011

Trademark/Service Mark Application, Principal Register

Serial Number: 85229208
Filing Date: 01/28/2011

To the Commissioner for Trademarks:

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

The literal element of the mark consists of INSIDE REDBOX.

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

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

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

International Class 038: Distribution of entertainment content; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks

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)).

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

c/o Trademark Administrator
Two North LaSalle Street, Suite 1700
Chicago, Illinois 60602
United States

The attorney docket/reference number is 19638.16T1.

The applicant's current Correspondence Information:

James P. Muraff
Neal, Gerber & Eisenberg LLP
c/o Trademark Administrator
Two North LaSalle Street, Suite 1700
Chicago, Illinois 60602
312-269-8000(phone)
312-269-1747(fax)
trademarks@ngelaw.com (authorized)

A fee payment in the amount of \$650 has been submitted with the application, representing payment for 2 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: 01/28/2011

Signatory's Name: Frederick W. Stein

Signatory's Position: Vice President and General Counsel

RAM Sale Number: 5631

RAM Accounting Date: 01/31/2011

Serial Number: 85229208

Internet Transmission Date: Fri Jan 28 18:11:33 EST 2011

TEAS Stamp: USPTO/BAS-XX.XX.XXX.XXX-2011012818113378

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INSIDE REDBOX

INSIDE REDBOX