

**Generated on:** This page was generated by TSDR on 2025-07-19 18:40:41 EDT

**Mark:** REDBOX INSTANT

REDBOX INSTANT

**US Serial Number:** 85526611

**Application Filing Date:** Jan. 26, 2012

**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This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.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:** Nov. 24, 2014

**Publication Date:** Aug. 27, 2013 **Notice of Allowance Date:** Oct. 22, 2013

**Date Abandoned:** Nov. 24, 2014

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## Mark Information

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**Mark Literal  
Elements:** REDBOX INSTANT

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

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

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## Related Properties Information

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**Claimed Ownership  
of US  
Registrations:** 2988869, 2919854, 3082012

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## Goods and Services

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**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:** Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring pre-recorded DVDs, and pre-recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos by means of communications networks

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

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

**Class Status:** ACTIVE

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## Basis Information (Case Level)

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**Filed Use:** No  
**Filed ITU:** Yes  
**Filed 44D:** No  
**Filed 44E:** No  
**Filed 66A:** No

**Filed No Basis:** No

**Currently Use:** No  
**Currently ITU:** Yes  
**Currently 44D:** No  
**Currently 44E:** No  
**Currently 66A:** 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:** Heidi L. Sachs

**Docket Number:** 21382-4000.0

**Attorney Primary** [pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)

**Attorney Email** Yes

**Email Address:**

**Authorized:**

### Correspondent

**Correspondent** HEIDI L. SACHS

**Name/Address:** PERKINS COIE LLP  
1201 3RD AVE STE 4800  
SEATTLE, WASHINGTON UNITED STATES 98101-3099

**Phone:** (206) 359-8000

**Fax:** (206) 359-9000

**Correspondent e-mail:** [pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)

**Correspondent e-mail** Yes  
**Authorized:**

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 24, 2014	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	
Nov. 24, 2014	ABANDONMENT - NO USE STATEMENT FILED	
Apr. 19, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 17, 2014	SOU EXTENSION 1 GRANTED	
Apr. 17, 2014	SOU EXTENSION 1 FILED	
Apr. 17, 2014	SOU TEAS EXTENSION RECEIVED	
Oct. 22, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 27, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 27, 2013	PUBLISHED FOR OPPOSITION	
Aug. 07, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 23, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	
Jul. 17, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 04, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	
Jul. 03, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 03, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 03, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jan. 03, 2013	NON-FINAL ACTION E-MAILED	
Jan. 03, 2013	NON-FINAL ACTION WRITTEN	
Dec. 18, 2012	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Dec. 09, 2012	WITHDRAWN FROM PUB - OG REVIEW QUERY	
Nov. 24, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	

Nov. 08, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER
Oct. 22, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED
Oct. 22, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE
Oct. 07, 2012	ASSIGNED TO LIE
Sep. 28, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED
Mar. 29, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED
Mar. 29, 2012	NON-FINAL ACTION E-MAILED
Mar. 29, 2012	NON-FINAL ACTION WRITTEN
Mar. 28, 2012	ASSIGNED TO EXAMINER
Feb. 01, 2012	NOTICE OF PSEUDO MARK MAILED
Jan. 31, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Jan. 30, 2012	NEW APPLICATION ENTERED

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:** KEAN, AMY

**Law Office Assigned:** LAW OFFICE 112

### File Location

**Current Location:** INTENT TO USE SECTION

**Date in Location:** Oct. 22, 2013

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 2

**Applicant:** Redbox Automated Retail, LLC

### Assignment 1 of 2

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [5310/0031](#)

**Pages:** 7

**Date Recorded:** Jun. 26, 2014

**Supporting Documents:** [assignment-tm-5310-0031.pdf](#)

### Assignor

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

**Execution Date:** Jun. 24, 2014

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

### Assignee

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

**Legal Entity Type:** NATIONAL ASSOCIATION

**State or Country Where Organized:** UNITED STATES

**Address:** 901 MAIN STREET  
DALLAS, TEXAS 75202

### Correspondent

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

**Correspondent Address:** 2323 VICTORY AVENUE, SUITE 700  
GAVIN GEORGE  
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 Name:** VENISA DARK, HAYNES AND BOONE LLP

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

**Domestic Representative - Not Found**

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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	112

**PUB INFORMATION**

RUN DATE	11/25/2014		
PUB DATE	08/27/2013		
STATUS	606-ABANDONED - NO STATEMENT OF USE FILED		
STATUS DATE	11/24/2014		
LITERAL MARK ELEMENT	REDBOX INSTANT		
DATE ABANDONED	11/24/2014	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	NO	1 (a)	NO	1 (a)	NO
1 (b)	YES	1 (b)	YES	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	REDBOX INSTANT
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring pre-recorded DVDs, and pre-recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos 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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/24/2014	MAB6	O	ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED	033
11/24/2014	ABN6	S	ABANDONMENT - NO USE STATEMENT FILED	032
04/19/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	031
04/17/2014	EX1G	S	EXTENSION 1 GRANTED	030
04/17/2014	EXT1	S	EXTENSION 1 FILED	029
04/17/2014	EEXT	I	TEAS EXTENSION RECEIVED	028
10/22/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	027
08/27/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	026
08/27/2013	PUBO	A	PUBLISHED FOR OPPOSITION	025

08/07/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	024
07/23/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	023
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	022
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	021
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	020
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	019
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	018
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	017
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	016
12/18/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	015
12/09/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	014
11/24/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
11/08/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004
02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
01/31/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/30/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Heidi L. Sachs
CORRESPONDENCE ADDRESS	HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099
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

REDBOX INSTANT



Side - 1



**NOTICE OF ABANDONMENT**  
**MAILING DATE: Nov 24, 2014**

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

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

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

**SERIAL NUMBER:** 85526611  
**MARK:** REDBOX INSTANT  
**OWNER:** Redbox Automated Retail, LLC

Side - 2

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

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

HEIDI L. SACHS  
PERKINS COIE LLP  
1201 3RD AVE STE 4800  
SEATTLE , WA 98101-3099

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Saturday, April 19, 2014 00:11 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85526611: REDBOX INSTANT: Docket/Reference No. 21382-4000.0

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85526611  
**Mark:** REDBOX INSTANT  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 1  
**Docket/Reference Number:** 21382-4000.0  
**Notice of Allowance Date:** Oct 22, 2013

The USPTO issued a Notice of Allowance on **Oct 22, 2013** for the trademark application identified above. Applicant's **FIRST** 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=85526611&caseType=SERIAL\\_NO&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85526611&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=85526611&caseType=SERIAL\\_NO&searchType=documentSearch](https://tsdr.uspto.gov/#caseNumber=85526611&caseType=SERIAL_NO&searchType=documentSearch). NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

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

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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	112

**PUB INFORMATION**

RUN DATE	04/19/2014		
PUB DATE	08/27/2013		
STATUS	730-FIRST EXTENSION - GRANTED		
STATUS DATE	04/17/2014		
LITERAL MARK ELEMENT	REDBOX INSTANT		
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	REDBOX INSTANT
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	20-OWNER AT PUBLICATION
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NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
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### GOODS AND SERVICES

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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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

### PROSECUTION HISTORY

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01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	016
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12/09/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	014
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11/08/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004
02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
01/31/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/30/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Heidi L. Sachs
CORRESPONDENCE ADDRESS	HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099
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

REDBOX INSTANT

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

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85526611
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 112
<b>MARK SECTION</b>	
<b>MARK</b>	REDBOX INSTANT
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	REDBOX INSTANT
<b>OWNER SECTION</b>	
<b>NAME</b>	Redbox Automated Retail, LLC
<b>STREET</b>	One Tower Lane, Suite 1200
<b>CITY</b>	Oakbrook Terrace
<b>STATE</b>	Illinois
<b>ZIP/POSTAL CODE</b>	60181
<b>COUNTRY</b>	United States
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>CURRENT IDENTIFICATION</b>	Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring pre-recorded DVDs, and pre-recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies,

	prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos by means of communications networks
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	1
<b>ALLOWANCE MAIL DATE</b>	10/22/2013
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>SUBTOTAL AMOUNT</b>	150
<b>TOTAL AMOUNT</b>	150
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/Winfield B. Martin/
<b>SIGNATORY'S NAME</b>	Winfield B. Martin
<b>SIGNATORY'S POSITION</b>	Attorney of Record, Washington State Bar member
<b>DATE SIGNED</b>	04/17/2014
<b>SIGNATORY'S PHONE NUMBER</b>	(206) 359-8000
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Thu Apr 17 11:34:27 EDT 2014
<b>TEAS STAMP</b>	USPTO/ESU-XXX.XX.XXX.XX-2 0140417113427134300-85526 611-500f7b1e636cd96979778 311337164efbf1419114938ba b2422738443bf5af372-CC-13 424-20140417113027902202

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

To the Commissioner for Trademarks:

**MARK:** REDBOX INSTANT  
**SERIAL NUMBER:** 85526611

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

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 10/22/2013.

For International Class 035:

Current identification: Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring pre-recorded DVDs, and pre-recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos by means of 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.

This is the first extension request.

A fee payment in the amount of \$150 will be submitted with the form, representing payment for 1 class.

**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: /Winfield B. Martin/     Date Signed: 04/17/2014  
Signatory's Name: Winfield B. Martin  
Signatory's Position: Attorney of Record, Washington State Bar member  
Signatory's Phone: (206) 359-8000

RAM Sale Number: 85526611  
RAM Accounting Date: 04/17/2014

Serial Number: 85526611  
Internet Transmission Date: Thu Apr 17 11:34:27 EDT 2014  
TEAS Stamp: USPTO/ESU-XXX.XX.XXX.XX-2014041711342713  
4300-85526611-500f7b1e636cd9697977831133  
7164efbf1419114938bab2422738443bf5af372-  
CC-13424-20140417113027902202

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, October 22, 2013 00:03 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 85526611: Official USPTO Notice of Allowance

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Oct 22, 2013

**Serial Number:** 85526611  
**Mark:** REDBOX INSTANT(STANDARD CHARACTER MARK)  
**Docket/Reference Number:** 21382-4000.0

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

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

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

**How to file SOU and/or Extension Request:**

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

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

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

**REVIEW APPLICATION INFORMATION FOR ACCURACY**

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

**Serial Number:** 85526611  
**Mark:** REDBOX INSTANT(STANDARD CHARACTER MARK)  
**Docket/Reference Number:** 21382-4000.0  
**Owner:** Redbox Automated Retail, LLC  
One Tower Lane, Suite 1200  
Oakbrook Terrace, ILLINOIS 60181  
**Correspondence Address:** HEIDI L. SACHS  
PERKINS COIE LLP  
1201 3RD AVE STE 4800  
SEATTLE, WA 98101-3099

**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 - Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring pre-recorded DVDs, and pre-recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos by means of communications networks -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

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

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

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

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

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85526611>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, August 27, 2013 00:26 AM  
**To:** XXXX  
**Subject:** 21382-4000.0 Official USPTO Notification: TMOG Publication Confirmation for Serial Number 85526611

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*TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION*

**U.S. Serial Number:** 85-526,611  
**Mark:** REDBOX INSTANT(STANDARD CHARACTER MARK)  
**International Class(es):** 035  
**Applicant:** Redbox Automated Retail, LLC  
**Docket/Reference Number:** 21382-4000.0

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Aug 27, 2013.

**To View the Mark in the TMOG:**

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20130827\\_OG.pdf#page=00000963](http://www.uspto.gov/web/trademarks/tmog/20130827_OG.pdf#page=00000963)
2. Locate your mark on the displayed page.

If the TMOG PDF file does not open to the page containing your mark (you must have an Adobe Reader installed on your workstation), click on the following link or paste the URL into an internet browser to review the Frequently Asked Questions about the Trademark Official Gazette: [http://www.uspto.gov/trademarks/resources/tm\\_og\\_faqs.jsp](http://www.uspto.gov/trademarks/resources/tm_og_faqs.jsp).

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov). For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

**Significance of Publication for Opposition:**

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 eleven (11) weeks after 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.)

To view this notice and other documents for this application on-line, go to Trademark Status and Document Retrieval at <http://tsdr.uspto.gov/>, enter the United States application serial number and select the button labeled "Documents." 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](http://www.uspto.gov)

Aug 7, 2013

## NOTICE OF PUBLICATION

- |                                      |   |
|--------------------------------------|---|
| 1. Serial No.:<br>85-526,611         | 2. Mark:<br>REDBOX INSTANT<br>(STANDARD CHARACTER MARK) |
| 3. International Class(es):<br>35    |   |
| 4. Publication Date:<br>Aug 27, 2013 | 5. Applicant:<br>Redbox Automated Retail, LLC           |

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.

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**Email Address(es):**

[pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, August 7, 2013 03:20 AM  
**To:** XXXX  
**Subject:** 21382-4000.0 Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85526611

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NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85526611) is scheduled to publish in the *Official Gazette* on Aug 27, 2013. To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85526611>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto: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](mailto:TMPostPubQuery@uspto.gov).

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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	07/24/2013		
PUB DATE	08/27/2013		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	07/23/2013		
LITERAL MARK ELEMENT	REDBOX INSTANT		
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	REDBOX INSTANT
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	Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring pre-recorded DVDs, and pre-recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos 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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/23/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	023
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	022
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	021
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	020
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	019
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	018
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	017
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	016
12/18/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	015

12/09/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	014
11/24/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
11/08/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004
02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
01/31/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/30/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Heidi L. Sachs
CORRESPONDENCE ADDRESS	HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099
DOMESTIC REPRESENTATIVE	NONE

REDBOX INSTANT

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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	07/18/2013		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	07/17/2013		
LITERAL MARK ELEMENT	REDBOX INSTANT		
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	REDBOX INSTANT
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

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NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 1200 Oakbrook Terrace, IL 60181
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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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

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07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	020
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01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	017
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	016
12/18/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	015
12/09/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	014

11/24/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
11/08/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004
02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
01/31/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/30/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Heidi L. Sachs
CORRESPONDENCE ADDRESS	HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099
DOMESTIC REPRESENTATIVE	NONE

REDBOX INSTANT

# NOTE TO THE FILE

SERIAL NUMBER: 85526611

DATE: 07/17/2013

NAME: AKean

## NOTE:

### Searched:

☐ Google  
☐ Lexis/Nexis  
☐ OneLook  
☐ Wikipedia  
☐ Acronym Finder  
☐ Other:

### Discussed ID with:

☐ Senior Atty  
☐ Managing Atty  
  
☐ Protest evidence reviewed

### Checked:

☐ Geographic significance  
☐ Surname  
☐ Translation  
☐ ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

☐ Senior Atty  
☐ Managing Atty

☐ Checked list of approved Canadian attorneys and agents

### Discussed file with

#### Attorney/Applicant via:

☐ phone  
☐ email  
  
☐ Left message with  
Attorney/Applicant

☐ Requested Law Library search  
for:  
  
☐ Issued Examiner's Amendment  
and entered changes in TRADEUPS

☐ **PRINT** ☐ **DO NOT PRINT** ☐ Added design code in TRADEUPS

☐ Description of the mark  
☐ Translation statement  
  
☐ Re-imaged standard character  
drawing

☐ Negative translation statement  
☐ Consent of living individual  
  
☐ Contacted TM MADRID ID/CLASS  
about misclassified definite ID

☒ Changed TRADEUPS to: Correct typographical error in amended identification language

☐ OTHER:



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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	07/05/2013		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	07/04/2013		
LITERAL MARK ELEMENT	REDBOX INSTANT		
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	REDBOX INSTANT
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	Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring recorded DVDs, and recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos 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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	021
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	020
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	019
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	018
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	017
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	016
12/18/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	015
12/09/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	014
11/24/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013

11/08/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004
02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
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### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Heidi L. Sachs
CORRESPONDENCE ADDRESS	HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099
DOMESTIC REPRESENTATIVE	NONE

REDBOX INSTANT

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85526611
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 113
<b>MARK SECTION</b>	
<b>MARK</b>	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85526611
<b>LITERAL ELEMENT</b>	REDBOX INSTANT
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>DESCRIPTION</b>	
Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks	
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>TRACKED TEXT DESCRIPTION</b>	
Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; <del>retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media;</del> <a href="#">retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media;</a> distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; <del>retail</del>	

~~services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; retail store services featuring recorded DVDs, and recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; online retail store services featuring prerecorded videos by means of communications networks~~

<b>FINAL DESCRIPTION</b>	
Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs featuring movies, online retail store services featuring prerecorded videos featuring entertainment in the nature of movies, motion picture films, television programs; automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring recorded DVDs, and recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos by means of communications networks	
<b>FILING BASIS</b>	Section 1(b)
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/Winfield B. Martin/
<b>SIGNATORY'S NAME</b>	Winfield B. Martin
<b>SIGNATORY'S POSITION</b>	Attorney for applicant
<b>SIGNATORY'S PHONE NUMBER</b>	206.359.8000
<b>DATE SIGNED</b>	07/03/2013
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Wed Jul 03 17:56:26 EDT 2013
<b>TEAS STAMP</b>	USPTO/ROA-XX.XXX.XXX.XXX- 20130703175626518043-8552 6611-500a3fd28adf37885107 f6b19a0a148d52d8273491198 d98c99546e18913dede79-N/A -N/A-20130703171402431687

**Response to Office Action**

**To the Commissioner for Trademarks:**

Application serial no. **85526611** REDBOX INSTANT(Standard Characters, see  
http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85526611) has been amended as follows:

**CLASSIFICATION AND LISTING OF GOODS/SERVICES**

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

**Current:** Class 035 for Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Proposed:**

**Tracked Text Description:** Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; ~~retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media;~~ retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; ~~retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks;~~ retail store services featuring recorded DVDs, and recorded digital videos featuring movies and motion picture films by means of communications networks; ~~automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media;~~ automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; ~~computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks;~~ online retail store services featuring prerecorded videos by means of communications networks

Class 035 for Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail store services, online retail store services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail store services featuring recorded DVDs, and recorded digital videos featuring movies and motion picture films by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content and video game software; online retail store services featuring prerecorded videos by means of communications networks

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a

bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

#### **SIGNATURE(S)**

##### **Response Signature**

Signature: /Winfield B. Martin/ Date: 07/03/2013

Signatory's Name: Winfield B. Martin

Signatory's Position: Attorney for applicant

Signatory's Phone Number: 206.359.8000

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.

Serial Number: 85526611

Internet Transmission Date: Wed Jul 03 17:56:26 EDT 2013

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XXX-201307031756265

18043-85526611-500a3fd28adf37885107f6b19

a0a148d52d8273491198d98c99546e18913dede7

9-N/A-N/A-20130703171402431687



**To:** Redbox Automated Retail, LLC ([pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85526611 - REDBOX INSTANT - 21382-4000.0  
**Sent:** 1/3/2013 10:50:41 AM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

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

**U.S. APPLICATION SERIAL NO.** 85526611

**MARK:** REDBOX INSTANT

**\*85526611\***

**CORRESPONDENT ADDRESS:**

HEIDI L. SACHS  
PERKINS COIE LLP  
1201 3RD AVE STE 4800  
SEATTLE, WA 98101-3099

**CLICK HERE TO RESPOND TO THIS LETTER:**

[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** Redbox Automated Retail, LLC

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

21382-4000.0

**CORRESPONDENT E-MAIL ADDRESS:**

[pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com)

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

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

**ISSUE/MAILING DATE:** **1/3/2013**

**PLEASE NOTE:** Applicant is encouraged to telephone or e-mail the assigned trademark examining attorney to resolve the issues raised in this Office action by examiner's amendment. Although a formal response may never be submitted by e-mail, an applicant may communicate informally by phone or e-mail with the trademark examining attorney to agree to a proposed amendment to the application that will immediately place the application in condition for publication for opposition, issuance of a registration, or suspension. *See* TMEP §707.

Upon review of the facts of record, the examiner now raises the following issues. The examiner apologizes for the delay in raising these issues and for any inconvenience that may result from it.

**NEW ISSUE –Requirement for Clarification of Identification Language**

The wording “*Retail services, on-line retail services ...in the field of DVDs, movies, television programs, video games, and prerecorded electronic media,*” “*retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks,*” and “*computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks.*” in the identification of services is indefinite and must be clarified because it is indefinite as to the form of the services. *See* TMEP §1402.01.

Additionally, the following language is indefinite as to whether the applicant is providing a separate telecommunications services or retail services that sell on-demand telecommunications services: “*video-on-demand transmission services and video broadcasting.*”

The applicant may clarify by amending to the following, if accurate:

### ***International Class 035***

Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; ***Retail store services, online retail store services***, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; Vending services in the field of DVD rentals; Vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; Retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; Automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; Distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; ***Retail store services featuring pre-recorded DVDs and pre-recorded digital videos featuring movies and motion picture films by means of communications networks***; Automated retail services, namely, providing automated retail vending machines featuring ***entertainment content in the form of pre-recorded DVDs featuring movies, digital video and audio content, and prerecorded digital media***; Computer online retail store services featuring prerecorded videos by means of communications networks.

### ***International Class 038***

***Video-on-demand transmission services and video broadcasting by means of communications networks.***

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

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

### **Requirement for Submission of Additional Fees or Restriction of Identification Language**

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

Therefore, applicant must either (1) Restrict the application to the number of classes covered by the fees already paid, or (2) Submit the fees for the additional class.

For an application with more than one international class, called a "multiple-class application," an applicant must meet all the requirements below for those international classes based on an intent to use the mark in commerce under Trademark Act Section 1(b):

- (1) LIST SERVICES BY INTERNATIONAL CLASS: Applicant must list the services by international class.
- (2) PROVIDE FEES FOR ALL INTERNATIONAL CLASSES: Applicant must submit an application filing fee for each international class of services not covered by the fee(s) already paid (confirm current fee information at [http://www.uspto.gov/trademarks/tm\\_fee\\_info.jsp](http://www.uspto.gov/trademarks/tm_fee_info.jsp)).

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

If applicant has any questions about its application or needs assistance in responding to this Office Action please telephone the assigned trademark examining attorney directly at the number listed below.

/Amy C. Kean/  
Trademark Attorney, Law Office 113  
U.S. Patent & Trademark Office  
Amy.Kean@USPTO.gov  
Phone: 571-272-8854

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/mailling date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). 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 the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or 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/trademarks/teas/correspondence.jsp>.

**To:** Redbox Automated Retail, LLC ([pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85526611 - REDBOX INSTANT - 21382-4000.0  
**Sent:** 1/3/2013 10:50:42 AM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

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

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **1/3/2013** FOR U.S. APPLICATION SERIAL NO. 85526611

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) TIMELY RESPONSE IS REQUIRED:** Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **1/3/2013** (*or sooner if specified in the Office action*). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**(3) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	11/27/2012		
PUB DATE	01/01/2013		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	11/24/2012		
LITERAL MARK ELEMENT	REDBOX INSTANT		
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	REDBOX INSTANT
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	Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting 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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/24/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
11/08/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005

03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004
02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
01/31/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/30/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Heidi L. Sachs
CORRESPONDENCE ADDRESS	HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099
DOMESTIC REPRESENTATIVE	NONE

REDBOX INSTANT



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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	11/09/2012		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	11/08/2012		
LITERAL MARK ELEMENT	REDBOX INSTANT		
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	REDBOX INSTANT
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	Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting 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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/08/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004

02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
01/31/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/30/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Heidi L. Sachs
CORRESPONDENCE ADDRESS	HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099
DOMESTIC REPRESENTATIVE	NONE

REDBOX INSTANT

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

**OVERVIEW**

SERIAL NUMBER	85526611	FILING DATE	01/26/2012
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	KEAN, AMY C	L.O. ASSIGNED	113

**PUB INFORMATION**

RUN DATE	10/23/2012		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	10/22/2012		
LITERAL MARK ELEMENT	REDBOX INSTANT		
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	REDBOX INSTANT
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	Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting 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
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	RED BOX INSTANT
OWNER OF US REG NOS	2919854 2988869 3082012

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/22/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
10/22/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
10/07/2012	ALIE	A	ASSIGNED TO LIE	009
09/28/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	006
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	005
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	004
02/01/2012	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003

01/31/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
01/30/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001
<b>CURRENT CORRESPONDENCE INFORMATION</b>				
ATTORNEY			Heidi L. Sachs	
CORRESPONDENCE ADDRESS			HEIDI L. SACHS PERKINS COIE LLP 1201 3RD AVE STE 4800 SEATTLE, WA 98101-3099	
DOMESTIC REPRESENTATIVE			NONE	

REDBOX INSTANT



## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85526611
LAW OFFICE ASSIGNED	LAW OFFICE 113
MARK SECTION	
MARK	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85526611
LITERAL ELEMENT	REDBOX INSTANT
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.

### ARGUMENT(S)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Redbox Automated Retail, LLC	LAW OFFICE 113
Serial No.:	85/526,611	
Filed:	January 26, 2012	Examining Attorney: Amy C. Kean
Mark:	REDBOX INSTANT	
Class:	35	RESPONSE TO OFFICE ACTION

This communication responds to the Office Action issued on March 29, 2012 ("Office Action") regarding the application by Redbox Automated Retail, LLC ("Applicant") for registration of the mark REDBOX INSTANT ("Mark") in Class 35 ("Application"), covering the following services ("Applicant's Services"):

Class 35: Vending services; vending machine services; retail services; online retail store services; distributorship services; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media

#### Claim of Ownership

Applicant is the owner of U.S. Registration Nos. 2,919,854; 2,988,869; 3,082,012 and others.

#### Amendments to Identification of Services

Please amend Applicant's Services to read in its entirety as follows:

Class 35: Vending services, **namely providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services; online retail store services; distributorship services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks**

The final description of services for the Application should read as follows:

Class 35: Vending services, namely providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks

#### **Request to Move Services Between Companion Applications**

These amendments include moving the services "retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media" from Applicant's companion Application Serial No. 85/526,615 for the Mark in Class 41 and "computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks" from Applicant's companion Application Serial No. 85/526,613 for the Mark in Class 38 to this Class 35 Application pursuant to T.M.E.P. § 1402.08.

#### **Discussion**

The Examining Attorney has requested that Applicant claim ownership of several prior registrations and also that Applicant amend and clarify Applicant's Services. Applicant has done so, and believes these changes should be acceptable. Therefore, Applicant respectfully requests that the refusal to register the Mark be withdrawn.

#### **Conclusion**

Applicant believes the Application is now in proper form and requests that the Application be approved for publication. Should any questions remain, please contact Jason S. Howell.

#### **GOODS AND/OR SERVICES SECTION (current)**

INTERNATIONAL CLASS

035

#### **DESCRIPTION**

Vending services; vending machine services; retail services; online retail store services; distributorship services; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media;

automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media

<b>FILING BASIS</b>	Section 1(b)
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#### **GOODS AND/OR SERVICES SECTION (proposed)**

<b>INTERNATIONAL CLASS</b>	035
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#### **TRACKED TEXT DESCRIPTION**

~~Vending services; retail services; online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; distributorship services in the field of DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks~~

#### **FINAL DESCRIPTION**

Vending services, namely providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks

<b>FILING BASIS</b>	Section 1(b)
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#### **ADDITIONAL STATEMENTS SECTION**

<b>ACTIVE PRIOR REGISTRATION(S)</b>	The applicant claims ownership of U.S. Registration Number(s) 2919854, 2988869, and 3082012.
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<b>MISCELLANEOUS STATEMENT</b>	These amendments include moving the services "retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media" from Applicant's companion Application Serial No. 85/526,615 for the Mark in Class 41 and "computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks" from Applicant's companion Application Serial No. 85/526,613 for the Mark in Class 38 to this Class
--------------------------------	--

	35 Application pursuant to T.M.E.P. § 1402.08.
<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/Jason S. Howell/
SIGNATORY'S NAME	Jason S. Howell
SIGNATORY'S POSITION	Attorney for Applicant, Member Washington State Bar
SIGNATORY'S PHONE NUMBER	N/A
DATE SIGNED	09/28/2012
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Fri Sep 28 19:40:31 EDT 2012
TEAS STAMP	USPTO/ROA-XX.XXX.XXX.XXX- 20120928194031085616-8552 6611-490ee12c4316c43c8b78 29db973628e27c5-N/A-N/A-2 0120928192106489404

PTO Form 1957 (Rev 9/2005)  
OMB No. 0651-0050 (Exp. 07/31/2017)

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **85526611** REDBOX INSTANT(Standard Characters, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85526611>) has been amended as follows:

### ARGUMENT(S)

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

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Redbox Automated Retail, LLC	LAW OFFICE 113
Serial No.:	85/526,611	
Filed:	January 26, 2012	Examining Attorney: Amy C. Kean
Mark:	REDBOX INSTANT	
Class:	35	RESPONSE TO OFFICE ACTION

This communication responds to the Office Action issued on March 29, 2012 ("Office Action") regarding the application by Redbox Automated Retail, LLC ("Applicant") for registration of the mark REDBOX INSTANT ("Mark") in Class 35 ("Application"), covering the following services ("Applicant's Services"):

Class 35: Vending services; vending machine services; retail services; online retail store services; distributorship services; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media

featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media

#### **Claim of Ownership**

Applicant is the owner of U.S. Registration Nos. 2,919,854; 2,988,869; 3,082,012 and others.

#### **Amendments to Identification of Services**

Please amend Applicant's Services to read in its entirety as follows:

Class 35: Vending services, **namely providing vending machines featuring DVDs, movies, and prerecorded electronic media;** vending machine services; ~~retail services; online retail store services; distributorship services~~ **retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media;** distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; **retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks**

The final description of services for the Application should read as follows:

Class 35: Vending services, namely providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks

#### **Request to Move Services Between Companion Applications**

These amendments include moving the services "retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media" from Applicant's companion Application Serial No. 85/526,615 for the Mark in Class 41 and "computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks" from Applicant's companion Application Serial No. 85/526,613 for the Mark in Class 38 to this Class 35 Application pursuant to T.M.E.P. § 1402.08.

#### **Discussion**

The Examining Attorney has requested that Applicant claim ownership of several prior registrations and also that Applicant amend and clarify Applicant's Services. Applicant has done so, and believes these changes should be acceptable. Therefore, Applicant respectfully requests that the refusal to register the Mark be withdrawn.

#### **Conclusion**

Applicant believes the Application is now in proper form and requests that the Application be approved for publication. Should any questions remain, please contact Jason S. Howell.

## CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 035 for Vending services; vending machine services; retail services; online retail store services; distributorship services; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

### Proposed:

**Tracked Text Description:** ~~Vending services; vending machine services; retail services; distributorship services in the field of DVDs, movies, and prerecorded electronic media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; distributorship services in the field of DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks~~ Vending services, namely providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; distributorship services in the field of DVD's featuring movies, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, motion picture films, television programs; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks

Class 035 for Vending services, namely providing vending machines featuring DVDs, movies, and prerecorded electronic media; vending machine services; retail services, online retail services, and distributorship services in the field of DVDs, movies, and prerecorded electronic media; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVDs 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media; computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks

**Filing Basis: Section 1(b), Intent to Use: For a trademark or service mark application:** As of the application filing date, the applicant had a

bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

#### **ADDITIONAL STATEMENTS**

##### **Claim of Active Prior Registration(s)**

The applicant claims ownership of U.S. Registration Number(s) 2919854, 2988869, and 3082012.

##### **Miscellaneous Statement**

These amendments include moving the services "retail services featuring DVDs, prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media" from Applicant's companion Application Serial No. 85/526,615 for the Mark in Class 41 and "computer online retail services featuring prerecorded videos, video-on-demand transmission services, and video broadcasting by means of communications networks" from Applicant's companion Application Serial No. 85/526,613 for the Mark in Class 38 to this Class 35 Application pursuant to T.M.E.P. § 1402.08.

#### **SIGNATURE(S)**

##### **Response Signature**

Signature: /Jason S. Howell/ Date: 09/28/2012

Signatory's Name: Jason S. Howell

Signatory's Position: Attorney for Applicant, Member Washington State Bar

Signatory's Phone Number: N/A

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.

Serial Number: 85526611

Internet Transmission Date: Fri Sep 28 19:40:31 EDT 2012

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XXX-201209281940310

85616-85526611-490ee12c4316c43c8b7829db9

73628e27c5-N/A-N/A-20120928192106489404



**To:** Redbox Automated Retail, LLC ([pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85526611 - REDBOX INSTANT - 21382-4000.0  
**Sent:** 3/29/2012 3:30:40 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)  
[Attachment - 4](#)  
[Attachment - 5](#)

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

**APPLICATION SERIAL NO.** 85526611

**MARK:** REDBOX INSTANT

**\*85526611\***

**CORRESPONDENT ADDRESS:**

HEIDI L. SACHS  
PERKINS COIE LLP  
1201 3RD AVE STE 4800  
SEATTLE, WA 98101-3099

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** Redbox Automated Retail, LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
21382-4000.0

**CORRESPONDENT E-MAIL ADDRESS:**  
[pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.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:** **3/29/2012**

**OPEN APPLICATION ISSUES THAT MUST BE ADDRESSED IN RESPONSE TO OFFICE ACTION:**

The following are the open application issues that the applicant must address in order to have a complete response to this Office action:

**-Requirement for Submission of Statement Claiming Ownership of Prior Registrations**

**-Requirement for Clarification of Indefinite Identification of Services**

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



## Search

The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02. In order to pursue registration, however, the applicant must respond to the following requirements.

## Requirement for Submission of Statement Claiming Ownership of Prior Registrations

If applicant owns U.S. Registration Nos. 2919854, 2988869, 3082012 and others then applicant must submit for the application record a claim of ownership of these registrations. *See* 37 C.F.R. §2.36; TMEP §812. *See* the attached copies of the registrations. *See* TMEP §812.

Applicant may use the following format to claim ownership of these registrations:

**Applicant is the owner of U.S. Registration Nos. 2919854, 2988869, 3082012 and others.**

## Requirement for Clarification of Indefinite Identification of Services

The identification of services is unacceptable as indefinite. The applicant must clarify the identification as follows. TMEP §1402.01.

The wording “vending services,” “retail services; online retail services; distributorship services” in the identification of services is indefinite and must be clarified because it does not specify the type of goods that the services feature or the field of use for the services. *See* TMEP §1402.01.

The applicant may clarify by amending to one or all of the following in *International Class 035*, if accurate:

“Vending services, namely providing vending machines featuring {specify goods, e.g., DVDs, movies and prerecorded electronic media},”  
“Retail services, on-line retail services and distributorship services in the field of {specify field of use, e.g., DVDs, movies and prerecorded electronic media}.”

Please also note that parentheses are not acceptable in the identification. TMEP §1402.12. Where indicated “{specify ... },” the examining attorney has merely suggested ways to cure the indefiniteness of the identification. The applicant must list the goods without parentheses.

The following is a sufficiently definite identification of the services recited in *International Class 035* of this application that the applicant may choose to adopt, if accurate:

**Vending services, namely providing vending machines featuring DVDs, movies and prerecorded electronic media; Retail services, on-line retail services and distributorship services in the field of DVDs, movies and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; Vending services in the field of DVD rentals; Vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; Automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media.**

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

An applicant may amend an identification of goods only to clarify or limit the goods; adding to or broadening the scope of the goods is not

permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07 *et seq.*

**Advisory -Response Guidelines for TEAS-Plus Applications**

**TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE:** Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. *See* 37 C.F.R. §2.23(a)(1). For a complete list of these documents, *see* TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner's amendment will not incur this additional fee.

If applicant has any questions about its application or needs assistance in responding to this Office Action please telephone the assigned trademark examining attorney directly at the number listed below.

/Amy C. Kean/  
Trademark Attorney, Law Office 113  
U.S. Patent & Trademark Office  
P.O. Box 1451  
Alexandria, VA 2231  
Amy.Kean@USPTO.gov  
Phone: 571-272-8854

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](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](mailto: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>.

**TYPED DRAWING**

**Serial Number**

78201199

**Status**

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Word Mark**

REDBOX

**Standard Character Mark**

No

**Registration Number**

2988869

**Date Registered**

2005/08/30

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

REDBOX AUTOMATED RETAIL, LLC CORPORATION DELAWARE ONE MCDONALD'S PLAZA  
OAK BROOK ILLINOIS 60523

**Goods/Services**

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: Automated  
DVD rental services. First Use: 2003/03/31. First Use In Commerce:  
2003/03/31.

**Filing Date**

2003/01/08

**Examining Attorney**

GAYNOR, BARBARA

**Attorney of Record**

James P. Muraff

**TYPED DRAWING**

**Serial Number**

78201219

**Status**

SECTION 8 & 15-ACCEPTED AND ACKNOWLEDGED

**Word Mark**

REDBOX

**Standard Character Mark**

No

**Registration Number**

2919854

**Date Registered**

2005/01/18

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

REDBOX AUTOMATED RETAIL, LLC LIMITED LIABILITY COMPANY DELAWARE One  
Tower Lane, Suite 1200 Oakbrook Terrace ILLINOIS 60181

**Goods/Services**

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:  
VENDING MACHINES. First Use: 2003/03/31. First Use In Commerce:  
2003/03/31.

**Filing Date**

2003/01/08

**Examining Attorney**

CHICOSKI, JENNIFER

**Attorney of Record**

James P. Muraff

**DESIGN MARK**

**Serial Number**

78514282

**Status**

REGISTERED

**Word Mark**

REDBOX

**Standard Character Mark**

Yes

**Registration Number**

3082012

**Date Registered**

2006/04/18

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

REDBOX AUTOMATED RETAIL, LLC CORPORATION DELAWARE ONE MCDONALD'S PLAZA  
OAK BROOK ILLINOIS 60523

**Goods/Services**

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: VENDING  
SERVICES, NAMELY, PROVIDING RETAIL FACILITIES FEATURING AUTOMATED DVD  
RENTAL. First Use: 2003/03/31. First Use In Commerce: 2003/03/31.

**Prior Registration(s)**

2919854

**Filing Date**

2004/11/10

**Examining Attorney**

WOOD, CAROLINE

**Attorney of Record**

James P. Muraff, Joseph T. Bernstein, Daniel N. Christus, Jeffrey R.  
Gargano, Matthew J. Gryzlo, Brent A Hawkins, Richard C. Himelhoch,  
Peter M. Klobuchar, Linda A. Kuczma, Kathleen A. Lyons, Monique A.

**Print: Mar 29, 2012**

**78514282**

Morneault, Paul J. Nykaza, Avani C. Patel, Bradley F. Rademaker, Keith  
V. Rockey, Gregory G. Schlenz, Peter M. Siavelis, Roger H. Stein,  
Maurice E. Teixeira

REDBOX

**To:** Redbox Automated Retail, LLC ([pctrademarks@perkinscoie.com](mailto:pctrademarks@perkinscoie.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85526611 - REDBOX INSTANT - 21382-4000.0  
**Sent:** 3/29/2012 3:30:41 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

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

**USPTO OFFICE ACTION HAS ISSUED ON 3/29/2012 FOR  
SERIAL NO. 85526611**

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 3/29/2012 (or sooner if specified in the office action).

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

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

**WARNING**

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



\*\*\* User:amcmenamin \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	47	0	47	39	0:04	*r{"iye"}db{v}{ "ckqx"}*[bi,ti] not dead [ld]
02	72	0	72	54	0:06	*r{"iye"}d\$b{v}{ "ckqx"}*[bi,ti] not dead [ld]
03	36813	N/A	0	0	0:07	*r{"iye"}d*[bi,ti] not dead [ld]
04	5979	N/A	0	0	0:02	*bo{"ckqx"}*[bi,ti] not dead [ld]
05	88	0	88	79	0:01	3 and 4
06	8410	N/A	0	0	0:05	*now*[bi,ti] not dead [ld]
07	1479	N/A	0	0	0:02	*n{"sz"}t{v}nt*[bi,ti] not dead [ld]
08	4	0	4	4	0:01	5 and 6
09	4	0	4	4	0:01	5 and 7
10	98	0	1	1	0:04	now[gs] not dead [ld]
11	2688	N/A	0	0	0:04	now[bi,ti] not dead [ld]
12	2688	N/A	0	0	0:01	11 and "007"[cc]
13	18	0	18	14	0:03	11 and ("007"[ic] 200[ic] or a[ic] or b[ic])
14	307	0	307	259	0:02	11 and ("009"[ic] 200[ic] or a[ic] or b[ic])
15	618	0	618	549	0:02	11 and ("035"[ic] 200[ic] or a[ic] or b[ic])
16	131	0	131	116	0:03	11 and ("038"[ic] 200[ic] or a[ic] or b[ic])
17	430	0	430	396	0:02	11 and ("041"[ic] 200[ic] or a[ic] or b[ic])
18	301	0	301	248	0:03	11 and ("042"[ic] 200[ic] or a[ic] or b[ic])
19	1479	N/A	0	0	0:02	*n{"sz"}t{v}nt*[bi,ti] not dead [ld]
20	379	N/A	0	0	0:02	19 and "007"[cc]
21	31	0	31	17	0:02	19 and ("007"[ic] 200[ic] or a[ic] or b[ic])
22	245	0	245	189	0:02	19 and ("009"[ic] 200[ic] or a[ic] or b[ic])
23	163	0	163	141	0:01	19 and ("035"[ic] 200[ic] or a[ic] or b[ic])
24	96	0	96	81	0:02	19 and ("041"[ic] 200[ic] or a[ic] or b[ic])
25	121	0	121	100	0:03	19 and ("042"[ic] 200[ic] or a[ic] or b[ic])

Session started 3/29/2012 1:15:52 PM  
Session finished 3/29/2012 1:49:21 PM  
Total search duration 1 minutes 7 seconds  
Session duration 33 minutes 29 seconds  
Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 85526611

**From:** TMDesignCodeComments  
**Sent:** Wednesday, February 1, 2012 00:19 AM  
**To:** XXXX  
**Subject:** Notice of Pseudo Mark for Serial Number: 85526611  
**ATTORNEY REFERENCE NUMBER:** 21382-4000.0

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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](mailto: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:**

RED BOX INSTANT

## Trademark/Service Mark Application, Principal Register

Serial Number: 85526611

Filing Date: 01/26/2012

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85526611
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">REDBOX INSTANT</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	REDBOX INSTANT
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Redbox Automated Retail, LLC
<b>*STREET</b>	One Tower Lane, Suite 1200
<b>*CITY</b>	Oakbrook Terrace
<b>*STATE</b> (Required for U.S. applicants)	Illinois
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE</b> (Required for U.S. applicants only)	60181
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	limited liability company
<b>STATE/COUNTRY WHERE LEGALLY ORGANIZED</b>	Delaware
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	035
<b>*IDENTIFICATION</b>	Vending services; vending machine services; retail services; online retail store services; distributorship services; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring

	entertainment content; distributorship services in the field of 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media
<b>FILING BASIS</b>	SECTION 1(b)
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	Heidi L. Sachs
<b>ATTORNEY DOCKET NUMBER</b>	21382-4000.0068.US002
<b>FIRM NAME</b>	Perkins Coie LLP
<b>STREET</b>	1201 Third Avenue, Suite 4800
<b>CITY</b>	Seattle
<b>STATE</b>	Washington
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	98101
<b>PHONE</b>	(206) 359-8000
<b>FAX</b>	(206) 359-9000
<b>EMAIL ADDRESS</b>	pctrademarks@perkinscoie.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>OTHER APPOINTED ATTORNEY</b>	Lynne E. Graybeal, Grace Han Stanton, James L. Vana, Kathleen J. Buckley, Julianne A. Henley, Jason S. Howell, Elizabeth A. Kristoferson, Makalika D. Naholowaa, Jeffrey A. Nelson, Lisa T. Oratz, Andrea M. Sander, Sarah J. Taylor, and Robert G. Woolston
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Heidi L. Sachs
<b>FIRM NAME</b>	Perkins Coie LLP
<b>STREET</b>	1201 Third Avenue, Suite 4800
<b>CITY</b>	Seattle
<b>STATE</b>	Washington
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	98101
<b>PHONE</b>	(206) 359-8000
<b>FAX</b>	(206) 359-9000
<b>EMAIL ADDRESS</b>	pctrademarks@perkinscoie.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325

<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Jason S. Howell/
<b>SIGNATORY'S NAME</b>	Jason S. Howell
<b>SIGNATORY'S POSITION</b>	Attorney for Applicant, Member Washington State Bar
<b>DATE SIGNED</b>	01/26/2012

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## Trademark/Service Mark Application, Principal Register

**Serial Number: 85526611**

**Filing Date: 01/26/2012**

### To the Commissioner for Trademarks:

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

The literal element of the mark consists of REDBOX INSTANT.

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 035: Vending services; vending machine services; retail services; online retail store services; distributorship services; distributorship services in the field of entertainment content, media content, digital content, and prerecorded media; vending services in the field of DVD rentals; vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines featuring movies, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely vending machines featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; distributorship services in the field of 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, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media

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:

Heidi L. Sachs and Lynne E. Graybeal, Grace Han Stanton, James L. Vana, Kathleen J. Buckley, Julianne A. Henley, Jason S. Howell, Elizabeth A. Kristoferson, Makalika D. Naholowaa, Jeffrey A. Nelson, Lisa T. Oratz, Andrea M. Sander, Sarah J. Taylor, and Robert G. Woolston of Perkins Coie LLP  
1201 Third Avenue, Suite 4800  
Seattle, Washington 98101  
United States

The attorney docket/reference number is 21382-4000.0068.US002.

### The applicant's current Correspondence Information:

Heidi L. Sachs  
Perkins Coie LLP  
1201 Third Avenue, Suite 4800  
Seattle, Washington 98101  
(206) 359-8000(phone)  
(206) 359-9000(fax)  
pctrademarks@perkinscoie.com (authorized)

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

### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting

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

#### **Declaration Signature**

Signature: /Jason S. Howell/ Date: 01/26/2012

Signatory's Name: Jason S. Howell

Signatory's Position: Attorney for Applicant, Member Washington State Bar

RAM Sale Number: 7311

RAM Accounting Date: 01/27/2012

Serial Number: 85526611

Internet Transmission Date: Thu Jan 26 20:50:29 EST 2012

TEAS Stamp: USPTO/BAS-XXX.XX.XXX.X-20120126205029268

451-85526611-49022454b84f6e8cf3d8f1a96e8

71e22f3-CC-7311-20120126194310250076

REDBOX INSTANT



REDBOX INSTANT