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**Mark:** CARD GUARD

## CARD GUARD

**US Serial Number:** 85551440

**Application Filing Date:** Feb. 23, 2012

**US Registration Number:** 4768960

**Registration Date:** Jul. 07, 2015

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



DEAD/REGISTRATION/Cancelled/Invalidated

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

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

**Status Date:** Jan. 14, 2022

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

**Date Cancelled:** Jan. 14, 2022

## Mark Information

**Mark Literal:** CARD GUARD  
**Elements:**

**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

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

## Goods and Services

**Note:**

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

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

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

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

**Class Status:** SECTION 8 - CANCELLED

**First Use:** Dec. 01, 2008

**Use in Commerce:** Dec. 01, 2008

**For:** Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of

communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

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

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

**Class Status:** SECTION 8 - CANCELLED

**First Use:** Dec. 01, 2008

**Use in Commerce:** Dec. 01, 2008

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

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

**Owner Address:** One Tower Lane, Suite 900  
Oakbrook Terrace, ILLINOIS UNITED STATES 60181

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** James P. Muraff

**Docket Number:** 49021-00064

**Attorney Primary Email Address:** [ipmailbox@mcdonaldhopkins.com](mailto:ipmailbox@mcdonaldhopkins.com)

**Attorney Email Authorized:** Yes

### Correspondent

**Correspondent Name/Address:** James P. Muraff

McDonald Hopkins LLC  
300 North LaSalle Street Suite 1400  
CHICAGO, ILLINOIS UNITED STATES 60654

**Phone:** 3126421480

**Fax:** 216-348-5474

**Correspondent e-mail:** [ipmailbox@mcdonaldhopkins.com](mailto:ipmailbox@mcdonaldhopkins.com)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2022	CANCELLED SEC. 8 (6-YR)	
Jul. 07, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jul. 02, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Jul. 02, 2020	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 02, 2020	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jul. 02, 2020	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jul. 02, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 07, 2015	REGISTERED-PRINCIPAL REGISTER	
Jun. 03, 2015	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 02, 2015	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 15, 2015	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 14, 2015	STATEMENT OF USE PROCESSING COMPLETE	
Apr. 22, 2015	USE AMENDMENT FILED	

May 14, 2015 SOU EXTENSION 3 GRANTED  
Apr. 22, 2015 SOU EXTENSION 3 FILED  
Apr. 22, 2015 SOU TEAS EXTENSION RECEIVED  
Apr. 22, 2015 TEAS STATEMENT OF USE RECEIVED  
Oct. 22, 2014 NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED  
Oct. 21, 2014 SOU EXTENSION 2 GRANTED  
Oct. 08, 2014 SOU EXTENSION 2 FILED  
Oct. 08, 2014 SOU TEAS EXTENSION RECEIVED  
May 20, 2014 NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED  
May 19, 2014 SOU EXTENSION 1 GRANTED  
Apr. 22, 2014 SOU EXTENSION 1 FILED  
May 09, 2014 CASE ASSIGNED TO INTENT TO USE PARALEGAL  
Apr. 22, 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. 19, 2013 ASSIGNED TO LIE  
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  
Jan. 02, 2013 PREVIOUS ALLOWANCE COUNT WITHDRAWN  
Dec. 21, 2012 WITHDRAWN FROM PUB - OG REVIEW QUERY  
Dec. 08, 2012 LAW OFFICE PUBLICATION REVIEW COMPLETED  
Dec. 06, 2012 APPROVED FOR PUB - PRINCIPAL REGISTER  
Dec. 06, 2012 EXAMINER'S AMENDMENT ENTERED  
Dec. 06, 2012 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED  
Dec. 06, 2012 EXAMINERS AMENDMENT E-MAILED  
Dec. 06, 2012 EXAMINERS AMENDMENT -WRITTEN  
Dec. 04, 2012 PREVIOUS ALLOWANCE COUNT WITHDRAWN  
Nov. 30, 2012 WITHDRAWN FROM PUB - OG REVIEW QUERY  
Nov. 21, 2012 LAW OFFICE PUBLICATION REVIEW COMPLETED  
Nov. 18, 2012 ASSIGNED TO LIE  
Nov. 01, 2012 APPROVED FOR PUB - PRINCIPAL REGISTER  
Nov. 01, 2012 EXAMINER'S AMENDMENT ENTERED  
Nov. 01, 2012 NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED  
Nov. 01, 2012 EXAMINERS AMENDMENT E-MAILED  
Nov. 01, 2012 EXAMINERS AMENDMENT -WRITTEN  
Oct. 02, 2012 TEAS/EMAIL CORRESPONDENCE ENTERED  
Oct. 01, 2012 CORRESPONDENCE RECEIVED IN LAW OFFICE  
Oct. 01, 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  
Mar. 02, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED  
Feb. 27, 2012 NEW APPLICATION ENTERED

## TM Staff and Location Information

TM Staff Information - None

**File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Jun. 02, 2015**Assignment Abstract Of Title Information****Summary****Total Assignments:** 5**Registrant:** Redbox Automated Retail, LLC**Assignment 1 of 5****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:** DELAWARE**Where Organized:****Assignee****Name:** [BANK OF AMERICA, N.A.](#)**Legal Entity Type:** NATIONAL ASSOCIATION**State or Country:** UNITED STATES**Where Organized:****Address:** 901 MAIN STREET  
DALLAS, TEXAS 75202**Correspondent****Correspondent:** HAYNES AND BOONE, LLP  
**Name:****Correspondent:** 2323 VICTORY AVENUE, SUITE 700  
**Address:** GAVIN GEORGE  
DALLAS, TX 75219**Domestic Representative - Not Found****Assignment 2 of 5****Conveyance:** SECURITY INTEREST**Reel/Frame:** [5885/0027](#)**Pages:** 8**Date Recorded:** Sep. 27, 2016**Supporting Documents:** [assignment-tm-5885-0027.pdf](#)**Assignor****Name:** [REDBOX AUTOMATED RETAIL, LLC](#)**Execution Date:** Sep. 27, 2016**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country:** DELAWARE**Where Organized:****Assignee****Name:** [JEFFERIES FINANCE LLC, AS COLLATERAL AGENT](#)**Legal Entity Type:** BANK**State or Country:** UNITED STATES  
**Where Organized:****Address:** 520 MADISON AVENUE  
NEW YORK, NEW YORK 10022**Correspondent****Correspondent:** CORPORATION SERVICE COMPANY  
**Name:****Correspondent:** 1090 VERNONT AVENUE, NW  
**Address:** WASHINGTON, DC 20005**Domestic Representative - Not Found****Assignment 3 of 5****Conveyance:** RELEASE OF INTELLECTUAL PROPERTY SECURITY INTEREST

Reel/Frame: [5885/0636](#)

Pages: 16

Date Recorded: Sep. 27, 2016

Supporting [assignment-tm-5885-0636.pdf](#)  
Documents:

**Assignor**

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

Execution Date: Sep. 27, 2016

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country UNITED STATES  
Where Organized:

**Assignee**

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE  
Where Organized:

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

**Correspondent**

Correspondent VENISA DARK, HAYNES AND BOONE LLP  
Name:

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

**Domestic Representative - Not Found**

**Assignment 4 of 5**

Conveyance: SECURITY INTEREST

Reel/Frame: [6187/0046](#)

Pages: 7

Date Recorded: Oct. 20, 2017

Supporting [assignment-tm-6187-0046.pdf](#)  
Documents:

**Assignor**

Name: [REDBOX AUTOMATED RETAIL LLC](#)

Execution Date: Oct. 20, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE  
Where Organized:

**Assignee**

Name: [HPS INVESTMENT PARTNERS, LLC, AS COLLATERAL AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE  
Where Organized:

Address: 40 WEST 57TH STREET  
NEW YORK, NEW YORK 10019

**Correspondent**

Correspondent KRISTIN YOHANNAN, ESQ.  
Name:

Correspondent 1850 K STREET, NW, SUITE 1100  
Address: MILBANK, TWEED, HADLEY & MCCLOY, LLP  
WASHINGTON, DC 20006

**Domestic Representative - Not Found**

**Assignment 5 of 5**

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [7819/0650](#)

Pages: 7

Date Recorded: Aug. 11, 2022

Supporting [assignment-tm-7819-0650.pdf](#)  
Documents:

**Assignor**

Name: [JEFFERIES FINANCE LLC, AS COLLATERAL  
AGENT](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: BANK

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  
OAKBROOK TERRACE, ILLINOIS 60181

**Correspondent**

Correspondent EPSTEIN DRANGEL LLP  
Name:

Correspondent 60 EAST 42ND STREET

Address: SUITE 1250  
NEW YORK, NY 10165

**Domestic Representative - Not Found**

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, July 7, 2020 01:12 AM  
**To:** XXXX  
**Subject:** Official USPTO Courtesy Reminder: Trademark Registration Maintenance Document Must Be Filed Before Deadline for U.S. Trademark Registration No. 4768960 CARD GUARD

## **USPTO COURTESY REMINDER**

### **TRADEMARK REGISTRATION MAINTENANCE DOCUMENT UNDER SECTION 8 MUST BE FILED BEFORE DEADLINE OR REGISTRATION WILL BE CANCELLED**

**U.S. Application Serial No.** 85551440

**U.S. Registration No.** 4768960

**U.S. Registration Date:** July 7, 2015

**Mark:** CARD GUARD

**Owner:** Redbox Automated Retail, LLC

**Docket/Reference No.** 49021-00064

**Issue Date:** July 7, 2020

**Required submission.** The owner of the trademark registration must file a [\*\*Declaration of Use and/or Excusable Nonuse Under Section 8\*\*](#) (Section 8 Declaration) between now and July 7, 2021. For an additional fee, the owner can file within the 6-month grace period that ends on January 7, 2022.

**Optional submission.** If the owner can claim the benefits of incontestability, the owner may file an optional Declaration of Incontestability under Section 15. This may be combined with the required Section 8 Declaration by filing a [\*\*Combined Declaration of Use and Incontestability Under Sections 8 and 15\*\*](#) (Combined Sections 8 and 15 Declaration).

**If ownership of the registration or the owner's name has changed,** the owner can use the [\*\*Electronic Trademark Assignment System \(ETAS\)\*\*](#) to record the change. More information on changes of ownership/owner name is available on the [\*\*USPTO website\*\*](#).

[\*\*Click here for more information about maintaining a trademark registration.\*\*](#)

**Proof of Use Audit.** The USPTO is conducting an audit program to promote the accuracy and integrity of the trademark register. If a registration is selected for audit, the holder/owner will be required to submit proof of use for additional goods/services for which use is claimed in a Section 8 Declaration. Detailed information about the program is available on the [\*\*Proof of Use Audit Program webpage\*\*](#).

**Determination of time of receipt by USPTO.** Correspondence transmitted through the Trademark Electronic Application System (TEAS) is considered filed on the date the USPTO receives the transmission in Eastern Time.

**If the owner fails to file a timely Section 8 Declaration the registration will be CANCELLED** and cannot be reinstated.

**This reminder notice is being sent only as a courtesy** to trademark owners who maintain a current email address with the USPTO. Failure by the USPTO to send a reminder or non-receipt of a reminder does not excuse a trademark owner from meeting the statutory obligations for maintaining a registration.

[\*\*Foreign-domiciled owners must have a U.S.-licensed attorney\*\*](#) represent them at the USPTO in any post-registration filing.

**Beware of misleading notices sent by private companies about registrations.** Private companies **not** associated with the USPTO use public information available in trademark registrations to mail and email trademark-related offers and notices - most of which require fees. All **official USPTO correspondence** will only be **emailed from the domain "@uspto.gov."**

**Direct questions about this notice to the Trademark Assistance Center at 1-800-786-9199 (select option 1) or [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov).**

## Change Address or Representation Form

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85551440
REGISTRATION NUMBER	4768960
LAW OFFICE ASSIGNED	LAW OFFICE 112
<strong>MARK SECTION</strong>	
MARK	CARD GUARD (standard characters, see <a href="https://tmng-al.uspto.gov/resting2/api/img/85551440/large">https://tmng-al.uspto.gov/resting2/api/img/85551440/large</a> )
<strong>OWNER SECTION(current)</strong>	
NAME	Redbox Automated Retail, LLC
MAILING ADDRESS	One Tower Lane, Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	60181
EMAIL	XXXX
<strong>ATTORNEY SECTION(current)</strong>	
NAME	James P. Muraff
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	NEAL, GERBER & EISENBERG LLP
STREET	2 N LASALLE ST STE 1700
CITY	CHICAGO
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
POSTAL/ZIP CODE	60602
PHONE	312.269.8000
FAX	312.269.1747
EMAIL	trademarks@ngelaw.com
DOCKET/REFERENCE NUMBER(S)	19638.07T2
<strong>CORRESPONDENCE SECTION(current)</strong>	
NAME	JAMES P. MURAFF

PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	trademarks@ngelaw.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
DOCKET/REFERENCE NUMBER(S)	19638.07T2
<b>OWNER SECTION(proposed)</b>	
STATEMENT TEXT	By submission of this request, the undersigned requests that the following be made of record for the owner/holder:
NAME	Redbox Automated Retail, LLC
MAILING ADDRESS	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	60181
EMAIL	XXXX
<b>ATTORNEY SECTION (proposed)</b>	
STATEMENT TEXT	By submission of this request, the undersigned appoints the following new attorney, is newly appearing as the attorney, or updates the information of an existing attorney of record:
NAME	James P. Muraff
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	McDonald Hopkins LLC
OTHER APPOINTED ATTORNEY(S)	David B. Cupar, Scott Slaby, David T. Movius, Todd A. Benni, Matthew J. Cavanagh, Joseph J. Crimaldi, Mark J. Masterson, Mark C. Guinto, Robert C. Baraona, Julie Micalizzi and Lindsie A. Everett
STREET	300 North LaSalle Street Suite 1400
CITY	CHICAGO
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
POSTAL/ZIP CODE	60654
PHONE	3126421480
FAX	216-348-5474
EMAIL	ipmailbox@mcdonaldhopkins.com
DOCKET/REFERENCE NUMBER(S)	49021-00064
<b>CORRESPONDENCE SECTION (proposed)</b>	
NAME	James P. Muraff
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	ipmailbox@mcdonaldhopkins.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
DOCKET/REFERENCE NUMBER(S)	49021-00064
<b>SIGNATURE SECTION</b>	
SIGNATURE	/James P. Muraff/
SIGNATORY NAME	James P. Muraff
SIGNATORY DATE	07/02/2020
SIGNATORY POSITION	Attorney of record, Illinois bar member
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Jul 02 15:00:54 ET 2020
TEAS STAMP	USPTO/CAR-XXX.XX.XX.XXX-2 0200702150054105723-85551 440-710f0b79cd5724aec4ca0 a17155552a9248e198d0a7889 f63ce060e6ec26dc8fa1-N/A- N/A-20200702145939867774

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## Change Address or Representation Form

To the Commissioner for Trademarks:

**MARK:** CARD GUARD (standard characters, see <https://tmng-al.uspto.gov/resting2/api/img/85551440/large>)

**SERIAL NUMBER:** 85551440

**REGISTRATION NUMBER:** 4768960

**Owner Section (Current) :**

Redbox Automated Retail, LLC

One Tower Lane, Suite 1200

Oakbrook Terrace, Illinois 60181

United States

XXXX

**Attorney Section (Current):**

James P. Muraff of NEAL, GERBER & EISENBERG LLP

is located at

2 N LASALLE ST STE 1700

CHICAGO, Illinois 60602

United States

312.269.8000

312.269.1747

Email Address: trademarks@ngelaw.com

Docket Reference Number(s):19638.07T2.

**Correspondence Section (Current):**

JAMES P. MURAFF

PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE: trademarks@ngelaw.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

Docket Reference Number(s): 19638.07T2

By submission of this request, the undersigned requests that the following be made of record for the owner/holder:

**Owner Section (proposed):**

Redbox Automated Retail, LLC

One Tower Lane, Suite 900

Oakbrook Terrace, Illinois 60181

United States

XXXX

By submission of this request, the undersigned appoints the following new attorney, is newly appearing as the attorney, or updates the information of an existing attorney of record:

**Attorney Section (proposed):**

James P. Muraff of McDonald Hopkins LLC

XX bar, admitted in XXXX, bar membership no. XXX, is located at

300 North LaSalle Street Suite 1400

CHICAGO, Illinois 60654

United States

3126421480

216-348-5474

ipmailbox@mcdonaldhopkins.com

Other Appointed Attorney(s): David B. Cupar, Scott Slaby, David T. Movius, Todd A. Benni, Matthew J. Cavanagh, Joseph J. Crimaldi, Mark J. Masterson, Mark C. Guinto, Robert C. Baraona, Julie Micalizzi and Lindsie A. Everett  
Docket Reference Number(s): 49021-00064

James P. Muraff submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

**Correspondence Section (proposed):**

James P. Muraff

PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE: ipmailbox@mcdonaldhopkins.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

Docket Reference Number(s): 49021-00064

Signature: /James P. Muraff/ Date: 07/02/2020

Signatory's Name: James P. Muraff

Signatory's Position: Attorney of record, Illinois bar member

Serial Number: 85551440

Internet Transmission Date: Thu Jul 02 15:00:54 ET 2020

TEAS Stamp: USPTO/CAR-XXX.XX.XX.XXX-2020070215005410

5723-85551440-710f0b79cd5724aec4ca0a1715

5552a9248e198d0a7889f63ce060e6ec26dc8fa1

-N/A-N/A-20200702145939867774

United States of America  
United States Patent and Trademark Office

# CARD GUARD

**Reg. No. 4,768,960**

**Registered July 7, 2015**

**Int. Cls.: 35 and 41**

**SERVICE MARK**

**PRINCIPAL REGISTER**

REDBOX AUTOMATED RETAIL, LLC (DELAWARE LIMITED LIABILITY COMPANY)  
ONE TOWER LANE, SUITE 1200  
OAKBROOK TERRACE, IL 60181

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 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, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

FIRST USE 12-1-2008; IN COMMERCE 12-1-2008.

**Reg. No. 4,768,960** FOR: RENTAL OF VIDEO RECORDINGS BY MEANS OF COMMUNICATIONS NETWORKS; RENTAL SERVICES OF PRE-RECORDED DVDS FEATURING TELEVISION PROGRAMS AND MOVIES, VIDEO GAME DISCS AND VIDEO GAME SOFTWARE AND PRE-RECORDED ELECTRONIC MEDIA FEATURING MOVIES; ENTERTAINMENT RENTAL SERVICES PROVIDED THROUGH AUTOMATED VENDING MACHINES, NAMELY, RENTAL OF DVDS, VIDEO DISCS, MOVIES, PRE-RECORDED DIGITAL MEDIA CONTENT, PREREcorded ELECTRONIC MEDIA AND PREREcorded ELECTRONIC MEDIA, PRE-RECORDED DVDS FEATURING MOVIES AND TELEVISION PROGRAMS, VIDEO GAME DISCS AND SOFTWARE; AUTOMATED RETAIL SERVICES, NAMELY, RENTAL OF ENTERTAINMENT CONTENT IN THE FORM OF PRE-RECORDED DVDS FEATURING MOVIES AND TELEVISION PROGRAMS, VIDEO GAME DISCS AND SOFTWARE; RENTAL OF VIDEO RECORDINGS BY MEANS OF COMMUNICATIONS NETWORKS, AND PROVIDING INFORMATION IN THE FIELD OF ENTERTAINMENT BY MEANS OF COMMUNICATIONS NETWORKS; RENTAL SERVICES FOR PRE-RECORDED DVDS FEATURING MOVIES AND TELEVISION PROGRAMS, ENTERTAINMENT CONTENT, MEDIA CONTENT, DIGITAL CONTENT, VIDEO GAME DISCS AND SOFTWARE, AND PREREcorded MEDIA, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 12-1-2008; IN COMMERCE 12-1-2008.

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

SN 85-551,440, FILED 2-23-2012.

AMY C. KEAN, EXAMINING ATTORNEY

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

***First Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See 15 U.S.C. §§1058, 1141k.* If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

***Second Filing Deadline:*** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See 15 U.S.C. §1059.*

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See 15 U.S.C. §§1058, 1141k.* However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See 15 U.S.C. §1141j.* For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, June 3, 2015 00:11 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 85551440: CARD GUARD: Docket/Reference No. 19638.07T2

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NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**U.S. Serial Number:** 85551440  
**Mark:** CARD GUARD  
**Owner:** Redbox Automated Retail, LLC  
**Docket/Reference Number:** 19638.07T2

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

To check the status of the application, go to [http://tsdr.uspto.gov/#caseNumber=85551440&caseType=SERIAL\\_NO&searchType=statusSearch](http://tsdr.uspto.gov/#caseNumber=85551440&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 [http://tsdr.uspto.gov/#caseNumber=85551440&caseType=SERIAL\\_NO&searchType=documentSearch](http://tsdr.uspto.gov/#caseNumber=85551440&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, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/trademarks/> or contact the Trademark Assistance Center at 1-800-786-9199.

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	06/03/2015
PUB DATE	08/27/2013
STATUS	819-SU - REGISTRATION REVIEW COMPLETE
STATUS DATE	06/02/2015
LITERAL MARK ELEMENT	CARD GUARD

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

### MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CARD GUARD
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 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	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	12/01/2008	FIRST USE IN COMMERCE DATE	12/01/2008	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	12/01/2008	FIRST USE IN COMMERCE DATE	12/01/2008	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.

## PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/03/2015	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	057
06/02/2015	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	056
05/15/2015	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	055
05/14/2015	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	054
04/22/2015	IUAF	S	USE AMENDMENT FILED	053
05/14/2015	EX3G	S	EXTENSION 3 GRANTED	052
04/22/2015	EXT3	S	EXTENSION 3 FILED	051
04/22/2015	EEXT	I	TEAS EXTENSION RECEIVED	050
04/22/2015	EISU	I	TEAS STATEMENT OF USE RECEIVED	049
10/22/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	048
10/21/2014	EX2G	S	EXTENSION 2 GRANTED	047
10/08/2014	EXT2	S	EXTENSION 2 FILED	046
10/08/2014	EEXT	I	TEAS EXTENSION RECEIVED	045
05/20/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	044
05/19/2014	EX1G	S	EXTENSION 1 GRANTED	043
04/22/2014	EXT1	S	EXTENSION 1 FILED	042
05/09/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	041
04/22/2014	EEXT	I	TEAS EXTENSION RECEIVED	040
10/22/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	039
08/27/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	038
08/27/2013	PUBO	A	PUBLISHED FOR OPPOSITION	037
08/07/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	036
07/23/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	035
07/19/2013	ALIE	A	ASSIGNED TO LIE	034
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	033
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	032
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	031
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	030
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	029
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	028
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	027
01/02/2013	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	026
12/21/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	025
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016

11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602
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

# CARD GUARD

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

**OVERVIEW**

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	05/15/2015
PUB DATE	08/27/2013
STATUS	748-STATEMENT OF USE - TO EXAMINER
STATUS DATE	05/14/2015
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

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

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

### GOODS AND SERVICES

INTERNATIONAL CLASS	035
DESCRIPTION TEXT	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	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	035	FIRST USE DATE	12/01/2008	FIRST USE IN COMMERCE DATE	12/01/2008	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	12/01/2008	FIRST USE IN COMMERCE DATE	12/01/2008	CLASS STATUS	6-ACTIVE

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.

## PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/15/2015	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	055
05/14/2015	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	054
04/22/2015	IUAF	S	USE AMENDMENT FILED	053
05/14/2015	EX3G	S	EXTENSION 3 GRANTED	052
04/22/2015	EXT3	S	EXTENSION 3 FILED	051
04/22/2015	EEXT	I	TEAS EXTENSION RECEIVED	050
04/22/2015	EISU	I	TEAS STATEMENT OF USE RECEIVED	049
10/22/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	048
10/21/2014	EX2G	S	EXTENSION 2 GRANTED	047
10/08/2014	EXT2	S	EXTENSION 2 FILED	046
10/08/2014	EEXT	I	TEAS EXTENSION RECEIVED	045
05/20/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	044
05/19/2014	EX1G	S	EXTENSION 1 GRANTED	043
04/22/2014	EXT1	S	EXTENSION 1 FILED	042
05/09/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	041
04/22/2014	EEXT	I	TEAS EXTENSION RECEIVED	040
10/22/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	039
08/27/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	038
08/27/2013	PUBO	A	PUBLISHED FOR OPPOSITION	037
08/07/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	036
07/23/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	035
07/19/2013	ALIE	A	ASSIGNED TO LIE	034
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	033
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	032
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	031
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	030
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	029
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	028
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	027
01/02/2013	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	026
12/21/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	025
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014

11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602
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

# CARD GUARD

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Friday, May 15, 2015 00:12 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85551440: CARD GUARD: Docket/Reference No. 19638.07T2

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85551440  
**Mark:** CARD GUARD  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 3  
**Docket/Reference Number:** 19638.07T2  
**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 **THIRD** 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=85551440&caseType=SERIAL\\_NO&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85551440&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=85551440&caseType=SERIAL\\_NO&searchType=documentSearch](https://tsdr.uspto.gov/#caseNumber=85551440&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.



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have a question? we can help!

**call 1-866-REDBOX3**  
1 (866) 733-2693

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## Trademark/Service Mark 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>	85551440
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 112
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="http://tsdr.uspto.gov/img/85551440/large">http://tsdr.uspto.gov/img/85551440/large</a>
<b>LITERAL ELEMENT</b>	CARD GUARD
<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>OWNER SECTION (current)</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>EMAIL</b>	XXXX
<b>OWNER SECTION (proposed)</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>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	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

<b>CURRENT IDENTIFICATION</b>		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
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED	
<b>FIRST USE ANYWHERE DATE</b>	12/01/2008	
<b>FIRST USE IN COMMERCE DATE</b>	12/01/2008	
<b>SPECIMEN FILE NAME(S)</b>	<a href="\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU0002.JPG">\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU0002.JPG</a>	
	<a href="\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU0003.JPG">\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU0003.JPG</a>	
<b>SPECIMEN DESCRIPTION</b>	photograph of vending machine showing use of trademark	
<b>INTERNATIONAL CLASS</b>	038	
<b>CURRENT IDENTIFICATION</b>	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks	
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS	
<b>INTERNATIONAL CLASS</b>	041	
<b>CURRENT IDENTIFICATION</b>	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail	

<p>services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media</p>	
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE ANYWHERE DATE</b>	12/01/2008
<b>FIRST USE IN COMMERCE DATE</b>	12/01/2008
<b>SPECIMEN FILE NAME(S)</b>	<a href="\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU004.JPG">\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU004.JPG</a>
	<a href="\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU005.JPG">\\TICRS\\EXPORT16\\IMAGEOUT_16\\855\\514\\85551440\\xml30\\SOU005.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	photo of kiosk providing services
<b>REQUEST TO DIVIDE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES IN USE</b>	2
<b>SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]</b>	200
<b>TOTAL AMOUNT</b>	200
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/James P. Muraff/
<b>SIGNATORY'S NAME</b>	James P. Muraff
<b>SIGNATORY'S POSITION</b>	Attorney for Applicant, Illinois Bar Member
<b>DATE SIGNED</b>	04/22/2015
<b>SIGNATORY'S PHONE NUMBER</b>	312.269.8000
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Wed Apr 22 20:07:38 EDT 2015
<b>TEAS STAMP</b>	USPTO/SOU-XX.XXX.XX.X-201 50422200738121341-8555144 0-53049d3bd43586d8e392401 cff1f956e4532373c73b5e22e f37c1ce22fe71e3cc-DA-7530 -20150422193825914485

## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

To the Commissioner for Trademarks:

**MARK:** CARD GUARD(Standard Characters, see <http://tsdr.uspto.gov/img/85551440/large>)

**SERIAL NUMBER:** 85551440

The applicant, Redbox Automated Retail, LLC, having an address of

One Tower Lane, Suite 1200  
Oakbrook Terrace, Illinois 60181  
United States

is submitting the following allegation of use information:

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 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

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/01/2008, and first used in commerce at least as early as 12/01/2008, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) photograph of vending machine showing use of trademark.

[Specimen File1](#)

[Specimen File2](#)

For International Class 038:

Current identification: Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks

All ITU goods/services in this class are to be deleted

For International Class 041:

Current identification: Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content,

prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

The mark is in use in commerce on or in connection with all of the goods/services, or to indicate membership in the collective organization listed in the application or Notice of Allowance or as subsequently modified for this specific class.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 12/01/2008, and first used in commerce at least as early as 12/01/2008, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) photo of kiosk providing services.

[Specimen File1](#)

[Specimen File2](#)

The applicant is not filing a Request to Divide with this Allegation of Use form.

A fee payment in the amount of \$200 will be submitted with the form, representing payment for the allegation of use for 2 classes.

### **Declaration**

STATEMENTS: The signatory believes that: if the applicant is filing the amendment to allege use under 15 U.S.C. Section 1051(c) or a statement of use under 15 U.S.C. Section 1051(d), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified, and such use by the applicant's related company or licensee inures to the benefit of the applicant; 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; and the specimen(s) shows the mark as used on or in connection with the goods/services in commerce.

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 registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /James P. Muraff/ Date Signed: 04/22/2015

Signatory's Name: James P. Muraff

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

Signatory's Phone: 312.269.8000

RAM Sale Number: 85551440

RAM Accounting Date: 04/23/2015

Serial Number: 85551440

Internet Transmission Date: Wed Apr 22 20:07:38 EDT 2015

TEAS Stamp: USPTO/SOU-XX.XXX.XX.X-201504222007381213

41-85551440-53049d3bd43586d8e392401cff1f

956e4532373c73b5e22ef37c1ce22fe71e3cc-DA

-7530-20150422193825914485



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**FEE RECORD SHEET****Serial Number:** 85551440**RAM Sale Number:** 85551440**Total Fees:** \$200**RAM Accounting Date:** 20150423

<b><u>Transaction</u></b>	<b><u>Fee Code</u></b>	<b><u>Transaction Date</u></b>	<b><u>Fee per Class</u></b>	<b><u>Number of Classes</u></b>	<b><u>Total Fee</u></b>
Statement of Use (SOU)	7003	20150422	\$100	2	\$200

**Transaction Date:** 20150422

## 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>	85551440
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 112
<b>MARK SECTION</b>	
<b>MARK</b>	CARD GUARD
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CARD GUARD
<b>OWNER SECTION (current)</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>EMAIL</b>	XXXX
<b>OWNER SECTION (proposed)</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>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	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,

<b>CURRENT IDENTIFICATION</b>	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
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	038
<b>CURRENT IDENTIFICATION</b>	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
<b>GOODS OR SERVICES</b>	DELETE ALL ITU GOODS/SERVICES IN THIS CLASS
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	3
<b>ONGOING EFFORT</b>	product or service research or development

ALLOWANCE MAIL DATE	10/22/2013
STATEMENT OF USE	NO
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	2
SUBTOTAL AMOUNT	300
TOTAL AMOUNT	300
<b>SIGNATURE SECTION</b>	
SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
DATE SIGNED	04/22/2015
SIGNATORY'S PHONE NUMBER	312.269.8000
<b>FILING INFORMATION</b>	
SUBMIT DATE	Wed Apr 22 19:16:44 EDT 2015
TEAS STAMP	USPTO/ESU-XX.XXX.XXX.XX-2 0150422191644048603-85551 440-530a9c7d79bdefe591865 f534e7a9f2c6216ff718f8be4 784e3c4ff413556ea24-DA-55 55-20150422184237167670

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

To the Commissioner for Trademarks:

**MARK: CARD GUARD**  
**SERIAL NUMBER: 85551440**

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 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

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

For International Class 038:

Current identification: Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks

All ITU goods/services in this class are to be deleted

For International Class 041:

Current identification: Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

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

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

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

### **Declaration**

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 registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /James P. Muraff/ Date Signed: 04/22/2015  
Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member  
Signatory's Phone: 312.269.8000

RAM Sale Number: 85551440  
RAM Accounting Date: 04/23/2015

Serial Number: 85551440  
Internet Transmission Date: Wed Apr 22 19:16:44 EDT 2015  
TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2015042219164404  
8603-85551440-530a9c7d79bdefe591865f534e  
7a9f2c6216ff718f8be4784e3c4ff413556ea24-  
DA-5555-20150422184237167670

**TEAS ROUTING SHEET****To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 85551440****Mark: CARD GUARD****Mail Date: 2015/04/22****Examiner Number: 81843****LIE Number: 74221****Examiner Name:  
KEAN, AMY C****LIE Name:  
WOODLAND, TERRA T****L.O. Assigned: LAW OFFICE 112****Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20150422	\$150	2	\$300

**Note: SOU has been previously filed. Do NOT automatically grant the extension.**

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, October 22, 2014 00:13 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85551440: CARD GUARD: Docket/Reference No. 19638.07T2

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NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85551440  
**Mark:** CARD GUARD  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 2  
**Docket/Reference Number:** 19638.07T2  
**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 **SECOND** 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=85551440&caseType=SERIAL\\_NO&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85551440&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=85551440&caseType=SERIAL\\_NO&searchType=documentSearch](https://tsdr.uspto.gov/#caseNumber=85551440&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	85551440	FILING DATE	02/23/2012
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	10/22/2014
PUB DATE	08/27/2013
STATUS	731-SECOND EXTENSION - GRANTED
STATUS DATE	10/21/2014
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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 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
DESCRIPTION TEXT	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

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

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/22/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	048
10/21/2014	EX2G	S	EXTENSION 2 GRANTED	047
10/08/2014	EXT2	S	EXTENSION 2 FILED	046
10/08/2014	EEXT	I	TEAS EXTENSION RECEIVED	045
05/20/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	044
05/19/2014	EX1G	S	EXTENSION 1 GRANTED	043
04/22/2014	EXT1	S	EXTENSION 1 FILED	042
05/09/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	041
04/22/2014	EEXT	I	TEAS EXTENSION RECEIVED	040
10/22/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	039
08/27/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	038
08/27/2013	PUBO	A	PUBLISHED FOR OPPPOSITION	037
08/07/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	036
07/23/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	035
07/19/2013	ALIE	A	ASSIGNED TO LIE	034
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	033
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	032
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	031
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	030
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	029
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	028
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	027
01/02/2013	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	026
12/21/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	025
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017

11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602
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

# CARD GUARD

## 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>	85551440
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 112
<b>MARK SECTION</b>	
<b>MARK</b>	CARD GUARD
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CARD GUARD
<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>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	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,
<b>CURRENT IDENTIFICATION</b>	

	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
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	038
<b>CURRENT IDENTIFICATION</b>	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	2
<b>ONGOING EFFORT</b>	product or service research or development; market research
<b>ALLOWANCE MAIL DATE</b>	10/22/2013
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	3
<b>SUBTOTAL AMOUNT</b>	450
<b>TOTAL AMOUNT</b>	450
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/James Muraff/

<b>SIGNATORY'S NAME</b>	James P. Muraff
<b>SIGNATORY'S POSITION</b>	Attorney of Record, IL Bar Member
<b>DATE SIGNED</b>	10/08/2014
<b>SIGNATORY'S PHONE NUMBER</b>	312.269.8000
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Wed Oct 08 16:48:55 EDT 2014
<b>TEAS STAMP</b>	USPTO/ESU-XX.XXX.XX.X-201 41008164855602817-8555144 0-500c27f3074dceb4e486f13 6a2b12fb784b2b83d8e9b4205 e5187d6d54521117efc-DA-35 42-20141008164459626744

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

To the Commissioner for Trademarks:

**MARK: CARD GUARD**  
**SERIAL NUMBER: 85551440**

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 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

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

For International Class 038:

Current identification: Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information 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.

For International Class 041:

Current identification: Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs

and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

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

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

A fee payment in the amount of \$450 will be submitted with the form, representing payment for 3 classes.

### **Declaration**

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 registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /James Muraff/ Date Signed: 10/08/2014

Signatory's Name: James P. Muraff

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

Signatory's Phone: 312.269.8000

RAM Sale Number: 85551440

RAM Accounting Date: 10/09/2014

Serial Number: 85551440

Internet Transmission Date: Wed Oct 08 16:48:55 EDT 2014

TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201410081648556028

17-85551440-500c27f3074dceb4e486f136a2b1

2fb784b2b83d8e9b4205e5187d6d54521117efc-

DA-3542-20141008164459626744

**TEAS ROUTING SHEET****To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 85551440****Mark: CARD GUARD****Mail Date: 2014/10/08****Examiner Number: 81843****LIE Number: 74221****Examiner Name:  
KEAN, AMY C****LIE Name:  
WOODLAND, TERRA T****L.O. Assigned: LAW OFFICE 112****Special Instruction(s):**

<b><u>Transaction</u></b>	<b><u>Fee Code</u></b>	<b><u>Transaction Date</u></b>	<b><u>Fee per Class</u></b>	<b><u>Number of Classes</u></b>	<b><u>Total Fee</u></b>
Extension Request for SOU	7004	20141008	\$150	3	\$450

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, May 20, 2014 00:11 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85551440: CARD GUARD: Docket/Reference No. 19638.07T2

---

NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85551440  
**Mark:** CARD GUARD  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 1  
**Docket/Reference Number:** 19638.07T2  
**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=85551440&caseType=SERIAL\\_NO&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85551440&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=85551440&caseType=SERIAL\\_NO&searchType=documentSearch](https://tsdr.uspto.gov/#caseNumber=85551440&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	85551440	FILING DATE	02/23/2012
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	05/20/2014
PUB DATE	08/27/2013
STATUS	730-FIRST EXTENSION - GRANTED
STATUS DATE	05/19/2014
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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 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
DESCRIPTION TEXT	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

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

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/20/2014	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	044
05/19/2014	EX1G	S	EXTENSION 1 GRANTED	043
04/22/2014	EXT1	S	EXTENSION 1 FILED	042
05/09/2014	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	041
04/22/2014	EEXT	I	TEAS EXTENSION RECEIVED	040
10/22/2013	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	039
08/27/2013	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	038
08/27/2013	PUBO	A	PUBLISHED FOR OPPOSITION	037
08/07/2013	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	036
07/23/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	035
07/19/2013	ALIE	A	ASSIGNED TO LIE	034
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	033
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	032
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	031
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	030
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	029
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	028
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	027
01/02/2013	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	026
12/21/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	025
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINER'S AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINER'S AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINER'S AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013

11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602
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

# CARD GUARD

## 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>	85551440
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 112
<b>MARK SECTION</b>	
<b>MARK</b>	CARD GUARD
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CARD GUARD
<b>OWNER SECTION (current)</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>OWNER SECTION (proposed)</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>EMAIL</b>	XXXX
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	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

<b>CURRENT IDENTIFICATION</b>	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
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	038
<b>CURRENT IDENTIFICATION</b>	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>INTERNATIONAL CLASS</b>	041
<b>CURRENT IDENTIFICATION</b>	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media
<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

**PAYMENT SECTION**

NUMBER OF CLASSES	3
SUBTOTAL AMOUNT	450
TOTAL AMOUNT	450

**SIGNATURE SECTION**

SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
DATE SIGNED	04/22/2014
SIGNATORY'S PHONE NUMBER	312.269.8000

**FILING INFORMATION**

SUBMIT DATE	Tue Apr 22 19:20:11 EDT 2014
TEAS STAMP	USPTO/ESU-XX.XXX.XXX.XX-2 0140422192011847643-85551 440-5008e6f7540c6e82fe868 e67349ead84dcd6aa7af56c1f fc0b1f85ce01ed6d19de-DA-5 253-20140422091840087779

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

To the Commissioner for Trademarks:

**MARK: CARD GUARD**  
**SERIAL NUMBER: 85551440**

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 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

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

For International Class 038:

Current identification: Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information 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.

For International Class 041:

Current identification: Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs

and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

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

This is the first extension request.

A fee payment in the amount of \$450 will be submitted with the form, representing payment for 3 classes.

### **Declaration**

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

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any resulting registration, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /James P. Muraff/ Date Signed: 04/22/2014

Signatory's Name: James P. Muraff

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

Signatory's Phone: 312.269.8000

RAM Sale Number: 85551440

RAM Accounting Date: 04/23/2014

Serial Number: 85551440

Internet Transmission Date: Tue Apr 22 19:20:11 EDT 2014

TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2014042219201184

7643-85551440-5008e6f7540c6e82fe868e6734

9ead84dcd6aa7af56c1ffc0b1f85ce01ed6d19de

-DA-5253-20140422091840087779

**TEAS ROUTING SHEET****To: INTENT TO USE UNIT****Work Loc: INTENT TO USE SECTION****Doc Type: Extension Request for SOU****Serial Number: 85551440****Mark: CARD GUARD****Mail Date: 2014/04/22****Examiner Number: 81843****LIE Number: 74221****Examiner Name:  
KEAN, AMY C****LIE Name:  
WOODLAND, TERRA T****L.O. Assigned: LAW OFFICE 112****Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20140422	\$150	3	\$450

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, October 22, 2013 00:03 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 85551440: Official USPTO Notice of Allowance

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NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Oct 22, 2013

**Serial Number:** 85551440  
**Mark:** CARD GUARD(STANDARD CHARACTER MARK)  
**Docket/Reference Number:** 19638.07T2

**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:** 85551440  
**Mark:** CARD GUARD(STANDARD CHARACTER MARK)  
**Docket/Reference Number:** 19638.07T2  
**Owner:** Redbox Automated Retail, LLC  
One Tower Lane, Suite 1200  
Oakbrook Terrace , ILLINOIS 60181  
**Correspondence Address:** JAMES P. MURAFF  
NEAL, GERBER & EISENBERG LLP  
2 N LASALLE ST STE 1700  
CHICAGO, IL 60602

**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 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 -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

038 - Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the

nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

041 - Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media - 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=85551440>. 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:** 19638.07T2 Official USPTO Notification: TMOG Publication Confirmation for Serial Number 85551440

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**TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION**

**U.S. Serial Number:** 85-551,440  
**Mark:** CARD GUARD(STANDARD CHARACTER MARK)  
**International Class(es):** 035, 038, 041  
**Applicant:** Redbox Automated Retail, LLC  
**Docket/Reference Number:** 19638.07T2

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=00000159](http://www.uspto.gov/web/trademarks/tmog/20130827_OG.pdf#page=00000159)
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

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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.:	2. Mark:
85-551,440	CARD GUARD (STANDARD CHARACTER MARK)
3. International Class(es):	5. Applicant:
35, 38, 41	Redbox Automated Retail, LLC
4. Publication Date:	
Aug 27, 2013	

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):**

[trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, August 7, 2013 03:20 AM  
**To:** XXXX  
**Subject:** 19638.07T2 Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85551440

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**NOTIFICATION OF "NOTICE OF PUBLICATION"**

Your trademark application (Serial No. 85551440) 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=85551440>. 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	85551440	FILING DATE	02/23/2012
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	CARD GUARD

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	CARD GUARD
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 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
DESCRIPTION TEXT	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

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

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/23/2013	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	035
07/19/2013	ALIE	A	ASSIGNED TO LIE	034
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	033
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	032
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	031
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	030
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	029
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	028
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	027
01/02/2013	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	026
12/21/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	025
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004

03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	CARD GUARD

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	CARD GUARD
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 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
DESCRIPTION TEXT	Video-on-demand transmission services and video broadcasting by means of communications networks; Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the Internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

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

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
COLORS CLAIMED STATEMENT	Color is not claimed as a feature of the mark.

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/17/2013	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	033
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	032
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	031
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	030
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	029
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	028
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	027
01/02/2013	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	026
12/21/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	025
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002

**CURRENT CORRESPONDENCE INFORMATION**

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

# CARD GUARD

# NOTE TO THE FILE

SERIAL NUMBER: 85551440

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:
  - PRINT**
  - DO NOT PRINT**
- Description of the mark
- Translation statement
- Negative translation statement
- Consent of living individual
- Changed TRADEUPS to: Corrected typographical error in amended identification language
- Added design code in TRADEUPS
- Re-imaged standard character drawing
- Contacted TM MADRID ID/CLASS about misclassified definite ID
- OTHER:

## Trademark Snap Shot Amendment & Mail Processing Stylesheet

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

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	CARD GUARD		

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	CARD GUARD
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 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
DESCRIPTION TEXT	Video-on-demand transmission services and video broadcasting by means of communications networks. Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

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

### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION

NO

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/04/2013	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	032
07/03/2013	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	031
07/03/2013	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	030
01/03/2013	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	029
01/03/2013	GNRT	O	NON-FINAL ACTION E-MAILED	028
01/03/2013	CNRT	R	NON-FINAL ACTION WRITTEN	027
01/02/2013	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	026
12/21/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	025
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85551440
LAW OFFICE ASSIGNED	LAW OFFICE 113
<b>MARK SECTION</b>	
MARK	<a href="http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85551440">http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85551440</a>
LITERAL ELEMENT	CARD GUARD
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.
<b>GOODS AND/OR SERVICES SECTION (035)(current)</b>	
INTERNATIONAL CLASS	035
<b>DESCRIPTION</b>	
Vending services, namely, providing vending machines featuring DVDs, movies and prerecorded electronic media; Retail store services, on-line retail store services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail store services featuring pre-recorded digital video discs featuring movies and television programs; Retail store services featuring DVDs and pre-recorded videos by means of communications networks; Automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (035)(proposed)</b>	
INTERNATIONAL CLASS	035
<b>TRACKED TEXT DESCRIPTION</b>	
<u>Vending services, namely, providing vending machines featuring DVDs, movies and prerecorded electronic media; Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; Retail store services, on-line retail store services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; vending machine services; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, and prerecorded 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; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; Vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; Automated retail services, namely, vending machines featuring DVDs, movies, television programs, video games, and prerecorded electronic media featuring entertainment content; Retail services provided through automated vending machine</u>	

kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, and prerecorded electronic media featuring entertainment content; 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, video games and television programs; Automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; 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; Computerized online retail store services featuring pre-recorded digital video discs featuring movies and 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 DVDs and pre-recorded videos by means of communications networks; 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, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; 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.

#### FINAL DESCRIPTION

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.

<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (038)(current)</b>	
<b>INTERNATIONAL CLASS</b>	038
<b>DESCRIPTION</b>	
Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, mobile media services in the nature of electronic transmission of entertainment media content; Video on-demand transmission services; Streaming of audio, visual, and audiovisual material via the Internet; Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content	

<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (038)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	038
<b>TRACKED TEXT DESCRIPTION</b>	
<u>Satellite transmission services; Video-on-demand transmission services and video broadcasting by means of communications networks.</u> <u>Satellite transmission services;</u> Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; <u>Video on-demand transmission services;</u> <u>video-on-demand transmission services;</u> streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content	

information by means of communications networks; **Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content**

#### FINAL DESCRIPTION

Video-on-demand transmission services and video broadcasting by means of communications networks. Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks

FILING BASIS	Section 1(b)
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#### GOODS AND/OR SERVICES SECTION (041)(no change)

#### SIGNATURE SECTION

RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
SIGNATORY'S PHONE NUMBER	312.269.8000
DATE SIGNED	07/03/2013
AUTHORIZED SIGNATORY	YES

#### FILING INFORMATION SECTION

SUBMIT DATE	Wed Jul 03 20:06:49 EDT 2013
TEAS STAMP	USPTO/ROA-XX.XXX.XXX.XX-2 0130703200649630010-85551 440-50059ce59181695f7acdc 8a27f79799866828375c4bb73 fc665e82529fd4b899fe-N/A- N/A-20130702190645542219

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. **85551440** CARD GUARD(Standard Characters, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85551440>) 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; Retail store services, on-line retail store services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely,

automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail store services featuring pre-recorded digital video discs featuring movies and television programs; Retail store services featuring DVDs and pre-recorded videos by means of communications networks; Automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, 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, namely, providing vending machines featuring DVDs, movies and prerecorded electronic media; Vending services, namely, providing vending machines featuring DVDs, movies, and prerecorded electronic media; Retail store services, on-line retail store services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded eleetronic media; vending machine services; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, and prerecorded 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; retail services provided through automated vending machines kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; Vending services featuring movies, entertainment content, media content, digital content, and prerecorded media; Automated retail services, namely, vending machines featuring DVDs, movies, television programs, video games, and prerecorded electronic media featuring entertainment content; Retail services provided through automated vending machine kiosks featuring movies, entertainment content, media content, digital content, and prerecorded media; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, and prerecorded electronic media featuring entertainment content; 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, video games and television programs; Automated retail services, namely, online retail store services featuring DVDs, movies, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; 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; Computerized online retail store services featuring pre-recorded digital video discs featuring movies and 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 DVDs and pre-recorded videos by means of communications networks; 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, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; 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.~~

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 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.

**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.

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

**Current:** Class 038 for Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, mobile media services in the nature of electronic transmission of entertainment media content; Video on- demand transmission services; Streaming of audio, visual, and audiovisual material via the Internet; Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content

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:** ~~Satellite transmission services; Video-on-demand transmission services and video broadcasting by means of communications networks. Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; Video on- demand transmission services; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content~~

Class 038 for Video-on-demand transmission services and video broadcasting by means of communications networks. Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information 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: /James P. Muraff/ Date: 07/03/2013

Signatory's Name: James P. Muraff

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

Signatory's Phone Number: 312.269.8000

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: 85551440

Internet Transmission Date: Wed Jul 03 20:06:49 EDT 2013

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XX-2013070320064963

0010-85551440-50059ce59181695f7acdc8a27f

79799866828375c4bb73fc665e82529fd4b899fe

-N/A-N/A-20130702190645542219

# NOTE TO THE FILE

SERIAL NUMBER: 85551440

DATE: 01/08/2013

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

**Discussed file with**

**Attorney/Applicant via:**

- phone
- email
- Requested Law Library search for:
  - PRINT  DO NOT PRINT
  - Description of the mark
  - Translation statement
  - Negative translation statement
  - Consent of living individual
  - Changed TRADEUPS to: Corrected Typographical error in Identification of Services
  - OTHER:
- Left message with Attorney/Applicant
- Issued Examiner's Amendment and entered changes in TRADEUPS
- Added design code in TRADEUPS
- Re-imaged standard character drawing
- Contacted TM MADRID ID/CLASS about misclassified definite ID

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 1/3/2013 11:12:13 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.** 85551440

**MARK:** CARD GUARD

**\*85551440\***

**CORRESPONDENT ADDRESS:**

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

**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 :**

19638.07T2

**CORRESPONDENT E-MAIL ADDRESS:**

trademarks@ngelaw.com

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

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

**ISSUE/MAILING DATE:** **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 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 fee 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 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/mailing 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 ([trademarks@nglaw.com](mailto:trademarks@nglaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 1/3/2013 11:12:14 AM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

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**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. 85551440

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	85551440	FILING DATE	02/23/2012
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	12/11/2012
PUB DATE	01/15/2013
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE
STATUS DATE	12/08/2012
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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; Retail store services, on-line retail store services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail store services featuring pre-recorded digital video discs featuring movies and television programs; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, mobile media services in the nature of electronic transmission of entertainment media content; Video on- demand transmission services; Streaming of audio, visual, and audiovisual material via the Internet; Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

#### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION

NO

#### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/08/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	024
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

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



# CARD GUARD

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	12/07/2012
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	12/06/2012
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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; Retail store services, on-line retail store services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail store services featuring pre-recorded digital video discs featuring movies and television programs; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, mobile media services in the nature of electronic transmission of entertainment media content; Video on- demand transmission services; Streaming of audio, visual, and audiovisual material via the Internet; Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

#### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION

NO

#### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

## Trademark Snap Shot Amendment & Mail Processing Stylesheet

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

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	12/07/2012
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	12/06/2012
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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; Retail store services, on-line retail store services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail store services featuring pre-recorded digital video discs featuring movies and television programs; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, mobile media services in the nature of electronic transmission of entertainment media content; Video on- demand transmission services; Streaming of audio, visual, and audiovisual material via the Internet; Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental of entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

#### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION

NO

#### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/06/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	023
12/06/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	022
12/06/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	021
12/06/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	020
12/06/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	019
12/04/2012	ZZZX	Z	PREVIOUS ALLOWANCE COUNT WITHDRAWN	018
11/30/2012	PBCR	Z	WITHDRAWN FROM PUB - OG REVIEW QUERY	017
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 12/6/2012 6:12:25 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.** 85551440

**MARK:** CARD GUARD

**\*85551440\***

**CORRESPONDENT ADDRESS:**

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

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/trademarks/index.jsp>

**APPLICANT:** Redbox Automated Retail, LLC

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

19638.07T2

**CORRESPONDENT E-MAIL ADDRESS:**

[trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

**EXAMINER'S AMENDMENT**

**ISSUE/MAILING DATE:** **12/6/2012**

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

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by James P. Muraff on December 4, 2012 the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

**Amendment to Identification of Services**

The applicant seeks to amend the identification of services to the following:

***International Class 035***

Vending services, namely, providing vending machines featuring DVDs, movies and prerecorded electronic media; Retail store services, on-line store retail services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail services featuring pre-recorded digital video discs featuring movies and television programs; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media.

***International Class 038***

Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks; Computerized online video-on-demand transmission services and video programming broadcasting by means of communications networks; Distribution of digital audio and video recordings via a global computer network or the Internet, namely, electronic transmission and streaming of digital entertainment media content.

***International Class 041***

Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; Automated retail services, namely, rental entertainment content in the form of pre-recorded DVDs featuring movies and television programs, video game discs and software; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media.

If applicant has any questions about this Examiner's Amendment please telephone the assigned trademark 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

**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 Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 12/6/2012 6:12:26 AM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

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

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

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **12/6/2012** FOR U.S. APPLICATION SERIAL NO.85551440

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) 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**

**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).

# NOTE TO THE FILE

SERIAL NUMBER: 85551440

DATE: 12/06/2012

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

**Discussed file with**

**Attorney/Applicant via:**

- phone
- email
- Requested Law Library search for:
  - PRINT  DO NOT PRINT
  - Description of the mark
  - Translation statement
  - Negative translation statement
  - Consent of living individual
  - Changed TRADEUPS to:
- OTHER: E-mail Correspondence from Applicant:

Dear Examiner Kean,

In relation to the above identified trademark application for the mark CARD GUARD, Applicant accepts your suggested amendments to the description of services, as set forth below. Please proceed with an Examiner's Amendment to this effect.

Thank you.

James P. Muraff  
Neal, Gerber & Eisenberg LLP  
2 N. LaSalle Street, Suite 1700  
Chicago, IL 60602-3801  
Phone: (312) 269-8034 / Fax: (312) 269-1747  
E-mail: [jmuraff@ngelaw.com](mailto:jmuraff@ngelaw.com)  
[www.ngelaw.com](http://www.ngelaw.com)

**CONFIDENTIALITY NOTE**

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## Trademark Snap Shot Publication & Issue Review Stylesheet

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

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	11/22/2012
PUB DATE	12/25/2012
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE
STATUS DATE	11/21/2012
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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; Retail services, on-line retail services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; automated retail services, namely, rental and distribution of entertainment content, media, pre-recorded DVDs featuring movies and television programs, digital content, video game discs and software, and prerecorded media; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

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

#### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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#### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/21/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	016
11/18/2012	ALIE	A	ASSIGNED TO LIE	015
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINERS AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINERS AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

## Trademark Snap Shot Publication Stylesheet

(Table presents the data on Publication Approval)

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	11/02/2012
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	11/01/2012
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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; Retail services, on-line retail services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; automated retail services, namely, rental and distribution of entertainment content, media, pre-recorded DVDs featuring movies and television programs, digital content, video game discs and software, and prerecorded media; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

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

#### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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#### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINER'S AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINER'S AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINER'S AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

## Trademark Snap Shot Amendment & Mail Processing Stylesheet

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

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	11/02/2012
PUB DATE	N/A
STATUS	680-APPROVED FOR PUBLICATION
STATUS DATE	11/01/2012
LITERAL MARK ELEMENT	CARD GUARD

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	CARD GUARD
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; Retail services, on-line retail services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; automated retail services, namely, rental and distribution of entertainment content, media, pre-recorded DVDs featuring movies and television programs, digital content, video game discs and software, and prerecorded media; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media

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

#### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
------------------------	----

#### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
11/01/2012	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	014
11/01/2012	XAEC	I	EXAMINER'S AMENDMENT ENTERED	013
11/01/2012	GNEN	O	NOTIFICATION OF EXAMINER'S AMENDMENT E-MAILED	012
11/01/2012	GNEA	O	EXAMINER'S AMENDMENT E-MAILED	011
11/01/2012	CNEA	R	EXAMINER'S AMENDMENT -WRITTEN	010
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 11/1/2012 2:03:10 PM  
**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.** 85551440

**MARK:** CARD GUARD

**\*85551440\***

**CORRESPONDENT ADDRESS:**

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

**GENERAL TRADEMARK INFORMATION:**  
<http://www.uspto.gov/trademarks/index.jsp>

**APPLICANT:** Redbox Automated Retail, LLC

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

19638.07T2

**CORRESPONDENT E-MAIL ADDRESS:**

[trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)

**EXAMINER'S AMENDMENT**

**ISSUE/MAILING DATE:** **11/1/2012**

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

**APPLICATION HAS BEEN AMENDED:** In accordance with the authorization granted by James P. Muraff on November 1, 2012 the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

**Amendment to the Identification of Services**

The identification of services in ***International Class 041*** is hereby amended to the following:

“Rental of video recordings by means of communications networks; Rental services of pre-recorded DVDs featuring television programs and movies, video game discs and video game software and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, pre-recorded DVDs featuring movies and television programs, video game discs and software; automated retail services, namely rental and distribution of entertainment content, media, pre-recorded DVDs featuring movies and television programs, digital content, video game discs and software, and prerecorded media; Rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Rental services for pre-recorded DVDs featuring movies and television programs, entertainment content, media content, digital content, video game discs and software, and prerecorded media.” *See* TMEP §§1402.01, 1402.01(e).

If applicant has any questions about this Examiner's Amendment please telephone the assigned trademark 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

**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 Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 11/1/2012 2:03:11 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

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

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

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **11/1/2012** FOR U.S. APPLICATION SERIAL NO.85551440

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) 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**

**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 Amendment & Mail Processing Stylesheet

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

### OVERVIEW

SERIAL NUMBER	85551440	FILING DATE	02/23/2012
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	10/03/2012		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	10/02/2012		
LITERAL MARK ELEMENT	CARD GUARD		

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	CARD GUARD
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; Retail services, on-line retail services and distributorship services in the field of DVDs, movies, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media

INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks

INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; Rental services featuring DVDs, television programs, video games, and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, television programs, video games, featuring entertainment content; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, entertainment content, media content, digital content, television programs, video games, and prerecorded media

### GOODS AND SERVICES CLASSIFICATION

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

				DATE		
INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS

#### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
------------------------	----

#### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
10/02/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	009
10/01/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	008
10/01/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	007
03/29/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	006
03/29/2012	GNRT	F	NON-FINAL ACTION E-MAILED	005
03/29/2012	CNRT	R	NON-FINAL ACTION WRITTEN	004
03/28/2012	DOCK	D	ASSIGNED TO EXAMINER	003
03/02/2012	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
02/27/2012	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

#### CURRENT CORRESPONDENCE INFORMATION

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

# CARD GUARD

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85551440
LAW OFFICE ASSIGNED	LAW OFFICE 113
<b>MARK SECTION</b>	
MARK	<a href="http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85551440">http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85551440</a>
LITERAL ELEMENT	CARD GUARD
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.
<b>GOODS AND/OR SERVICES SECTION (009)(class deleted)</b>	
<b>GOODS AND/OR SERVICES SECTION (035)(class added)Original Class (009)</b>	
INTERNATIONAL CLASS	035
<b>DESCRIPTION</b>	
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, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (038)(class added)</b>	
INTERNATIONAL CLASS	038
<b>DESCRIPTION</b>	
Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks	
FILING BASIS	Section 1(b)

**GOODS AND/OR SERVICES SECTION (041)(class added)**

INTERNATIONAL CLASS	041
<b>DESCRIPTION</b>	
Rental of video recordings by means of communications networks; Rental services featuring DVDs, television programs, video games, and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, television programs, video games, featuring entertainment content; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, entertainment content, media content, digital content, television programs, video games, and prerecorded media	
FILING BASIS	Section 1(b)
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	2
FEES PER CLASS	325
TOTAL FEES DUE	650
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
SIGNATORY'S PHONE NUMBER	312.269.8000
DATE SIGNED	10/01/2012
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
SIGNATORY'S PHONE NUMBER	312.269.8000
DATE SIGNED	10/01/2012
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Mon Oct 01 15:24:33 EDT 2012
TEAS STAMP	USPTO/ROA-XX.XXX.XXX.XX-2 0121001152433624958-85551 440-4904fc045ac24237aaf50 21ef82e4592dfd-DA-2045-20 121001111841886786

**Response to Office Action**
**To the Commissioner for Trademarks:**

Application serial no. **85551440** CARD GUARD(Standard Characters, see  
<http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85551440>) has been amended as follows:

## **CLASSIFICATION AND LISTING OF GOODS/SERVICES**

### **Applicant hereby deletes the following class of goods/services from the application.**

Class 009 for Vending machines, 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, video games, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines and kiosks featuring movies, video games, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely providing vending machine services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVD's featuring movies, video games, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, video games, motion picture films, television programs; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; Transmission services; broadcasting services; streaming services; distribution of entertainment content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Entertainment services; rental services; retail services; automated DVD rental services; rental of pre-recorded DVDs on a variety of subjects through automated vending machines; entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, video games, entertainment content, media content, digital content, prerecorded media, and prerecorded electronic media featuring entertainment content; automated rental of DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; vending machines, 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, video games, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines and kiosks featuring movies, video games, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely providing vending machine services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVD's featuring movies, video games, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, video games, motion picture films, television programs; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; Transmission services; broadcasting services; streaming services; distribution of entertainment content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks; Entertainment services; rental services; retail services; automated DVD rental services; rental of pre-recorded DVDs on a variety of subjects through automated vending machines; entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, video games, entertainment content, media content, digital content, prerecorded media, and prerecorded electronic media featuring entertainment content; automated rental of DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, video games, entertainment content, media content, digital content, and prerecorded media; providing rental and purchase services through automated vending machines; content, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, video games, entertainment content, media content, digital content, and prerecorded media; providing rental and purchase services through automated vending machines

### **Applicant hereby adds the following class of goods/services to the application:**

**New:** Class 035 (Original Class: 009 ) for 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, television programs, video games, and prerecorded electronic media; Distributorship services in the field of entertainment content, media content, digital content, television programs, video games, 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, television programs, video games, and prerecorded electronic media featuring entertainment content; Automated retail

services, namely, online retail store services featuring DVDs, movies, television programs, video games, 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, video games and television programs; Automated retail services, namely, automated retail vending machines featuring entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks; Retail services featuring DVDs, pre-recorded 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, television programs, video games, and prerecorded media

**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.

**Applicant hereby adds the following class of goods/services to the application:**

**New:** Class 038 for Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information 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.

**Applicant hereby adds the following class of goods/services to the application:**

**New:** Class 041 for Rental of video recordings by means of communications networks; Rental services featuring DVDs, television programs, video games, and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media, television programs, video games, featuring entertainment content; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, digital content, television programs, video games, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, entertainment content, media content, digital content, television programs, video games, and prerecorded media

**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.

**FEE(S)**

Fee(s) in the amount of \$650 is being submitted.

**SIGNATURE(S)**

**Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona

fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /James P. Muraff/ Date: 10/01/2012

Signatory's Name: James P. Muraff

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

Signatory's Phone Number: 312.269.8000

#### **Response Signature**

Signature: /James P. Muraff/ Date: 10/01/2012

Signatory's Name: James P. Muraff

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

Signatory's Phone Number: 312.269.8000

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.

RAM Sale Number: 2045

RAM Accounting Date: 10/02/2012

Serial Number: 85551440

Internet Transmission Date: Mon Oct 01 15:24:33 EDT 2012

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XX-2012100115243362

4958-85551440-4904fc045ac24237aaf5021ef8

2e4592dfd-DA-2045-20121001111841886786

RAM SALE NUMBER: 2045  
RAM ACCOUNTING DATE: 20121002

INTERNET TRANSMISSION DATE: SERIAL NUMBER:  
2012/10/01 85/551440

Description	Fee Code	Transaction Date	Fee	Number Of Classes	Total Fees Paid
New App	7001	2012/10/01	325	2	650

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 3/29/2012 3:32:30 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

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

**APPLICATION SERIAL NO.** 85551440

**MARK:** CARD GUARD

**\*85551440\***

**CORRESPONDENT ADDRESS:**

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

**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 :**  
19638.07T2

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

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

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

**ISSUE/MAILING DATE:** **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 -Clarification of Indefinite Identification and Proper Classification of Services**
- Requirement for Submission of Additional Fees or Restriction of Identification Language**

---

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 -Clarification of Indefinite Identification and Proper Classification of Goods and Services**

The following goods are classified incorrectly in International Class 009: “Vending machines.” Applicant must amend the application to classify the goods in International Class 007. *See 37 C.F.R. §§2.32(a)(7), 2.85; TMEP §§1401.02(a), 1401.03(b).*

The identification of goods and 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}.”

The wording “Transmission services; broadcasting services; streaming services; distribution of entertainment content” and “computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks” in the identification of services is indefinite and must be clarified because it does not specify the form of the services or the featured content of the services. *See TMEP §1402.01.*

The applicant may clarify by amending to one or all of the following, if accurate:

“Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks” in ***International Class 035***.

“Satellite transmission services,” “Internet broadcasting services,” “Video streaming services via the Internet featuring films and movies,” “Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content” and “Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks” in ***International Class 038***.

“Rental of video recordings by means of communications networks” in ***International Class 041***.

The wording “Entertainment services; rental services; retail services” in the identification of services is indefinite and must be clarified because it does not specify the form of the services or the featured content of the services. *See TMEP §1402.01.*

The wording “Entertainment rental services provided through automated vending machines, namely, rental of ..***entertainment content, media content, digital content, prerecorded media***” in the identification of services is indefinite and must be clarified because it is indefinite as to the form of the featured goods. *See TMEP §1402.01.*

The applicant may clarify by amending to one or all of the following, if accurate:

“Retail services featuring {specify featured items, e.g., DVDs, pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks}” in ***International Class 035***.

“Entertainment services, namely, nature of {specify nature of performance, e.g., live dance, musical} performances” and “Rental services featuring {specify goods, e.g., DVDs and pre-recorded electronic media featuring movies}” and “Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media featuring entertainment content” in ***International Class 041***.

The following services are classified incorrectly in International Class 041: “automated retail services, namely providing automated retail

vending machines featuring entertainment content, media, DVDs, movies, digital content, and prerecorded media.”

The applicant must amend the application to classify the services in International Class 035. *See* 37 C.F.R. §§2.32(a)(7), 2.85; TMEP §§1401.02(a), 1401.03(b).

The wording “providing rental and purchase services through automated vending machines content, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, video games, entertainment content, media content, digital content, and prerecorded media; providing rental and purchase services through automated vending machines” is unacceptably indefinite as to the intended use or purpose for the goods and overly broad because the goods could be classified in more than one International Class. All of these indefinite services are duplicated throughout the applicant’s voluminous identification of goods and services listed in this application. As such, the applicant should delete the duplicative language in this case.

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 goods and services recited in this application that the applicant may choose to adopt, if accurate:

***International Class 007***

Vending Machines.

***International Class 035***

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; Computerized online retail services featuring pre-recorded videos, video-on-demand transmission services and video broadcasting by means of communications networks; Retail services featuring DVDs, pre-recorded 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;

***International Class 038***

Satellite transmission services; Internet broadcasting services; Video streaming services via the Internet featuring films and movies; Distribution of entertainment content, namely, Mobile media services in the nature of electronic transmission of entertainment media content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; Electronic, electric, and digital transmission of voice, data, images, signals, messages and information by means of communications networks.

***International Class 041***

Rental of video recordings by means of communications networks; Entertainment services, namely, nature of live dance and musical performances; Rental services featuring DVDs and pre-recorded electronic media featuring movies; Entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, pre-recorded digital media content, prerecorded electronic media and prerecorded electronic media featuring entertainment content; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, digital content, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies,

entertainment content, media content, 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/netahtml/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.*

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

The application identifies services that are classified in at least four (4) 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 class covered by the fee already paid, or (2) Submit the fees for the additional classes.

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 goods and/or 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).

#### **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>.

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85551440 - CARD GUARD - 19638.07T2  
**Sent:** 3/29/2012 3:32:31 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. 85551440**

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	Dead	Live	Status/ Search	Search
	Marks	Marks	Viewed		
		Docs	Images	Duration	
01	9899	N/A	0	0:04	*{"ckqx"}{V}rd*[bi,ti] not dead [ld]
02	7224	N/A	0	0:03	*{"gj"}{V}{v}rd*[bi,ti] not dead [ld]
03	27	0	27	0:01	1 and 2

Session started 3/29/2012 1:50:28 PM

Session finished 3/29/2012 1:52:01 PM

Total search duration 0 minutes 8 seconds

Session duration 1 minutes 33 seconds

Defaut NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85551440

# Trademark/Service Mark Application, Principal Register

Serial Number: 85551440  
Filing Date: 02/23/2012

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85551440
<b>MARK INFORMATION</b>	
* <b>MARK</b>	<a href="#">CARD GUARD</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CARD GUARD
<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 (Required for U.S. applicants)</b>	Illinois
* <b>COUNTRY</b>	United States
* <b>ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	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>	009
	Vending machines, 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, video games, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines and kiosks featuring movies, video games, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely providing vending machine services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely,

<p><b>*IDENTIFICATION</b></p>	<p>online retail store services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVD's featuring movies, video games, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, video games, motion picture films, television programs; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; Transmission services; broadcasting services; streaming services; distribution of entertainment content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Entertainment services; rental services; retail services; automated DVD rental services; rental of pre-recorded DVDs on a variety of subjects through automated vending machines; entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, video games, entertainment content, media content, digital content, prerecorded media, and prerecorded electronic media featuring entertainment content; automated rental of DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, video games, entertainment content, media content, digital content, and prerecorded media; providing rental and purchase services through automated vending machines</p>
<p><b>FILING BASIS</b></p>	<p>SECTION 1(b)</p>
<p><b>ATTORNEY INFORMATION</b></p>	
<p><b>NAME</b></p>	<p>James P. Muraff</p>
<p><b>ATTORNEY DOCKET NUMBER</b></p>	<p>19638.07T2</p>
<p><b>FIRM NAME</b></p>	<p>Neal, Gerber &amp; Eisenberg LLP</p>
<p><b>INTERNAL ADDRESS</b></p>	<p>c/o Trademark Administrator</p>
<p><b>STREET</b></p>	<p>Two North LaSalle Street, Suite 1700</p>
<p><b>CITY</b></p>	<p>Chicago</p>
<p><b>STATE</b></p>	<p>Illinois</p>
<p><b>COUNTRY</b></p>	<p>United States</p>

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AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	all other attorneys of the firm

#### CORRESPONDENCE INFORMATION

NAME	James P. Muraff
FIRM NAME	Neal, Gerber & Eisenberg LLP
INTERNAL ADDRESS	c/o Trademark Administrator
STREET	Two North LaSalle Street, Suite 1700
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312.269.8000
FAX	312.269.1747
EMAIL ADDRESS	trademarks@ngelaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

#### FEE INFORMATION

NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325

#### SIGNATURE INFORMATION

SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
DATE SIGNED	02/23/2012

## Trademark/Service Mark Application, Principal Register

**Serial Number: 85551440**  
**Filing Date: 02/23/2012**

### To the Commissioner for Trademarks:

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

The literal element of the mark consists of CARD GUARD.

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 009: Vending machines, 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, video games, entertainment content, media content, digital content, and prerecorded media; retail services provided through automated vending machines and kiosks featuring movies, video games, entertainment content, media content, digital content, and prerecorded media; automated retail services, namely providing vending machine services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely, online retail store services featuring DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; distributorship services in the field of DVD's featuring movies, video games, online retail store services featuring pre-recorded videos featuring entertainment in the nature of movies, video games, motion picture films, television programs; automated retail services, namely, providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; Transmission services; broadcasting services; streaming services; distribution of entertainment content; video-on-demand transmission services; streaming of audio, visual, and audiovisual material via the internet; video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks; computerized online retail services featuring pre-recorded videos, video-on-demand transmission services, video broadcasting, transmission of voice, data, images, signals, messages and information, rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; Entertainment services; rental services; retail services; automated DVD rental services; rental of pre-recorded DVDs on a variety of subjects through automated vending machines; entertainment rental services provided through automated vending machines, namely, rental of DVDs, video discs, movies, video games, entertainment content, media content, digital content, prerecorded media, and prerecorded electronic media featuring entertainment content; automated rental of DVDs, movies, video games, and prerecorded electronic media featuring entertainment content; automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; automated retail services, namely rental and distribution of entertainment content, media, DVDs, movies, video games, digital content, and prerecorded media; rental of video recordings by means of communications networks, and providing information in the field of entertainment by means of communications networks; rental services for DVDs, movies, video games, entertainment content, media content, digital content, and prerecorded media; providing rental and purchase services through automated vending machines

**Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

James P. Muraff and all other attorneys of the firm of Neal, Gerber & Eisenberg LLP

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

The attorney docket/reference number is 19638.07T2.

The applicant's current Correspondence Information:

James P. Muraff  
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trademarks@ngelaw.com (authorized)

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

**Declaration**

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

**Declaration Signature**

Signature: /James P. Muraff/ Date: 02/23/2012

Signatory's Name: James P. Muraff

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

RAM Sale Number: 6364

RAM Accounting Date: 02/24/2012

Serial Number: 85551440

Internet Transmission Date: Thu Feb 23 19:21:34 EST 2012

TEAS Stamp: USPTO/BAS-XX.XXX.XXX.XX-2012022319213428

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# CARD GUARD

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