

**Generated on:** This page was generated by TSDR on 2025-07-19 18:08:53 EDT

**Mark:** DON'T JUST RENT IT. REDBOX IT.

DON'T JUST RENT IT.  
REDBOX IT.

**US Serial Number:** 85017757

**Application Filing Date:** Apr. 19, 2010

**Register:** Principal

**Mark Type:** Service Mark

**TM5 Common Status Descriptor:**



DEAD/APPLICATION/Refused/Dismissed or Invalidated

This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.

**Status:** Abandoned because no Statement of Use or Extension Request timely filed after Notice of Allowance was issued. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

**Status Date:** Jan. 26, 2015

**Publication Date:** Oct. 25, 2011 **Notice of Allowance Date:** Dec. 20, 2011

**Date Abandoned:** Jan. 26, 2015

## Mark Information

**Mark Literal Elements:** DON'T JUST RENT IT. REDBOX IT.

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

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

## Related Properties Information

**Claimed Ownership of US Registrations:** 2919854, 3082012, 3229436 and others

## Goods and Services

### Note:

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

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

**For:** Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase

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

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

**Class Status:** ACTIVE

**For:** Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

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

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

**Class Status:** ACTIVE

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** Yes

**Currently ITU:** Yes

**Filed 44D:** No

**Currently 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

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

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

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** DELAWARE  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** James P. Muraff

**Docket Number:** 19638.14T1

**Attorney Primary** [trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)  
**Email Address:**

**Attorney Email** Yes  
**Authorized:**

### Correspondent

**Correspondent** JAMES P. MURAFF  
**Name/Address:** NEAL, GERBER & EISENBERG LLP  
2 N LASALLE ST STE 1700  
CHICAGO, ILLINOIS UNITED STATES 60602-4000

**Phone:** 312-269-8000

**Fax:** 312-269-1747

**Correspondent e-** [trademarks@ngelaw.com](mailto:trademarks@ngelaw.com)  
**mail:**

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

**Domestic Representative - Not Found**

## Prosecution History

| Date          | Description  | Proceeding Number |
|---------------|--|-------------------|
| Oct. 05, 2016 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  |                   |
| Jan. 26, 2015 | ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED |                   |
| Jan. 26, 2015 | ABANDONMENT - NO USE STATEMENT FILED               |                   |
| Jun. 21, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   |                   |
| Jun. 20, 2014 | SOU EXTENSION 5 GRANTED                            |                   |
| Jun. 12, 2014 | SOU EXTENSION 5 FILED                              |                   |
| Jun. 12, 2014 | SOU TEAS EXTENSION RECEIVED                        |                   |
| Jan. 14, 2014 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   |                   |
| Jan. 13, 2014 | SOU EXTENSION 4 GRANTED                            |                   |
| Dec. 13, 2013 | SOU EXTENSION 4 FILED                              |                   |
| Dec. 13, 2013 | SOU TEAS EXTENSION RECEIVED                        |                   |
| Jul. 13, 2013 | NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED     |                   |
| Jul. 12, 2013 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   |                   |
| Jul. 11, 2013 | SOU EXTENSION 3 GRANTED                            |                   |
| Jun. 13, 2013 | SOU EXTENSION 3 FILED                              |                   |
| Jul. 11, 2013 | CASE ASSIGNED TO INTENT TO USE PARALEGAL           |                   |
| Jun. 13, 2013 | SOU TEAS EXTENSION RECEIVED                        |                   |
| Dec. 12, 2012 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   |                   |
| Dec. 11, 2012 | SOU EXTENSION 2 GRANTED                            |                   |
| Dec. 06, 2012 | SOU EXTENSION 2 FILED                              |                   |
| Dec. 11, 2012 | CASE ASSIGNED TO INTENT TO USE PARALEGAL           |                   |
| Dec. 06, 2012 | SOU TEAS EXTENSION RECEIVED                        |                   |
| Jun. 21, 2012 | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   |                   |

|               |  |
|---------------|--|
| Jun. 19, 2012 | SOU EXTENSION 1 GRANTED                            |
| Jun. 19, 2012 | SOU EXTENSION 1 FILED                              |
| Jun. 19, 2012 | SOU TEAS EXTENSION RECEIVED                        |
| Dec. 20, 2011 | NOA E-MAILED - SOU REQUIRED FROM APPLICANT         |
| Oct. 25, 2011 | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED |
| Oct. 25, 2011 | PUBLISHED FOR OPPOSITION                           |
| Sep. 22, 2011 | LAW OFFICE PUBLICATION REVIEW COMPLETED            |
| Sep. 16, 2011 | ASSIGNED TO LIE                                    |
| Sep. 01, 2011 | APPROVED FOR PUB - PRINCIPAL REGISTER              |
| Aug. 11, 2011 | TEAS/EMAIL CORRESPONDENCE ENTERED                  |
| Aug. 10, 2011 | CORRESPONDENCE RECEIVED IN LAW OFFICE              |
| Aug. 10, 2011 | TEAS RESPONSE TO OFFICE ACTION RECEIVED            |
| Aug. 03, 2011 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY  |
| Feb. 10, 2011 | NOTIFICATION OF PRIORITY ACTION E-MAILED           |
| Feb. 10, 2011 | PRIORITY ACTION E-MAILED                           |
| Feb. 10, 2011 | PRIORITY ACTION WRITTEN                            |
| Dec. 17, 2010 | TEAS/EMAIL CORRESPONDENCE ENTERED                  |
| Dec. 17, 2010 | CORRESPONDENCE RECEIVED IN LAW OFFICE              |
| Dec. 17, 2010 | TEAS RESPONSE TO OFFICE ACTION RECEIVED            |
| Jun. 22, 2010 | NOTIFICATION OF NON-FINAL ACTION E-MAILED          |
| Jun. 22, 2010 | NON-FINAL ACTION E-MAILED                          |
| Jun. 22, 2010 | NON-FINAL ACTION WRITTEN                           |
| Jun. 16, 2010 | ASSIGNED TO EXAMINER                               |
| Apr. 24, 2010 | NOTICE OF PSEUDO MARK MAILED                       |
| Apr. 23, 2010 | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED       |
| Apr. 22, 2010 | NEW APPLICATION ENTERED                            |

## TM Staff and Location Information

### TM Staff Information

**TM Attorney:**

**Law Office** LAW OFFICE 107  
**Assigned:**

### File Location

**Current Location:** INTENT TO USE SECTION

**Date in Location:** Jun. 20, 2014

## Assignment Abstract Of Title Information

### Summary

**Total Assignments:** 2

**Applicant:** Redbox Automated Retail, LLC

### Assignment 1 of 2

**Conveyance:** AMENDED AND RESTATED SECURITY AGREEMENT

**Reel/Frame:** [4590/0957](#)

**Pages:** 8

**Date Recorded:** Jul. 26, 2011

**Supporting Documents:** [assignment-tm-4590-0957.pdf](#)

### Assignor

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

**Execution Date:** Jul. 15, 2011

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** DELAWARE  
**Where Organized:**

### Assignee

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

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

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

**Address:** 901 MAIN STREET  
MAIL CODE: TX1-492-14-14  
DALLAS, TEXAS 75202

**Correspondent**

**Correspondent Name:** GAVIN GEORGE

**Correspondent Address:** HAYNES AND BOONE, LLP  
2323 VICTORY AVENUE, SUITE 700  
DALLAS, TX 75219

**Domestic Representative - Not Found****Assignment 2 of 2**

**Conveyance:** RELEASE OF INTELLECTUAL PROPERTY SECURITY INTEREST

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

**Pages:** 16

**Date Recorded:** Sep. 27, 2016

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

**Assignor**

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

**Execution Date:** Sep. 27, 2016

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

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

**Assignee**

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

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country Where Organized:** DELAWARE

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

**Correspondent**

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

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

**Domestic Representative - Not Found**

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |   |                    |     |
|----------------------|---|--------------------|-----|
| RUN DATE             | 01/27/2015                                |                    |     |
| PUB DATE             | 10/25/2011                                |                    |     |
| STATUS               | 606-ABANDONED - NO STATEMENT OF USE FILED |                    |     |
| STATUS DATE          | 01/26/2015                                |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT.            |                    |     |
| DATE ABANDONED       | 01/26/2015                                | DATE CANCELLED     | N/A |
| SECTION 2F           | NO  | SECTION 2F IN PART | NO  |
| SECTION 8            | NO  | SECTION 8 IN PART  | NO  |
| SECTION 15           | NO  | REPUB 12C          | N/A |
| RENEWAL FILED        | NO  | RENEWAL DATE       | N/A |
| DATE AMEND REG       | N/A                                       |                    |     |

**FILING BASIS**

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

**MARK DATA**

|                         |                                |
|-------------------------|--------------------------------|
| STANDARD CHARACTER MARK | YES                            |
| LITERAL MARK ELEMENT    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |   |
|---------------------|---|
| INTERNATIONAL CLASS | 035   |
| DESCRIPTION TEXT    | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041   |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION  | ENT NUM |
|------------|--------|----------|--|---------|
| 01/26/2015 | MAB6   | O        | ABANDONMENT NOTICE MAILED - NO USE STATEMENT FILED | 048     |
| 01/26/2015 | ABN6   | S        | ABANDONMENT - NO USE STATEMENT FILED               | 047     |
| 06/21/2014 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   | 046     |
| 06/20/2014 | EX5G   | S        | EXTENSION 5 GRANTED                                | 045     |
| 06/12/2014 | EXT5   | S        | EXTENSION 5 FILED                                  | 044     |
| 06/12/2014 | EEXT   | I        | TEAS EXTENSION RECEIVED                            | 043     |
| 01/14/2014 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   | 042     |
| 01/13/2014 | EX4G   | S        | EXTENSION 4 GRANTED                                | 041     |
| 12/13/2013 | EXT4   | S        | EXTENSION 4 FILED                                  | 040     |
| 12/13/2013 | EEXT   | I        | TEAS EXTENSION RECEIVED                            | 039     |
| 07/13/2013 | EXRA   | O        | NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED     | 038     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 07/12/2013 | EXRA | E | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED     | 037 |
| 07/11/2013 | EX3G | S | EXTENSION 3 GRANTED                                  | 036 |
| 06/13/2013 | EXT3 | S | EXTENSION 3 FILED                                    | 035 |
| 07/11/2013 | AITU | A | CASE ASSIGNED TO INTENT TO USE PARALEGAL             | 034 |
| 06/13/2013 | EEXT | I | TEAS EXTENSION RECEIVED                              | 033 |
| 12/12/2012 | EXRA | E | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED     | 032 |
| 12/11/2012 | EX2G | S | EXTENSION 2 GRANTED                                  | 031 |
| 12/06/2012 | EXT2 | S | EXTENSION 2 FILED                                    | 030 |
| 12/11/2012 | AITU | A | CASE ASSIGNED TO INTENT TO USE PARALEGAL             | 029 |
| 12/06/2012 | EEXT | I | TEAS EXTENSION RECEIVED                              | 028 |
| 06/21/2012 | EXRA | E | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED     | 027 |
| 06/19/2012 | EX1G | S | EXTENSION 1 GRANTED                                  | 026 |
| 06/19/2012 | EXT1 | S | EXTENSION 1 FILED                                    | 025 |
| 06/19/2012 | EEXT | I | TEAS EXTENSION RECEIVED                              | 024 |
| 12/20/2011 | NOAM | E | NOA E-MAILED - SOU REQUIRED FROM APPLICANT           | 023 |
| 10/25/2011 | NPUB | E | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED   | 022 |
| 10/25/2011 | PUBO | A | PUBLISHED FOR OPPOSITION                             | 021 |
| 09/22/2011 | PREV | O | LAW OFFICE PUBLICATION REVIEW COMPLETED              | 020 |
| 09/16/2011 | ALIE | A | ASSIGNED TO LIE                                      | 019 |
| 09/01/2011 | CNSA | P | APPROVED FOR PUB - PRINCIPAL REGISTER                | 018 |
| 08/11/2011 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 017 |
| 08/10/2011 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 016 |
| 08/10/2011 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 015 |
| 08/03/2011 | ASCK | I | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    | 014 |
| 02/10/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED             | 013 |
| 02/10/2011 | GPRA | O | PRIORITY ACTION E-MAILED                             | 012 |
| 02/10/2011 | CPRA | R | PRIORITY ACTION WRITTEN                              | 011 |
| 12/17/2010 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 010 |
| 12/17/2010 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009 |
| 12/17/2010 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008 |
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

**PRIOR OWNER INFORMATION**

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



DON'T JUST RENT IT.  
REDBOX IT.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

Jan 26, 2015

**NOTICE OF ABANDONMENT**

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

---

|                       |                                |
|-----------------------|--------------------------------|
| <b>SERIAL NUMBER:</b> | 85/017757                      |
| <b>MARK:</b>          | DON'T JUST RENT IT. REDBOX IT. |
| <b>APPLICANT:</b>     | Redbox Automated Retail, LLC   |

---

THE ABOVE IDENTIFIED TRADEMARK APPLICATION WAS ABANDONED ON 01/26/2015 FOR THE FOLLOWING REASON:

APPLICANT FAILED TO FILE A STATEMENT OF USE (SOU) OR REQUEST FOR AN EXTENSION OF TIME TO FILE A STATEMENT OF USE (EXTENSION REQUEST). TRADEMARK ACT 1(d)(4), 15 U.S.C. 1051 (d)(4); 37 C.F.R. 2.65(c).

**YOU CAN REQUEST REINSTATEMENT OF THE APPLICATION FOR NO FEE IF:**

- \* YOU HAVE PROOF THAT THE STATEMENT OF USE OR EXTENSION REQUEST WAS RECEIVED IN THE USPTO ON OR BEFORE THE DUE DATE - SUCH AS A POSTCARD WITH A USPTO MAILROOM DATE STAMP; OR,
- \* YOU MAILED OR FAXED THE STATEMENT OF USE OR EXTENSION REQUEST ON OR BEFORE THE DUE DATE WITH A CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION, IN ACCORDANCE WITH USPTO RULE 2.197, 37 CFR SEC. 2.197.

**YOU MUST SUBMIT A COPY OF THE PREVIOUSLY SUBMITTED TIMELY STATEMENT OF USE OR EXTENSION REQUEST WITHIN 2 MONTHS OF THE DATE PRINTED AT THE TOP OF THIS NOTICE ALONG WITH ONE OF THE TYPES OF PROOF SET OUT ABOVE. YOU MAY FAX THIS INFORMATION TO THE INTENT TO USE UNIT AT 571-273-9550.**

**IF YOU DO NOT HAVE THE PROOF NECESSARY FOR REINSTATEMENT, YOU CAN FILE A PETITION TO REVIVE THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) AVAILABLE AT <http://www.uspto.gov/teas/index.html>. USPTO RULE 2.66, 37 CFR SEC. 2.66, REQUIRES:**

- \* A "PETITION TO REVIVE" **TO BE FILED WITHIN 2 MONTHS** OF THE DATE PRINTED AT THE TOP OF THIS NOTICE;
- \* A SIGNED STATEMENT BY SOMEONE WITH FIRST HAND KNOWLEDGE OF THE FACTS THAT THE DELAY IN RESPONDING BY THE DUE DATE WAS "UNINTENTIONAL";
- \* A PETITION FEE OF \$100, MADE PAYABLE TO THE COMMISSIONER OF TRADEMARKS; AND
- \* IF YOU RECEIVED THE NOTICE OF ALLOWANCE, YOU MUST ALSO INCLUDE A STATEMENT OF USE OR EXTENSION REQUEST AND THE REQUIRED FEES, INCLUDING ANY FEES FOR EXTENSION REQUESTS THAT SHOULD HAVE BEEN FILED IF THE APPLICATION HAD NEVER BEEN ABANDONED. IF YOU DID NOT RECEIVE THE NOTICE OF ALLOWANCE, INCLUDE A STATEMENT THAT YOU DID NOT RECEIVE THE NOTICE OF ALLOWANCE.

**FOR FURTHER INFORMATION CALL 1-800-786-9199**

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Saturday, June 21, 2014 00:11 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85017757: DON'T JUST RENT IT. REDBOX IT.: Docket/Reference No. 19638.14T1

---

NOTICE OF APPROVAL OF EXTENSION REQUEST

**U.S. Serial Number:** 85017757  
**Mark:** DON'T JUST RENT IT. REDBOX IT.  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 5  
**Docket/Reference Number:** 19638.14T1  
**Notice of Allowance Date:** Dec 20, 2011

The USPTO issued a Notice of Allowance on **Dec 20, 2011** for the trademark application identified above. Applicant's **FIFTH** 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=85017757&caseType=SERIAL\\_NO&searchType=statusSearch](https://tsdr.uspto.gov/#caseNumber=85017757&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=85017757&caseType=SERIAL\\_NO&searchType=documentSearch](https://tsdr.uspto.gov/#caseNumber=85017757&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 | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |                                |                    |     |
|----------------------|--------------------------------|--------------------|-----|
| RUN DATE             | 06/21/2014                     |                    |     |
| PUB DATE             | 10/25/2011                     |                    |     |
| STATUS               | 734-FIFTH EXTENSION - GRANTED  |                    |     |
| STATUS DATE          | 06/20/2014                     |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT. |                    |     |
|                      |                                |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |   |
|---------------------|---|
| INTERNATIONAL CLASS | 035   |
| DESCRIPTION TEXT    | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041   |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                                      | ENT NUM |
|------------|--------|----------|--|---------|
| 06/21/2014 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 046     |
| 06/20/2014 | EX5G   | S        | EXTENSION 5 GRANTED                              | 045     |
| 06/12/2014 | EXT5   | S        | EXTENSION 5 FILED                                | 044     |
| 06/12/2014 | EEXT   | I        | TEAS EXTENSION RECEIVED                          | 043     |
| 01/14/2014 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 042     |
| 01/13/2014 | EX4G   | S        | EXTENSION 4 GRANTED                              | 041     |
| 12/13/2013 | EXT4   | S        | EXTENSION 4 FILED                                | 040     |
| 12/13/2013 | EEXT   | I        | TEAS EXTENSION RECEIVED                          | 039     |
| 07/13/2013 | EXRA   | O        | NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED   | 038     |
| 07/12/2013 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 037     |
| 07/11/2013 | EX3G   | S        | EXTENSION 3 GRANTED                              | 036     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 06/13/2013 | EXT3 | S | EXTENSION 3 FILED                                    | 035 |
| 07/11/2013 | AITU | A | CASE ASSIGNED TO INTENT TO USE PARALEGAL             | 034 |
| 06/13/2013 | EEXT | I | TEAS EXTENSION RECEIVED                              | 033 |
| 12/12/2012 | EXRA | E | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED     | 032 |
| 12/11/2012 | EX2G | S | EXTENSION 2 GRANTED                                  | 031 |
| 12/06/2012 | EXT2 | S | EXTENSION 2 FILED                                    | 030 |
| 12/11/2012 | AITU | A | CASE ASSIGNED TO INTENT TO USE PARALEGAL             | 029 |
| 12/06/2012 | EEXT | I | TEAS EXTENSION RECEIVED                              | 028 |
| 06/21/2012 | EXRA | E | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED     | 027 |
| 06/19/2012 | EX1G | S | EXTENSION 1 GRANTED                                  | 026 |
| 06/19/2012 | EXT1 | S | EXTENSION 1 FILED                                    | 025 |
| 06/19/2012 | EEXT | I | TEAS EXTENSION RECEIVED                              | 024 |
| 12/20/2011 | NOAM | E | NOA E-MAILED - SOU REQUIRED FROM APPLICANT           | 023 |
| 10/25/2011 | NPUB | E | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED   | 022 |
| 10/25/2011 | PUBO | A | PUBLISHED FOR OPPOSITION                             | 021 |
| 09/22/2011 | PREV | O | LAW OFFICE PUBLICATION REVIEW COMPLETED              | 020 |
| 09/16/2011 | ALIE | A | ASSIGNED TO LIE                                      | 019 |
| 09/01/2011 | CNSA | P | APPROVED FOR PUB - PRINCIPAL REGISTER                | 018 |
| 08/11/2011 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 017 |
| 08/10/2011 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 016 |
| 08/10/2011 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 015 |
| 08/03/2011 | ASCK | I | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    | 014 |
| 02/10/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED             | 013 |
| 02/10/2011 | GPRA | O | PRIORITY ACTION E-MAILED                             | 012 |
| 02/10/2011 | CPRA | R | PRIORITY ACTION WRITTEN                              | 011 |
| 12/17/2010 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 010 |
| 12/17/2010 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009 |
| 12/17/2010 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008 |
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

### PRIOR OWNER INFORMATION

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

DON'T JUST RENT IT.  
REDBOX IT.



## 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>                 | 85017757  |
| <b>LAW OFFICE ASSIGNED</b>           | LAW OFFICE 107  |
| <b>MARK SECTION</b>                  |   |
| <b>MARK</b>                          | DON'T JUST RENT IT. REDBOX IT.  |
| <b>STANDARD CHARACTERS</b>           | YES   |
| <b>USPTO-GENERATED IMAGE</b>         | YES   |
| <b>LITERAL ELEMENT</b>               | DON'T JUST RENT IT. REDBOX IT.  |
| <b>OWNER SECTION</b>                 |   |
| <b>NAME</b>                          | Redbox Automated Retail, LLC  |
| <b>STREET</b>                        | 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   |
| <b>CURRENT IDENTIFICATION</b>        | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>INTERNATIONAL CLASS</b>           | 041   |
| <b>CURRENT IDENTIFICATION</b>        | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>EXTENSION SECTION</b>             |   |
| <b>EXTENSION NUMBER</b>              | 5   |
| <b>ONGOING EFFORT</b>                | product or service research or development  |

|                           |   |
|---------------------------|---|
| ALLOWANCE MAIL DATE       | 12/20/2011  |
| 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               | 06/12/2014  |
| SIGNATORY'S PHONE NUMBER  | 312.269.8000  |
| <b>FILING INFORMATION</b> |   |
| SUBMIT DATE               | Thu Jun 12 15:59:25 EDT 2014  |
| TEAS STAMP                | USPTO/ESU-XX.XXX.XXX.XX-2<br>0140612155925338910-85017<br>757-50042356ef28cb57aa479<br>bc386785fa8fdf2a689fb87db<br>83fe7587278481e8c0-DA-329<br>9-20140612121240710679 |

---

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

To the Commissioner for Trademarks:

**MARK:** DON'T JUST RENT IT. REDBOX IT.  
**SERIAL NUMBER:** 85017757

The applicant, Redbox Automated Retail, LLC, having an address of  
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 12/20/2011.

For International Class 035:

Current identification: Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase

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: Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

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 fifth 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**

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: 06/12/2014  
Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member  
Signatory's Phone: 312.269.8000

RAM Sale Number: 85017757  
RAM Accounting Date: 06/13/2014

Serial Number: 85017757  
Internet Transmission Date: Thu Jun 12 15:59:25 EDT 2014  
TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2014061215592533  
8910-85017757-50042356ef28cb57aa479bc386  
785fa8fdf2a689fb87db83fe7587278481e8c0-D  
A-3299-20140612121240710679

# TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017757



Mark: DON'T JUST RENT IT. REDBOX IT.

Mail Date: 2014/06/12



Examiner Number: 78353

LIE Number: 67287



Examiner Name:  
DUBOIS, MICHELLE E



LIE Name:  
HODGE, KEISHA L

L.O. Assigned: LAW OFFICE 107

Special Instruction(s):

| <u>Transaction</u>        | <u>Fee<br/>Code</u> | <u>Transaction<br/>Date</u> | <u>Fee per<br/>Class</u> | <u>Number<br/>of Classes</u> | <u>Total<br/>Fee</u> |
|---------------------------|---------------------|-----------------------------|--------------------------|------------------------------|----------------------|
| Extension Request for SOU | 7004                | 20140612                    | \$150                    | 2                            | \$300                |

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, January 14, 2014 00:11 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 85017757: DON'T JUST RENT IT. REDBOX IT.: Docket/Reference No. 19638.14T1

---

NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 85017757  
**Mark:** DON'T JUST RENT IT. REDBOX IT.  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 4  
**Docket/Reference Number:** 19638.14T1  
**Notice of Allowance Date:** Dec 20, 2011

The USPTO issued a Notice of Allowance on **Dec 20, 2011** for the trademark application identified above. Applicant's **FOURTH** request for Extension of Time to File a Statement of Use has been **GRANTED**.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

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

To check the status of an application, go to <http://tarr.uspto.gov/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85017757>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |                                |                    |     |
|----------------------|--------------------------------|--------------------|-----|
| RUN DATE             | 01/14/2014                     |                    |     |
| PUB DATE             | 10/25/2011                     |                    |     |
| STATUS               | 733-FOURTH EXTENSION - GRANTED |                    |     |
| STATUS DATE          | 01/13/2014                     |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT. |                    |     |
|                      |                                |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |   |
|---------------------|---|
| INTERNATIONAL CLASS | 035   |
| DESCRIPTION TEXT    | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041   |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                                      | ENT NUM |
|------------|--------|----------|--|---------|
| 01/14/2014 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 042     |
| 01/13/2014 | EX4G   | S        | EXTENSION 4 GRANTED                              | 041     |
| 12/13/2013 | EXT4   | S        | EXTENSION 4 FILED                                | 040     |
| 12/13/2013 | EEXT   | I        | TEAS EXTENSION RECEIVED                          | 039     |
| 07/13/2013 | EXRA   | O        | NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED   | 038     |
| 07/12/2013 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 037     |
| 07/11/2013 | EX3G   | S        | EXTENSION 3 GRANTED                              | 036     |
| 06/13/2013 | EXT3   | S        | EXTENSION 3 FILED                                | 035     |
| 07/11/2013 | AITU   | A        | CASE ASSIGNED TO INTENT TO USE PARALEGAL         | 034     |
| 06/13/2013 | EEXT   | I        | TEAS EXTENSION RECEIVED                          | 033     |
| 12/12/2012 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 032     |



|            |      |   |  |     |
|------------|------|---|--|-----|
| 12/11/2012 | EX2G | S | EXTENSION 2 GRANTED                                  | 031 |
| 12/06/2012 | EXT2 | S | EXTENSION 2 FILED                                    | 030 |
| 12/11/2012 | AITU | A | CASE ASSIGNED TO INTENT TO USE PARALEGAL             | 029 |
| 12/06/2012 | EEXT | I | TEAS EXTENSION RECEIVED                              | 028 |
| 06/21/2012 | EXRA | E | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED     | 027 |
| 06/19/2012 | EX1G | S | EXTENSION 1 GRANTED                                  | 026 |
| 06/19/2012 | EXT1 | S | EXTENSION 1 FILED                                    | 025 |
| 06/19/2012 | EEXT | I | TEAS EXTENSION RECEIVED                              | 024 |
| 12/20/2011 | NOAM | E | NOA E-MAILED - SOU REQUIRED FROM APPLICANT           | 023 |
| 10/25/2011 | NPUB | E | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED   | 022 |
| 10/25/2011 | PUBO | A | PUBLISHED FOR OPPOSITION                             | 021 |
| 09/22/2011 | PREV | O | LAW OFFICE PUBLICATION REVIEW COMPLETED              | 020 |
| 09/16/2011 | ALIE | A | ASSIGNED TO LIE                                      | 019 |
| 09/01/2011 | CNSA | P | APPROVED FOR PUB - PRINCIPAL REGISTER                | 018 |
| 08/11/2011 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 017 |
| 08/10/2011 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 016 |
| 08/10/2011 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 015 |
| 08/03/2011 | ASCK | I | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    | 014 |
| 02/10/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED             | 013 |
| 02/10/2011 | GPRA | O | PRIORITY ACTION E-MAILED                             | 012 |
| 02/10/2011 | CPRA | R | PRIORITY ACTION WRITTEN                              | 011 |
| 12/17/2010 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 010 |
| 12/17/2010 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009 |
| 12/17/2010 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008 |
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

### PRIOR OWNER INFORMATION

|            |  |
|------------|--|
| PARTY TYPE | 10-ORIGINAL APPLICANT                                      |
| NAME       | Redbox Automated Retail, LLC                               |
| ADDRESS    | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |

|             |                |
|-------------|----------------|
| ENTITY      | 16-LTD LIAB CO |
| CITIZENSHIP | Delaware       |

DON'T JUST RENT IT.  
REDBOX IT.

## 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>                 | 85017757  |
| <b>LAW OFFICE ASSIGNED</b>           | LAW OFFICE 107  |
| <b>MARK SECTION</b>                  |   |
| <b>MARK</b>                          | DON'T JUST RENT IT. REDBOX IT.  |
| <b>STANDARD CHARACTERS</b>           | YES   |
| <b>USPTO-GENERATED IMAGE</b>         | YES   |
| <b>LITERAL ELEMENT</b>               | DON'T JUST RENT IT. REDBOX IT.  |
| <b>OWNER SECTION</b>                 |   |
| <b>NAME</b>                          | Redbox Automated Retail, LLC  |
| <b>STREET</b>                        | 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   |
| <b>CURRENT IDENTIFICATION</b>        | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>INTERNATIONAL CLASS</b>           | 041   |
| <b>CURRENT IDENTIFICATION</b>        | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>EXTENSION SECTION</b>             |   |
| <b>EXTENSION NUMBER</b>              | 4   |
| <b>ONGOING EFFORT</b>                | product or service research or development  |

|                           |   |
|---------------------------|---|
| ALLOWANCE MAIL DATE       | 12/20/2011  |
| 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               | 12/13/2013  |
| SIGNATORY'S PHONE NUMBER  | 312-269-8000  |
| <b>FILING INFORMATION</b> |   |
| SUBMIT DATE               | Fri Dec 13 18:37:38 EST 2013  |
| TEAS STAMP                | USPTO/ESU-XX.XXX.XX.X-201<br>31213183738334519-8501775<br>7-500562192a8a099c16bd8bd<br>b61eb368f0d56b29eff334ebd<br>c4f5379f449faa97d6-DA-594<br>2-20131208195241945934 |

---

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

To the Commissioner for Trademarks:

**MARK:** DON'T JUST RENT IT. REDBOX IT.  
**SERIAL NUMBER:** 85017757

The applicant, Redbox Automated Retail, LLC, having an address of  
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 12/20/2011.

For International Class 035:

Current identification: Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase

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: Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

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

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

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

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /James P. Muraff/      Date Signed: 12/13/2013

Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member  
Signatory's Phone: 312-269-8000

RAM Sale Number: 85017757  
RAM Accounting Date: 12/16/2013

Serial Number: 85017757  
Internet Transmission Date: Fri Dec 13 18:37:38 EST 2013  
TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201312131837383345  
19-85017757-500562192a8a099c16bd8bdb61eb  
368f0d56b29eff334ebdc4f5379f449faa97d6-D  
A-5942-20131208195241945934

# TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017757



Mark: DON'T JUST RENT IT. REDBOX IT.

Mail Date: 2013/12/13



Examiner Number: 78353

LIE Number: 67287



Examiner Name:  
DUBOIS, MICHELLE E



LIE Name:  
HODGE, KEISHA L

L.O. Assigned: LAW OFFICE 107

Special Instruction(s):

| <u>Transaction</u>        | <u>Fee<br/>Code</u> | <u>Transaction<br/>Date</u> | <u>Fee per<br/>Class</u> | <u>Number<br/>of Classes</u> | <u>Total<br/>Fee</u> |
|---------------------------|---------------------|-----------------------------|--------------------------|------------------------------|----------------------|
| Extension Request for SOU | 7004                | 20131213                    | \$150                    | 2                            | \$300                |





UNITED STATES PATENT AND TRADEMARK OFFICE

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

## NOTICE OF APPROVAL OF EXTENSION REQUEST

Jul 13, 2013

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

**Serial Number:** 85017757  
**Mark:** DON'T JUST RENT IT. REDBOX IT.  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 3  
**Docket/Reference Number:** 19638.14T1  
**Notice of Allowance Date:** Dec 20, 2011

The USPTO issued a Notice of Allowance on **Dec 20, 2011** for the trademark application identified above. Applicant's **THIRD** request for Extension of Time to File a Statement of Use has been **GRANTED**.

### PLEASE NOTE:

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

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

To check the status of an application, go to <http://tarr.uspto.gov/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85017757>.

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Friday, July 12, 2013 00:11 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 85017757 : Official USPTO Notice of Approval of Extension Request

---

NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 85017757  
**Mark:** DON'T JUST RENT IT. REDBOX IT.(STANDARD CHARACTER MARK)  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 3  
**Docket/Reference Number:** 19638.14T1  
**Notice of Allowance Date:** Dec 20, 2011

The USPTO issued a Notice of Allowance on **Dec 20, 2011** for the trademark application identified above. Applicant's **THIRD** request for Extension of Time to File a Statement of Use has been **GRANTED**.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

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

To check the status of an application, go to <http://tarr.uspto.gov/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85017757>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |                                |                    |     |
|----------------------|--------------------------------|--------------------|-----|
| RUN DATE             | 07/12/2013                     |                    |     |
| PUB DATE             | 10/25/2011                     |                    |     |
| STATUS               | 732-THIRD EXTENSION - GRANTED  |                    |     |
| STATUS DATE          | 07/11/2013                     |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT. |                    |     |
|                      |                                |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |   |
|---------------------|---|
| INTERNATIONAL CLASS | 035   |
| DESCRIPTION TEXT    | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041   |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                                      | ENT NUM |
|------------|--------|----------|--|---------|
| 07/12/2013 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 037     |
| 07/11/2013 | EX3G   | S        | EXTENSION 3 GRANTED                              | 036     |
| 06/13/2013 | EXT3   | S        | EXTENSION 3 FILED                                | 035     |
| 07/11/2013 | AITU   | A        | CASE ASSIGNED TO INTENT TO USE PARALEGAL         | 034     |
| 06/13/2013 | EEXT   | I        | TEAS EXTENSION RECEIVED                          | 033     |
| 12/12/2012 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 032     |
| 12/11/2012 | EX2G   | S        | EXTENSION 2 GRANTED                              | 031     |
| 12/06/2012 | EXT2   | S        | EXTENSION 2 FILED                                | 030     |
| 12/11/2012 | AITU   | A        | CASE ASSIGNED TO INTENT TO USE PARALEGAL         | 029     |
| 12/06/2012 | EEXT   | I        | TEAS EXTENSION RECEIVED                          | 028     |
| 06/21/2012 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED | 027     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 06/19/2012 | EX1G | S | EXTENSION 1 GRANTED                                  | 026 |
| 06/19/2012 | EXT1 | S | EXTENSION 1 FILED                                    | 025 |
| 06/19/2012 | EEXT | I | TEAS EXTENSION RECEIVED                              | 024 |
| 12/20/2011 | NOAM | E | NOA E-MAILED - SOU REQUIRED FROM APPLICANT           | 023 |
| 10/25/2011 | NPUB | E | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED   | 022 |
| 10/25/2011 | PUBO | A | PUBLISHED FOR OPPOSITION                             | 021 |
| 09/22/2011 | PREV | O | LAW OFFICE PUBLICATION REVIEW COMPLETED              | 020 |
| 09/16/2011 | ALIE | A | ASSIGNED TO LIE                                      | 019 |
| 09/01/2011 | CNSA | P | APPROVED FOR PUB - PRINCIPAL REGISTER                | 018 |
| 08/11/2011 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 017 |
| 08/10/2011 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 016 |
| 08/10/2011 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 015 |
| 08/03/2011 | ASCK | I | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    | 014 |
| 02/10/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED             | 013 |
| 02/10/2011 | GPRA | O | PRIORITY ACTION E-MAILED                             | 012 |
| 02/10/2011 | CPRA | R | PRIORITY ACTION WRITTEN                              | 011 |
| 12/17/2010 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 010 |
| 12/17/2010 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009 |
| 12/17/2010 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008 |
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

### PRIOR OWNER INFORMATION

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

DON'T JUST RENT IT.  
REDBOX IT.

## 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>                 | 85017757  |
| <b>LAW OFFICE ASSIGNED</b>           | LAW OFFICE 107  |
| <b>MARK SECTION</b>                  |   |
| <b>MARK</b>                          | DON'T JUST RENT IT. REDBOX IT.  |
| <b>STANDARD CHARACTERS</b>           | YES   |
| <b>USPTO-GENERATED IMAGE</b>         | YES   |
| <b>LITERAL ELEMENT</b>               | DON'T JUST RENT IT. REDBOX IT.  |
| <b>OWNER SECTION</b>                 |   |
| <b>NAME</b>                          | Redbox Automated Retail, LLC  |
| <b>STREET</b>                        | 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   |
| <b>CURRENT IDENTIFICATION</b>        | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>INTERNATIONAL CLASS</b>           | 041   |
| <b>CURRENT IDENTIFICATION</b>        | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |
| <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      | 12/20/2011  |
| STATEMENT OF USE         | NO  |
| PAYMENT SECTION          |   |
| NUMBER OF CLASSES        | 2   |
| SUBTOTAL AMOUNT          | 300   |
| TOTAL AMOUNT             | 300   |
| SIGNATURE SECTION        |   |
| SIGNATURE                | /James P. Muraff/   |
| SIGNATORY'S NAME         | James P. Muraff   |
| SIGNATORY'S POSITION     | Attorney for Applicant, Illinois Bar Member   |
| DATE SIGNED              | 06/13/2013  |
| SIGNATORY'S PHONE NUMBER | 312.269.8000  |
| FILING INFORMATION       |   |
| SUBMIT DATE              | Thu Jun 13 16:04:18 EDT 2013  |
| TEAS STAMP               | USPTO/ESU-XX.XXX.XX.X-201<br>30613160418243649-8501775<br>7-500fde48984836689a97bae<br>be1e7087986d25be3939eeaae<br>2cf6c7d4ca1d92e560-DA-298<br>4-20130613154134779212 |

---



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

To the Commissioner for Trademarks:

**MARK:** DON'T JUST RENT IT. REDBOX IT.  
**SERIAL NUMBER:** 85017757

The applicant, Redbox Automated Retail, LLC, having an address of  
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 12/20/2011.

For International Class 035:

Current identification: Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase

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: Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

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**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /James P. Muraff/ Date Signed: 06/13/2013

Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member  
Signatory's Phone: 312.269.8000

RAM Sale Number: 85017757  
RAM Accounting Date: 06/14/2013

Serial Number: 85017757  
Internet Transmission Date: Thu Jun 13 16:04:18 EDT 2013  
TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201306131604182436  
49-85017757-500fde48984836689a97baebe1e7  
087986d25be3939eeaae2cf6c7d4ca1d92e560-D  
A-2984-20130613154134779212

# TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017757



Mark: DON'T JUST RENT IT. REDBOX IT.

Mail Date: 2013/06/13



Examiner Number: 78353

LIE Number: 67287



Examiner Name:  
DUBOIS, MICHELLE E



LIE Name:  
HODGE, KEISHA L

L.O. Assigned: LAW OFFICE 107

Special Instruction(s):

| <u>Transaction</u>        | <u>Fee<br/>Code</u> | <u>Transaction<br/>Date</u> | <u>Fee per<br/>Class</u> | <u>Number<br/>of Classes</u> | <u>Total<br/>Fee</u> |
|---------------------------|---------------------|-----------------------------|--------------------------|------------------------------|----------------------|
| Extension Request for SOU | 7004                | 20130613                    | \$150                    | 2                            | \$300                |

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, December 12, 2012 00:11 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 85017757 : Official USPTO Notice of Approval of Extension Request

---

NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 85017757  
**Mark:** DON'T JUST RENT IT. REDBOX IT.(STANDARD CHARACTER MARK)  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 2  
**Docket/Reference Number:** 19638.14T1  
**Notice of Allowance Date:** Dec 20, 2011

The USPTO issued a Notice of Allowance on **Dec 20, 2011** for the trademark application identified above. Applicant's **SECOND** request for Extension of Time to File a Statement of Use has been **GRANTED**.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

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

To check the status of an application, go to <http://tarr.uspto.gov/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85017757>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |                                |                    |     |
|----------------------|--------------------------------|--------------------|-----|
| RUN DATE             | 12/12/2012                     |                    |     |
| PUB DATE             | 10/25/2011                     |                    |     |
| STATUS               | 731-SECOND EXTENSION - GRANTED |                    |     |
| STATUS DATE          | 12/11/2012                     |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT. |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |   |
|---------------------|---|
| INTERNATIONAL CLASS | 035   |
| DESCRIPTION TEXT    | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041   |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION  | ENT NUM |
|------------|--------|----------|--|---------|
| 12/12/2012 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   | 032     |
| 12/11/2012 | EX2G   | S        | EXTENSION 2 GRANTED                                | 031     |
| 12/06/2012 | EXT2   | S        | EXTENSION 2 FILED                                  | 030     |
| 12/11/2012 | AITU   | A        | CASE ASSIGNED TO INTENT TO USE PARALEGAL           | 029     |
| 12/06/2012 | EEXT   | I        | TEAS EXTENSION RECEIVED                            | 028     |
| 06/21/2012 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   | 027     |
| 06/19/2012 | EX1G   | S        | EXTENSION 1 GRANTED                                | 026     |
| 06/19/2012 | EXT1   | S        | EXTENSION 1 FILED                                  | 025     |
| 06/19/2012 | EEXT   | I        | TEAS EXTENSION RECEIVED                            | 024     |
| 12/20/2011 | NOAM   | E        | NOA E-MAILED - SOU REQUIRED FROM APPLICANT         | 023     |
| 10/25/2011 | NPUB   | E        | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | 022     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 10/25/2011 | PUBO | A | PUBLISHED FOR OPPOSITION                             | 021 |
| 09/22/2011 | PREV | O | LAW OFFICE PUBLICATION REVIEW COMPLETED              | 020 |
| 09/16/2011 | ALIE | A | ASSIGNED TO LIE                                      | 019 |
| 09/01/2011 | CNSA | P | APPROVED FOR PUB - PRINCIPAL REGISTER                | 018 |
| 08/11/2011 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 017 |
| 08/10/2011 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 016 |
| 08/10/2011 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 015 |
| 08/03/2011 | ASCK | I | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    | 014 |
| 02/10/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED             | 013 |
| 02/10/2011 | GPRA | O | PRIORITY ACTION E-MAILED                             | 012 |
| 02/10/2011 | CPRA | R | PRIORITY ACTION WRITTEN                              | 011 |
| 12/17/2010 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 010 |
| 12/17/2010 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009 |
| 12/17/2010 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008 |
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

### PRIOR OWNER INFORMATION

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

DON'T JUST RENT IT.  
REDBOX IT.



## 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>                 | 85017757  |
| <b>LAW OFFICE ASSIGNED</b>           | LAW OFFICE 107  |
| <b>MARK SECTION</b>                  |   |
| <b>MARK</b>                          | DON'T JUST RENT IT. REDBOX IT.  |
| <b>STANDARD CHARACTERS</b>           | YES   |
| <b>USPTO-GENERATED IMAGE</b>         | YES   |
| <b>LITERAL ELEMENT</b>               | DON'T JUST RENT IT. REDBOX IT.  |
| <b>OWNER SECTION</b>                 |   |
| <b>NAME</b>                          | Redbox Automated Retail, LLC  |
| <b>STREET</b>                        | 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   |
| <b>CURRENT IDENTIFICATION</b>        | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>INTERNATIONAL CLASS</b>           | 041   |
| <b>CURRENT IDENTIFICATION</b>        | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |
| <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  |

|                           |   |
|---------------------------|---|
| ALLOWANCE MAIL DATE       | 12/20/2011  |
| 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               | 12/06/2012  |
| SIGNATORY'S PHONE NUMBER  | 312.269.8000  |
| <b>FILING INFORMATION</b> |   |
| SUBMIT DATE               | Thu Dec 06 14:30:26 EST 2012  |
| TEAS STAMP                | USPTO/ESU-XX.XX.XXX.XXX-2<br>0121206143026265026-85017<br>757-490ae9e52ca179f774f37<br>6471acad287fdc-DA-859-201<br>21205114819015748 |

---

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

To the Commissioner for Trademarks:

**MARK:** DON'T JUST RENT IT. REDBOX IT.  
**SERIAL NUMBER:** 85017757

The applicant, Redbox Automated Retail, LLC, having an address of  
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 12/20/2011.

For International Class 035:

Current identification: Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase

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: Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

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

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

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

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /James P. Muraff/      Date Signed: 12/06/2012

Signatory's Name: James P. Muraff  
Signatory's Position: Attorney for Applicant, Illinois Bar Member  
Signatory's Phone: 312.269.8000

RAM Sale Number: 859  
RAM Accounting Date: 12/07/2012

Serial Number: 85017757  
Internet Transmission Date: Thu Dec 06 14:30:26 EST 2012  
TEAS Stamp: USPTO/ESU-XX.XX.XXX.XXX-2012120614302626  
5026-85017757-490ae9e52ca179f774f376471a  
cad287fdc-DA-859-20121205114819015748

# TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017757



Mark: DON'T JUST RENT IT. REDBOX IT.

Mail Date: 2012/12/06



Examiner Number: 78353

LIE Number: 67287



Examiner Name:  
DUBOIS, MICHELLE E



LIE Name:  
HODGE, KEISHA L

L.O. Assigned: LAW OFFICE 107

Special Instruction(s):

| <u>Transaction</u>        | <u>Fee<br/>Code</u> | <u>Transaction<br/>Date</u> | <u>Fee per<br/>Class</u> | <u>Number<br/>of Classes</u> | <u>Total<br/>Fee</u> |
|---------------------------|---------------------|-----------------------------|--------------------------|------------------------------|----------------------|
| Extension Request for SOU | 7004                | 20121206                    | \$150                    | 2                            | \$300                |

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |                                |                    |     |
|----------------------|--------------------------------|--------------------|-----|
| RUN DATE             | 06/21/2012                     |                    |     |
| PUB DATE             | 10/25/2011                     |                    |     |
| STATUS               | 730-FIRST EXTENSION - GRANTED  |                    |     |
| STATUS DATE          | 06/19/2012                     |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT. |                    |     |
|                      |                                |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |   |
|---------------------|---|
| INTERNATIONAL CLASS | 035   |
| DESCRIPTION TEXT    | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041   |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION  | ENT NUM |
|------------|--------|----------|--|---------|
| 06/21/2012 | EXRA   | E        | NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED   | 027     |
| 06/19/2012 | EX1G   | S        | EXTENSION 1 GRANTED                                | 026     |
| 06/19/2012 | EXT1   | S        | EXTENSION 1 FILED                                  | 025     |
| 06/19/2012 | EEXT   | I        | TEAS EXTENSION RECEIVED                            | 024     |
| 12/20/2011 | NOAM   | E        | NOA E-MAILED - SOU REQUIRED FROM APPLICANT         | 023     |
| 10/25/2011 | NPUB   | E        | OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED | 022     |
| 10/25/2011 | PUBO   | A        | PUBLISHED FOR OPPOSITION                           | 021     |
| 09/22/2011 | PREV   | O        | LAW OFFICE PUBLICATION REVIEW COMPLETED            | 020     |
| 09/16/2011 | ALIE   | A        | ASSIGNED TO LIE                                    | 019     |
| 09/01/2011 | CNSA   | P        | APPROVED FOR PUB - PRINCIPAL REGISTER              | 018     |
| 08/11/2011 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                  | 017     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 08/10/2011 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 016 |
| 08/10/2011 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 015 |
| 08/03/2011 | ASCK | I | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    | 014 |
| 02/10/2011 | GPRN | O | NOTIFICATION OF PRIORITY ACTION E-MAILED             | 013 |
| 02/10/2011 | GPRA | O | PRIORITY ACTION E-MAILED                             | 012 |
| 02/10/2011 | CPRA | R | PRIORITY ACTION WRITTEN                              | 011 |
| 12/17/2010 | TEME | I | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 010 |
| 12/17/2010 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009 |
| 12/17/2010 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008 |
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

### PRIOR OWNER INFORMATION

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



DON'T JUST RENT IT.  
REDBOX IT.

---

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Thursday, June 21, 2012 00:11 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 85017757 : Official USPTO Notice of Approval of Extension Request

---

NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 85017757  
**Mark:** DON'T JUST RENT IT. REDBOX IT.(STANDARD CHARACTER MARK)  
**Owner:** Redbox Automated Retail, LLC  
**Extension Request Number:** 1  
**Docket/Reference Number:** 19638.14T1  
**Notice of Allowance Date:** Dec 20, 2011

The USPTO issued a Notice of Allowance on **Dec 20, 2011** for the trademark application identified above. Applicant's **FIRST** request for Extension of Time to File a Statement of Use has been **GRANTED**.

**PLEASE NOTE:**

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

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

To check the status of an application, go to <http://tarr.uspto.gov/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85017757>. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

## 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>                 | 85017757  |
| <b>LAW OFFICE ASSIGNED</b>           | LAW OFFICE 107  |
| <b>MARK SECTION</b>                  |   |
| <b>MARK</b>                          | DON'T JUST RENT IT. REDBOX IT.  |
| <b>STANDARD CHARACTERS</b>           | YES   |
| <b>USPTO-GENERATED IMAGE</b>         | YES   |
| <b>LITERAL ELEMENT</b>               | DON'T JUST RENT IT. REDBOX IT.  |
| <b>OWNER SECTION</b>                 |   |
| <b>NAME</b>                          | Redbox Automated Retail, LLC  |
| <b>STREET</b>                        | 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   |
| <b>CURRENT IDENTIFICATION</b>        | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>INTERNATIONAL CLASS</b>           | 041   |
| <b>CURRENT IDENTIFICATION</b>        | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |
| <b>GOODS OR SERVICES</b>             | KEEP ALL LISTED   |
| <b>EXTENSION SECTION</b>             |   |
| <b>EXTENSION NUMBER</b>              | 1   |
| <b>ALLOWANCE MAIL DATE</b>           | 12/20/2011  |

|                          |  |
|--------------------------|--|
| STATEMENT OF USE         | NO   |
| PAYMENT SECTION          |  |
| NUMBER OF CLASSES        | 2  |
| SUBTOTAL AMOUNT          | 300  |
| TOTAL AMOUNT             | 300  |
| SIGNATURE SECTION        |  |
| SIGNATURE                | /James P. Muraff/  |
| SIGNATORY'S NAME         | James P. Muraff  |
| SIGNATORY'S POSITION     | Attorney of Record, Illinois Bar Member  |
| DATE SIGNED              | 06/19/2012   |
| SIGNATORY'S PHONE NUMBER | 312-269-8000   |
| FILING INFORMATION       |  |
| SUBMIT DATE              | Tue Jun 19 23:27:41 EDT 2012   |
| TEAS STAMP               | USPTO/ESU-XX.XXX.XXX.XX-2<br>0120619232741654591-85017<br>757-490c5e2838e10cc482ce9<br>697594d2544aaa-DA-7756-20<br>120619161029352829 |

---

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

To the Commissioner for Trademarks:

**MARK:** DON'T JUST RENT IT. REDBOX IT.  
**SERIAL NUMBER:** 85017757

The applicant, Redbox Automated Retail, LLC, having an address of  
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 12/20/2011.

For International Class 035:

Current identification: Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase

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: Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

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 \$300 will be submitted with the form, representing payment for 2 classes.

**Declaration**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /James P. Muraff/      Date Signed: 06/19/2012  
Signatory's Name: James P. Muraff

Signatory's Position: Attorney of Record, Illinois Bar Member  
Signatory's Phone: 312-269-8000

RAM Sale Number: 7756  
RAM Accounting Date: 06/20/2012

Serial Number: 85017757  
Internet Transmission Date: Tue Jun 19 23:27:41 EDT 2012  
TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2012061923274165  
4591-85017757-490c5e2838e10cc482ce969759  
4d2544aaa-DA-7756-20120619161029352829

**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, December 20, 2011 00:03 AM  
**To:** XXXX  
**Subject:** Trademark Serial Number 85017757: Official USPTO Notice of Allowance

## NOTICE OF ALLOWANCE (NOA)

**ISSUE DATE: Dec 20, 2011**

**Serial Number:** 85-017,757  
**Mark:** DONT JUST RENT IT. REDBOX IT.(STANDARD CHARACTER MARK)  
**Attorney Reference Number:** 19638.14T1

**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:** 85-017,757  
**Mark:** DONT JUST RENT IT. REDBOX IT.(STANDARD CHARACTER MARK)  
**Attorney Reference Number:** 19638.14T1  
**Owner:** Redbox Automated Retail, LLC  
Suite 1200  
One Tower Lane  
Oakbrook Terrace , ILLINOIS 60181  
**Correspondence Address:** JAMES P. MURAFF  
NEAL, GERBER & EISENBERG LLP  
2 N LASALLE ST STE 1700  
CHICAGO, IL 60602-4000

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

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

### GOODS/SERVICES BY INTERNATIONAL CLASS

- 035 - Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 041 - Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video

game software -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

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

---

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

**Additional information:** For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](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.



**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, October 25, 2011 00:28 AM  
**To:** XXXX  
**Subject:** Official USPTO Notice of Publication: Serial Number 85017757

---

## NOTICE OF PUBLICATION

**Serial Number:** 85-017,757  
**Mark:** DONT JUST RENT IT. REDBOX IT.(STANDARD CHARACTER MARK)  
**International Class(es):** 035, 041  
**Applicant:** Redbox Automated Retail, LLC  
**Attorney Reference Number:** 19638.14T1

The mark identified above has been published in the *Trademark Official Gazette* (OG) on Oct 25, 2011. Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then within twelve (12) weeks of the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the OG for accuracy (see steps, *below*). If any information is incorrect, the applicant should immediately email the requested correction to **TMPostPubQuery@uspto.gov**. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

1. Click on the following link or paste the URL into an internet browser: [http://www.uspto.gov/web/trademarks/tmog/20111025\\_OG.pdf#page=1](http://www.uspto.gov/web/trademarks/tmog/20111025_OG.pdf#page=1)
2. Wait for the total OG to download completely (as indicated on bottom of OG page).
3. At the top/side of the displayed page, click wherever the "binoculars" icon appears.
4. Enter in the "search" box the name of the applicant (for individual: last name, first name) or the serial number in this exact format (with hyphen and comma): 85-017,757, e.g.
5. View the retrieved result(s). If multiple results appear in the "results" box, click directly on each "search term" shown in the box to access all separate appearances in the OG.

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |                                       |                    |     |
|----------------------|---------------------------------------|--------------------|-----|
| RUN DATE             | 09/23/2011                            |                    |     |
| PUB DATE             | 10/25/2011                            |                    |     |
| STATUS               | 681-PUBLICATION/ISSUE REVIEW COMPLETE |                    |     |
| STATUS DATE          | 09/22/2011                            |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT.        |                    |     |
|                      |                                       |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |   |
|---------------------|---|
| INTERNATIONAL CLASS | 035   |
| DESCRIPTION TEXT    | Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041   |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software   |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                                       | ENT NUM |
|------------|--------|----------|---|---------|
| 09/22/2011 | PREV   | O        | LAW OFFICE PUBLICATION REVIEW COMPLETED           | 020     |
| 09/16/2011 | ALIE   | A        | ASSIGNED TO LIE                                   | 019     |
| 09/01/2011 | CNSA   | P        | APPROVED FOR PUB - PRINCIPAL REGISTER             | 018     |
| 08/11/2011 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                 | 017     |
| 08/10/2011 | CRFA   | I        | CORRESPONDENCE RECEIVED IN LAW OFFICE             | 016     |
| 08/10/2011 | TROA   | I        | TEAS RESPONSE TO OFFICE ACTION RECEIVED           | 015     |
| 08/03/2011 | ASCK   | I        | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | 014     |
| 02/10/2011 | GPRN   | O        | NOTIFICATION OF PRIORITY ACTION E-MAILED          | 013     |
| 02/10/2011 | GPRA   | O        | PRIORITY ACTION E-MAILED                          | 012     |
| 02/10/2011 | CPRA   | R        | PRIORITY ACTION WRITTEN                           | 011     |
| 12/17/2010 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                 | 010     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 12/17/2010 | CRFA | I | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009 |
| 12/17/2010 | TROA | I | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008 |
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

DON'T JUST RENT IT.  
REDBOX IT.

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |                                |                    |     |
|----------------------|--------------------------------|--------------------|-----|
| RUN DATE             | 09/02/2011                     |                    |     |
| PUB DATE             | N/A                            |                    |     |
| STATUS               | 680-APPROVED FOR PUBLICATION   |                    |     |
| STATUS DATE          | 09/01/2011                     |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT. |                    |     |
|                      |                                |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |  |
|---------------------|--|
| INTERNATIONAL CLASS | 035  |
| DESCRIPTION TEXT    | Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041  |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software  |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                                       | ENT NUM |
|------------|--------|----------|---|---------|
| 09/01/2011 | CNSA   | P        | APPROVED FOR PUB - PRINCIPAL REGISTER             | 018     |
| 08/11/2011 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                 | 017     |
| 08/10/2011 | CRFA   | I        | CORRESPONDENCE RECEIVED IN LAW OFFICE             | 016     |
| 08/10/2011 | TROA   | I        | TEAS RESPONSE TO OFFICE ACTION RECEIVED           | 015     |
| 08/03/2011 | ASCK   | I        | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | 014     |
| 02/10/2011 | GPRN   | O        | NOTIFICATION OF PRIORITY ACTION E-MAILED          | 013     |
| 02/10/2011 | GPRA   | O        | PRIORITY ACTION E-MAILED                          | 012     |
| 02/10/2011 | CPRA   | R        | PRIORITY ACTION WRITTEN                           | 011     |
| 12/17/2010 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                 | 010     |
| 12/17/2010 | CRFA   | I        | CORRESPONDENCE RECEIVED IN LAW OFFICE             | 009     |
| 12/17/2010 | TROA   | I        | TEAS RESPONSE TO OFFICE ACTION RECEIVED           | 008     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 06/22/2010 | GNRN | O | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007 |
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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



DON'T JUST RENT IT.  
REDBOX IT.

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |   |                    |     |
|----------------------|---|--------------------|-----|
| RUN DATE             | 08/12/2011                                  |                    |     |
| PUB DATE             | N/A   |                    |     |
| STATUS               | 661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED |                    |     |
| STATUS DATE          | 08/11/2011                                  |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT.              |                    |     |
|                      |   |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |  |
|---------------------|--|
| INTERNATIONAL CLASS | 035  |
| DESCRIPTION TEXT    | Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |
| INTERNATIONAL CLASS | 041  |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software  |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION                                       | ENT NUM |
|------------|--------|----------|---|---------|
| 08/11/2011 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                 | 017     |
| 08/10/2011 | CRFA   | I        | CORRESPONDENCE RECEIVED IN LAW OFFICE             | 016     |
| 08/10/2011 | TROA   | I        | TEAS RESPONSE TO OFFICE ACTION RECEIVED           | 015     |
| 08/03/2011 | ASCK   | I        | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY | 014     |
| 02/10/2011 | GPRN   | O        | NOTIFICATION OF PRIORITY ACTION E-MAILED          | 013     |
| 02/10/2011 | GPRA   | O        | PRIORITY ACTION E-MAILED                          | 012     |
| 02/10/2011 | CPRA   | R        | PRIORITY ACTION WRITTEN                           | 011     |
| 12/17/2010 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                 | 010     |
| 12/17/2010 | CRFA   | I        | CORRESPONDENCE RECEIVED IN LAW OFFICE             | 009     |
| 12/17/2010 | TROA   | I        | TEAS RESPONSE TO OFFICE ACTION RECEIVED           | 008     |
| 06/22/2010 | GNRN   | O        | NOTIFICATION OF NON-FINAL ACTION E-MAILED         | 007     |

|            |      |   |  |     |
|------------|------|---|--|-----|
| 06/22/2010 | GNRT | F | NON-FINAL ACTION E-MAILED                            | 006 |
| 06/22/2010 | CNRT | R | NON-FINAL ACTION WRITTEN                             | 005 |
| 06/16/2010 | DOCK | D | ASSIGNED TO EXAMINER                                 | 004 |
| 04/24/2010 | MPMK | O | NOTICE OF PSEUDO MARK MAILED                         | 003 |
| 04/23/2010 | NWOS | I | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002 |
| 04/22/2010 | NWAP | I | NEW APPLICATION ENTERED IN TRAM                      | 001 |

### CURRENT CORRESPONDENCE INFORMATION

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

DON'T JUST RENT IT.  
REDBOX IT.

## Response to Office Action

The table below presents the data as entered.

| Input Field  | Entered        |
|--|----------------|
| <b>SERIAL NUMBER</b>   | 85017757       |
| <b>LAW OFFICE ASSIGNED</b>   | LAW OFFICE 107 |
| <b>MARK SECTION (no change)</b>  |                |
| <b>GOODS AND/OR SERVICES SECTION (035)(current)</b>  |                |
| <b>INTERNATIONAL CLASS</b>   | 035            |
| <b>DESCRIPTION</b>   |                |
| Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase   |                |
| <b>FILING BASIS</b>  | Section 1(b)   |
| <b>GOODS AND/OR SERVICES SECTION (035)(proposed)</b>   |                |
| <b>INTERNATIONAL CLASS</b>   | 035            |
| <b>TRACKED TEXT DESCRIPTION</b>  |                |
| <del>Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase;</del> Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; <del>automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase;</del> automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase |                |
| <b>FINAL DESCRIPTION</b>   |                |
| Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase   |                |
| <b>FILING BASIS</b>  | Section 1(b)   |
| <b>GOODS AND/OR SERVICES SECTION (041)(current)</b>  |                |
| <b>INTERNATIONAL CLASS</b>   | 041            |
| <b>DESCRIPTION</b>   |                |
| Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games  |                |
| <b>FILING BASIS</b>  | Section 1(b)   |
| <b>GOODS AND/OR SERVICES SECTION (041)(proposed)</b>   |                |
| <b>INTERNATIONAL CLASS</b>   | 041            |
| <b>TRACKED TEXT DESCRIPTION</b>  |                |
| <del>Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games;</del> Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; <del>automated rental of DVDs, movies,</del>  |                |

|   |   |
|---|---|
| <del>prerecorded electronic media featuring entertainment content, and video games;</del> <a href="#">automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software</a>   |   |
| <b>FINAL DESCRIPTION</b>  |   |
| Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software |   |
| <b>FILING BASIS</b>   | Section 1(b)  |
| <b>SIGNATURE SECTION</b>  |   |
| <b>RESPONSE SIGNATURE</b>   | /James P. Muraff/   |
| <b>SIGNATORY'S NAME</b>   | James P. Muraff   |
| <b>SIGNATORY'S POSITION</b>   | Attorney of Record, Illinois Bar Member   |
| <b>DATE SIGNED</b>  | 08/10/2011  |
| <b>AUTHORIZED SIGNATORY</b>   | YES   |
| <b>FILING INFORMATION SECTION</b>   |   |
| <b>SUBMIT DATE</b>  | Wed Aug 10 20:43:09 EDT 2011  |
| <b>TEAS STAMP</b>   | USPTO/ROA-XX.XX.XXX.XXX-2<br>0110810204309947707-85017<br>757-480e73ee9ee05c128d7c8<br>19e8be5dd95-N/A-N/A-20110<br>807153820027690 |

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **85017757** 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 Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**Proposed:**

**Tracked Text Description:** ~~Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase;~~ [Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase;](#) ~~automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase;~~ [automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase](#)

Class 035 for Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

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

**Current:** Class 041 for Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**Proposed:**

**Tracked Text Description:** ~~Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games;~~ Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; ~~automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games;~~ automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

Class 041 for Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**SIGNATURE(S)**

**Response Signature**

Signature: /James P. Muraff/ Date: 08/10/2011

Signatory's Name: James P. Muraff

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

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85017757

Internet Transmission Date: Wed Aug 10 20:43:09 EDT 2011

TEAS Stamp: USPTO/ROA-XX.XX.XXX.XXX-2011081020430994

7707-85017757-480e73ee9ee05c128d7c819e8b

e5dd95-N/A-N/A-20110807153820027690



**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85017757 - DON'T JUST RENT IT. REDBOX IT. - 19638.14T1  
**Sent:** 2/10/2011 10:07:18 AM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:**

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

**APPLICATION SERIAL NO. 85017757**

**MARK:** DON'T JUST RENT IT. REDBOX IT.

**\*85017757\***

**CORRESPONDENT ADDRESS:**

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

**CLICK HERE TO RESPOND TO THIS LETTER:**  
<http://www.uspto.gov/teas/eTEASpageD.htm>

**APPLICANT:** Redbox Automated Retail, LLC

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
19638.14T1

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

**PRIORITY 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: 2/10/2011**

**ISSUES APPLICANT MUST ADDRESS:** On 2/7/11, the trademark examining attorney discussed the below issues with James Muraff. Applicant must timely respond to these issues. *See* 15 U.S.C. §1062(b); 37 C.F.R. §2.62(a); TMEP §§708, 711.

The Section 2(d) refusal is maintained pending applicant's response to the below proposal.

The following amendment to the identification of services is suggested to overcome the current Section 2(d) refusal:

**AMENDMENT OF IDENTIFICATION OF SERVICES**

"Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software for purchase," in International Class 35.

"Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video game software," in International Class 41.

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned examining

attorney.

/Michelle E. Dubois/  
Michelle E. Dubois  
Trademark Attorney  
U.S. Patent & Trademark Office  
Law Office 107  
(571) 272-5887

**TO RESPOND TO THIS LETTER:** Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue/mailling 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).

**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. 85017757 - DON'T JUST RENT IT. REDBOX IT. - 19638.14T1  
**Sent:** 2/10/2011 10:07:21 AM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:**

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

**USPTO OFFICE ACTION HAS ISSUED ON 2/10/2011 FOR  
SERIAL NO. 85017757**

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 2/10/2011 (or sooner if specified in the office action).

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

**HELP:** For *technical* assistance in accessing the Office action, please e-mail [TDR@uspto.gov](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.**

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

**OVERVIEW**

|               |                    |               |              |
|---------------|--------------------|---------------|--------------|
| SERIAL NUMBER | 85017757           | FILING DATE   | 04/19/2010   |
| REG NUMBER    | 0000000            | REG DATE      | N/A          |
| REGISTER      | PRINCIPAL          | MARK TYPE     | SERVICE MARK |
| INTL REG #    | N/A                | INTL REG DATE | N/A          |
| TM ATTORNEY   | DUBOIS, MICHELLE E | L.O. ASSIGNED | 107          |

**PUB INFORMATION**

|                      |   |                    |     |
|----------------------|---|--------------------|-----|
| RUN DATE             | 12/18/2010                                  |                    |     |
| PUB DATE             | N/A   |                    |     |
| STATUS               | 661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED |                    |     |
| STATUS DATE          | 12/17/2010                                  |                    |     |
| LITERAL MARK ELEMENT | DON'T JUST RENT IT. REDBOX IT.              |                    |     |
|                      |   |                    |     |
| 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    | DON'T JUST RENT IT. REDBOX IT. |
| 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     | Suite 1200<br>One Tower Lane<br>Oakbrook Terrace, IL 60181 |
| ENTITY      | 16-LTD LIAB CO   |
| CITIZENSHIP | Delaware   |

### GOODS AND SERVICES

|                     |  |
|---------------------|--|
| INTERNATIONAL CLASS | 035  |
| DESCRIPTION TEXT    | Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase |
| INTERNATIONAL CLASS | 041  |
| DESCRIPTION TEXT    | Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games  |

### GOODS AND SERVICES CLASSIFICATION

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

### MISCELLANEOUS INFORMATION/STATEMENTS

|                        |                                  |
|------------------------|----------------------------------|
| CHANGE IN REGISTRATION | NO                               |
| PSEUDO MARK            | DO NOT JUST RENT IT. RED BOX IT. |
| OWNER OF US REG NOS    | 2919854 3082012 3229436          |

### PROSECUTION HISTORY

| DATE       | ENT CD | ENT TYPE | DESCRIPTION  | ENT NUM |
|------------|--------|----------|--|---------|
| 12/17/2010 | TEME   | I        | TEAS/EMAIL CORRESPONDENCE ENTERED                    | 010     |
| 12/17/2010 | CRFA   | I        | CORRESPONDENCE RECEIVED IN LAW OFFICE                | 009     |
| 12/17/2010 | TROA   | I        | TEAS RESPONSE TO OFFICE ACTION RECEIVED              | 008     |
| 06/22/2010 | GNRN   | O        | NOTIFICATION OF NON-FINAL ACTION E-MAILED            | 007     |
| 06/22/2010 | GNRT   | F        | NON-FINAL ACTION E-MAILED                            | 006     |
| 06/22/2010 | CNRT   | R        | NON-FINAL ACTION WRITTEN                             | 005     |
| 06/16/2010 | DOCK   | D        | ASSIGNED TO EXAMINER                                 | 004     |
| 04/24/2010 | MPMK   | O        | NOTICE OF PSEUDO MARK MAILED                         | 003     |
| 04/23/2010 | NWOS   | I        | NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM | 002     |
| 04/22/2010 | NWAP   | I        | NEW APPLICATION ENTERED IN TRAM                      | 001     |

### CURRENT CORRESPONDENCE INFORMATION

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

DON'T JUST RENT IT.  
REDBOX IT.

## Response to Office Action

The table below presents the data as entered.

| Input Field   | Entered        |
|---|----------------|
| SERIAL NUMBER   | 85017757       |
| LAW OFFICE ASSIGNED   | LAW OFFICE 107 |
| MARK SECTION (no change)  |                |
| ARGUMENT(S)   |                |
| <p style="text-align: center;"><b><u>REMARKS</u></b></p> <p>In the Office Action relating to the above-captioned mark mailed on June 22, 2010, the Examining Attorney preliminarily refused registration on the basis that Applicant's mark, when used in connection with Applicant's services, so resembles the mark in Registration No. 1,554,867 (the "Cited Registration"), as to be likely to confuse, to cause mistake or to deceive consumers. Applicant respectfully disagrees with the Examining Attorney's assertion because at least the differences between the services and goods used in connection with each mark, the care exercised by the respective consumers, and the differences between the respective marks are sufficient to avoid consumer confusion. Accordingly, Applicant believes that its mark is ready for registration and respectfully requests that its mark be allowed to proceed to publication on the Principal Register.</p> <p><b>I. <u>Applicant's Mark is Not Likely to Cause Confusion with the Cited Registration .</u></b></p> <p>Whether a likelihood of confusion exists depends upon a multitude of factors, including at least the differences between the respective services and goods, the care exercised by consumers in making a purchasing decision, and the differences in the marks themselves. <i>See In re E. I. du Pont de Nemours &amp; Co.</i>, 476 F.2d 1357, 1361 (C.C.P.A. 1973). Applying these factors, it is apparent consumers are not likely to confuse Applicant's mark with the Cited Registration, and Applicant's mark should be allowed to proceed to publication.</p> <p><b>A. The Distinctions Between the Services and Goods in Connection with which the Marks are used and the Care Exercised by Consumers are Sufficient to Avoid a Likelihood of Confusion.</b></p> <p>The services used in connection with Applicant's mark differ from the goods of the Cited Registration, weighing against a likelihood of confusion. Indeed, where a similar mark is used in connection with different goods or services, confusion is unlikely and marks may co-exist. <i>See</i> TMEP § 1207.01(a)(i); <i>Shen Mfg. Co., Inc. v. Ritz Hotel Ltd.</i>, 393 F.3d 1238, 1245 (Fed. Cir. 2004) (finding no confusion where identical marks were used on cooking classes and kitchen towels). Moreover, it is well-settled that if the goods and services at issue are "not ... marketed in such a way that they would be encountered by the same persons in situations that would create the incorrect assumption that they originate from the same source, then, even if the marks are identical, confusion is not likely." TMEP §1207.01(a)(i).</p> <p>In this case, the goods of the Cited Registration are toys and games. Specifically, these children's toys, such as puzzle blocks and toy kitchens, are marketed under a Redbox House Mark (as indicated in the registration) and other marks such as "My Precious Baby" and "Tool Tech" to consumers who wish to purchase children's toys. <i>See</i> Exhibit A. In contrast, Applicant offers the rental and sale of movies, DVDs, video games, and other pre-recorded electronic media through vending machines or online services. Moreover, Applicant has specifically amended this application to recite "video games" instead of just "games." Further, Applicant's rental and sale kiosks are located in convenient situations, such as in McDonald's restaurants and 7-Eleven stores, where consumers over 18 years old can complete these automated transactions. Thus, marketing of the respective goods and services indicates they would not be encountered by consumers who would assume the children's toys of the owner of the Cited Registration and the automated sales and rental services of Applicant would emanate from the same source. This factor, therefore, militates against a likelihood of confusion.</p> <p>Moreover, in purchasing goods such as children's toys and games, consumers seek specific goods and exercise a great deal of care to ensure that they are buying a particular product. <i>See, e.g., E.S. Originals Inc. v. Stride Rite Corp.</i>, 2 U.S.P.Q.2d 1934, 1941 n.14 (S.D.N.Y. 1987) (noting that "[a] child carefully programmed by an effective advertising campaign is most likely to insist on the advertised product and is not</p> |                |



likely to accept a substitute”). Therefore, when consumers are encountering the mark of the Cited Registration in the marketplace, they are seeking not just any toy or game; they are seeking out a particular toy or game, typically for their own child. As a result, consumers will not be confused by the services for which Applicant seeks registration and the goods of the Cited Registration. Therefore, Applicant’s mark should be allowed to proceed to publication on this basis alone.

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

In addition, Applicant’s mark is significantly different from the Cited Registration in sight, sound and meaning. However, the analysis of this factor in the Office Action states only that “Applicant has merely added language to a registered trademark.” Applicant respectfully disagrees with this assertion, because a mark must be reviewed as whole to determine whether it is likely to confuse, and a confusing similarity determination should not be based on a single component. *In re Hearst Corp.*, 982 F.2d 493, 494 (Fed. Cir. 1992) (holding that “all components [of a mark] must be given appropriate weight”). Even where marks have common elements, design elements can distinguish two marks and create different commercial impressions. *See In re TSI Brands Inc.*, 67 USPQ2d 1657 (TTAB 2002) (holding that “significant distinguishing design elements” must be considered even where marks have common elements to determine a likelihood of confusion).

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

Indeed, these other REDBOX marks owned by Applicant bolster the distinct commercial impression of the instant application. The mark at issue – “DON’T JUST RENT IT. REDBOX IT.” – serves to expand Applicant’s already well-established REDBOX brand. Thus, the assertion in the Office Action that “Applicant has merely added language to a registered trademark” could apply to Applicant’s own other REDBOX registered marks in that the present mark is an extension of Applicant’s already established brand. Thus, these differences sufficiently distinguish the two marks to avoid any likelihood of confusion.

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

**II. Claim of Ownership**

Applicant submits the following claim of ownership:

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

**III. Amendment of Identification of Services**

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

International Class 041: Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games

International Class 035: Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase

**IV. Conclusion**

Applicant believes that its mark is ready for publication and therefore respectfully requests that its Application be allowed to proceed to publication on the Principal Register.

Respectfully submitted,  
/James P. Muraff/

## One of the Attorneys for Applicant

James P. Muraff, Esq.  
 Neal, Gerber & Eisenberg, LLP  
 2 N. LaSalle Street, Suite 1700  
 Chicago, Illinois 60602  
 312.269.8000

**EVIDENCE SECTION****EVIDENCE FILE NAME(S)****ORIGINAL PDF FILE**

[evi\\_3811514866-110531936\\_.\\_redboxtoy.pdf](#)

**CONVERTED PDF FILE(S)**  
 (1 page)

[\\TICRS\EXPORT11\IMAGEOUT11\850\177\85017757\xml1\ROA0002.JPG](#)

**DESCRIPTION OF EVIDENCE FILE**

Exhibit A

**GOODS AND/OR SERVICES SECTION (041)(current)****INTERNATIONAL CLASS**

041

**DESCRIPTION**

Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games

**FILING BASIS**

Section 1(b)

**GOODS AND/OR SERVICES SECTION (041)(proposed)****INTERNATIONAL CLASS**

041

**TRACKED TEXT DESCRIPTION**

~~Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental;~~ [Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games;](#) ~~automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games;~~ [automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games](#)

**FINAL DESCRIPTION**

Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games

**FILING BASIS**

Section 1(b)

**GOODS AND/OR SERVICES SECTION (035)(class added)****INTERNATIONAL CLASS**

035

**DESCRIPTION**

Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase

**FILING BASIS**

Section 1(b)

**ADDITIONAL STATEMENTS SECTION****PRIOR REGISTRATION(S)**

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

**PAYMENT SECTION****NUMBER OF CLASSES**

1

**FEE PER CLASS**

325

|                                   |   |
|-----------------------------------|---|
| <b>TOTAL FEES DUE</b>             | 325   |
| <b>SIGNATURE SECTION</b>          |   |
| <b>DECLARATION SIGNATURE</b>      | /Frederick W. Stein/  |
| <b>SIGNATORY'S NAME</b>           | Frederick W. Stein  |
| <b>SIGNATORY'S POSITION</b>       | Vice President and General Counsel  |
| <b>DATE SIGNED</b>                | 12/17/2010  |
| <b>RESPONSE SIGNATURE</b>         | /James P. Muraff/   |
| <b>SIGNATORY'S NAME</b>           | James P. Muraff   |
| <b>SIGNATORY'S POSITION</b>       | Attorney of Record, Illinois Bar Member   |
| <b>DATE SIGNED</b>                | 12/17/2010  |
| <b>AUTHORIZED SIGNATORY</b>       | YES   |
| <b>FILING INFORMATION SECTION</b> |   |
| <b>SUBMIT DATE</b>                | Fri Dec 17 15:06:02 EST 2010  |
| <b>TEAS STAMP</b>                 | USPTO/ROA-XX.XXX.XXX.XX-2<br>0101217150602921729-85017<br>757-470186a35db97ff998743<br>ba64554959130-DA-1462-201<br>01217110531936466 |

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **85017757** has been amended as follows:

#### ARGUMENT(S)

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

#### REMARKS

In the Office Action relating to the above-captioned mark mailed on June 22, 2010, the Examining Attorney preliminarily refused registration on the basis that Applicant's mark, when used in connection with Applicant's services, so resembles the mark in Registration No. 1,554,867 (the "Cited Registration"), as to be likely to confuse, to cause mistake or to deceive consumers. Applicant respectfully disagrees with the Examining Attorney's assertion because at least the differences between the services and goods used in connection with each mark, the care exercised by the respective consumers, and the differences between the respective marks are sufficient to avoid consumer confusion. Accordingly, Applicant believes that its mark is ready for registration and respectfully requests that its mark be allowed to proceed to publication on the Principal Register.

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

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

#### **A. The Distinctions Between the Services and Goods in Connection with which the Marks are used and the Care Exercised by Consumers are**

### **Sufficient to Avoid a Likelihood of Confusion.**

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

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

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

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

In addition, Applicant's mark is significantly different from the Cited Registration in sight, sound and meaning. However, the analysis of this factor in the Office Action states only that "Applicant has merely added language to a registered trademark." Applicant respectfully disagrees with this assertion, because a mark must be reviewed as whole to determine whether it is likely to confuse, and a confusing similarity determination should not be based on a single component. *In re Hearst Corp.*, 982 F.2d 493, 494 (Fed. Cir. 1992) (holding that "all components [of a mark] must be given appropriate weight"). Even where marks have common elements, design elements can distinguish two marks and create different commercial impressions. *See In re TSI Brands Inc.*, 67 USPQ2d 1657 (TTAB 2002) (holding that "significant distinguishing design elements" must be considered even where marks have common elements to determine a likelihood of confusion).

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

Indeed, these other REDBOX marks owned by Applicant bolster the distinct commercial impression of the instant application. The mark at issue – "DON'T JUST RENT IT. REDBOX IT." – serves to expand Applicant's already well-established REDBOX brand. Thus, the assertion in the Office Action that "Applicant has merely added language to a registered trademark" could apply to Applicant's own other REDBOX registered marks in that the present mark is an extension of Applicant's already established brand. Thus, these differences sufficiently distinguish the two marks to avoid any likelihood of confusion.

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

## II. Claim of Ownership

Applicant submits the following claim of ownership:

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

## III. Amendment of Identification of Services

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

International Class 041: Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games

International Class 035: Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase

## IV. Conclusion

Applicant believes that its mark is ready for publication and therefore respectfully requests that its Application be allowed to proceed to publication on the Principal Register.

Respectfully submitted,  
/James P. Muraff/  
One of the Attorneys for Applicant

James P. Muraff, Esq.  
Neal, Gerber & Eisenberg, LLP  
2 N. LaSalle Street, Suite 1700  
Chicago, Illinois 60602  
312.269.8000

## EVIDENCE

Evidence in the nature of Exhibit A has been attached.

### Original PDF file:

[evi\\_3811514866-110531936\\_-\\_redboxtoy.pdf](#)

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

[Evidence-1](#)

## CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 041 for Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games

Original Filing Basis:

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

### Proposed:

**Tracked Text Description:** ~~Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental;~~ Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; ~~automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games;~~ automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games

Class 041 for Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and video games; automated rental of DVDs, movies, prerecorded electronic media featuring

entertainment content, and video games

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

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

**New:** Class 035 for Automated retail services, namely providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase

**Filing Basis: Section 1(b), Intent to Use:** The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**ADDITIONAL STATEMENTS**

**Claim of Prior Registration(s)**

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

**FEE(S)**

Fee(s) in the amount of \$325 is being submitted.

**SIGNATURE(S)**

**Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Frederick W. Stein/ Date: 12/17/2010

Signatory's Name: Frederick W. Stein

Signatory's Position: Vice President and General Counsel

**Response Signature**

Signature: /James P. Muraff/ Date: 12/17/2010

Signatory's Name: James P. Muraff

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

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

RAM Sale Number: 1462

RAM Accounting Date: 12/20/2010

Serial Number: 85017757

Internet Transmission Date: Fri Dec 17 15:06:02 EST 2010  
TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XX-2010121715060292  
1729-85017757-470186a35db97ff998743ba645  
54959130-DA-1462-20101217110531936466



[Home](#)

[About Us](#)

[Products](#)

[Quality Assurance](#)

[Contact Us](#)



Copyright © 2008 Red Box Toy Factory Limited. All rights reserved.



RAM SALE NUMBER: 1462  
RAM ACCOUNTING DATE: 20101220

INTERNET TRANSMISSION DATE:  
2010/12/17

SERIAL NUMBER:  
85/017757

| Description | Fee<br>Code | Transaction<br>Date | Fee | Number Of<br>Classes | Total Fees<br>Paid |
|-------------|-------------|---------------------|-----|----------------------|--------------------|
| New App     | 7001        | 2010/12/17          | 325 | 1                    | 325                |

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85017757 - DON'T JUST RENT IT. REDBOX IT. - 19638.14T1  
**Sent:** 6/22/2010 5:48:07 PM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)  
[Attachment - 4](#)  
[Attachment - 5](#)  
[Attachment - 6](#)  
[Attachment - 7](#)  
[Attachment - 8](#)  
[Attachment - 9](#)

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

**APPLICATION SERIAL NO.** 85017757

**MARK:** DON'T JUST RENT IT. REDBOX IT.

**\*85017757\***

**CORRESPONDENT ADDRESS:**

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

**CLICK HERE TO RESPOND TO THIS LETTER:**  
<http://www.uspto.gov/teas/eTEASpageD.htm>

**APPLICANT:** Redbox Automated Retail, LLC

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

19638.14T1

**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:** 6/22/2010

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

**SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION**

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

Trademark Act Section 2(d) bars registration of an applied-for mark that so resembles a registered mark that it is likely that a potential consumer would be confused or mistaken or deceived as to the source of the goods and/or services of the applicant and registrant. *See* 15 U.S.C. §1052(d).

The court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973) listed the principal factors to be considered when determining whether there is a likelihood of confusion under Section 2(d). See TMEP §1207.01. However, not all of the factors are necessarily relevant or of equal weight, and any one factor may be dominant in a given case, depending upon the evidence of record. *In re Majestic Distilling Co.*, 315 F.3d 1311, 1315, 65 USPQ2d 1201, 1204 (Fed. Cir. 2003); see *In re E. I. du Pont*, 476 F.2d at 1361-62, 177 USPQ at 567.

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

### **Comparison of the Marks**

In a likelihood of confusion determination, the marks are compared for similarities in their appearance, sound, meaning or connotation and commercial impression. *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b). Similarity in any one of these elements may be sufficient to find a likelihood of confusion. *In re White Swan Ltd.*, 8 USPQ2d 1534, 1535 (TTAB 1988); *In re Lamson Oil Co.*, 6 USPQ2d 1041, 1043 (TTAB 1987); see TMEP §1207.01(b).

Applicant's mark is DON'T JUST RENT IT. REDBOX IT. The registered mark is REDBOX, in stylized form.

Applicant has merely added language to a registered trademark. The mere addition of a term to a registered mark generally does not obviate the similarity between the marks nor does it overcome a likelihood of confusion under Trademark Act Section 2(d). See *In re Chatam Int'l Inc.*, 380 F.3d 1340, 71 USPQ2d 1944 (Fed. Cir. 2004) (GASPAR'S ALE and JOSE GASPAR GOLD); *Coca-Cola Bottling Co. v. Jos. E. Seagram & Sons, Inc.*, 526 F.2d 556, 188 USPQ 105 (C.C.P.A. 1975) (BENGAL and BENGAL LANCER); *Lilly Pulitzer, Inc. v. Lilli Ann Corp.*, 376 F.2d 324, 153 USPQ 406 (C.C.P.A. 1967) (THE LILLY and LILLI ANN); *In re El Torito Rests., Inc.*, 9 USPQ2d 2002 (TTAB 1988) (MACHO and MACHO COMBOS); *In re Corning Glass Works*, 229 USPQ 65 (TTAB 1985) (CONFIRM and CONFIRMCELLS); *In re U.S. Shoe Corp.*, 229 USPQ 707 (TTAB 1985) (CAREER IMAGE and CREST CAREER IMAGES); *In re Riddle*, 225 USPQ 630 (TTAB 1985) (ACCUTUNE and RICHARD PETTY'S ACCU TUNE); *In re Cosvetic Labs., Inc.*, 202 USPQ 842 (TTAB 1979) (HEAD START and HEAD START COSVETIC); TMEP §1207.01(b)(iii).

### **Comparison of the Services**

The goods and/or services of the parties need not be identical or directly competitive to find a likelihood of confusion. See *Safety-Kleen Corp. v. Dresser Indus., Inc.*, 518 F.2d 1399, 1404, 186 USPQ 476, 480 (C.C.P.A. 1975); TMEP §1207.01(a)(i). Rather, they need only be related in some manner, or the conditions surrounding their marketing are such that they would be encountered by the same purchasers under circumstances that would give rise to the mistaken belief that the goods and/or services come from a common source. *In re Total Quality Group, Inc.*, 51 USPQ2d 1474, 1476 (TTAB 1999); TMEP §1207.01(a)(i); see, e.g., *On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086-87, 56 USPQ2d 1471, 1475-76 (Fed. Cir. 2000); *In re Martin's Famous Pastry Shoppe, Inc.*, 748 F.2d 1565, 1566-68, 223 USPQ 1289, 1290 (Fed. Cir. 1984).

Applicant has identified "Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games."

Registrant provides "a full line of toys and games."

Applicant has identified that its retail and rental services feature games.

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

Please also note that registrant's "games" are identified very broadly. It must therefore be assumed that registrant provides all genres of games, including those sold and rented by applicant. A determination of whether there is a likelihood of confusion is made solely on the basis of the goods and/or services identified in the application and registration, without limitations or restrictions that are not reflected therein. *In re Dakin's Miniatures, Inc.*, 59 USPQ2d 1593, 1595 (TTAB 1999); TMEP §1207.01(a)(iii). If the cited registration describes the goods and/or services broadly and there are no limitations as to their nature, type, channels of trade or classes of purchasers, then it is presumed that the registration encompasses all goods and/or services of the type described, that they move in all normal channels of trade, and that they are available to all potential customers. *In re Linkvest S.A.*, 24 USPQ2d 1716, 1716 (TTAB 1992); *In re Elbaum*, 211 USPQ 639, 640 (TTAB 1981); TMEP §1207.01(a)(iii).

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

If applicant chooses to respond to the refusal(s) to register, then applicant must also respond to the requirement(s) set forth below.

### **OWNERSHIP OF PRIOR REGISTRATIONS**

If applicant is the owner of U.S. Registration Nos. 3082012, 3229436, 2919854, and others, then applicant must submit a claim of ownership. 37 C.F.R. §2.36; TMEP §812. The following standard format is suggested:

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

### **AMENDMENT OF IDENTIFICATION OF SERVICES REQUIRED**

The wording "Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental" in the identification of services is indefinite and must be clarified. See TMEP §1402.01. Applicant must specify the exact nature of "entertainment content" and "media." In addition, please note that "rental" services are properly classified according to the subject matter of the goods. Applicant may substitute the following wording, if accurate:

"Entertainment rental services provided through automated vending machines, namely, rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games," in International Class 41.

"Automated retail services, namely, providing automated retail vending machines featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase," in International Class 35.

The wording "automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games" in the identification of services must be amended. The word "sales" in the identification of services is indefinite and must be clarified. See TMEP §1402.01. To be a service, an activity must be primarily for the benefit of someone other than the applicant. See *In re Reichhold Chems., Inc.*, 167 USPQ 376, 377 (TTAB 1970). "Sales" or "selling" is not a service rendered for the benefit of others. See TMEP §1301.01(a)(ii).

Therefore, applicant must delete "sale(s)" and indicate with greater specificity the nature of the service, e.g., "retail store services featuring ~," "mail order services featuring ~," or "on-line retail store services featuring ~."

As stated above, applicant must also specify the exact nature of "entertainment content" and "media." In addition, please note that "rental" services are properly classified according to the subject matter of the goods.

The following amendments are recommended:

"Automated retail services, namely, online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and games for purchase," in International Class 35.

"Automated rental of DVDs, movies, prerecorded electronic media featuring entertainment content, and games," in International Class 41.

Identifications of services can be amended 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. Therefore, applicant may not amend the identification to include services that are not within the scope of the services set forth in the present identification.

### **MULTIPLE-CLASS APPLICATION REQUIREMENTS**

The application identifies goods and/or services that are classified in at least 2 classes; however, the fees submitted are sufficient for only 1 class(es). 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 class(es) covered by the fee(s) already paid, or (2) submit the fees for the additional class(es).

The filing fee for adding classes to an application is as follows:

- (1) \$325 per class, when the fees are submitted with a response filed online via the Trademark Electronic Application System (TEAS) at <http://www.uspto.gov/teas/index.html>; or
- (2) \$375 per class, when the fees are submitted with a paper response.

37 C.F.R. §2.6(a)(1)(i)-(a)(1)(ii); TMEP §810.

If applicant has questions about its application or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

/Michelle E. Dubois/  
Michelle E. Dubois  
Trademark Attorney  
U.S. Patent & Trademark Office  
Law Office 107  
(571) 272-5887

**TO RESPOND TO THIS LETTER:** Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue/mailling 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).

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by (1) an individual applicant; (2) someone with legal authority to bind applicant (i.e., a corporate officer, a general partner, all joint applicants); or (3) an authorized attorney, if one is appointed to represent applicant.

**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>.

**Print: Jun 18, 2010**

**73690802**

**DESIGN MARK**

**Serial Number**

73690802

**Status**

REGISTERED AND RENEWED

**Word Mark**

REDBOX

**Standard Character Mark**

No

**Registration Number**

1554867

**Date Registered**

1989/09/05

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

RED BOX TOY FACTORY LIMITED HONG KONG MANDARIN PLAZA, 902 TOWER B  
TSM SHATSUI EAST, KOWLOON HONG KONG

**Goods/Services**

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

**Prior Registration(s)**

0919290

**Filing Date**

1987/10/20

**Examining Attorney**

UNKNOWN

**Attorney of Record**

ROBERT R. PRIDDY



**TYPED DRAWING**

**Serial Number**

78201219

**Status**

REGISTERED

**Word Mark**

REDBOX

**Standard Character Mark**

No

**Registration Number**

2919854

**Date Registered**

2005/01/18

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

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

**Goods/Services**

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

**Filing Date**

2003/01/08

**Examining Attorney**

CHICOSKI, JENNIFER

**Attorney of Record**

James P. Muraff, Joseph T. Bernstein, Daniel N. Christus, Jeffrey R.  
Gargano, Matthew J. Gryzlo, Brent A. Hawkins, Richard C. Himelhoch,  
Peter M. Klobuchar, Linda A. Kuczma, Kathleen A. Lyons, Monique A.  
Morneault, Paul J. Nykaza, Avani C. Patel, Bradley F. Rademaker, Keith  
V. Rockey, Gregory G. Schlenz, Peter M. Siavelis, Roger H. Stein,  
Maurice E. Teixeira



**DESIGN MARK**

**Serial Number**

78514282

**Status**

REGISTERED

**Word Mark**

REDBOX

**Standard Character Mark**

Yes

**Registration Number**

3082012

**Date Registered**

2006/04/18

**Type of Mark**

SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

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

**Goods/Services**

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

**Prior Registration(s)**

2919854

**Filing Date**

2004/11/10

**Examining Attorney**

WOOD, CAROLINE

**Attorney of Record**

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

**Print: Jun 18, 2010**

**78514282**

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

REDBOX

**DESIGN MARK**

**Serial Number**

78866011

**Status**

REGISTERED

**Word Mark**

REDBOX

**Standard Character Mark**

No

**Registration Number**

3229436

**Date Registered**

2007/04/17

**Type of Mark**

TRADEMARK; SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

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

**Owner**

Redbox Automated Retail, LLC LIMITED LIABILITY COMPANY DELAWARE One Tower Lane, Suite 1200 Oakbrook Terrace ILLINOIS 60181

**Goods/Services**

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Vending machines. First Use: 2004/05/00. First Use In Commerce: 2004/05/00.

**Goods/Services**

Class Status -- ACTIVE. IC 041. US 100 101 107. G & S: Rental of pre-recorded DVDs on a variety of subjects through automated vending machines. First Use: 2004/05/00. First Use In Commerce: 2004/05/00.

**Prior Registration(s)**

2919854;2988869;3082012

**Description of Mark**

The mark consists of the word "redbox" with an arc over the word.

**Filing Date**

2006/04/20

**Print: Jun 18, 2010**

**78866011**

**Examining Attorney**  
HAYES, GINA

**Attorney of Record**  
James P. Muraff

The Redbox logo consists of a thin, dark, upward-curving arc positioned above the word "redbox". The word "redbox" is written in a bold, lowercase, sans-serif typeface.

**To:** Redbox Automated Retail, LLC ([trademarks@ngelaw.com](mailto:trademarks@ngelaw.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85017757 - DON'T JUST RENT IT. REDBOX IT. - 19638.14T1  
**Sent:** 6/22/2010 5:48:11 PM  
**Sent As:** ECOM107@USPTO.GOV  
**Attachments:**

## **IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION**

Your trademark application (Serial No. 85017757) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office action”) on **6/22/2010** to which you must respond (*unless the Office letter specifically states that no response is required*). Please follow these steps:

1. **Read** the Office letter by clicking on this [link](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=85017757&doc_type=OOA&mail_date=20100622) **OR** go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

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

2. **Contact** the examining attorney who reviewed your application if you have any questions about the content of the Office letter (contact information appears at the end thereof).

3. **Respond** within 6 months, calculated from **6/22/2010** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System (TEAS) [Response to Office Action form](#). If you have difficulty using TEAS, contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

### **ALERT:**

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

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.

\*\*\* User:mdubois \*\*\*

| #  | Total<br>Marks | Dead<br>Marks | Live<br>Viewed<br>Docs | Live<br>Viewed<br>Images | Status/<br>Search<br>Duration | Search              |
|----|----------------|---------------|------------------------|--------------------------|-------------------------------|---------------------|
| 01 | 48325          | N/A           | 0                      | 0                        | 0:01                          | *red*[bi,ti]        |
| 02 | 14135          | N/A           | 0                      | 0                        | 0:02                          | *bo{"ckqx"}*[bi,ti] |
| 03 | 112            | 62            | 50                     | 40                       | 0:01                          | 1 and 2             |
| 04 | 40588          | N/A           | 0                      | 0                        | 0:02                          | "it"[bi,ti]         |
| 05 | 114            | 66            | 9                      | 7                        | 0:01                          | 2 and 4             |
| 06 | 396            | 244           | 7                      | 7                        | 0:01                          | 1 and 4             |
| 07 | 9947           | N/A           | 0                      | 0                        | 0:01                          | *rent*[bi,ti]       |
| 08 | 133            | 73            | 6                      | 6                        | 0:01                          | 7 and (1 2)         |
| 09 | 130            | 81            | 11                     | 7                        | 0:01                          | 4 and 7             |
| 10 | 10919          | N/A           | 0                      | 0                        | 0:01                          | *just*[bi,ti]       |
| 11 | 44             | 22            | 5                      | 4                        | 0:01                          | 7 and 10            |

Session started 6/18/2010 10:33:59 AM

Session finished 6/18/2010 10:52:19 AM

Total search duration 0 minutes 13 seconds

Session duration 18 minutes 20 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICSRS as Serial Number: 85017757



**From:** TMDesignCodeComments  
**Sent:** Saturday, April 24, 2010 00:15 AM  
**To:** XXXX  
**Subject:** Notice of Pseudo Mark for Serial Number: 85017757  
**ATTORNEY REFERENCE NUMBER:** 19638.14T1

---

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

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

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

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

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

**PSEUDO MARK:**

DO NOT JUST RENT IT. RED BOX IT.

## Trademark/Service Mark Application, Principal Register

Serial Number: 85017757

Filing Date: 04/19/2010

The table below presents the data as entered.

| Input Field  | Entered   |
|--|---|
| <b>SERIAL NUMBER</b>   | 85017757  |
| <b>MARK INFORMATION</b>  |   |
| <b>*MARK</b>   | <a href="#">DON'T JUST RENT IT. REDBOX IT.</a>  |
| <b>STANDARD CHARACTERS</b>                                     | YES   |
| <b>USPTO-GENERATED IMAGE</b>                                   | YES   |
| <b>LITERAL ELEMENT</b>   | DON'T JUST RENT IT. REDBOX IT.  |
| <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>INTERNAL ADDRESS</b>  | Suite 1200  |
| <b>*STREET</b>   | One Tower Lane  |
| <b>*CITY</b>   | Oakbrook Terrace  |
| <b>*STATE</b><br>(Required for U.S. applicants)                | Illinois  |
| <b>*COUNTRY</b>  | United States   |
| <b>*ZIP/POSTAL CODE</b><br>(Required for U.S. applicants only) | 60181   |
| <b>EMAIL ADDRESS</b>   | XXXX  |
| <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>                                     | 041   |
| <b>*IDENTIFICATION</b>   | Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games. |
| <b>FILING BASIS</b>  | SECTION 1(b)  |
| <b>ATTORNEY INFORMATION</b>                                    |   |
| <b>NAME</b>  | James P. Muraff   |

|                                     |                                      |
|-------------------------------------|--------------------------------------|
| ATTORNEY DOCKET NUMBER              | 19638.14T1                           |
| FIRM NAME                           | Neal, Gerber & Eisenberg LLP         |
| INTERNAL ADDRESS                    | Two North LaSalle Street, Suite 1700 |
| STREET                              | c/o Trademark Administrator          |
| CITY                                | Chicago                              |
| STATE                               | Illinois                             |
| COUNTRY                             | United States                        |
| ZIP/POSTAL CODE                     | 60602                                |
| PHONE                               | 312-269-8000                         |
| FAX                                 | 312-269-1747                         |
| EMAIL ADDRESS                       | trademarks@ngelaw.com                |
| AUTHORIZED TO COMMUNICATE VIA EMAIL | Yes                                  |
| OTHER APPOINTED ATTORNEY            | all other attorneys of the firm      |
| <b>CORRESPONDENCE INFORMATION</b>   |                                      |
| NAME                                | James P. Muraff                      |
| FIRM NAME                           | Neal, Gerber & Eisenberg LLP         |
| INTERNAL ADDRESS                    | Two North LaSalle Street, Suite 1700 |
| STREET                              | c/o Trademark Administrator          |
| 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                                  |
| <b>FEE INFORMATION</b>              |                                      |
| NUMBER OF CLASSES                   | 1                                    |
| FEE PER CLASS                       | 325                                  |
| *TOTAL FEE DUE                      | 325                                  |
| *TOTAL FEE PAID                     | 325                                  |
| <b>SIGNATURE INFORMATION</b>        |                                      |
| SIGNATURE                           | /Frederick W. Stein/                 |
| SIGNATORY'S NAME                    | Frederick W. Stein                   |
| SIGNATORY'S POSITION                | Vice President and General Counsel   |
| DATE SIGNED                         | 04/19/2010                           |



## Trademark/Service Mark Application, Principal Register

**Serial Number: 85017757**

**Filing Date: 04/19/2010**

### To the Commissioner for Trademarks:

**MARK:** DON'T JUST RENT IT. REDBOX IT. (Standard Characters, see [mark](#))

The literal element of the mark consists of DON'T JUST RENT IT. REDBOX IT..

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  
Suite 1200,  
One Tower Lane  
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 041: Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games.

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

The applicant's current Attorney Information:

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

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

The attorney docket/reference number is 19638.14T1.

The applicant's current Correspondence Information:

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

Signature: /Frederick W. Stein/ Date Signed: 04/19/2010  
Signatory's Name: Frederick W. Stein  
Signatory's Position: Vice President and General Counsel

RAM Sale Number: 6988  
RAM Accounting Date: 04/20/2010

Serial Number: 85017757  
Internet Transmission Date: Mon Apr 19 22:29:03 EDT 2010  
TEAS Stamp: USPTO/BAS-XX.XX.XXX.XXX-2010041922290320  
1867-85017757-460f71aac1facfac1a4e0b922e  
960a9f0-DA-6988-20100413173715747170

DON'T JUST RENT IT.  
REDBOX IT.

DON'T JUST RENT IT.  
REDBOX IT.