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Mark: REDBOX IT.

REDBOX IT.

US Serial Number: 85017758

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This trademark application was refused, dismissed, or invalidated by the Office and this application is no longer active.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: 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: 19638.13T1

Attorney Primary trademarks@ngelaw.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

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

Phone: 312-269-8000

Fax: 312-269-1747

Correspondent e- trademarks@ngelaw.com
mail:

Correspondent e- Yes
mail Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 05, 2016	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
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	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

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

REDBOX IT.

Side - 1



NOTICE OF ABANDONMENT
MAILING DATE: Jan 26, 2015

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

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

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

SERIAL NUMBER: 85017758
MARK: REDBOX IT.
OWNER: Redbox Automated Retail, LLC

Side - 2

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

FIRST-CLASS MAIL
U.S POSTAGE
PAID

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

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 85017758: REDBOX IT.: Docket/Reference No. 19638.13T1

NOTICE OF APPROVAL OF EXTENSION REQUEST

U.S. Serial Number: 85017758
Mark: REDBOX IT.
Owner: Redbox Automated Retail, LLC
Extension Request Number: 5
Docket/Reference Number: 19638.13T1
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=85017758&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=85017758&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	85017758	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	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	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 One Tower Lane 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
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GOODS AND SERVICES CLASSIFICATION

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

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	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
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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
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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
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08/10/2011	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	016
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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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

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

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
SERIAL NUMBER	85017758
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK	REDBOX IT.
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	REDBOX IT.
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	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
GOODS OR SERVICES	KEEP ALL LISTED
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
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	5
ONGOING EFFORT	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	06/12/2014
SIGNATORY'S PHONE NUMBER	312-269-8000
FILING INFORMATION	
SUBMIT DATE	Thu Jun 12 15:58:32 EDT 2014
TEAS STAMP	USPTO/ESU-XX.XXX.XXX.XX-2 0140612155832881894-85017 758-50070f5628eb4a85f50ce 45a85d34b55c380339baab516 18e4205c1cfddd14beae-DA-3 278-20140612121136086936

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

To the Commissioner for Trademarks:

MARK: REDBOX IT.

SERIAL NUMBER: 85017758

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: 85017758

RAM Accounting Date: 06/13/2014

Serial Number: 85017758

Internet Transmission Date: Thu Jun 12 15:58:32 EDT 2014

TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2014061215583288

1894-85017758-50070f5628eb4a85f50ce45a85

d34b55c380339baab51618e4205c1cfddd14beae

-DA-3278-20140612121136086936

TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017758



Mark: REDBOX IT.

Mail Date: 2014/06/12



Examiner Number: 78353



Examiner Name:
DUBOIS, MICHELLE E

LIE Number: 67287



LIE Name:
HODGE, KEISHA L

L.O. Assigned: LAW OFFICE 107

Special Instruction(s):

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	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 85017758: REDBOX IT.: Docket/Reference No. 19638.13T1

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 85017758
Mark: REDBOX IT.
Owner: Redbox Automated Retail, LLC
Extension Request Number: 4
Docket/Reference Number: 19638.13T1
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=85017758>. 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	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

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

ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

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
SERIAL NUMBER	85017758
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK	REDBOX IT.
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	REDBOX IT.
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	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
GOODS OR SERVICES	KEEP ALL LISTED
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
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	4
ONGOING EFFORT	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	12/13/2013
SIGNATORY'S PHONE NUMBER	312.269.8000
FILING INFORMATION	
SUBMIT DATE	Fri Dec 13 18:38:04 EST 2013
TEAS STAMP	USPTO/ESU-XX.XXX.XX.X-201 31213183804980222-8501775 8-500f4a4aa2ec2b3543f727e c6f47da14737edc52a79f458b a59a5f7e5c81ebb57-DA-5948 -20131208195427458227

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

To the Commissioner for Trademarks:

MARK: REDBOX IT.

SERIAL NUMBER: 85017758

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: 85017758
RAM Accounting Date: 12/16/2013

Serial Number: 85017758
Internet Transmission Date: Fri Dec 13 18:38:04 EST 2013
TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201312131838049802
22-85017758-500f4a4aa2ec2b3543f727ec6f47
da14737edc52a79f458ba59a5f7e5c81ebb57-DA
-5948-20131208195427458227

TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017758



Mark: REDBOX IT.

Mail Date: 2013/12/13



Examiner Number: 78353



Examiner Name:
DUBOIS, MICHELLE E

LIE Number: 67287



LIE Name:
HODGE, KEISHA L

L.O. Assigned: LAW OFFICE 107

Special Instruction(s):

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

Side - 1



**NOTICE OF APPROVAL
OF EXTENSION REQUEST
MAILING DATE: Jul 13, 2013**

A Notice of Allowance issued for the trademark application identified below on Dec 20, 2011. The THIRD request for extension of time to file a Statement of Use has been approved. Applicant must continue to file extension requests every 6 months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed. Please note that a Statement of Use cannot be filed more than 36 months from the issuance date of the Notice of Allowance.

For further information, visit our website at: <http://www.uspto.gov> or call the Trademark Assistance Center at 1-800-786-9199.

SERIAL NUMBER: 85017758
MARK: REDBOX IT.(STANDARD CHARACTER MARK)
OWNER: Redbox Automated Retail, LLC

Side - 2

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

FIRST-CLASS MAIL
U.S POSTAGE
PAID

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

From: TMOOfficialNotices@USPTO.GOV
Sent: Friday, July 12, 2013 00:11 AM
To: XXXX
Subject: Trademark Serial Number 85017758 : Official USPTO Notice of Approval of Extension Request

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 85017758
Mark: REDBOX IT.(STANDARD CHARACTER MARK)
Owner: Redbox Automated Retail, LLC
Extension Request Number: 3
Docket/Reference Number: 19638.13T1
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=85017758>. 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	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

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

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
SERIAL NUMBER	85017758
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK	REDBOX IT.
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	REDBOX IT.
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	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
GOODS OR SERVICES	KEEP ALL LISTED
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
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	3
ONGOING EFFORT	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 16:05:32 EDT 2013
TEAS STAMP	USPTO/ESU-XX.XXX.XX.X-201 30613160532837634-8501775 8-500834abd7b496173a979d1 bf3dac55cd9a3ef074c157707 61a73e7a6344abc2-DA-3011- 20130613153902562409

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

To the Commissioner for Trademarks:

MARK: REDBOX IT.
SERIAL NUMBER: 85017758

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: 85017758
RAM Accounting Date: 06/14/2013

Serial Number: 85017758
Internet Transmission Date: Thu Jun 13 16:05:32 EDT 2013
TEAS Stamp: USPTO/ESU-XX.XXX.XX.X-201306131605328376
34-85017758-500834abd7b496173a979d1bf3da
c55cd9a3ef074c15770761a73e7a6344abc2-DA-
3011-20130613153902562409

TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017758



Mark: REDBOX IT.

Mail Date: 2013/06/13



Examiner Number: 78353



Examiner Name:
DUBOIS, MICHELLE E

LIE Number: 67287



LIE Name:
HODGE, KEISHA L

L.O. Assigned: LAW OFFICE 107

Special Instruction(s):

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

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, December 12, 2012 00:11 AM
To: XXXX
Subject: Trademark Serial Number 85017758 : Official USPTO Notice of Approval of Extension Request

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 85017758
Mark: REDBOX IT.(STANDARD CHARACTER MARK)
Owner: Redbox Automated Retail, LLC
Extension Request Number: 2
Docket/Reference Number: 19638.13T1
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=85017758>. 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	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

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

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
SERIAL NUMBER	85017758
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK	REDBOX IT.
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	REDBOX IT.
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	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
GOODS OR SERVICES	KEEP ALL LISTED
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
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	2
ONGOING EFFORT	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	12/06/2012
SIGNATORY'S PHONE NUMBER	312.269.8000
FILING INFORMATION	
SUBMIT DATE	Thu Dec 06 14:33:57 EST 2012
TEAS STAMP	USPTO/ESU-XX.XXX.XXX.XX-2 0121206143357463658-85017 758-4902d90359b62a27efe8f 3554fd7a80f-DA-911-201212 05113422741747

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

To the Commissioner for Trademarks:

MARK: REDBOX IT.

SERIAL NUMBER: 85017758

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: 911
RAM Accounting Date: 12/07/2012

Serial Number: 85017758
Internet Transmission Date: Thu Dec 06 14:33:57 EST 2012
TEAS Stamp: USPTO/ESU-XX.XXX.XXX.XX-2012120614335746
3658-85017758-4902d90359b62a27efe8f3554f
d7a80f-DA-911-20121205113422741747

TEAS ROUTING SHEET

To: INTENT TO USE UNIT

Work Loc: INTENT TO USE SECTION

Doc Type: Extension Request for SOU



Serial Number: 85017758



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

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

OVERVIEW

SERIAL NUMBER	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

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

REDBOX IT.

From: TMOOfficialNotices@USPTO.GOV
Sent: Thursday, June 21, 2012 00:11 AM
To: XXXX
Subject: Trademark Serial Number 85017758 : Official USPTO Notice of Approval of Extension Request

NOTICE OF APPROVAL OF EXTENSION REQUEST

Serial Number: 85017758
Mark: REDBOX IT.(STANDARD CHARACTER MARK)
Owner: Redbox Automated Retail, LLC
Extension Request Number: 1
Docket/Reference Number: 19638.13T1
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=85017758>. 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
SERIAL NUMBER	85017758
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK	REDBOX IT.
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	REDBOX IT.
OWNER SECTION	
NAME	Redbox Automated Retail, LLC
STREET	Suite 1200
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
EMAIL	XXXX
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	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
GOODS OR SERVICES	KEEP ALL LISTED
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
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	1
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 of Record, Illinois Bar Member
DATE SIGNED	06/19/2012
SIGNATORY'S PHONE NUMBER	312.269.8000
FILING INFORMATION	
SUBMIT DATE	Tue Jun 19 17:19:39 EDT 2012
TEAS STAMP	USPTO/ESU-XX.XX.XXX.XXX-2 0120619171939404227-85017 758-4903c948969aeb25e589f 32cce443d8a474-DA-4698-20 120619160748807604

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

To the Commissioner for Trademarks:

MARK: REDBOX IT.

SERIAL NUMBER: 85017758

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: 4698
RAM Accounting Date: 06/20/2012

Serial Number: 85017758
Internet Transmission Date: Tue Jun 19 17:19:39 EDT 2012
TEAS Stamp: USPTO/ESU-XX.XX.XXX.XXX-2012061917193940
4227-85017758-4903c948969aeb25e589f32cce
443d8a474-DA-4698-20120619160748807604

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, December 20, 2011 00:03 AM
To: XXXX
Subject: Trademark Serial Number 85017758: Official USPTO Notice of Allowance

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Dec 20, 2011

Serial Number: 85-017,758
Mark: REDBOX IT.(STANDARD CHARACTER MARK)
Attorney Reference Number: 19638.13T1

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

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

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

How to file SOU and/or Extension Request:

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

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

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

REVIEW APPLICATION INFORMATION FOR ACCURACY

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

Serial Number:	85-017,758
Mark:	REDBOX IT.(STANDARD CHARACTER MARK)
Attorney Reference Number:	19638.13T1
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 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 85017758

NOTICE OF PUBLICATION

Serial Number: 85-017,758
Mark: REDBOX IT.(STANDARD CHARACTER MARK)
International Class(es): 035, 041
Applicant: Redbox Automated Retail, LLC
Attorney Reference Number: 19638.13T1

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
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): 85-017,758, 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	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

REDBOX IT.

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

OVERVIEW

SERIAL NUMBER	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

REDBOX IT.

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

OVERVIEW

SERIAL NUMBER	85017758	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	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	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 One Tower Lane 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	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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

REDBOX IT.

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85017758
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (035)(current)	
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)
GOODS AND/OR SERVICES SECTION (035)(proposed)	
INTERNATIONAL CLASS	035
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	
FINAL DESCRIPTION	
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)
GOODS AND/OR SERVICES SECTION (041)(current)	
INTERNATIONAL CLASS	041
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 (041)(proposed)	
INTERNATIONAL CLASS	041
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	
FINAL DESCRIPTION	
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)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James Muraff
SIGNATORY'S POSITION	Attorney of Record, Illinois Bar Member
DATE SIGNED	08/10/2011
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Aug 10 20:42:30 EDT 2011
TEAS STAMP	USPTO/ROA-XX.XX.XXX.XXX-2 0110810204230678354-85017 758-480fa8da87f9da5744056 6d2957ea1dcec4-N/A-N/A-20 110807153400874255

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **85017758** 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 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: 85017758

Internet Transmission Date: Wed Aug 10 20:42:30 EDT 2011

TEAS Stamp: USPTO/ROA-XX.XX.XXX.XXX-2011081020423067

8354-85017758-480fa8da87f9da57440566d295

7ealdcec4-N/A-N/A-20110807153400874255

To: Redbox Automated Retail, LLC (trademarks@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85017758 - REDBOX IT. - 19638.13T1
Sent: 2/10/2011 10:06:39 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. 85017758

MARK: REDBOX IT.

85017758

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 :
19638.13T1

CORRESPONDENT E-MAIL ADDRESS:
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.

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)
Subject: U.S. TRADEMARK APPLICATION NO. 85017758 - REDBOX IT. - 19638.13T1
Sent: 2/10/2011 10:06:43 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. 85017758**

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. 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	85017758	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	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	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 One Tower Lane 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	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
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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 NEAL, GERBER & EISENBERG LLP 2 N LASALLE ST STE 1700 CHICAGO, IL 60602-4000
DOMESTIC REPRESENTATIVE	NONE

REDBOX IT.

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85017758
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION (no change)	
ARGUMENT(S)	
<p style="text-align: center;"><u>REMARKS</u></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>I. <u>Applicant's Mark is Not Likely to Cause Confusion with the Cited Registration.</u></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 & 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>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.</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 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.</p>	

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, "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 – "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_3811514866-083016462_.redboxtoy.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\850\177\85017758\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
TOTAL FEES DUE	325
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Frederick W. Stein/
SIGNATORY'S NAME	Frederick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel

DATE SIGNED	12/17/2010
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney of Record, Illinois Bar Member
DATE SIGNED	12/17/2010
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Dec 17 15:11:46 EST 2010
TEAS STAMP	USPTO/ROA-XX.XXX.XXX.XX-2 0101217151146786539-85017 758-470804a43dd12805a3a48 220c912367371-DA-1567-201 01217083016462251

PTO Form 1957 (Rev 9/2005)
OMB No. 0651-0050 (Exp. 04/30/2011)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **85017758** 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, "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 – "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
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312.269.8000

EVIDENCE

Evidence in the nature of Exhibit A has been attached.

Original PDF file:

[evi_3811514866-083016462_..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: 1567

RAM Accounting Date: 12/20/2010

Serial Number: 85017758

Internet Transmission Date: Fri Dec 17 15:11:46 EST 2010

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XX-2010121715114678

6539-85017758-470804a43dd12805a3a48220c9

12367371-DA-1567-20101217083016462251



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RAM SALE NUMBER: 1567
RAM ACCOUNTING DATE: 20101220

INTERNET TRANSMISSION DATE:
2010/12/17

SERIAL NUMBER:
85/017758

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

To: Redbox Automated Retail, LLC (trademarks@ngelaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85017758 - REDBOX IT. - 19638.13T1
Sent: 6/22/2010 5:48:57 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. 85017758

MARK: REDBOX IT.

85017758

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 :

19638.13T1

CORRESPONDENT E-MAIL ADDRESS:

trademarks@ngelaw.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

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

ISSUE/MAILING DATE: 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 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/mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov.

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
TSMHATSUI 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)
Subject: U.S. TRADEMARK APPLICATION NO. 85017758 - REDBOX IT. - 19638.13T1
Sent: 6/22/2010 5:49:01 PM
Sent As: ECOM107@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

Your trademark application (Serial No. 85017758) 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=85017758&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.

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.

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 Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search 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 10:52:13 AM

Total search duration 0 minutes 13 seconds

Session duration 18 minutes 14 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICSRS as Serial Number: 85017758

From: TMDesignCodeComments
Sent: Saturday, April 24, 2010 00:15 AM
To: XXXX
Subject: Notice of Pseudo Mark for Serial Number: 85017758
ATTORNEY REFERENCE NUMBER: 19638.13T1

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

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

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

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

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

PSEUDO MARK:

RED BOX IT.

Trademark/Service Mark Application, Principal Register

Serial Number: 85017758

Filing Date: 04/19/2010

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85017758
MARK INFORMATION	
*MARK	REDBOX IT.
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	REDBOX IT.
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Redbox Automated Retail, LLC
INTERNAL ADDRESS	Suite 1200
*STREET	One Tower Lane
*CITY	Oakbrook Terrace
*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	60181
EMAIL ADDRESS	XXXX
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Delaware
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	041
*IDENTIFICATION	Automated retail services, namely providing automated retail vending machines featuring entertainment content, media, DVDs, movies and games, for purchase and rental; automated retail services, namely rental and sale of entertainment content, media, DVDs, movies and games.
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	James P. Muraff

ATTORNEY DOCKET NUMBER	19638.13T1
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
CORRESPONDENCE INFORMATION	
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
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/Frederick W. Stein/
SIGNATORY'S NAME	Frederick W. Stein
SIGNATORY'S POSITION	Vice President and General Counsel
DATE SIGNED	04/18/2010

Trademark/Service Mark Application, Principal Register

Serial Number: 85017758

Filing Date: 04/19/2010

To the Commissioner for Trademarks:

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

The literal element of the mark consists of 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 19638.13T1.

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: 04/18/2010
Signatory's Name: Frederick W. Stein
Signatory's Position: Vice President and General Counsel

RAM Sale Number: 6990
RAM Accounting Date: 04/20/2010

Serial Number: 85017758
Internet Transmission Date: Mon Apr 19 22:30:44 EDT 2010
TEAS Stamp: USPTO/BAS-XX.XX.XXX.XXX-2010041922304477
5755-85017758-460435f7435c3c5d4416aa93ef
ef65d9522-DA-6990-20100418183930054394

REDBOX IT.

REDBOX IT.