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Mark: THE SMARTER WAY TO WATCH & PLAY

THE SMARTER WAY TO WATCH
& PLAY

US Serial Number: 87546657

Application Filing Date: Jul. 28, 2017

US Registration Number: 5698270

Registration Date: Mar. 12, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 12, 2019

Publication Date: Dec. 05, 2017 **Notice of Allowance Date:** Jan. 30, 2018

Mark Information

Mark Literal Elements: THE SMARTER WAY TO WATCH & PLAY

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

Goods and Services

Note:

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

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

For: Vending machines

International Class(es): 007 - Primary Class

U.S Class(es): 013, 019, 021, 023, 031, 034, 035

Class Status: ACTIVE

First Use: Feb. 19, 2018

Use in Commerce: Feb. 19, 2018

For: Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

First Use: Aug. 17, 2018

Use in Commerce: Aug. 17, 2018

For: Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content

International Class(es): 035 - Primary Class

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

Class Status: ACTIVE

First Use: Feb. 19, 2018

Use in Commerce: Feb. 19, 2018

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

International Class(es): 038 - Primary Class

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

Class Status: ACTIVE

First Use: Aug. 17, 2018

Use in Commerce: Aug. 17, 2018

For: Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content

International Class(es): 041 - Primary Class

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

Class Status: ACTIVE

First Use: Aug. 10, 2018

Use in Commerce: Aug. 10, 2018

For: Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

First Use: Aug. 10, 2018

Use in Commerce: Aug. 10, 2018

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Filed ITU: Yes

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Redbox Automated Retail, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Annmary Ittan

Docket Number: 5407-699

Attorney Primary Email Address: mail@ipcounselors.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Annmary Ittan
Epstein Drangel LLP
60 East 42nd Street, Suite 1250
New York, NEW YORK UNITED STATES 10165

Phone: 212.292.5390

Fax: 212.292.5391

Correspondent e-mail: mail@ipcounselors.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 12, 2024	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	

May 03, 2023	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
May 03, 2023	TEAS CHANGE OF CORRESPONDENCE RECEIVED
May 03, 2023	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
May 03, 2023	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
May 03, 2023	TEAS CHANGE OF OWNER ADDRESS RECEIVED
Jul. 02, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
Jul. 02, 2020	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Jul. 02, 2020	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
Jul. 02, 2020	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
Jul. 02, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED
Mar. 12, 2019	REGISTERED-PRINCIPAL REGISTER
Feb. 07, 2019	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED
Feb. 06, 2019	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED
Feb. 02, 2019	EXAMINER'S AMENDMENT ENTERED
Feb. 02, 2019	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED
Feb. 02, 2019	EXAMINERS AMENDMENT E-MAILED
Feb. 02, 2019	SU-EXAMINER'S AMENDMENT WRITTEN
Feb. 02, 2019	STATEMENT OF USE PROCESSING COMPLETE
Jan. 28, 2019	USE AMENDMENT FILED
Jan. 28, 2019	TEAS STATEMENT OF USE RECEIVED
Aug. 20, 2018	AMENDMENT AFTER NOA NOT ENTERED
Sep. 17, 2018	CASE ASSIGNED TO INTENT TO USE PARALEGAL
Aug. 20, 2018	TEAS POST PUBLICATION AMENDMENT RECEIVED
Aug. 10, 2018	ASSIGNED TO EXAMINER
Jul. 31, 2018	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED
Jul. 27, 2018	SOU EXTENSION 1 GRANTED
Jul. 27, 2018	SOU EXTENSION 1 FILED
Jul. 27, 2018	SOU TEAS EXTENSION RECEIVED
Jan. 30, 2018	NOA E-MAILED - SOU REQUIRED FROM APPLICANT
Dec. 05, 2017	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
Dec. 05, 2017	PUBLISHED FOR OPPOSITION
Nov. 15, 2017	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Oct. 30, 2017	APPROVED FOR PUB - PRINCIPAL REGISTER
Oct. 30, 2017	ASSIGNED TO EXAMINER
Aug. 02, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Aug. 01, 2017	NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Feb. 06, 2019

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Redbox Automated Retail, LLC

Assignment 1 of 2

Conveyance: SECURITY INTEREST

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

Pages: 7

Date Recorded: Oct. 20, 2017

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

Assignor

Name: [REDBOX AUTOMATED RETAIL LLC](#)

Execution Date: Oct. 20, 2017

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

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

Correspondent

Correspondent Name: KRISTIN YOHANNAN, ESQ.

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

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: SECURITY INTEREST

Reel/Frame: [7846/0182](#)

Pages: 19

Date Recorded: Sep. 13, 2022

Supporting Documents: [assignment-tm-7846-0182.pdf](#)

Assignor

Name: [CHICKEN SOUP FOR THE SOUL ENTERTAINMENT INC.](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

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

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [A SHARP INC.](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [CRACKLE PLUS, LLC](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [HALCYON TELEVISION, LLC](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [LANDMARK STUDIO GROUP LLC](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [POWERSLAM, LLC](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [RB SECOND MERGER SUB LLC](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [SCREEN MEDIA VENTURES, LLC](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Name: [TOFG LLC](#)

Execution Date: Aug. 11, 2022

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee**Name:** [HPS INVESTMENT PARTNERS, LLC, AS COLLATERAL AGENT](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country** DELAWARE
Where Organized:**Address:** 40 WEST 57TH STREET, 33RD FLOOR
NEW YORK, UNITED STATES 10019**Correspondent****Correspondent** JAVIER J. RAMOS
Name:**Correspondent** 1850 K STREET, NW, SUITE 1100
Address: MILBANK, LLP
WASHINGTON, DC 20006**Domestic Representative - Not Found**

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, March 12, 2024 01:39 AM
To: XXXX
Subject: Official USPTO Courtesy Reminder: Trademark Registration Maintenance Document Must Be Filed Before Deadline for U.S. Trademark Registration No. 5698270 THE SMARTER WAY TO WATCH &

USPTO COURTESY REMINDER

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

U.S. Application Serial No. 87546657
U.S. Registration No. 5698270
U.S. Registration Date: March 12, 2019
Mark: THE SMARTER WAY TO WATCH & PLAY
Owner: Redbox Automated Retail, LLC
Docket/Reference No. 5407-699

Issue Date: March 12, 2024

Required submission. The owner of the trademark registration must file a [Declaration of Use and/or Excusable Nonuse Under Section 8](#) (Section 8 Declaration) between now and March 12, 2025. For an additional fee, the owner can file within the 6-month grace period that ends on September 12, 2025.

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

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

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

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

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

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

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

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

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

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

Change Address or Representation Form

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87546657
REGISTRATION NUMBER	5698270
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION	
MARK	THE SMARTER WAY TO WATCH & PLAY (standard characters, see https://tmng-al.uspto.gov/resting2/api/img/87546657/large)
OWNER SECTION(current)	
NAME	Redbox Automated Retail, LLC
MAILING ADDRESS	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	60181
EMAIL	XXXX
OWNER SECTION(proposed)	
STATEMENT TEXT	By submission of this request, the undersigned requests that the following be made of record for the owner/holder:
NAME	Redbox Automated Retail, LLC
MAILING ADDRESS	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	60181
EMAIL	XXXX
ATTORNEY SECTION (current)	
NAME	James P. Muraff
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	McDonald Hopkins LLC
STREET	300 North LaSalle Street Suite 1400

CITY	CHICAGO
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
POSTAL/ZIP CODE	60654
PHONE	3126421480
FAX	216-348-5474
EMAIL	ipmailbox@mcdonaldhopkins.com
DOCKET/REFERENCE NUMBER(S)	49021-00050
ATTORNEY SECTION (proposed)	
STATEMENT TEXT	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney:
NAME	Annmary Ittan
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Epstein Drangel LLP
OTHER APPOINTED ATTORNEY(S)	William C. Wright; Jesse R. Bader; Hannah Rosenson; Alexandra L. Scoville; Kimberly A. Klibert
STREET	60 East 42nd Street, Suite 1250
CITY	New York
STATE	New York
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
POSTAL/ZIP CODE	10165
PHONE	212.292.5390
FAX	212.292.5391
EMAIL	mail@ipcounselors.com
DOCKET/REFERENCE NUMBER(S)	5407-699
CORRESPONDENCE SECTION (current)	
NAME	James P. Muraff
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	ipmailbox@mcdonaldhopkins.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
DOCKET/REFERENCE NUMBER(S)	49021-00050
CORRESPONDENCE SECTION (proposed)	
NAME	Annmary Ittan
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	mail@ipcounselors.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
SIGNATURE SECTION	
SIGNATURE	/Frederick W Stein/
SIGNATORY NAME	Frederick W Stein
SIGNATORY DATE	05/03/2023
SIGNATORY POSITION	Chief Legal Officer
ROLE OF AUTHORIZED SIGNATORY	Owner/Holder not represented by an attorney
SIGNATURE METHOD	Sent to third party for signature
FILING INFORMATION SECTION	
SUBMIT DATE	Wed May 03 17:07:33 ET 2023
TEAS STAMP	USPTO/CAR-XXXX:XXX:XXX:XX XX:XXXX:XXXX:XXXX:XXXX-20 230503170733652096-770749 24-850b5b58ef5c7569e4bf5a dbbf565ab4ab47ddd61e519f1 a8e45964c53a0cb934-N/A-N/ A-20230419153239573293

Change Address or Representation Form

To the Commissioner for Trademarks:

MARK: THE SMARTER WAY TO WATCH & PLAY (standard characters, see <https://tmng-al.uspto.gov/resting2/api/img/87546657/large>)

SERIAL NUMBER: 87546657

REGISTRATION NUMBER: 5698270

Owner Section (Current) :

Redbox Automated Retail, LLC
One Tower Lane, Suite 900
Oakbrook Terrace, Illinois 60181
United States
XXXX

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

Owner Section (proposed):

Redbox Automated Retail, LLC
One Tower Lane, Suite 900
Oakbrook Terrace, Illinois 60181
United States
XXXX

Attorney Section (Current):

James P. Muraff of McDonald Hopkins LLC
XX bar, admitted in XXXX, bar membership no. XXX, is located at
300 North LaSalle Street Suite 1400
CHICAGO, Illinois 60654
United States
3126421480
216-348-5474
Email Address: ipmailbox@mcdonaldhopkins.com
Docket Reference Number(s): 49021-00050.

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney:

Attorney Section (proposed):

Annmary Ittan of Epstein Drangel LLP
XX bar, admitted in XXXX, bar membership no. XXX, is located at
60 East 42nd Street, Suite 1250
New York, New York 10165
United States
212.292.5390
212.292.5391
mail@ipcounselors.com
Other Appointed Attorney(s): William C. Wright; Jesse R. Bader; Hannah Rosenson; Alexandra L. Scoville; Kimberly A. Klibert

Docket Reference Number(s): 5407-699

Annmary Ittan submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a

U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

Correspondence Section (Current):

James P. Muraff

PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE: ipmailbox@mcdonaldhopkins.com

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

Docket Reference Number(s): 49021-00050

Correspondence Section (proposed):

Annmary Ittan

PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE: mail@ipcounselors.com

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

Docket Reference Number(s): 5407-699

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

Signature: /Frederick W Stein/ Date: 05/03/2023

Signatory's Name: Frederick W Stein

Signatory's Position: Chief Legal Officer

Signature method: Sent to third party for signature

The signatory has confirmed that he/she is either: (1) the owner/holder; or (2) a person or persons with legal authority to bind the owner/holder.

Serial Number: 87546657

Internet Transmission Date: Wed May 03 17:07:33 ET 2023

TEAS Stamp: USPTO/CAR-XXXX:XXX:XXX:XXXX:XXXX:XXXX:XX

XX:XXXX-20230503170733652096-77074924-85

0b5b58ef5c7569e4bf5adbbf565ab4ab47ddd61e

519f1a8e45964c53a0cb934-N/A-N/A-20230419

153239573293

Change Address or Representation Form

The table below presents the data as entered.

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SERIAL NUMBER	87546657
REGISTRATION NUMBER	5698270
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION	
MARK	THE SMARTER WAY TO WATCH & PLAY (standard characters, see https://tmng-al.uspto.gov/resting2/api/img/87546657/large)
OWNER SECTION(current)	
NAME	Redbox Automated Retail, LLC
MAILING ADDRESS	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	60181
EMAIL	XXXX
ATTORNEY SECTION(current)	
NAME	James P. Muraff
ATTORNEY BAR MEMBERSHIP NUMBER	NOT SPECIFIED
YEAR OF ADMISSION	NOT SPECIFIED
U.S. STATE/ COMMONWEALTH/ TERRITORY	NOT SPECIFIED
FIRM NAME	NEAL, GERBER & EISENBERG LLP
STREET	TWO NORTH LASALLE STREET, SUITE 1700
CITY	CHICAGO
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
POSTAL/ZIP CODE	60602
PHONE	312-269-8000
FAX	312-269-1747
EMAIL	trademarks@nge.com
CORRESPONDENCE SECTION(current)	
NAME	JAMES P. MURAFF
PRIMARY EMAIL ADDRESS FOR	

CORRESPONDENCE	trademarks@nge.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
OWNER SECTION(proposed)	
STATEMENT TEXT	By submission of this request, the undersigned requests that the following be made of record for the owner/holder:
NAME	Redbox Automated Retail, LLC
MAILING ADDRESS	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	60181
EMAIL	XXXX
ATTORNEY SECTION (proposed)	
STATEMENT TEXT	By submission of this request, the undersigned appoints the following new attorney, is newly appearing as the attorney, or updates the information of an existing attorney of record:
NAME	James P. Muraff
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	McDonald Hopkins LLC
OTHER APPOINTED ATTORNEY(S)	David B. Cupar, Scott Slaby, David T. Movius, Todd A. Benni, Matthew J. Cavanagh, Joseph J. Crimaldi, Mark J. Masterson, Mark C. Guinto, Robert C. Baraona, Julie Micalizzi and Lindsie A. Everett
STREET	300 North LaSalle Street Suite 1400
CITY	CHICAGO
STATE	Illinois
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
POSTAL/ZIP CODE	60654
PHONE	3126421480
FAX	216-348-5474
EMAIL	ipmailbox@mcdonaldhopkins.com
DOCKET/REFERENCE NUMBER(S)	49021-00050
CORRESPONDENCE SECTION (proposed)	
NAME	James P. Muraff
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	ipmailbox@mcdonaldhopkins.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED

DOCKET/REFERENCE NUMBER(S)	49021-00050
SIGNATURE SECTION	
SIGNATURE	/James P. Muraff/
SIGNATORY NAME	James P. Muraff
SIGNATORY DATE	07/02/2020
SIGNATORY POSITION	Attorney of record, Illinois bar member
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Jul 02 15:00:54 ET 2020
TEAS STAMP	USPTO/CAR-XXX.XX.XX.XXX-2 0200702150054105723-85551 440-710f0b79cd5724aec4ca0 a17155552a9248e198d0a7889 f63ce060e6ec26dc8fa1-N/A- N/A-20200702145939867774

Change Address or Representation Form

To the Commissioner for Trademarks:

MARK: THE SMARTER WAY TO WATCH & PLAY (standard characters, see <https://tmng-al.uspto.gov/resting2/api/img/87546657/large>)

SERIAL NUMBER: 87546657

REGISTRATION NUMBER: 5698270

Owner Section (Current) :

Redbox Automated Retail, LLC
One Tower Lane, Suite 900
Oakbrook Terrace, Illinois 60181
United States
XXXX

Attorney Section (Current):

James P. Muraff of NEAL, GERBER & EISENBERG LLP
is located at
TWO NORTH LASALLE STREET, SUITE 1700
CHICAGO, Illinois 60602
United States
312-269-8000
312-269-1747
Email Address: trademarks@nge.com

Correspondence Section (Current):

JAMES P. MURAFF
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE: trademarks@nge.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

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

Owner Section (proposed):

Redbox Automated Retail, LLC
One Tower Lane, Suite 900
Oakbrook Terrace, Illinois 60181
United States
XXXX

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

Attorney Section (proposed):

James P. Muraff of McDonald Hopkins LLC
XX bar, admitted in XXXX, bar membership no. XXX, is located at
300 North LaSalle Street Suite 1400
CHICAGO, Illinois 60654
United States
3126421480
216-348-5474
ipmailbox@mcdonaldhopkins.com

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

Docket Reference Number(s): 49021-00050

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

Correspondence Section (proposed):

James P. Muraff

PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE: ipmailbox@mcdonaldhopkins.com

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

Docket Reference Number(s): 49021-00050

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

Signatory's Name: James P. Muraff

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

Serial Number: 87546657

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

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

5723-85551440-710f0b79cd5724aec4ca0a1715

5552a9248e198d0a7889f63ce060e6ec26dc8fa1

-N/A-N/A-20200702145939867774

United States of America

United States Patent and Trademark Office

THE SMARTER WAY TO WATCH & PLAY

Reg. No. 5,698,270

Registered Mar. 12, 2019

**Int. Cl.: 7, 9, 35, 38, 41,
42**

Service Mark

Trademark

Principal Register

Redbox Automated Retail, LLC (DELAWARE LIMITED LIABILITY COMPANY)
One Tower Lane, Suite 900
Oakbrook Terrace, ILLINOIS 60181

CLASS 7: Vending machines

FIRST USE 2-19-2018; IN COMMERCE 2-19-2018

CLASS 9: Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine

FIRST USE 8-17-2018; IN COMMERCE 8-17-2018

CLASS 35: Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content

FIRST USE 2-19-2018; IN COMMERCE 2-19-2018

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

FIRST USE 8-17-2018; IN COMMERCE 8-17-2018

CLASS 41: Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content

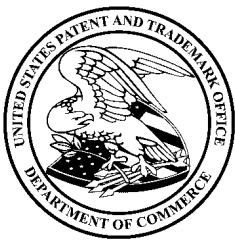
FIRST USE 8-10-2018; IN COMMERCE 8-10-2018

CLASS 42: Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

FIRST USE 8-10-2018; IN COMMERCE 8-10-2018

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

SER. NO. 87-546,657, FILED 07-28-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

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

Grace Period Filings*

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

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

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

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

From: TMOfficialNotices@USPTO.GOV
Sent: Thursday, February 7, 2019 00:15 AM
To: XXXX
Subject: Official USPTO Notice of Acceptance of SOU: U.S. Trademark SN 87546657: THE SMARTER WAY TO WATCH & PLAY

NOTICE OF ACCEPTANCE OF STATEMENT OF USE

U.S. Serial Number: 87546657
Mark: THE SMARTER WAY TO WATCH & PLAY
Owner: Redbox Automated Retail, LLC
Docket/Reference Number:

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

To check the status of the application, go to http://tsdr.uspto.gov/#caseNumber=87546657&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to http://tsdr.uspto.gov/#caseNumber=87546657&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.

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

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

OVERVIEW

SERIAL NUMBER	87546657	FILING DATE	07/28/2017
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BELENKER, ESTHER ANN	L.O. ASSIGNED	111

PUB INFORMATION

RUN DATE	02/07/2019		
PUB DATE	12/05/2017		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	02/06/2019		
LITERAL MARK ELEMENT	THE SMARTER WAY TO WATCH & PLAY		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

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

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	THE SMARTER WAY TO WATCH & PLAY
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	007
DESCRIPTION TEXT	Vending machines
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	007	FIRST USE DATE	02/19/2018	FIRST USE IN COMMERCE DATE	02/19/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	009	FIRST USE DATE	08/17/2018	FIRST USE IN COMMERCE DATE	08/17/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	02/19/2018	FIRST USE IN COMMERCE DATE	02/19/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	08/17/2018	FIRST USE IN COMMERCE DATE	08/17/2018	CLASS STATUS	6-ACTIVE

INTERNATIONAL CLASS	041	FIRST USE DATE	08/10/2018	FIRST USE IN COMMERCE DATE	08/10/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	042	FIRST USE DATE	08/10/2018	FIRST USE IN COMMERCE DATE	08/10/2018	CLASS STATUS	6-ACTIVE
<p align="center">MISCELLANEOUS INFORMATION/STATEMENTS</p>							
CHANGE IN REGISTRATION				NO			
<p align="center">PROSECUTION HISTORY</p>							
DATE	ENT CD	ENT TYPE	DESCRIPTION			ENT NUM	
02/07/2019	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED			025	
02/06/2019	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED			024	
02/02/2019	XAEC	I	EXAMINER'S AMENDMENT ENTERED			023	
02/02/2019	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED			022	
02/02/2019	GNEA	F	EXAMINERS AMENDMENT E-MAILED			021	
02/02/2019	SNEA	W	SU-EXAMINER'S AMENDMENT WRITTEN			020	
02/02/2019	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE			019	
01/28/2019	IUAF	S	USE AMENDMENT FILED			018	
01/28/2019	EISU	I	TEAS STATEMENT OF USE RECEIVED			017	
08/20/2018	INOA	I	AMENDMENT AFTER NOA NOT ENTERED			016	
09/17/2018	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL			015	
08/20/2018	EPPA	I	TEAS POST PUBLICATION AMENDMENT RECEIVED			014	
08/10/2018	DOCK	D	ASSIGNED TO EXAMINER			013	
07/31/2018	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED			012	
07/27/2018	EX1G	S	EXTENSION 1 GRANTED			011	
07/27/2018	EXT1	S	EXTENSION 1 FILED			010	
07/27/2018	EEXT	I	TEAS EXTENSION RECEIVED			009	
01/30/2018	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT			008	
12/05/2017	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED			007	
12/05/2017	PUBO	A	PUBLISHED FOR OPPOSITION			006	
11/15/2017	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED			005	
10/30/2017	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER			004	
10/30/2017	DOCK	D	ASSIGNED TO EXAMINER			003	
08/02/2017	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM			002	
08/01/2017	NWAP	I	NEW APPLICATION ENTERED IN TRAM			001	
<p align="center">CURRENT CORRESPONDENCE INFORMATION</p>							
ATTORNEY				James P. Muraff			
CORRESPONDENCE ADDRESS				JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP TWO NORTH LASALLE STREET, SUITE 1700 CHICAGO, IL 60602			
DOMESTIC REPRESENTATIVE				NONE			

PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

THE SMARTER WAY TO WATCH & PLAY

THE SMARTER WAY TO WATCH & PLAY

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

OVERVIEW

SERIAL NUMBER	87546657	FILING DATE	07/28/2017
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BELENKER, ESTHER ANN	L.O. ASSIGNED	111

PUB INFORMATION

RUN DATE	02/05/2019		
PUB DATE	12/05/2017		
STATUS	811-EXAMINER'S AMENDMENT - MAILED		
STATUS DATE	02/02/2019		
LITERAL MARK ELEMENT	THE SMARTER WAY TO WATCH & PLAY		
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	THE SMARTER WAY TO WATCH & PLAY
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	007
DESCRIPTION TEXT	Vending machines
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	007	FIRST USE DATE	02/19/2018	FIRST USE IN COMMERCE DATE	02/19/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	009	FIRST USE DATE	08/17/2018	FIRST USE IN COMMERCE DATE	08/17/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	02/19/2018	FIRST USE IN COMMERCE DATE	02/19/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	08/17/2018	FIRST USE IN COMMERCE DATE	08/17/2018	CLASS STATUS	6-ACTIVE

INTERNATIONAL CLASS	041	FIRST USE DATE	08/10/2018	FIRST USE IN COMMERCE DATE	08/10/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	042	FIRST USE DATE	08/10/2018	FIRST USE IN COMMERCE DATE	08/10/2018	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION

NO

PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
02/02/2019	XAEC	I	EXAMINER'S AMENDMENT ENTERED	023
02/02/2019	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	022
02/02/2019	GNEA	F	EXAMINERS AMENDMENT E-MAILED	021
02/02/2019	SNEA	W	SU-EXAMINER'S AMENDMENT WRITTEN	020
02/02/2019	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	019
01/28/2019	IUAF	S	USE AMENDMENT FILED	018
01/28/2019	EISU	I	TEAS STATEMENT OF USE RECEIVED	017
08/20/2018	INOA	I	AMENDMENT AFTER NOA NOT ENTERED	016
09/17/2018	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	015
08/20/2018	EPPA	I	TEAS POST PUBLICATION AMENDMENT RECEIVED	014
08/10/2018	DOCK	D	ASSIGNED TO EXAMINER	013
07/31/2018	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	012
07/27/2018	EX1G	S	EXTENSION 1 GRANTED	011
07/27/2018	EXT1	S	EXTENSION 1 FILED	010
07/27/2018	EEXT	I	TEAS EXTENSION RECEIVED	009
01/30/2018	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	008
12/05/2017	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	007
12/05/2017	PUBO	A	PUBLISHED FOR OPPOSITION	006
11/15/2017	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	005
10/30/2017	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	004
10/30/2017	DOCK	D	ASSIGNED TO EXAMINER	003
08/02/2017	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/01/2017	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY

James P. Muraff

CORRESPONDENCE ADDRESS

JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
TWO NORTH LASALLE STREET, SUITE 1700
CHICAGO, IL 60602

DOMESTIC REPRESENTATIVE

NONE

PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

THE SMARTER WAY TO WATCH AND PLAY

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

OVERVIEW

SERIAL NUMBER	87546657	FILING DATE	07/28/2017
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BELENKER, ESTHER ANN	L.O. ASSIGNED	111

PUB INFORMATION

RUN DATE	02/05/2019		
PUB DATE	12/05/2017		
STATUS	811-EXAMINER'S AMENDMENT - MAILED		
STATUS DATE	02/02/2019		
LITERAL MARK ELEMENT	THE SMARTER WAY TO WATCH & PLAY		
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	THE SMARTER WAY TO WATCH & PLAY
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	007
DESCRIPTION TEXT	Vending machines
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	007	FIRST USE DATE	02/19/2018	FIRST USE IN COMMERCE DATE	02/19/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	009	FIRST USE DATE	08/17/2018	FIRST USE IN COMMERCE DATE	08/17/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	02/19/2018	FIRST USE IN COMMERCE DATE	02/19/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	08/17/2018	FIRST USE IN COMMERCE DATE	08/17/2018	CLASS STATUS	6-ACTIVE

INTERNATIONAL CLASS	041	FIRST USE DATE	08/10/2018	FIRST USE IN COMMERCE DATE	08/10/2018	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	042	FIRST USE DATE	08/10/2018	FIRST USE IN COMMERCE DATE	08/10/2018	CLASS STATUS	6-ACTIVE
MISCELLANEOUS INFORMATION/STATEMENTS							
CHANGE IN REGISTRATION				NO			
PROSECUTION HISTORY							
DATE	ENT CD	ENT TYPE	DESCRIPTION			ENT NUM	
02/02/2019	XAEC	I	EXAMINER'S AMENDMENT ENTERED			023	
02/02/2019	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED			022	
02/02/2019	GNEA	F	EXAMINERS AMENDMENT E-MAILED			021	
02/02/2019	SNEA	W	SU-EXAMINER'S AMENDMENT WRITTEN			020	
02/02/2019	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE			019	
01/28/2019	IUAF	S	USE AMENDMENT FILED			018	
01/28/2019	EISU	I	TEAS STATEMENT OF USE RECEIVED			017	
08/20/2018	INOA	I	AMENDMENT AFTER NOA NOT ENTERED			016	
09/17/2018	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL			015	
08/20/2018	EPPA	I	TEAS POST PUBLICATION AMENDMENT RECEIVED			014	
08/10/2018	DOCK	D	ASSIGNED TO EXAMINER			013	
07/31/2018	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED			012	
07/27/2018	EX1G	S	EXTENSION 1 GRANTED			011	
07/27/2018	EXT1	S	EXTENSION 1 FILED			010	
07/27/2018	EEXT	I	TEAS EXTENSION RECEIVED			009	
01/30/2018	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT			008	
12/05/2017	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED			007	
12/05/2017	PUBO	A	PUBLISHED FOR OPPOSITION			006	
11/15/2017	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED			005	
10/30/2017	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER			004	
10/30/2017	DOCK	D	ASSIGNED TO EXAMINER			003	
08/02/2017	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM			002	
08/01/2017	NWAP	I	NEW APPLICATION ENTERED IN TRAM			001	
CURRENT CORRESPONDENCE INFORMATION							
ATTORNEY				James P. Muraff			
CORRESPONDENCE ADDRESS				JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP TWO NORTH LASALLE STREET, SUITE 1700 CHICAGO, IL 60602			
DOMESTIC REPRESENTATIVE				NONE			
PRIOR OWNER INFORMATION							

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

THE SMARTER WAY TO WATCH AND PLAY

THE SMARTER WAY TO WATCH & PLAY

To: Redbox Automated Retail, LLC (trademarks@nge.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87546657 - THE SMARTER WAY TO WATCH AND PLAY - N/A
Sent: 2/2/2019 11:33:52 AM
Sent As: ECOM111@USPTO.GOV
Attachments:

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

**U.S. APPLICATION
SERIAL NO.** 87546657

MARK: THE SMARTER
WAY TO WATCH AND
PLAY

87546657

**CORRESPONDENT
ADDRESS:**

JAMES P. MURAFF
NEAL, GERBER &
EISENBERG LLP
TWO NORTH
LASALLE STREET,
SUITE 1700
CHICAGO, IL 60602

**GENERAL TRADEMARK
INFORMATION:**

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

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Redbox
Automated Retail, LLC

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

N/A

**CORRESPONDENT E-
MAIL ADDRESS:**

trademarks@nge.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 2/2/2019

The statement of use has been reviewed by the assigned trademark examining attorney.

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by the applicant's attorney, James Muraff, on February 2, 2019, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

DRAWING

The drawing has been amended to the following:

THE SMARTER WAY TO WATCH & PLAY

See TMEP §807.15.

/Esther A. Belenker/
Trademark Examining Attorney
Law Office 111
Tel: 571/272-9125
Fax: 571/273-9125
esther.belenker@uspto.gov

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

To: Redbox Automated Retail, LLC (trademarks@nge.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87546657 - THE SMARTER WAY TO WATCH AND PLAY - N/A
Sent: 2/2/2019 11:33:53 AM
Sent As: ECOM111@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

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

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **2/2/2019** FOR U.S. APPLICATION SERIAL NO.87546657

Please follow the instructions below:

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

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

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

WARNING

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

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

NOTE TO THE FILE

SERIAL NUMBER: 87546657

DATE: 02/02/2019

NAME: ebelenker

NOTE:

Searched:

☐ Google
☐ Lexis/Nexis
☐ OneLook
☐ Wikipedia
☐ Acronym Finder ☐ Protest evidence reviewed
☐ Other:

Checked:

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

☐ Checked list of approved Canadian attorneys and agents

Discussed file with

Attorney/Applicant via:

☒ phone ☐ Left message with Attorney/Applicant
☐ email

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

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

☐ OTHER:

THE SMARTER WAY TO WATCH & PLAY

*** User:ebelenker ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	87546657[SN]
02	53	37	16	14	P/0:01	"redbox automated retail"[ow]

Session started 2/2/2019 11:27:56 AM

Session finished 2/2/2019 11:28:58 AM

Total search duration 0 minutes 2 seconds

Session duration 1 minutes 2 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICSRS as Serial Number: 87546657



redbox.

THE SMARTER WAY TO WATCH & PLAY





redbox.

THE SMARTER WAY TO WATCH & PLAY



Movies Games On Demand Locations

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redbox. ON DEMAND

Welcome, James

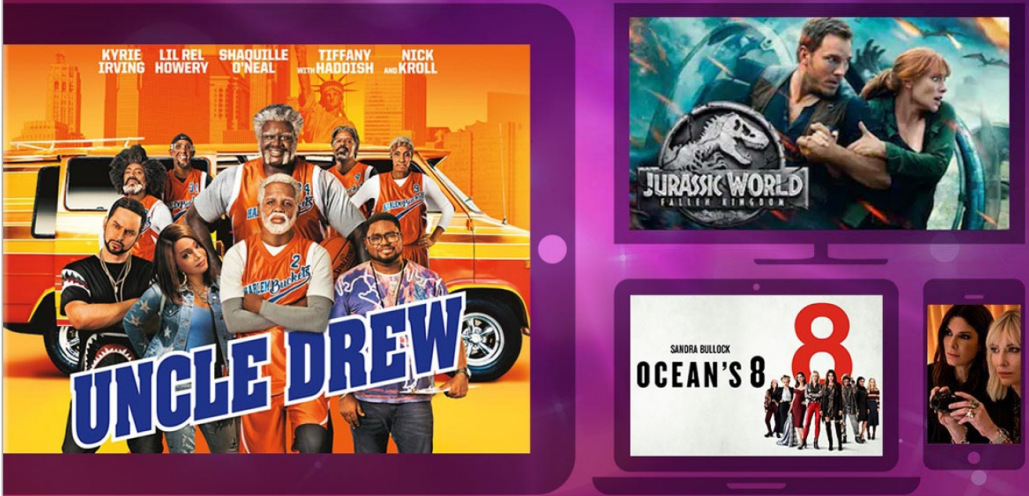
redbox. PERKS

Member 600 pts

Keep racking up the points and you'll soon be rewarded

Become a Star for 2019 with 10 more rentals/purchases

SUPERSIZE YOUR STREAM



Stream thousands of movies instantly

[WATCH NOW](#)

FUNFACT
71% of binge-watching happens alone 😞
Let's throw a friends & family MOVIE NIGHT, instead! [#BACKTOTHEMOVIES](#)

[BACK TO THE MOVIES](#)

RENT OR BUY WITH REDBOX ON DEMAND & SCORE

5X POINTS*

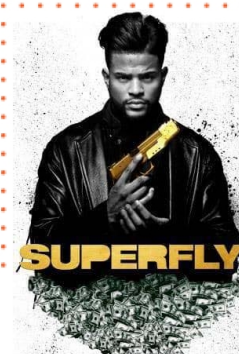
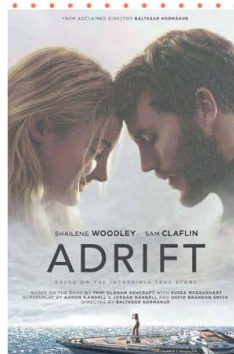
ON DEMAND

redbox. PERKS

DON'T MISS THIS DEAL
OFFER ENDS MONDAY 10/1/18

[WATCH NOW](#)

More Movies On Demand



Fimco : Fimco
Skid Sprayer



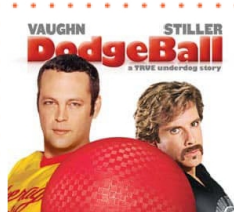
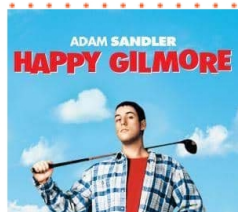
SHOP NOW

GRAINGER
FOR THE ONES WHO GET IT DONE

Own On Demand



On Demand: Sports Comedies





Hot Games At The Box




More Movies At The Box



Coming Soon On Demand










HARRY'S
FIVE GERMAN BLADES
ZERO UPCHARGING


REDEEM TRIAL

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The smarter way to watch & play

WATCH	PLAY	BUY	ON THE GO
 <p>THE BOX or ON DEMAND</p>	 <p>GAMES</p>	 <p>PRE-RENTED MOVIES & GAMES</p>	 <p>WITH THE APP</p>



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with the latest news,
insider reviews & more!

Have questions about Redbox? [CONTACT US.](#)



*Requires Redbox Account and paid On Demand transaction between 9/25/18 and 10/1/18. Max of 625 pts earned per transaction. Subject to terms at redbox.com/perks/terms.

The Redbox Perks Program is open to legal residents of the 50 U.S., D.C. or Puerto Rico, who are 13+. Requires Redbox Account. Void where prohibited by law. Points for rentals and purchases earned only for paid transactions. Points balance may be delayed up to seven days. Add'l purchase requirements, point limitations/expiration and reward restrictions apply. Subject to Program Terms & Conditions at redbox.com/perks/terms and Redbox Platform Terms of Use at redbox.com/termsofuse. Information collected in the program is subject to the Redbox Privacy policy at redbox.com/privacy.


² You will receive recurring messages. Message and data rates may apply. Text STOP to cancel, HELP for help. By texting in you agree to get texts from Redbox at your mobile number, which may be sent through an automatic telephone dialing system. Consent not required to rent/buy from Redbox.

Terms: <http://www.redbox.com/textclub/faq>
Privacy policy: <http://www.redbox.com/privacy>

You have received this email as a registered user of the redbox.com email list. You are subscribed as jmuraff@ngelaw.com. If you do not wish to continue receiving these notices, please [unsubscribe](#).

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Movies Games On Demand Locations

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redbox. ON DEMAND

Welcome, James

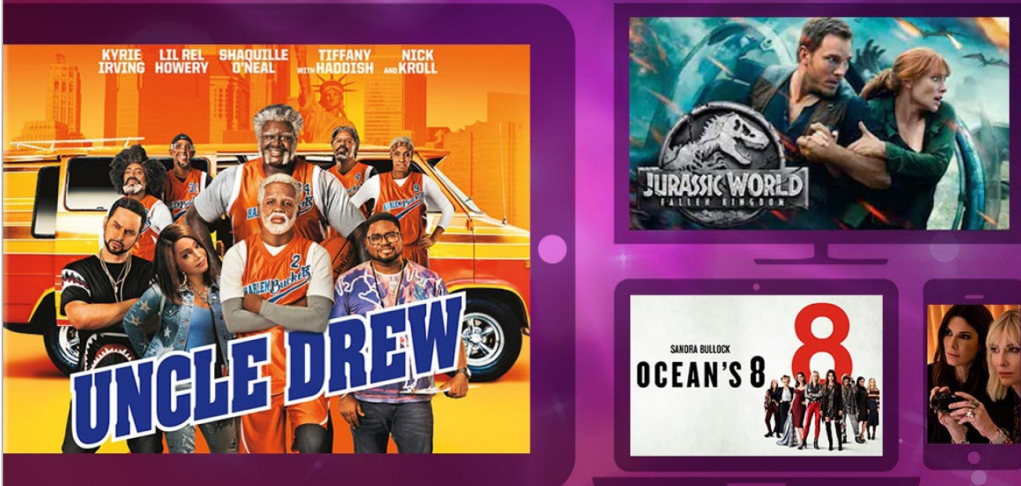
redbox. PERKS

Member 600 pts

Keep racking up the points and you'll soon be rewarded

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[BACK TO THE MOVIES](#)

RENT OR BUY WITH REDBOX ON DEMAND & SCORE **5X POINTS***

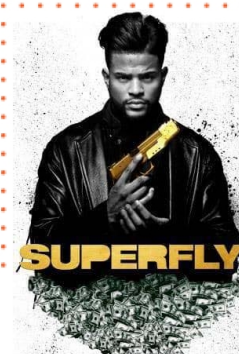
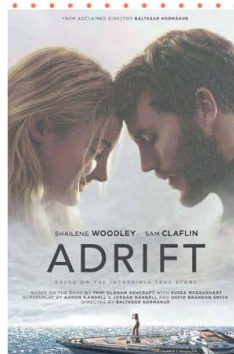
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DON'T MISS THIS DEAL
OFFER ENDS MONDAY 10/1/18

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Fimco : Fimco
Skid Sprayer



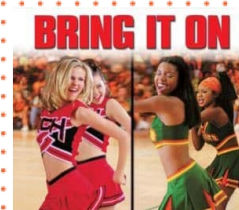
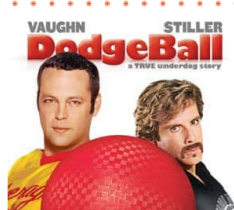
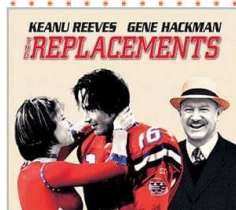
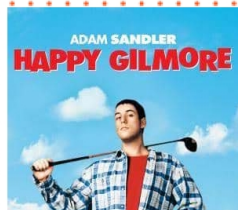
SHOP NOW

GRAINGER
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Own On Demand



On Demand: Sports Comedies





Hot Games At The Box




More Movies At The Box



Coming Soon On Demand










HARRY'S
FIVE GERMAN BLADES
ZERO UPCHARGING


REDEEM TRIAL

redbox.
The smarter way to watch & play

WATCH	PLAY	BUY	ON THE GO
 <p>THE BOX or ON DEMAND</p>	 <p>GAMES</p>	 <p>PRE-RENTED MOVIES & GAMES</p>	 <p>WITH THE APP</p>



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² You will receive recurring messages. Message and data rates may apply. Text STOP to cancel, HELP for help. By texting in you agree to get texts from Redbox at your mobile number, which may be sent through an automatic telephone dialing system. Consent not required to rent/buy from Redbox.

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

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87546657
LAW OFFICE ASSIGNED	LAW OFFICE 111
EXTENSION OF USE	NO
MARK SECTION (current)	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87546657/large
LITERAL ELEMENT	THE SMARTER WAY TO WATCH AND PLAY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
MARK SECTION (proposed)	
MARK	THE SMARTER WAY TO WATCH & PLAY
LITERAL ELEMENT	THE SMARTER WAY TO WATCH & PLAY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
OWNER SECTION (current)	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
OWNER SECTION (proposed)	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States

EMAIL	XXXX
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	007
CURRENT IDENTIFICATION	Vending machines
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	02/19/2018
FIRST USE IN COMMERCE DATE	02/19/2018
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\875\466\87546657\xml14 \SOU0003.JPG
SPECIMEN DESCRIPTION	vending machine
INTERNATIONAL CLASS	009
CURRENT IDENTIFICATION	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	08/17/2018
FIRST USE IN COMMERCE DATE	08/17/2018
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\875\466\87546657\xml14 \SOU0004.JPG
SPECIMEN DESCRIPTION	mobile app screen
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	02/19/2018
FIRST USE IN COMMERCE DATE	02/19/2018
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\875\466\87546657\xml14 \SOU0005.JPG
SPECIMEN DESCRIPTION	vending machine
INTERNATIONAL CLASS	038
CURRENT IDENTIFICATION	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	08/17/2018

FIRST USE IN COMMERCE DATE	08/17/2018
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT17\875\466\87546657\xml14\SOU0006.JPG
SPECIMEN DESCRIPTION	mobile app
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	08/10/2018
FIRST USE IN COMMERCE DATE	08/10/2018
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN4-6385229130-20190107145926139599_. Email Specimen On Demand.pdf
CONVERTED PDF FILE(S) (5 pages)	\\TICRS\EXPORT17\IMAGEOUT17\875\466\87546657\xml14\SOU0007.JPG
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	\\TICRS\EXPORT17\IMAGEOUT17\875\466\87546657\xml14\SOU0011.JPG
SPECIMEN DESCRIPTION	customer email
INTERNATIONAL CLASS	042
CURRENT IDENTIFICATION	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	08/10/2018
FIRST USE IN COMMERCE DATE	08/10/2018
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN5-6385229130-20190107145926139599_. Email Specimen On Demand.pdf
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SPECIMEN DESCRIPTION	customer email
REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	6
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	600

TOTAL AMOUNT	600
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Sam Banayan/
SIGNATORY'S NAME	Sam Banayan
SIGNATORY'S POSITION	Director, Legal
DATE SIGNED	01/28/2019
SIGNATORY'S PHONE NUMBER	630-756-8477
FILING INFORMATION	
SUBMIT DATE	Mon Jan 28 14:22:31 EST 2019
TEAS STAMP	USPTO/SOU-XX.XX.XXX.XXX-2 0190128142231568176-87546 657-62060c14b2960a9571795 f2e49cb8266fb3b5ea2fa68ce 27e99532b2582dc79de-DA-78 2-20190115221008832452

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

To the Commissioner for Trademarks:

MARK: THE SMARTER WAY TO WATCH AND PLAY(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87546657/large>)

SERIAL NUMBER: 87546657

MARK

Applicant proposes to amend the mark as follows:

Current: THE SMARTER WAY TO WATCH AND PLAY(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87546657/large>)

Proposed (USPTO generated image): THE SMARTER WAY TO WATCH & PLAY (Standard Characters, see [mark](#))

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

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

One Tower Lane, Suite 900

Oakbrook Terrace, Illinois 60181

United States

XXXX (authorized)

is submitting the following allegation of use information:

For International Class 007:

Current identification: Vending machines

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

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 02/19/2018, and first used in commerce at least as early as 02/19/2018, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) vending machine.

[Specimen File1](#)

For International Class 009:

Current identification: Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine

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

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/17/2018, and first used in commerce at least as early as 08/17/2018, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) mobile app screen.

[Specimen File1](#)

For International Class 035:

Current identification: Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content

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

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 02/19/2018, and first used in commerce at least as early as 02/19/2018, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) vending machine.

[Specimen File1](#)

For International Class 038:

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

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

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/17/2018, and first used in commerce at least as early as 08/17/2018, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) mobile app.

[Specimen File1](#)

For International Class 041:

Current identification: Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content

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

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/10/2018, and first used in commerce at least as early as 08/10/2018, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) customer email.

Original PDF file:

[SPN4-6385229130-20190107145926139599 -. Email Specimen On Demand.pdf](#)

Converted PDF file(s) (5 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

[Specimen File5](#)

For International Class 042:

Current identification: Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

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

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 08/10/2018, and first used in commerce at least as early as 08/10/2018, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) customer email.

Original PDF file:

[SPN5-6385229130-20190107145926139599 -. Email Specimen On Demand.pdf](#)

Converted PDF file(s) (5 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File2](#)
[Specimen File3](#)
[Specimen File4](#)
[Specimen File5](#)

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

A fee payment in the amount of \$600 will be submitted with the form, representing payment for the allegation of use for 6 classes.

Declaration

- ☒ The signatory believes that the applicant is the owner of the mark sought to be registered.
For a trademark or service mark application, the mark is in use in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified.
For a collective trademark, collective service mark, collective membership mark application, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods/services/collective membership organization in the application or notice of allowance, or as subsequently modified.
For a certification mark application, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with the all goods/services in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.
- ☒ The specimen(s) shows the mark as used on or in connection with the goods/services/collective membership organization in commerce.
- ☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have 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/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Sam Banayan/ Date Signed: 01/28/2019
Signatory's Name: Sam Banayan
Signatory's Position: Director, Legal
Signatory's Phone: 630-756-8477

RAM Sale Number: 87546657
RAM Accounting Date: 01/29/2019

Serial Number: 87546657
Internet Transmission Date: Mon Jan 28 14:22:31 EST 2019
TEAS Stamp: USPTO/SOU-XX.XX.XXX.XXX-2019012814223156
8176-87546657-62060c14b2960a9571795f2e49
cb8266fb3b5ea2fa68ce27e99532b2582dc79de-
DA-782-20190115221008832452

THE SMARTER WAY TO WATCH & PLAY



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Movies Games On Demand Locations

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redbox. ON DEMAND

Welcome, James

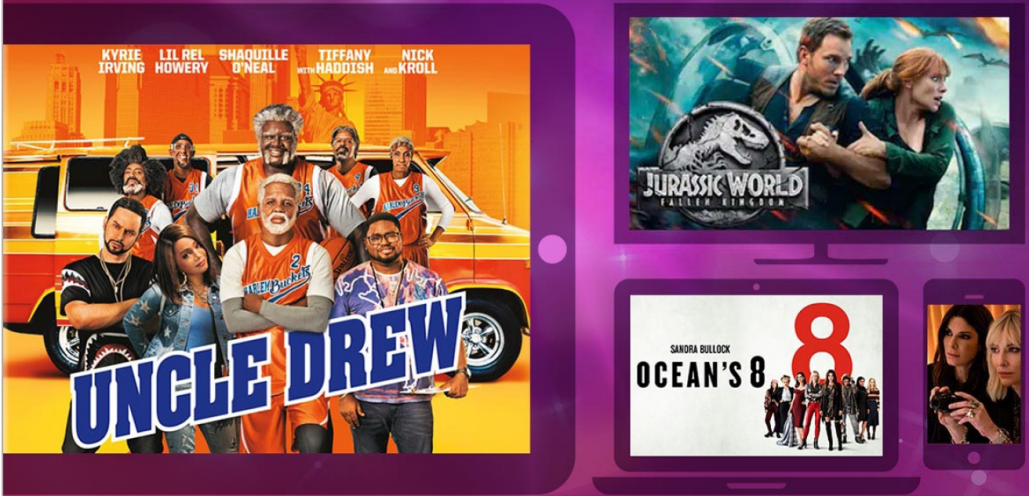
redbox. PERKS

Member 600 pts

Keep racking up the points and you'll soon be rewarded

Become a Star for 2019 with 10 more rentals/purchases

SUPERSIZE YOUR STREAM



Stream thousands of movies instantly

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FUNFACT
71% of binge-watching happens alone 🙄
Let's throw a friends & family MOVIE NIGHT, instead! [#BACKTOTHEMOVIES](#)

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5X POINTS*

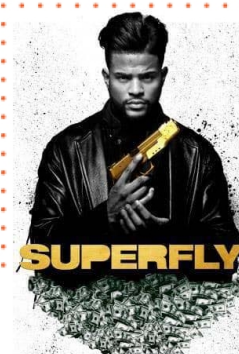
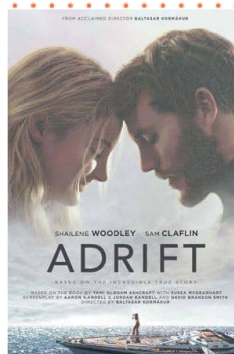
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DON'T MISS THIS DEAL
OFFER ENDS MONDAY 10/1/18

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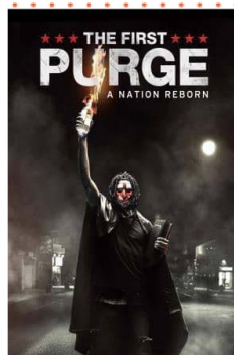
Fimco : Fimco
Skid Sprayer



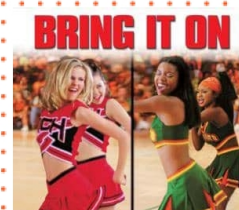
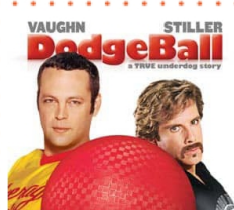
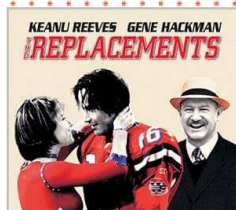
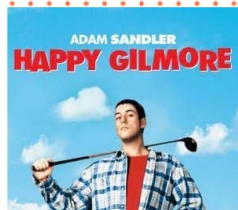
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GRAINGER
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Own On Demand



On Demand: Sports Comedies





Hot Games At The Box




More Movies At The Box



Coming Soon On Demand










HARRY'S
FIVE GERMAN BLADES
ZERO UPCHARGING


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WATCH	PLAY	BUY	ON THE GO
 <p>THE BOX or ON DEMAND</p>	 <p>GAMES</p>	 <p>PRE-RENTED MOVIES & GAMES</p>	 <p>WITH THE APP</p>



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Have questions about Redbox? [CONTACT US.](#)



*Requires Redbox Account and paid On Demand transaction between 9/25/18 and 10/1/18. Max of 625 pts earned per transaction. Subject to terms at redbox.com/perks/terms.

The Redbox Perks Program is open to legal residents of the 50 U.S., D.C. or Puerto Rico, who are 13+. Requires Redbox Account. Void where prohibited by law. Points for rentals and purchases earned only for paid transactions. Points balance may be delayed up to seven days. Add'l purchase requirements, point limitations/expiration and reward restrictions apply. Subject to Program Terms & Conditions at redbox.com/perks/terms and Redbox Platform Terms of Use at redbox.com/termsofuse. Information collected in the program is subject to the Redbox Privacy policy at redbox.com/privacy.

² You will receive recurring messages. Message and data rates may apply. Text STOP to cancel, HELP for help. By texting in you agree to get texts from Redbox at your mobile number, which may be sent through an automatic telephone dialing system. Consent not required to rent/buy from Redbox.

Terms: <http://www.redbox.com/textclub/faq>
Privacy policy: <http://www.redbox.com/privacy>

You have received this email as a registered user of the redbox.com email list. You are subscribed as jmuraff@ngelaw.com. If you do not wish to continue receiving these notices, please [unsubscribe](#).

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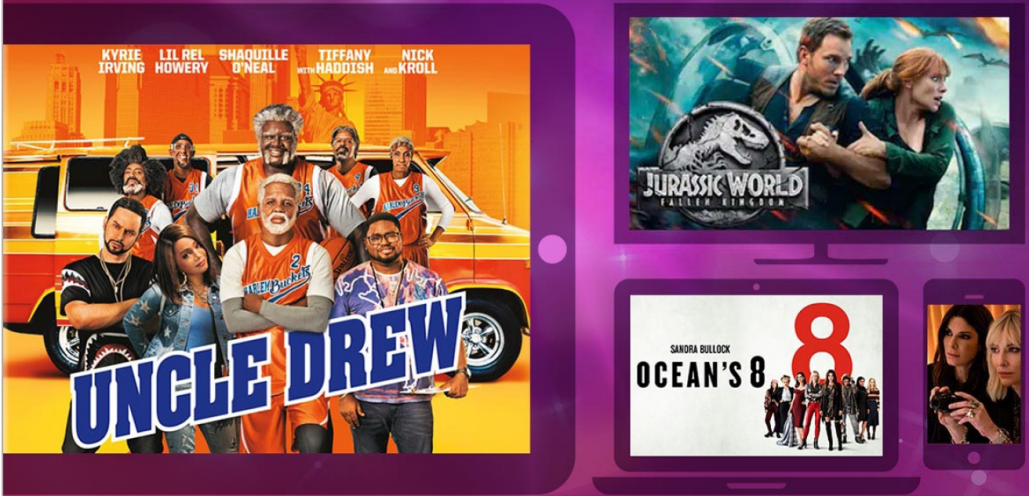
redbox. PERKS

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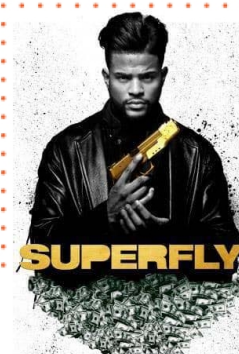
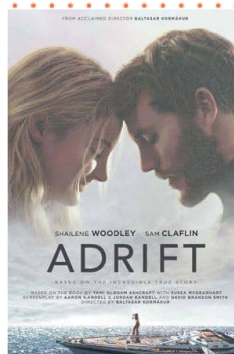
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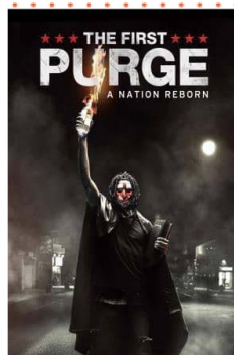
Fimco : Fimco
Skid Sprayer



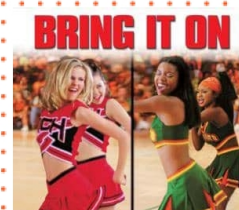
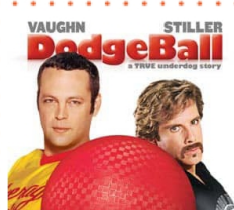
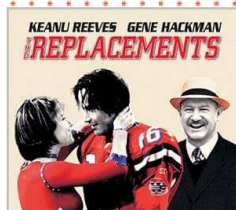
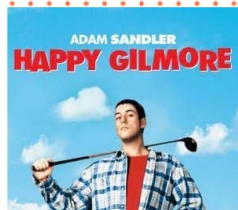
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FEE RECORD SHEET

Serial Number: 87546657



RAM Sale Number: 87546657

Total Fees: \$600

RAM Accounting Date: 20190129

<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>
Statement of Use (SOU)	7003	20190128	\$100	6	\$600

Transaction Date: 20190128



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

OVERVIEW

SERIAL NUMBER	87546657	FILING DATE	07/28/2017
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	BELENKER, ESTHER ANN	L.O. ASSIGNED	111

PUB INFORMATION

RUN DATE	09/18/2018		
PUB DATE	12/05/2017		
STATUS	730-FIRST EXTENSION - GRANTED		
STATUS DATE	07/27/2018		
LITERAL MARK ELEMENT	THE SMARTER WAY TO WATCH AND PLAY		
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	THE SMARTER WAY TO WATCH AND PLAY
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	007
DESCRIPTION TEXT	Vending machines
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	007	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	009	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	042	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
<p align="center">MISCELLANEOUS INFORMATION/STATEMENTS</p>							
CHANGE IN REGISTRATION				NO			
<p align="center">PROSECUTION HISTORY</p>							
DATE	ENT CD	ENT TYPE	DESCRIPTION			ENT NUM	
08/20/2018	INOA	I	AMENDMENT AFTER NOA NOT ENTERED			016	
09/17/2018	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL			015	
08/20/2018	EPPA	I	TEAS POST PUBLICATION AMENDMENT RECEIVED			014	
08/10/2018	DOCK	D	ASSIGNED TO EXAMINER			013	
07/31/2018	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED			012	
07/27/2018	EX1G	S	EXTENSION 1 GRANTED			011	
07/27/2018	EXT1	S	EXTENSION 1 FILED			010	
07/27/2018	EEXT	I	TEAS EXTENSION RECEIVED			009	
01/30/2018	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT			008	
12/05/2017	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED			007	
12/05/2017	PUBO	A	PUBLISHED FOR OPPOSITION			006	
11/15/2017	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED			005	
10/30/2017	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER			004	
10/30/2017	DOCK	D	ASSIGNED TO EXAMINER			003	
08/02/2017	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM			002	
08/01/2017	NWAP	I	NEW APPLICATION ENTERED IN TRAM			001	
<p align="center">CURRENT CORRESPONDENCE INFORMATION</p>							
ATTORNEY				James P. Muraff			
CORRESPONDENCE ADDRESS				JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP TWO NORTH LASALLE STREET, SUITE 1700 CHICAGO, IL 60602			
DOMESTIC REPRESENTATIVE				NONE			
<p align="center">PRIOR OWNER INFORMATION</p>							
PARTY TYPE				10-ORIGINAL APPLICANT			
NAME				Redbox Automated Retail, LLC			
ADDRESS				One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181			
ENTITY				16-LTD LIAB CO			
CITIZENSHIP				Delaware			

THE SMARTER WAY TO WATCH AND PLAY

To: Redbox Automated Retail, LLC (trademarks@nge.com)
Subject: TRADEMARK APPLICATION NO. 87546657 - THE SMARTER WAY TO WATCH AND PLAY - N/A
Sent: 09/17/18 02:25:51 PM
Sent As: ecomitu@uspto.gov
Attachments:

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

U.S. APPLICATION SERIAL NO. 87546657

87546657

APPLICANT: Redbox Automated Retail, LLC

CORRESPONDENT'S ADDRESS :

JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
TWO NORTH LASALLE STREET, SUITE 1700
CHICAGO, IL 60602

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

http://www.uspto.gov/trademarks/teas/response_forms.jsp

MARK: THE SMARTER WAY TO WATCH AND PLAY

CORRESPONDENT'S REFERENCE/DOCKET NO. N/A

CORRESPONDENT'S EMAIL ADDRESS :

trademarks@nge.com

INTENT-TO-USE OFFICE ACTION

ISSUE/MAILING DATE: 9/17/2018

U.S. Serial Number 87546657

The document filed on August 20, 2018 requests an amendment to change the trademark. The only amendments permitted in the time period between issuance of the notice of allowance and the submission of the statement of use are amendments to delete goods and/or services or the entire description of the nature of the collective membership organization, amendments to delete a basis in a multiple-basis application, and amendments to change attorneys or change addresses. 37 C.F.R. §2.77(a)(1)-(3). Therefore, the document will not be acted upon by the trademark examining attorney until a statement of use meeting the minimum filing requirements is submitted. 37 C.F.R. §2.77(b); TMEP §1107.

To ensure that any amendments in this document are timely reviewed by the examining attorney, applicant is encouraged to resubmit this document at the time the statement of use is filed.

Applicant may petition the Director to review the proposed amendment prior to the filing of the statement of use. 37 C.F.R. §2.146; TMEP §1107. The fee for a petition to the Director is \$100 if filed electronically or \$200 if filed on paper. 37 C.F.R. §2.6. Please contact the Petitions Office at 571-272-8950 for information regarding such petitions.

/Carolyn Cobb/
Paralegal Specialist
ITU Divisional Unit
Phone: (571)-272-9505
Fax: (571)-273-9505

e-mail: Carolyn.Cobb@uspto.gov

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) Response to Intent-to-Use (ITU)/Divisional Unit Office action form number 8 at http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail. All informal e-mail communications relevant to this application will be placed in the official application record.**

WHO MUST SIGN THE RESPONSE: It must be personally signed by (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. If an applicant is represented by an attorney, the attorney must sign the response.

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. See 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

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 Status and Document Retrieval (TSDR) at <http://tsdr.uspto.gov/>. Please keep a copy of the complete status screen. If TSDR 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/trademarks/teas/correspondence.jsp>.

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED ITU STAFF MEMBER IDENTIFIED ABOVE.

To: Redbox Automated Retail, LLC (trademarks@nge.com)
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Sent: 09/17/18 02:25:51 PM
Sent As: ecomitu@uspto.gov
Attachments:

IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 09/17/2018 FOR
APPLICATION SERIAL NO. 87546657

Please follow the instructions below to continue the prosecution of your application:

VIEW OFFICE ACTION: Click on this link

<http://tsdr.uspto.gov/view.action?DDA=Y&sn=87546657&type=OOA&date=20180917>

(or copy and paste this URL into the address field of your browser), or visit <http://tsdr.uspto.gov/> 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 notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required, (2) how to respond and (3) the applicable response time period. Your response deadline will be calculated from.

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 at <http://www.uspto.gov/teas/eTEASpageD.htm>.

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

WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**

Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87546657
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87546657/large
LITERAL ELEMENT	THE SMARTER WAY TO WATCH AND PLAY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
EXPLANATION OF FILING	
Applicant would like to amend THE SMARTER WAY TO WATCH AND PLAY to THE SMARTER WAY TO WATCH & PLAY. Applicant believes that this amendment does not constitute a material change to the trademark or change the scope of the trademark.	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney of Record, Illinois Bar Member
SIGNATORY'S PHONE NUMBER	312-269-8000
DATE SIGNED	08/20/2018
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Aug 20 13:43:50 EDT 2018
TEAS STAMP	USPTO/PPA-XX.XX.XXX.XXX-2 0180820134350056207-87546 657-610ca3b655e4315ab5f8b 7fb2de5df6803744d7dc7aa2f 04cb7bea5ca70992b53c0-N/A -N/A-20180820105332068015

Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment
To the Commissioner for Trademarks:

Application serial no. **87546657** THE SMARTER WAY TO WATCH AND PLAY(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87546657/large>) has been amended as follows:

EXPLANATION OF FILING

Applicant would like to amend THE SMARTER WAY TO WATCH AND PLAY to THE SMARTER WAY TO WATCH & PLAY. Applicant believes that this amendment does not constitute a material change to the trademark or change the scope of the trademark.

SIGNATURE(S)

Signature: /James P. Muraff/ Date: 08/20/2018

Signatory's Name: James P. Muraff

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

Signatory's Phone Number: 312-269-8000

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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: 87546657

Internet Transmission Date: Mon Aug 20 13:43:50 EDT 2018

TEAS Stamp: USPTO/PPA-XX.XX.XXX.XXX-2018082013435005

6207-87546657-610ca3b655e4315ab5f8b7fb2d

e5df6803744d7dc7aa2f04cb7bea5ca70992b53c

0-N/A-N/A-20180820105332068015

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, July 31, 2018 00:16 AM
To: XXXX
Subject: Official USPTO Notice of Approval of Extension Request: U.S. Trademark SN 87546657: THE SMARTER WAY TO WATCH AND PLAY

NOTICE OF APPROVAL OF EXTENSION REQUEST

U.S. Serial Number: 87546657
Mark: THE SMARTER WAY TO WATCH AND PLAY
Owner: Redbox Automated Retail, LLC
Extension Request Number: 1
Docket/Reference Number:
Notice of Allowance Date: Jan 30, 2018

The USPTO issued a Notice of Allowance on **Jan 30, 2018** for the trademark application identified above. Applicant's **FIRST** request for Extension of Time to File a Statement of Use has been **GRANTED**. If you are currently using the mark in commerce, please visit <https://www.uspto.gov/trademarks/apply/intent-use-itu-forms> and select form number 1 ("Statement of Use/Amendment to Allege Use for Intent-to-Use Application") to file your statement of use and complete the registration process.

PLEASE NOTE:

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

To check the status of the application, go to https://tsdr.uspto.gov/#caseNumber=87546657&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=87546657&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	87546657	FILING DATE	07/28/2017
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	REIHNER, DAVID C	L.O. ASSIGNED	111

PUB INFORMATION

RUN DATE	07/31/2018		
PUB DATE	12/05/2017		
STATUS	730-FIRST EXTENSION - GRANTED		
STATUS DATE	07/27/2018		
LITERAL MARK ELEMENT	THE SMARTER WAY TO WATCH AND PLAY		
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	THE SMARTER WAY TO WATCH AND PLAY
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
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NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	007
DESCRIPTION TEXT	Vending machines
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	007	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	009	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	042	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
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PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
07/31/2018	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	012
07/27/2018	EX1G	S	EXTENSION 1 GRANTED	011
07/27/2018	EXT1	S	EXTENSION 1 FILED	010
07/27/2018	EEXT	I	TEAS EXTENSION RECEIVED	009
01/30/2018	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	008
12/05/2017	NPUB	E	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	007
12/05/2017	PUBO	A	PUBLISHED FOR OPPOSITION	006
11/15/2017	NONP	E	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	005
10/30/2017	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	004
10/30/2017	DOCK	D	ASSIGNED TO EXAMINER	003
08/02/2017	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/01/2017	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	James P. Muraff
CORRESPONDENCE ADDRESS	JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP TWO NORTH LASALLE STREET, SUITE 1700 CHICAGO, IL 60602
DOMESTIC REPRESENTATIVE	NONE

PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

THE SMARTER WAY TO WATCH AND PLAY

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	87546657
LAW OFFICE ASSIGNED	LAW OFFICE 111
MARK SECTION	
MARK	THE SMARTER WAY TO WATCH AND PLAY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	THE SMARTER WAY TO WATCH AND PLAY
OWNER SECTION (current)	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
OWNER SECTION (proposed)	
NAME	Redbox Automated Retail, LLC
STREET	One Tower Lane, Suite 900
CITY	Oakbrook Terrace
STATE	Illinois
ZIP/POSTAL CODE	60181
COUNTRY	United States
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	007
CURRENT IDENTIFICATION	Vending machines
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	009
CURRENT IDENTIFICATION	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine

GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	038
CURRENT IDENTIFICATION	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	041
CURRENT IDENTIFICATION	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
GOODS OR SERVICES	KEEP ALL LISTED
INTERNATIONAL CLASS	042
CURRENT IDENTIFICATION	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network
GOODS OR SERVICES	KEEP ALL LISTED
EXTENSION SECTION	
EXTENSION NUMBER	1
ALLOWANCE MAIL DATE	01/30/2018
STATEMENT OF USE	NO
PAYMENT SECTION	
NUMBER OF CLASSES	6
SUBTOTAL AMOUNT [EXTENSION FEE]	750
TOTAL AMOUNT	750
SIGNATURE SECTION	
SIGNATURE	/Sam Banayan/
SIGNATORY'S NAME	Sam Banayan
SIGNATORY'S POSITION	Director, Legal
DATE SIGNED	07/27/2018
SIGNATORY'S PHONE NUMBER	6307568477

FILING INFORMATION	
SUBMIT DATE	Fri Jul 27 12:28:21 EDT 2018
TEAS STAMP	USPTO/ESU-XX.XX.XXX.XXX-2 0180727122821439856-87546 657-610fbbe76ebb41ddd415d fc2eb6bf7abf5d46684c79fac 97c32321ffacd7ee3d453-DA- 9892-20180726105433084509

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

To the Commissioner for Trademarks:

MARK: THE SMARTER WAY TO WATCH AND PLAY

SERIAL NUMBER: 87546657

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

One Tower Lane, Suite 900

Oakbrook Terrace, Illinois 60181

United States

XXXX (authorized)

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 01/30/2018.

For International Class 007:

Current identification: Vending machines

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 009:

Current identification: Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine

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 035:

Current identification: Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content

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

For International Class 038:

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

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

For International Class 041:

Current identification: Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content

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 042:

Current identification: Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

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 \$750 will be submitted with the form, representing payment for 6 classes.

Declaration

STATEMENTS: The signatory believes that: the applicant has a continued bona fide intention, and is entitled, to use 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, or, if applicable, 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 all the goods/services/collective membership organization 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 persons, except, if applicable, members and concurrent users, have 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/collective membership organization of such other persons, 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. §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: /Sam Banayan/ Date Signed: 07/27/2018

Signatory's Name: Sam Banayan

Signatory's Position: Director, Legal

Signatory's Phone: 6307568477

RAM Sale Number: 87546657

RAM Accounting Date: 07/27/2018

Serial Number: 87546657

Internet Transmission Date: Fri Jul 27 12:28:21 EDT 2018

TEAS Stamp: USPTO/ESU-XX.XX.XXX.XXX-2018072712282143

9856-87546657-610fbbe76ebb41ddd415dfc2eb

6bf7abf5d46684c79fac97c32321ffacd7ee3d45

3-DA-9892-20180726105433084509

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, January 30, 2018 00:17 AM
To: XXXX
Subject: Official USPTO Notice of Allowance: U.S. Trademark SN 87546657: THE SMARTER WAY TO WATCH AND PLAY

NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Jan 30, 2018

U.S. Serial Number: 87546657
Mark: THE SMARTER WAY TO WATCH AND PLAY
Docket/Reference Number:

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 <https://www.uspto.gov/trademarks-application-process/filing-online> (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 <https://www.uspto.gov/trademarks-getting-started/process-overview/additional-information-post-notice-allowance-process>.

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-APPROVAL/PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) AMENDMENT FORMS" category, available at <https://www.uspto.gov/trademarks-application-process/filing-online/post-approvalpublicationpost-notice-allowance-noa>. Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed.

Serial Number: 87546657
Mark: THE SMARTER WAY TO WATCH AND PLAY
Docket/Reference Number:
Owner: Redbox Automated Retail, LLC
One Tower Lane, Suite 900
Oakbrook Terrace, ILLINOIS 60181
Correspondence Address: JAMES P. MURAFF
NEAL, GERBER & EISENBERG LLP
TWO NORTH LASALLE STREET, SUITE 1700
CHICAGO, IL 60602

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

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

GOODS/SERVICES BY INTERNATIONAL CLASS

- 007 - Vending machines -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 009 - Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 035 - Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 038 - Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

- 041 - Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE
- 042 - Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network -- FIRST USE DATE: NONE; -- USE IN COMMERCE DATE: NONE

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

Appropriate Specimens for Goods and/or Services: A trademark specimen should be a label, tag, or container for the goods, or a display associated with the goods. See TMEP §§904.03 et seq. A service mark specimen should be an advertisement, sign, brochure, website printout or other image that shows the mark used in the actual sale or advertising of the services. See TMEP §§1301.04 et seq. For an instructional video on what is an appropriate trademark or service mark specimen for a good and/or service, [click here](#).

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 <https://www.uspto.gov> or call the Trademark Assistance Center at 1-800-786-9199.

Checking status: To check the status of this application, go to https://tsdr.uspto.gov/#caseNumber=87546657&caseSearchType=US_APPLICATION&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of any application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to https://tsdr.uspto.gov/#caseNumber=87546657&caseSearchType=US_APPLICATION&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, December 5, 2017 01:09 AM
To: XXXX
Subject: Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 87546657: THE SMARTER WAY TO WATCH AND PLAY

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 87546657
Mark: THE SMARTER WAY TO WATCH AND PLAY
International Class(es): 007, 009, 035, 038, 041, 042
Owner: Redbox Automated Retail, LLC
Docket/Reference Number:

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Dec 05, 2017.

To Review the Mark in the TMOG:

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2017-12-05&serialNumber=87546657>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. For corrections or amendments after publication, please use the Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment Form, accessible at <https://teas.uspto.gov/office/ppa>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

- * Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a complete Statement of Use or Extension Request with the required fees within six (6) months after the NOA issues to avoid abandonment of the application.)

To check the status of the application, go to https://tsdr.uspto.gov/#caseNumber=87546657&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=87546657&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

Nov 15, 2017

NOTICE OF PUBLICATION

- | | |
|---|--|
| 1. Serial No.:
87-546,657 | 2. Mark:
THE SMARTER WAY TO WATCH AND PLAY
(STANDARD CHARACTER MARK) |
| 3. International Class(es):
7, 9, 35, 38, 41, 42 | |
| 4. Publication Date:
Dec 5, 2017 | 5. Applicant:
Redbox Automated Retail, LLC |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: 202-512-1800

By direction of the Commissioner.

Email Address(es):

trademarks@nge.com

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, November 15, 2017 04:39 AM
To: XXXX
Subject: Official USPTO Notification of Notice of Publication: U.S. Trademark SN 87546657: THE SMARTER WAY TO WATCH AND PLAY

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 87546657) is scheduled to publish in the *Official Gazette* on Dec 5, 2017 . To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=87546657>. If you have difficulty accessing the Notice of Publication, contact TDR@uspto.gov.

PLEASE NOTE:

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

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

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

OVERVIEW

SERIAL NUMBER	87546657	FILING DATE	07/28/2017
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	REIHNER, DAVID C	L.O. ASSIGNED	111

PUB INFORMATION

RUN DATE	10/31/2017		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATION		
STATUS DATE	10/30/2017		
LITERAL MARK ELEMENT	THE SMARTER WAY TO WATCH AND PLAY		
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	THE SMARTER WAY TO WATCH AND PLAY
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

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

NAME	Redbox Automated Retail, LLC
ADDRESS	One Tower Lane, Suite 900 Oakbrook Terrace, IL 60181
ENTITY	16-LTD LIAB CO
CITIZENSHIP	Delaware

GOODS AND SERVICES

INTERNATIONAL CLASS	007
DESCRIPTION TEXT	Vending machines
INTERNATIONAL CLASS	009
DESCRIPTION TEXT	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
INTERNATIONAL CLASS	038
DESCRIPTION TEXT	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
INTERNATIONAL CLASS	041
DESCRIPTION TEXT	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	007	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	009	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	035	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	038	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE

INTERNATIONAL CLASS	041	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	042	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
<p align="center">MISCELLANEOUS INFORMATION/STATEMENTS</p>							
CHANGE IN REGISTRATION				NO			
<p align="center">PROSECUTION HISTORY</p>							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
10/30/2017	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER				004
10/30/2017	DOCK	D	ASSIGNED TO EXAMINER				003
08/02/2017	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM				002
08/01/2017	NWAP	I	NEW APPLICATION ENTERED IN TRAM				001
<p align="center">CURRENT CORRESPONDENCE INFORMATION</p>							
ATTORNEY				James P. Muraff			
CORRESPONDENCE ADDRESS				JAMES P. MURAFF NEAL, GERBER & EISENBERG LLP TWO NORTH LASALLE STREET, SUITE 1700 CHICAGO, IL 60602			
DOMESTIC REPRESENTATIVE				NONE			

THE SMARTER WAY TO WATCH AND PLAY

*** User:dreihner ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	61	40	21	19	0:01	"redbox"[on]
02	39450	N/A	0	0	0:03	*smart*[bi,ti] or *smater*[bi,ti] or (*smart*[bi,ti] and *r*[bi,ti])
03	39443	N/A	0	0	0:02	*smart*[bi,ti] or *smarter*[bi,ti] or (*smart*[bi,ti] and *r*[bi,ti])
04	43175	N/A	0	0	0:02	*way*[bi,ti]
05	8834	N/A	0	0	0:01	*watch*[bi,ti]
06	93837	N/A	0	0	0:02	*pla*[bi,ti]
07	1	0	1	1	0:01	3 and 4 and 5 and 6
08	14	12	2	2	0:01	3 and 4 and (5 or 6)
09	226	N/A	0	0	0:01	4 and (5 or 6) not "dead"[ld]
10	56	0	56	55	0:01	4 and (5 or 6) not "dead"[ld] and "007"[cc]
11	100	0	100	92	0:01	4 and (5 or 6) not "dead"[ld] and "009"[cc] not 8 not 10
12	36	0	36	35	0:01	4 and (5 or 6) not "dead"[ld] and "035"[cc] not 8 not 10 not 11
13	0	0	0	0	0:01	4 and (5 or 6) not "dead"[ld] and "035"[cc] not 8 not 10 not 11 not 12
14	0	0	0	0	0:01	4 and (5 or 6) not "dead"[ld] and "038"[cc] not 8 not 10 not 11 not 12
15	0	0	0	0	0:02	4 and (5 or 6) not "dead"[ld] and "041"[cc] not 8 not 10 not 11 not 12
16	0	0	0	0	0:01	4 and (5 or 6) not "dead"[ld] and "042"[cc] not 8 not 10 not 11 not 12

Session started 10/30/2017 2:55:45 PM

Session finished 10/30/2017 3:07:03 PM

Total search duration 0 minutes 22 seconds

Session duration 11 minutes 18 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 87546657

THE SMARTER WAY TO WATCH AND PLAY

Trademark/Service Mark Application, Principal Register

Serial Number: 87546657

Filing Date: 07/28/2017

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87546657
MARK INFORMATION	
*MARK	THE SMARTER WAY TO WATCH AND PLAY
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	THE SMARTER WAY TO WATCH AND PLAY
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Redbox Automated Retail, LLC
*STREET	One Tower Lane, Suite 900
*CITY	Oakbrook Terrace
*STATE (Required for U.S. applicants)	Illinois
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	60181
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Delaware
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	007
*IDENTIFICATION	Vending machines
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	009
*IDENTIFICATION	Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine
FILING BASIS	SECTION 1(b)

INTERNATIONAL CLASS	035
*IDENTIFICATION	Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	038
*IDENTIFICATION	Video-on-demand transmission services, video broadcasting, transmission of voice, data, images, data signals, messages and information by electronic communications networks
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	041
*IDENTIFICATION	Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content
FILING BASIS	SECTION 1(b)
INTERNATIONAL CLASS	042
*IDENTIFICATION	Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	James P. Muraff
FIRM NAME	Neal, Gerber & Eisenberg LLP
STREET	Two North LaSalle Street, Suite 1700
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312-269-8000
FAX	312-269-1747
EMAIL ADDRESS	trademarks@nge.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
STREET	Two North LaSalle Street, Suite 1700
CITY	Chicago
STATE	Illinois
COUNTRY	United States
ZIP/POSTAL CODE	60602
PHONE	312-269-8000
FAX	312-269-1747
*EMAIL ADDRESS	trademarks@nge.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS RF
NUMBER OF CLASSES	6
APPLICATION FOR REGISTRATION PER CLASS	275
*TOTAL FEE DUE	1650
*TOTAL FEE PAID	1650
SIGNATURE INFORMATION	
SIGNATURE	/James P. Muraff/
SIGNATORY'S NAME	James P. Muraff
SIGNATORY'S POSITION	Attorney for Applicant, Illinois Bar Member
SIGNATORY'S PHONE NUMBER	312-269-8000
DATE SIGNED	07/28/2017

Trademark/Service Mark Application, Principal Register

Serial Number: 87546657

Filing Date: 07/28/2017

To the Commissioner for Trademarks:

MARK: THE SMARTER WAY TO WATCH AND PLAY (Standard Characters, see [mark](#))

The literal element of the mark consists of THE SMARTER WAY TO WATCH AND PLAY.

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

The applicant, Redbox Automated Retail, LLC, a limited liability company legally organized under the laws of Delaware, having an address of
One Tower Lane, Suite 900
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 007: Vending machines

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

International Class 009: Computer application software for mobile phones, portable media players, and handheld computers, namely, software for viewing and renting entertainment content in the nature of movies and television programs and for reserving entertainment content in the nature of video games, movies and television programs at a vending machine

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

International Class 035: Vending machine services; automated retail vending machine kiosks featuring movies and video games; vending machine services rendered through automated kiosks featuring movies and video games; automated retail vending machine kiosk services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; online retail store services featuring DVDs, movies, prerecorded electronic media featuring entertainment content, and video games for purchase; computerized online retail store services featuring pre-recorded videos; distributorship services in the field of entertainment content in the nature of DVDs, movies, video games, and digital content and pre-recorded media featuring entertainment content

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

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

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

International Class 041: Rental of video recordings by means of communications networks; providing information in the field of entertainment by means of communications networks; rental of DVDs, video discs, video games, movies and prerecorded electronic media featuring entertainment content

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

International Class 042: Computerized online search service in the field of entertainment, namely, providing a search engine for obtaining entertainment information on a global computer network

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

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
Chicago, Illinois 60602
United States
312-269-8000(phone)
312-269-1747(fax)
trademarks@nge.com (authorized)

The applicant's current Correspondence Information:

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

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant, the applicant's attorney, or the applicant's domestic representative at the e-mail address provided in this application. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Reduced Fee status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$1650 has been submitted with the application, representing payment for 6 class(es).

Declaration

☒ **Basis:**

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

And/Or

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- ☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have 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 persons, to cause confusion or mistake, or to deceive.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /James P. Muraff/ Date: 07/28/2017
Signatory's Name: James P. Muraff
Signatory's Position: Attorney for Applicant, Illinois Bar Member
Payment Sale Number: 87546657
Payment Accounting Date: 07/28/2017

Serial Number: 87546657

Internet Transmission Date: Fri Jul 28 09:42:05 EDT 2017

TEAS Stamp: USPTO/BAS-XX.XXX.XXX.XX-2017072809420525

4611-87546657-5102f1a575e09b8f7ad9d94442

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DA-7527-20170717212121258202

THE SMARTER WAY TO WATCH AND PLAY