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**To:** theDot Communications Network LLC ([mike@rodenbaugh.com](mailto:mike@rodenbaugh.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 77622947 - .MUSIC - theDot  
**Sent:** 3/17/2010 12:17:50 PM  
**Sent As:** ECOM103@USPTO.GOV  
**Attachments:**

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 77/622947

**MARK:** .MUSIC

**\*77622947\***

**CORRESPONDENT ADDRESS:**

Mike Rodenbaugh  
Rodenbaugh Law  
Box No. 55819  
548 Market Street  
San Francisco CA 94104

**GENERAL TRADEMARK INFORMATION:**  
<http://www.uspto.gov/main/trademarks.htm>

**APPLICANT:** theDot Communications  
Network LLC

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

theDot

**CORRESPONDENT E-MAIL ADDRESS:**  
[mike@rodenbaugh.com](mailto:mike@rodenbaugh.com)

**REQUEST FOR RECONSIDERATION DENIED**

**ISSUE/MAILING DATE:** 3/17/2010

Applicant is requesting reconsideration of a final refusal issued/mailed 09/15/2009.

After careful consideration of the law and facts of the case, the examining attorney must deny the request for reconsideration and adhere to the final action as written since no new facts or reasons have been presented that are significant and compelling with regard to the point at issue.

Most of the marks cited by the applicant have not been registered by the Office. Furthermore, while some of the marks cited by the applicant have been registered, these marks were registered before the

change in Office policy. Based on current Office policy with respect to marks composed entirely of a top-level domain name extension, the applicant's mark must be refused registration on the Principal Register under Trademark Act Section 2(e)(1).

Accordingly, applicant's request for reconsideration is *denied*. The time for appeal runs from the date the final action was issued/mailed. 37 C.F.R. Section 2.64(b); TMEP Section 715.03(c). If applicant has already filed a timely notice of appeal, the application will be forwarded to the Trademark Trial and Appeal Board (TTAB).

If applicant has questions about its application or this Office action, please contact the assigned trademark examining attorney at the telephone number below.

/Seth A. Rappaport/  
Seth A. Rappaport  
Trademark Examining Attorney  
Law Office 103  
Phone: (571) 270-1508  
Fax: (571) 270-2508

**STATUS CHECK:** Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

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**IMPORTANT NOTICE REGARDING YOUR TRADEMARK  
APPLICATION**

**Your trademark application (Serial No. 77622947) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office action”) on 3/17/2010 to which you must respond (*unless the Office letter specifically states that no response is required*). Please follow these steps:**

**1.** Read the Office letter by clicking on this [link](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77622947&doc_type=REC&)  
[http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial\\_number=77622947&doc\\_type=REC&](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77622947&doc_type=REC&)

**OR** go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

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

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

**3.** Respond within 6 months, calculated from 3/17/2010 (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System (TEAS) **Response to Office Action form**. If you have difficulty using TEAS, contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

**ALERT:**

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

**Do NOT hit “Reply” to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses.**

