

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Summit Entertainment, LLC

Serial No: 77/921,983

Filed: January 28, 2010

Class: 9

Mark: ECLIPSE

Trademark Examining Attorney

Jessica Ellinger Fathy

Law Office: 110

**REQUEST TO DIVIDE**

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

Dear Commissioner:

Applicant Summit Entertainment, LLC hereby requests that this application be divided into two applications by retaining the following goods in Class 9 in the parent application:

Backpacks adapted for holding computers, camera cases, decorative magnets sold in sheets, decorative wind socks for indicating wind direction and intensity, eyeglasses and eyeglass cases, laptop carrying cases, magnets, mousepads, slot machines, sunglasses and sunglass cases, computer storage devices, namely, flash drives; covers for cell phones, portable and handheld electronic digital devices for playing music, namely, MP3 and MP4 players, laptop computers, personal digital assistants, namely, PDAs, and gaming devices, namely, gaming machines

and making the following goods the subject of a new application in Class 9:

Cases for mobile phones, protective carrying cases for PDAs, cell phones, computer games, decorative charms for cell phones, digital trading cards in the nature of multimedia software recorded on magnetic media featuring films, music and entertainment, video game software, and video game cartridges and discs; disposable cameras, downloadable computer wallpaper software and screen saver software, digital



\*03-25-2015\*

media, namely, downloadable audio files featuring films, music and entertainment and video recordings featuring films, music and entertainment, electric door bells, electronic diaries, headphones and earphones, juke boxes, motion picture films in the fields of drama and romance, musical sound recordings, neon signs, decorative switch plate covers, tape measures, downloadable television programs and documentaries featuring drama, comedy, horror, romance, and variety provided via a global computer network or video-on-demand service, trading cards in the form of CDs, video game software, and video game cartridges and discs; pre-recorded DVDs, videotapes, and other audiovisual recordings, namely, DVDs featuring motion pictures, television programs, and documentaries; and downloadable software that provides access to movie and entertainment-related content and allows users to socialize and interact with other users; digital media, namely, downloadable multimedia files containing images relating to motion pictures, television programs, music and documentaries

The **parent** application will be based on 15 U.S.C. §1051(b).

The **child** application will be based on 15 U.S.C. §1051(a) and 15 U.S.C. §1051(b). as follows:

Goods	Basis	Date of First Use Anywhere and in Commerce
Cases for mobile phones, protective carrying cases for PDAs, cell phones, computer games, decorative charms for cell phones, digital trading cards in the nature of multimedia software recorded on magnetic media featuring films, music and entertainment, video game software, and video game cartridges and discs; disposable cameras, downloadable computer wallpaper software and screen saver software, digital media, namely, downloadable audio files featuring films, music and entertainment and video recordings featuring films, music and entertainment, electric door bells, electronic diaries, headphones and earphones, juke boxes, motion picture films in the fields of drama and romance, musical sound recordings, neon signs, decorative switch plate covers, tape measures, downloadable television programs and documentaries featuring drama, comedy, horror, romance, and variety provided via a global computer network or video-on-demand service, trading cards in the form of CDs, video	15 U.S.C. §1051(b)	N/A

Goods	Basis	Date of First Use Anywhere and in Commerce
game software, and video game cartridges and discs; pre-recorded DVDs, videotapes, and other audiovisual recordings, namely, DVDs featuring motion pictures, television programs, and documentaries; and downloadable software that provides access to movie and entertainment-related content and allows users to socialize and interact with other users		
Digital media, namely, downloadable multimedia files containing images relating to motion pictures, television programs, music and documentaries	15 U.S.C. §1051(a)	12/00/2009

**Please charge the \$100 Request to Divide filing fee and the \$375 new separate application filing fee to the deposit account for Applicant's counsel, Deposit Account No. 50-5691.**

Respectfully submitted,



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Dated: March 20, 2015

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on this 20th day of March, 2015.



LaTrina A. Martin

SMRH:436768370.1