

Trademark/Service Mark Amendment to Allege Use (15 U.S.C. Section 1051(c))

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86071288
LAW OFFICE ASSIGNED	LAW OFFICE 117
EXTENSION OF USE	NO
MARK SECTION	
MARK	SPONSORED MUSIC
MISCELLANEOUS STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	In response to the FINAL office action dated July 22, 2014, Applicant submits this Amendment to Allege Use and the attached Declaration under 37 C.F.R. Section 2.20. Applicant will also file its Response to the Final Office contemporaneously herewith, under separate cover.
MISCELLANEOUS FILE NAME(S)	
ORIGINAL PDF FILE	MISC-6628235122-20150116143552523084_ . Declaration.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\860\712\86071288\xml11\AAU0003.JPG
OWNER SECTION	
NAME	IZEA, Inc
STREET	480 N. Orlando Avenue, Suite 200
CITY	Winter Park
STATE	Florida
ZIP/POSTAL CODE	32789
COUNTRY	United States
PHONE	4073107640

EMAIL	ted@izea.com
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	035
CURRENT IDENTIFICATION	Dissemination of advertisements; Dissemination of advertising for others via public and private wireless networks for display on mobile devices; Dissemination of advertising for others via the Internet
GOODS OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	12/31/2014
FIRST USE IN COMMERCE DATE	12/31/2014
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPN0-6628235122-20150116143552523084 . Spec SM.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\860\712\86071288\xml11\AAU0002.JPG
SPECIMEN DESCRIPTION	mark as used on website for services
REQUEST TO DIVIDE	NO
PAYMENT SECTION	
NUMBER OF CLASSES IN USE	1
SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]	100
TOTAL AMOUNT	100
SIGNATURE SECTION	
DECLARATION SIGNATURE	/s/ Christopher McArdle
SIGNATORY'S NAME	Christopher L. McArdle
SIGNATORY'S POSITION	Attorney of Record, Member of the New York State Bar
DATE SIGNED	01/16/2015

SIGNATORY'S PHONE NUMBER	212-210-9542
FILING INFORMATION	
SUBMIT DATE	Fri Jan 16 14:44:48 EST 2015
TEAS STAMP	USPTO/AAU-66.28.235.122-2 0150116144448505586-86071 288-500c7e78471b673f3b0ce ea6ce3ff75a947a0393f387ef ec1cd8180393a9ed33dec-DA- 1029-20150116143552523084

**Trademark/Service Mark Amendment to Allege Use
(15 U.S.C. Section 1051(c))**

To the Commissioner for Trademarks:

MARK: SPONSORED MUSIC
SERIAL NUMBER: 86071288

The applicant, IZEA, Inc, having an address of
480 N. Orlando Avenue, Suite 200
Winter Park, Florida 32789
United States

is submitting the following allegation of use information:

For International Class 035:

Current identification: Dissemination of advertisements; Dissemination of advertising for others via public and private wireless networks for display on mobile devices; Dissemination of advertising for others via the Internet

The mark is in use in commerce on or in connection with all goods or services 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 12/31/2014, and first used in commerce at least as early as 12/31/2014, 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) mark as used on website for services.

Original PDF file:

[SPN0-6628235122-20150116143552523084 . Spec SM.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

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

MISCELLANEOUS STATEMENTS

In response to the FINAL office action dated July 22, 2014, Applicant submits this Amendment to Allege Use and the attached Declaration under 37 C.F.R. Section 2.20. Applicant will also file its Response to the Final Office contemporaneously herewith, under separate cover.

Original PDF file:

[MISC-6628235122-20150116143552523084 . Declaration.pdf](#)

Converted PDF file(s) (1 page)

[Miscellaneous File1](#)

A fee payment in the amount of \$100 will be submitted with the form, representing payment for the allegation of use for 1 class.

Declaration

STATEMENTS: The signatory believes that: if the applicant is filing the amendment to allege use under 15 U.S.C. Section 1051(c) or a statement of use under 15 U.S.C. Section 1051(d), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with all the goods/services in the application or notice of allowance, or as subsequently modified, and such use by the applicant's related company or licensee inures to the benefit of the applicant; that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive; and the specimen(s) shows the mark as used on or in connection with the goods/services in commerce.

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, 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: /s/ Christopher McArdle Date Signed: 01/16/2015

Signatory's Name: Christopher L. McArdle

Signatory's Position: Attorney of Record, Member of the New York State Bar

Signatory's Phone: 212-210-9542

RAM Sale Number: 86071288

RAM Accounting Date: 01/20/2015

Serial Number: 86071288

Internet Transmission Date: Fri Jan 16 14:44:48 EST 2015

TEAS Stamp: USPTO/AAU-66.28.235.122-2015011614444850

5586-86071288-500c7e78471b673f3b0ceea6ce

3ff75a947a0393f387efec1cd8180393a9ed33de

c-DA-1029-20150116143552523084



Sponsored Music™

IZEA's Sponsored Music™ solutions are designed to help brands leverage the power and influence of music and the artists that create it. We help brands collaborate with musicians to integrate product mentions into their music and establish additional opportunities for social media promotion.

SPONSORED SOCIAL

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[Sponsored Update](#)

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[Product Sampling](#)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

----- :
Applicant: Izea, Inc. :
Mark: SPONSORED MUSIC : Law Office 117
Application No.: 86/071,288 : Examiner Andrew Leaser
Filing Date: 09/22/2013 :
----- :

DECLARATION UNDER 37 C.F.R. § 2.20

I, Christopher L. McArdle, am the authorized attorney of record for Izea, Inc., the applicant corporation in the above-identified application, and authorized to execute this Declaration on behalf of the applicant corporation. This Declaration is submitted in support of Applicant's Amendment to Allege Use being filed with the U.S. Patent and Trademark Office.

1. Applicant is believed to be the owner of the **SPONSORED MUSIC** trademark and the mark is now in use in commerce.

2. The specimen attached to the Amendment to Allege Use is a screenshot of Applicant's website showing the mark in use in connection with the services listed in Class 35 of this application.

3. The mark was first used in connection with the services in Class 35 at least as early as December 31, 2014.

4. The mark and was first used in commerce in connection with the services in Class 35 at least as early as December 31, 2014.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration therefrom.

DATED this 16 day of January, 2015.

By: 

Christopher L. McArdle
Attorney for Applicant, Izea, Inc.

ALSTON & BIRD LLP
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NEW YORK, NY 10016
TEL: (212) 210-9542