ESTTA Tracking number: **ESTTA698457**
Filing date: **09/25/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	86185707
Applicant	Fuel Industries Inc.
Applied for Mark	BRODDCAST
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Attachments	132306800_1.pdf(483076 bytes) Exhibits A-B.pdf(2602242 bytes) Exhibit C.pdf(5835342 bytes)
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re U.S. Trademark Application	)	
	)	
Applicant: Fuel Industries, Inc.	)	Examining Attorney: Raul Cordova
	)	
Serial No.: 86/185,707	)	Law Office: 114
	)	
Filed: February 5, 2014	)	Our Ref. No.: 136252.012100
	)	
Mark: **BRODDCAST**	)	

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APPLICANT'S APPEAL BRIEF

Fuel Industries, Inc. ("Applicant") respectfully appeals the final refusal to register Application Ser. No. 86/185,707 for its mark BRODDCAST ("Applicant's Mark") for use in connection with "multimedia software for digital content creation of entertainment videos using electronic media; multimedia software for digital video recording, editing and playback of videos; multimedia; [*sic*] software for digital recording, editing and playback of entertainment videos; downloadable software for digital recording, editing and playback of entertainment videos" in Class 9 (the "Application").[1] The Examining Attorney issued a final refusal of registration under Trademark Act Section 2(e)(1), 15 U.S.C. § 1052(e)(1), based on his view that the applied-for mark is merely descriptive of Applicant's goods.

I. FACTUAL BACKGROUND

On February 5, 2014, Applicant applied to register, on an intent-to-use basis, the mark BRODDCAST for use in connection with "multimedia software for digital content creation of entertainment videos using electronic media or information via the Internet; multimedia software for digital video recording, editing and playback of videos; multimedia software for digital recording, editing and playback of entertainment videos; computer software applications for use in electronic transmission of videos, text, images, and other visual works for use with computers, computer peripherals, wireless devices, and cellular and mobile telephones; downloadable software for digital recording, editing and playback of entertainment videos" in Class 9.

On May 20, 2014, the Examining Attorney issued a non-final office action refusing registration under Trademark Act Section 2(e)(1). The Examining Attorney's sole evidence consisted of dictionary definitions for the wording "broadcast" and references to third-party companies that appear to use some type of software for its broadcasting capabilities.

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[1] A semi-colon after the wording "multimedia" in the ID appears to have been inadvertently added. The correct ID should read as follows:

> multimedia software for digital content creation of entertainment videos using electronic media; multimedia software for digital video recording, editing and playback of videos; multimedia software for digital recording, editing and playback of entertainment videos; downloadable software for digital recording, editing and playback of entertainment videos

On November 20, 2014, Applicant timely submitted its response to the non-final office action arguing, among other things, that the mark BRODDCAST is not ***merely descriptive*** because consumers encountering the mark would have to engage in a multistage reasoning process or imagination in order to determine what the mark BRODDCAST, spelled in such a peculiar way, has to do with digital content creation, namely digital puppetry. Applicant also pointed out that Applicant's Mark is a double entendre.

On December 19, 2014, the Examining Attorney issued a final office action, maintaining his refusal under Trademark Act Section 2(e)(1). In this final office action, the Examiner added a new dictionary entry for the term "broadcast" that is broader than the traditional definition of the word. The Examiner also included references to Applicant's webpage to support his view that the mark is merely descriptive. The Examiner reasoned that because Applicant's digital puppetry tool gives users the ability to record live sketches and upload the sketches on to YouTube or other social media websites, this constituted a "broadcast" and supported his position that the BRODDCAST mark is merely descriptive.

On June 19, 2015, Applicant timely filed its Request for Reconsideration concurrently with its Notice of Appeal to the Trademark Trial and Appeal Board (the "Board"). In its Request for Reconsideration, Applicant argued that the BRODDCAST mark was not *merely* descriptive of the goods because Applicant's goods are not "broadcasting," Applicant's Mark is whimsical and requires multistage reasoning to understand what it means in connection with Applicant's goods, the Examiner provided no support for his conclusory determination that consumers would not view Applicant's Mark as a double entendre, and that any doubt as to descriptiveness should be resolved in Applicant's favor. In addition, in an attempt to further assuage the Examiner's concerns, Applicant submitted, in the alternative, an amendment to its ID to delete the portions of its ID that the Examiner could have found objectionable, based on the definition of "broadcast" presented by the Examiner. Specifically, Applicant revised its ID as follows:

> multimedia software for digital content creation of entertainment videos using electronic media ~~or information via the Internet~~; multimedia software for digital video recording, editing and playback of videos; multimedia software for digital recording, editing and playback of entertainment videos; ~~computer software applications for use in electronic transmission of videos, text, images, and other visual works for use with computers,~~

> ~~computer peripherals, wireless devices, and cellular and mobile telephones~~; downloadable software for digital recording, editing and playback of entertainment videos

Therefore, the ID now reads:

> multimedia software for digital content creation of entertainment videos using electronic media; multimedia software for digital video recording, editing and playback of videos; multimedia software for digital recording, editing and playback of entertainment videos; downloadable software for digital recording, editing and playback of entertainment videos

Applicant argued that the revised ID made no reference to any posting, uploading or transmitting capabilities and therefore the wording "broadcast" could not be considered merely descriptive of any of the remaining goods.

The Examiner, however, remained unconvinced, and on July 24, 2015, denied Applicant's Request for Reconsideration, necessitating this Appeal to the Board.

II. ISSUE PRESENTED

Whether Applicant's applied-for mark, BRODDCAST, is ***merely descriptive*** of "multimedia software for digital content creation of entertainment videos using electronic media; multimedia software for digital video recording, editing and playback of videos; multimedia software for digital recording, editing and playback of entertainment videos; downloadable software for digital recording, editing and playback of entertainment videos" in Class 9.

III. ARGUMENTS

At the outset Applicant notes that Applicant's related application, Application Ser. No. 86/388,876 for the mark BRODDCAST and Design for the identical goods listed in the subject Application, Ser. No. 86/185,707, was approved for publication without a disclaimer or a 2(f) declaration.[2] The application published on August 25, 2015. The BRODDCAST and Design mark is shown immediately below:

[2] Applicant also maintains Application Ser. No. 86/388,879 for the BRODDCAST Design Mark in Class 28, which was also approved for publication without a disclaimer or 2(f) declaration.

(the "BRODDCAST Design Mark"). Attached as Exhibit A is a copy of the TSDR status report for Ser. No. 86/388,876. Therefore, a different Examiner concluded that the mark BRODDCAST is not merely descriptive of the goods in the present Application, casting, at least, *some* doubt as to the mere descriptive nature of Applicant's Mark in connection with the goods in the Application. In accordance with well-established precedent, such doubt should be resolved in Applicant's favor.

A. Applicant's Mark is Not Merely Descriptive, but Suggestive at Worst.

A term is descriptive if it forthwith conveys an immediate idea of ingredients, qualities, or characteristics of the goods (or services)." *In re TMS Corp. of the Americas,* 200 U.S.P.Q. 57, 58 (T.T.A.B. 1978)(quoting *Stix Prods., Inc. v. United Merchants & Mfrs., Inc*., 160 U.S.P.Q. 777, 785 (S.D.N.Y. 1968). If the relevant purchasing consumers are required to engage in a multistage reasoning process to understand the nature of the goods or services, the mark then does not give an "immediate idea of an ingredient, quality, characteristic, feature, function, purpose or use of the goods or services." *In re Abcor Development Corp*., 588 F.2d 811, 200 U.S.P.Q. 215, 217-18 (C.C.P.A. 1978).

Applicant's BRODDCAST mark is used in connection with a content creation and digital puppetry application software where a character's mouth movements mimic the actor in real-time, allowing creators to record live sketches of their movements with digital puppets. The software application allows users to control digital puppets and create their own content through a gesture-based interface and then post the content onto Facebook, YouTube, Everyplay, or Broddcast.com. The software application is equipped with more than 25 pre-built and fully customizable puppets, 400,000 feature combinations (e.g., body types, eyes, ears, noses, hair and accessories), and more than 15 equally customizable background sets, including a newsroom, castle, haunted house, doctor's office, and press

conference. A key feature of the software is its proprietary voice-recognition technology that lets users make the puppet characters mimic the mouth movements of an actor in real time.

The wording "ODD" and "CAST" in Applicant's Mark refer to the odd puppet cast of characters available in Applicant's software application and shown immediately below.

Applicant frequently displays its mark as "BrODDcast" (*see* BRODDCAST Design Mark), emphasizing the wording "ODD" in Applicant's Mark, which creates a fun visual image tied to its use of unusual and whimsical puppet characters. An example of Applicant's BRODDCAST Design Mark is shown below.

Attached as Exhibit B are snapshots taken from Applicant's website explaining Applicant's application software used under its BRODDCAST Mark and BRODDCAST Design Mark (available at www.broddcast.com and at www.fuelentertainment.com/projects/broddcast).

In order to be labeled "descriptive," a word or phrase must give some "reasonably accurate" or "tolerably distinct" knowledge… as to what that product is made of." *Blisscraft of Hollywood v. United Plastics Co.*, 294 F.2d 694, 699 (2d Cir. 1961). If, by contrast, a consumer is required to "use imagination or any type of multistage reasoning to understand the mark's significance," the mark is

considered suggestive rather than descriptive. *Zobmondo Entm't, LLC v. Falls Media, LLC*, 602 F.3d 1108, 1114 (9th Cir. 2010).

The wording BRODDCAST does not describe a feature of Applicant's goods to any "reasonably accurate" degree. As used by Applicant, the mark BRODDCAST is not merely descriptive because it does not ***immediately*** communicate to the consumer any qualities or characteristics of Applicant's goods. A consumer encountering Applicant's BRODDCAST mark in connection with the goods would have to stop and engage in a multistage reasoning process to determine what is meant by BRODDCAST. Since Applicant's digital puppetry software application has nothing to do with "broadcasting" on television or radio (the traditional definition of "broadcast"), consumers would have to use multistage reasoning in order to understand the mark's significance, particularly given the unique spelling. Applicant's misspelling and display of the mark as "BrODDcast," emphasizes the wording "ODD" in Applicant's Mark and creates a fun visual image tied to its use of unusual and whimsical puppet characters. Taken in this context, consumers would have to stop and think about what BRODDCAST actually means, why it is spelled and displayed in this peculiar manner, and what BRODDCAST has to do with a software application that allows a user to tool around with digital puppets and create content.

Even assuming *arguendo* that some information is conveyed, this does not render the mark merely descriptive but suggestive if one must exercise a "modicum of imagination or thought before one is able to determine the nature of applicant's product." *See Bellsouth Corp. v. Planum Technology Corp*., 14 U.S.P.Q.2d 1555, 1556 (T.T.A.B. 1990) (holding PHONE FORWARD to be suggestive of a call forwarding service because "the meaning conveyed by applicant's mark is not immediate or direct"). Therefore, one may be informed by suggestion as well as by description. *In re Reynolds Metals Company*, 480 F.2d 902, 178 U.S.P.Q. 296 (C.C.P.A. 1973). In other words, the terms "descriptive" and "suggestive" are not mutually exclusive. There is some description in any suggestion or the suggestive process does not occur.

In *Bose Corporation v. International Jensen Incorporated*, the Board held that the mark ACOUSTIC RESEARCH is not merely descriptive for speaker units and turntables for phonographs

because the mark does not describe a feature of the *goods* (emphasis in original). 22 U.S.P.Q.2d 1704 (Fed. Cir. 1992). The Board stated that the words "acoustic research" describe the engineering activity that ***preceded*** the development of speaker units and turntables for phonographs (emphasis added). *Id*. Hence, the Board concluded that the mark ACOUSTIC RESEARCH does not convey any "information, regarding a function, or purpose, or use of the goods." *Id*. Nor did it convey "information about any properties of the goods." *Id*. The Board explained:

> While we have no difficulty in accepting that the initial step in the production of applicant's loudspeakers and turntables is the carrying out of acoustical or acoustic research, we are not persuaded on this record that the term ACOUSTIC RESEARCH, taken in its entirety, immediately conveys information about a characteristic, quality, ingredient or purpose of applicant's goods.

Similarly, the wording BRODDCAST does not describe a ***feature*** of Applicant's goods to any reasonably accurate degree. Applicant's goods are not "broadcasting" and the fact that a user can post online content created with Applicant's software application is entirely ancillary. Consumers would not readily understand what is meant by BRODDCAST in connection with a software application for digital puppetry. Moreover, Applicant itself does not provide "broadcasting" capabilities, but allows users to create content that the user may post online through various social media outlets. Hence, Applicant's software for content creation ***precedes*** the "broadcasting." Accordingly, the wording "broadcasting" cannot be considered merely descriptive of Applicant's goods. *See also, e.g., In re Hunt*, 132 U.S.P.Q. 564 (T.T.A.B. 1962)(While the record shows that applicant's service is concerned primarily with arranging for marriages between interested persons, it is manifest that applicant itself does not make marriage proposals. The term 'MARRIAGE PROPONENTS' therefore is considered to be no more than suggestive of the nature of applicant's services.).

Because the mark BRODDCAST does not *immediately* inform consumers of the features, qualities, or characteristics of Applicant's goods, and the significance of the word in relation to Applicant's goods is not readily apparent, Applicant's Mark is cannot be considered *merely* descriptive, and is at worst, suggestive, and eligible for registration on the Principal Register.

B. The Examiner's Evidence Does Not Support a Finding of Mere Descriptiveness.

The Examining Attorney bears the burden of showing that a mark is merely descriptive of the relevant goods or services. *See In re Merrill Lynch, Pierce, Fenner & Smith Inc*., 4 U.S.P.Q.2d 1141, 1143 (Fed. Cir. 1987). A mark is "merely descriptive" if it ***serves no other purpose or function than to describe the goods***. *In re Quick-Print Copy Shop, Inc*., 205 U.S.P.Q. 505, 507 (C.C.P.A. 1980)(holding that merely descriptive means "only" descriptive)(emphasis added). Therefore in categorizing trademarks, the inquiry is not whether the mark is descriptive, but whether the mark is ***merely*** or ***only descriptive*** with respect to such goods and services. Moreover, unless a mark gives reasonably accurate knowledge of the characteristics of a product or service, the mark does not fall within the trademark law definition of descriptiveness. *Blisscraft of Hollywood v. United Plastics Co*., 131 U.S.P.Q. 55 (2d Cir. 1961).

The Examiner reasons that BRODDCAST is the phonetic equivalent of the wording "broadcast" and provides dictionary definitions for the word "broadcast" as follows: i) made public by means of radio or television; ii) of or relating to radio or television broadcasting; and iii) to send out (signals, programs, etc.) by radio or television. The Examiner later included an additional dictionary definition for the word "broadcast" to mean "to communicate or transmit a signal, a message, or content, such as audio or video programming, to numerous recipients simultaneously over a communication network." *See* Office Actions dated May 20, 2014 and December 19, 2014. The Examiner also included webpages from third-party broadcasting companies that use some form of software to support his position that "broadcast" is merely descriptive of content creating software. *Id*. The Examiner reasoned that because Applicant's goods consist of software that allow creating, recording, and editing of videos, and allowed for posting of such videos online, that these goods are of the type used in the broadcasting industry, and therefor summarily concluded that Applicant's Mark is merely descriptive. The Examiner also universally stated that the broadcast industry is particularly reliant on computer software for developing its product. The Examiner's evidence does not support a finding of mere descriptiveness.

First, none of the definitions that the Examiner provided for the wording "broadcast" apply to Applicant's goods. The definitions of "broadcast" do not inform consumers as to what goods are offered

by the Applicant under its mark because Applicant's goods are not "broadcasting" nor does Applicant provide broadcasting capabilities through its software application. Applicant's software application has nothing to do with radio or television or making "public by means of radio or television" nor does Applicant's software application *itself* "communicate or transmit a signal, a message, or content, such as audio or video programming, to numerous recipients simultaneously over a communication network." Rather, the software application allows users to play by creating content through a tool allowing them to control digital puppets. Once the content is created and recorded, a user may do with the video as he or she pleases, much like any photo app or any other app that allows users to create, manipulate, and save content, and then send the content to another user or upload it onto social media. Simply characterizing Applicant's Mark as merely descriptive because it is compatible with third-party apps that allow created content and videos to be uploaded is far too attenuated and is a mischaracterization of Applicant's product, which is a content creation tool using digital puppetry.

Second, the Examiner did not provide any third-party uses of similar software applications using the term "broadcast." The Examiner simply provided examples of various types of s*oftware that can be used in the broadcasting industry* and concluded that because the broadcasting industry uses some type of software to create content, the mark BRODDCAST is merely descriptive. This evidence is insufficient to support that Applicant's BRODDCAST mark is merely descriptive of Applicant's goods.

Third, the Examiner references Applicant's website, concluding that because content created with Applicant's software application can be transmitted through a phone or computer or uploaded onto a site such as YouTube, ***through that third-party application***, that Applicant's Mark is merely descriptive. The fact that Applicant's application is compatible with third-party applications allowing users to upload content created by Applicant's application does not render the BRODDCAST mark merely descriptive.

Applicant's Mark is not merely descriptive because it does not ***immediately*** communicate to the consumer any features, qualities or characteristics of Applicant's goods to any reasonably accurate degree, particularly since it has nothing to do with radio or television or "broadcasting" as defined by the Examiner's evidence. Moreover, the fact that a user can upload a video created through Applicant's

software application is entirely ancillary and far too attenuated to draw a mere descriptiveness conclusion. A consumer must engage in multistage reasoning to understand the nature of Applicant's goods in connection with Applicant's Mark. Accordingly, none of the evidence provided by the Examiner adequately supports a finding of mere descriptiveness of Applicant's Mark.

C. Applicant's Mark is a Double Entendre.

Even assuming *arguendo* that the term "broadcast" is descriptive of Applicant's goods, which it is not, Applicant's Mark BRODDCAST is a *double entendre* and is therefore entitled to registration. A *double entendre* is a word or expression capable of more than one interpretation. TMEP § 1213.05. The mark that comprises the *double entendre* will not be refused registration as merely descriptive if any one of its possible meanings is not merely descriptive in relation to the goods or services. If a term has a primary significance that is descriptive in relation to at least one of the recited goods/services, **and does not create any *double entendre*** or incongruity, then the term is merely descriptive. *See* TMEP §1209.03. However, if a term **does** create a *double entendre* then it is entitled to registration, even if one (and perhaps the primary) interpretation might be descriptive. *See* TMEP § 1213.05.

The Board held that "MufFuns" as applied to muffins is protectable because it "project[s] a dual meaning or suggestiveness - that of muffins and of the 'fun' aspect" of the product. *In re Grand Metropolitan Foodservice, Inc.*, 30 USPQ2d 1974, 1975 (TTAB 1994). The Board stated:

> [W]e believe that this case involves more than simply a misspelling of a descriptive or generic word. That is to say, the mark presented for registration will be perceived, we believe, as not just a misspelled word. As applicant has pointed out, its mark does project a dual meaning or suggestiveness – that of muffins and of the "fun" aspect of applicant's food product… We have a situation, therefore, where applicant's mark has a different connotation from that conveyed by a misspelled generic or descriptive term.
>
> * * *
>
> In view of the nature of applicant's inventive and somewhat stylized mark, being an obvious play on the word "muffin" and the word "fun," we believe that the meaning or commercial impression of applicant's mark will be more than that simply of the word "muffins."

In addition, the Board has also held that THE FARMACY for "retail store services featuring natural herbs and organic products; on-line retail store services featuring natural herbs and organic

products" and for "providing integrated health services at retail locations in the nature of dietary and nutritional guidance and providing information about dietary supplements and nutrition" is not merely descriptive. *In re Tea and Sympathy, Inc*., Ser. No. 77/054,914 (T.T.A.B. 2008) [precedential opinion]. In *In re Tea*, the Board found that THE FARMACY is "more than simply a misspelling of 'the pharmacy' and that consumers are unlikely to perceive the mark as just a misspelling, but rather as a play on the natural or farm-fresh characteristics of applicant's herbs and organic products used for medicinal purposes featured in applicant's services." *Id*. Thus, the Board reasoned that the mark "conveys a dual meaning, that of the natural aspect of the goods sold by applicant and of a pharmacy." *Id*. Further stating that the applicant's mark is "inventive and just clever enough, being an obvious play on 'the pharmacy' and 'farm,' so that the meaning or commercial impression of applicant's mark will be more than simply 'the pharmacy,' the Board held that the THE FARMACY mark was not merely descriptive. *Id*.

In addition, the Board held that NEWTRITIOUS and NEWTRITION in connection with "powdered mixes in the nature of powdered nutritional supplemental drink mix" are more than simply a misspelling of the words "nutritious" or "nutrition" since consumers are not likely to perceive these words as just a misspelling but a play on the novelty of applicant's nutritional supplements. *In re Michael W. Arlen,* Ser. Nos. 85/135,800 and 85/180,298 (T.T.A.B. 2012)[not precedential](Board held that the marks are inventive enough so that the meaning or commercial impression of applicant's mark will be more than simply "nutritious" or "nutrition" and therefore not merely descriptive).

Similarly, Applicant's Mark would be perceived as more than just a simple misspelling of the word "broadcast." Applicant's Mark BRODDCAST is unique and inventive, giving the mark a double connotation and creating a meaning or commercial impression that is beyond the wording "broadcast" so that consumers are unlikely to immediately associate Applicant's Mark with the word "broadcast." Applicant's BRODDCAST mark, displayed as "BrODDcast," is creative, whimsical, and a fun play on the words "odd" and "cast" to describe the odd puppeteer cast of characters available in Applicant's software application. Similar to the marks MufFun, The Farmacy, and Newtritious, consumers are not

likely to perceive Applicant's Mark as simply a misspelling, but rather, a play on words highlighting the "odd cast" that make up the characters in Applicant's software application.

The Examiner's argument that the wording "ODD" is so subsumed in Applicant's Mark that the intended result of a suggestive mark is lost and that the one-letter difference does not affect the overall perception of the mark is entirely unsupported. The word BRODDCAST is such an unusual spelling of the word "broadcast," that consumers are unlikely to make an immediate connection, and instead, are likely to wonder if "BRODDCAST" is a made-up word. Because the formative "ODD" is not one commonly found in English words, except for the word "ODD," it immediately draws the observer's attention and is not lost within the mark. Moreover, based on the Examiner's reasoning, the mark MUFFUNS could not be considered suggestive since 1) the word FUN is "subsumed" in the mark; and 2) the mark MUFFUNS contains only one letter difference with the word "muffins."

D. The PTO's Treatment of the Wording "Broadcast" for Similarly-Situated Marks.

The U.S. Patent and Trademark Office has allowed similar marks to register on the Principal Register, in Class 9, without a 2(f) declaration or disclaimer of the wording "BROADCAST," indicating that the wording "broadcast" is unlikely to be merely descriptive of goods that are related to Applicant's goods such as, *e.g., computer software for creating and presenting content* (Reg. No. 3,873,131). The following is a representative sample.

MARK	REG. NO.	GOODS AND SERVICES
MORE THAN JUST A BROADCAST	4607358	Downloadable computer software for providing music; Downloadable software for providing transmission of voice, data, video, and media content via the Internet and the worldwide web; Downloadable software in the nature of a mobile application for the uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communication networks
IBROADCASTING	4531542	Television receivers
BROADCASTR and Design broadcastr	4091955	Downloadable software in the nature of a mobile application for creating audio recordings associated with a user's location, making said recordings searchable online and within the application, and finding and interacting with other users and locations

MARK	REG. NO.	GOODS AND SERVICES
INOVA BROADCASTER	3873131	Computer software for creating and presenting real-time content on display screens
TSBROADCASTER	3290377	Software for the processing of digital television signals, namely integrated software to permit automatic generation of mpeg transport streams containing object carousel for interactive digital television; data barriers, namely magnetic tapes, magnetic disks, optical disks and solid-state devices pre-recorded with software for the processing of digital television signals, namely integrated software to permit automatic generation of mpeg transport streams containing object carousels for interactive television for use with interactive television
SAM BROADCASTER	3845077	Downloadable computer software for streaming audio for use in radio broadcasting
DRIVE-BY BROADCASTER and Design	3795458	Radio transmitters
BROADCAST1SOURCE	3780057	Computer software for broadcasters to comply with FCC license requirements
BROADCAST YOUR BEST	3623695	prerecorded electronic media, namely, audio and video cassettes, CDs and DVDs all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training
BROADCASTERSEDGE	3534477	Computer database management software for the collection, compilation, organization, reporting, display, transmission, storage and sharing of college and professional sports information, data and statistics
BROADCASTREADY	2445055	Coaxial cable continuity tester

Copies of the registration certificates and TSDR status reports for the above-referenced marks are attached as Exhibit C, and made of record.

As Applicant's Mark does not ***immediately*** communicate to the consumer any qualities or characteristics of Applicant's goods, Applicant's Mark cannot be deemed ***merely descriptive***, but rather, is suggestive.

E. The Examining Attorney Erred by Failing to Resolve Doubt as to Descriptiveness in Applicant's Favor.

It is well-settled that any doubt as to descriptiveness should be resolved in Applicant's favor. *See In re Aid Labs, Inc*., 221 U.S.P.Q. 1215, 1216 (T.T.A.B. 1983); *In re Pennwalt Corp*., 173 U.S.P.Q. 317, 319 (T.T.A.B. 1972). There is a thin line of demarcation between a suggestive mark and a merely descriptive one, with the determination of which category a mark falls into frequently being a difficult matter involving a good measure of subjective judgment. *See, e.g., In re Atavio*, 25 U.S.P.Q.2d 1361 (T.T.A.B. 1992); *In re TMS Corp. of the Americas*, 200 U.S.P.Q. 57, 58 (T.T.A.B. 1978). The distinction, furthermore, is often made on an intuitive basis rather than as a result of precise logical analysis susceptible of articulation. *See, In re George Weston Ltd*., 228 U.S.P.Q. 57, 58 (T.T.A.B. 1985).

Since the "line between merely descriptive and only suggestive terms is 'so nebulous,' the Board takes the position ***that doubt is resolved in favor of the applicant*** on the assumption that competitors have the opportunity to oppose the registration once published and to present evidence that is usually not present in *ex parte* examination." *See*, J. Thomas McCarthy, *McCarthy on Trademarks and Unfair Competition*, § 11:51 (4th Ed. 2011)(emphasis added); *see also, In re Mobile Ray, Inc*., 224 U.S.P.Q. 247, 248 (T.T.A.B. 1984)("[W]e believe this record established sufficient doubt concerning the descriptiveness of applicant's mark that the mark should be published for opposition."); *In re Hester Indus., Inc*., 230 U.S.P.Q. 797, 798 (T.T.A.B. 1986); *In re Grand Metropolitan Foodservice Inc*., 30 U.S.P.Q.2d 1974 (T.T.A.B. 1994); *In re Gourmet Bakers, Inc*., 173 U.S.P.Q. 565 (T.T.A.B. 1972).

Applicant's BRODDCAST Design Mark for the *identical goods* listed in the present Application was approved by a different Examiner without requiring a disclaimer or a 2(f) declaration, demonstrating that there must be at least *some* doubt as to whether or not Applicant's Mark is merely descriptive of Applicant's goods. Accordingly, Applicant respectfully urges, if the Board retains even a *small* measure of doubt as to the "mere descriptiveness" of the mark BRODDCAST, such doubt should be resolved in Applicant's favor in accordance with well-established precedent.

IV. CONCLUSION

In view of the arguments and evidence set forth herein, and the insufficiency of the Examining Attorney's evidence of record to support his position, Applicant contends that Applicant's Mark is not merely descriptive of the goods listed in its Application. Accordingly, Applicant respectfully requests that the Board grant this appeal and allow Application Ser. No. 86/185,707 for the mark BRODDCAST to proceed to publication.

Respectfully submitted,

Date: September 25, 2015

/s/ Candice E. Kim

Candice E. Kim
GREENBERG TRAURIG, LLP
1840 Century Park East, Suite 1900
Los Angeles, CA 90067
Phone: (310) 586-3867
Fax: (310) 586-0567
Email: GTIPMAIL@gtlaw.com

Attorneys for Applicant

EXHIBIT A

STATUS DOCUMENTS | Back to Search | Print

Generated on: This page was generated by TSDR on 2015-09-25 15:35:24 EDT

Mark: BRODDCAST

US Serial Number: 86388876 **Application Filing Date:** Sep. 08, 2

Register: Principal

Mark Type: Trademark

Status: Application has been published for opposition. The opposition period begins on the date of publ

Status Date: Aug. 25, 2015

Publication Date: Aug. 25, 2015

Mark Information

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: Multimedia software for digital content creation of entertainment videos using electronic media c software for digital video recording, editing and playback of videos; multimedia software for digit entertainment videos; computer software applications for use in electronic transmission of videc for use with computers, computer peripherals, wireless devices, and cellular and mobile telephc recording, editing and playback of entertainment videos

International Class(es): 009 - Primary Class **U.S Class(es):** 021, 023,

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Current Owner(s) Information

Attorney/Correspondence Information

Prosecution History

TM Staff and Location Information

Assignment Abstract Of Title Information - Click to Load
Proceedings - Click to Load

EXHIBIT B

Let's stay in touch

Sign up to get early access to the app, and learn more about br**ODD**cast™ and creator events!

Are you a YouTube creator?

yes

no

Enter your channel link:

submit

fuel ENTERTAINMENT

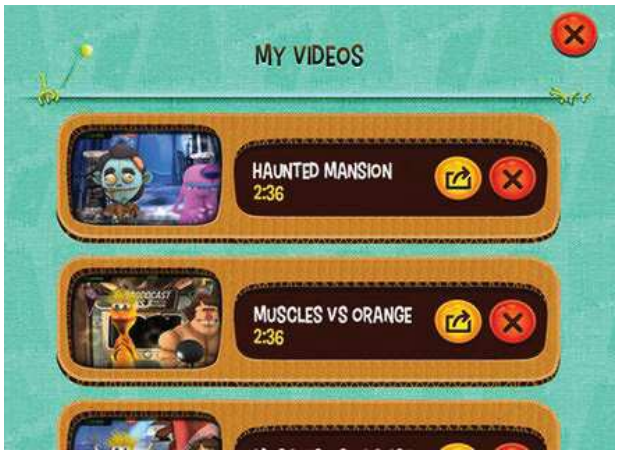
TABLET / MOBILE

BRODDCAST

A BRAND NEW WAY TO CREATE

br**ODD**cast™ is a new content creation and digital puppetry tool that gives existing YouTube creators a brand new avenue for expression, while allowing an entire new audience of would-be creators a chance to have their voices heard.

The app uses a proprietary new technology where character mouth movements mimic the actor in real-time, allowing creators to record live sketches with vibrant and hilarious puppets. Featuring fully customizable characters and sets, hilarious caricatures of world figures and celebrities, and an easy-to-learn touch interface for tablets and phones, br**ODD**cast™ is every creative person's chance to play, experiment and share their voice in new and exciting ways. Create one-off sketches, or entire new series with recurring characters – and upload them to social channels for free.



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LOS ANGELES

8536 National Blvd, Ste A
Culver City, CA 90232
310.237.4000

info@fuelentertainment.com

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fuel ENTERTAINMENT

PROPERTIES

PREVIEW / LIST

STREAMY

BRODDCAST

ATARI: GAME OVER

TABLET / MOBILE

CHUB CITY

LEAFY

TV

MOBILE / IPAD

SIDEWAY

FAIRIES &

PSN / STEAM

WEB / PC

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PARTNERS

CAKE™

dentsu

zodiak kids

TELE IMAGES PRODUCTIONS

XBOX
ENTERTAINMENT
STUDIOS

LIGHTBOX

:DeNA

the
foundation

Sony
Entertainment
Network

Microsoft Studios

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info@fuelentertainment.com

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MEDIA ROOM

FUEL ENTERTAINMENT IN THE NEWS

A look at who's talking about Fuel in the press

READY FOR BRODDCAST

Kidscreen / iKids

EVERYTHING YOU NEED TO KNOW ABOUT SAN DIEGO COMIC-CON

Xbox Wire

FILMMAKERS UNEARTH LEGENDARY ATARI 'E.T.' TROVE

Rolling Stone

ATARI'S 1983 'E.T.' GAME COVER-UP UNEARTHED IN NEW MEXICO BY XBOX DOCU CREW – HOW BAD WAS IT?

Deadline Hollywood

LEGEND CONFIRMED: ATARI 2600 'E.T.' GAME DISCOVERED AT NEW MEXICO DIG

Mashable

XBOX SUCCESSFULLY DIGS UP 'E.T. THE EXTRA-TERRESTRIAL' VIDEO

GAME IN NEW MEXICO

Variety

THE LANDFILL DIG FOR THE WORLD'S WORST VIDEO GAME

MOTHERBOARD

WITNESS VIDEO GAME HISTORY: ATTEND ATARI LANDFILL EXCAVATION ON APRIL 26

Xbox News Wire

THE SEARCH FOR THE INFAMOUS ATARI E.T. GAME CARTRIDGES LANDFILL HEATS UP

"Dumping The Alien": E.T. Documentary - The Guardian

PRODUCER REVEALS PLAN TO UNEARTH WORST GAME EVER

"Dumping The Alien": E.T. Documentary - Yahoo! News

GAMING'S AREA 51

"Dumping The Alien": E.T. Documentary - ReadWriteWeb

HOW THE E.T. DOCUMENTARY CHRONICLES THE BIRTH OF THE UNSATISFIED GAME CONSUMER

"Dumping The Alien": E.T. Documentary - Polygon

"DUMPING THE ALIEN": ARCHAEOGAMING AT SOUTH BY

SOUTHWEST 2014

"Dumping The Alien": E.T. Documentary - Archaeogaming

FUEL'S LEAFY LANDINGS IS THE IKIDS 2014 BEST EBOOK AWARD WINNER!

Leafy Landings - iKids

LEGENDARY ATARI LANDFILL IS POISED FOR EXCAVATION

"Dumping The Alien": E.T. Documentary - Huffington Post

HUNTING FOR AN E.T. CASTOFF IN A MOST TERRESTRIAL PLACE

"Dumping The Alien": E.T. Documentary - New York Times

IS A VAST HOARD OF 'E.T.' VIDEOGAMES REALLY BURIED AT A LANDFILL?

"Dumping The Alien": E.T. Documentary - Entertainment Weekly

ET GAME EXCAVATION CONFIRMED BY STUDIO

"Dumping The Alien": E.T. Documentary - BBC news

UNEARTHING E.T.: EXPLORING THE SECRETS OF THE ATARI GRAVEYARD

"Dumping The Alien": E.T. Documentary - Polygon

TOY BRAND CHUB CITY FINDS HOME

AS ANIMATED TV SERIES

Chub City - KidScreen Magazine

XBOX LIVE DOCUMENTARY GOES DIGGING FOR ATARI'S LONG-LOST E.T. CARTRIDGES

"Dumping The Alien": E.T. Documentary - Wired

FEATURE ARTICLE: FROM THE GROUND UP

"Dumping The Alien": E.T. Documentary - iKids

MEDIA CONTACT

If you'd like to request an interview, are looking for more information on one of our properties for a story you're writing, or just want to get to know us better. Please contact:

Nick Iannitti

Director of Communications
media@fuelentertainment.com

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info@fuelentertainment.com

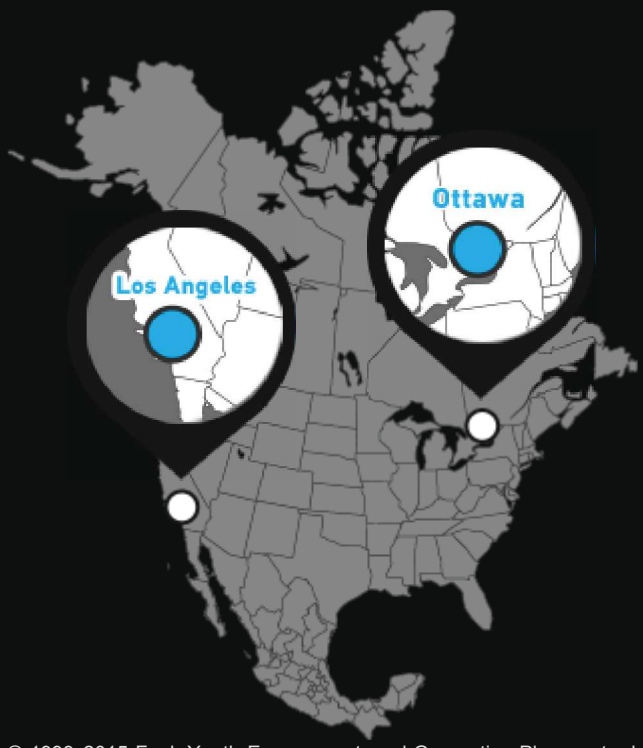

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EXHIBIT C

United States of America

United States Patent and Trademark Office

More Than Just A Broadcast!

Reg. No. 4,607,358

Registered Sep. 16, 2014

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

CASTGRAPHY LLC (KUWAIT LIMITED LIABILITY COMPANY)
P.O. BOX 1060 DASMAN
KUWAIT CITY, KUWAIT, KUWAIT 15461

FOR: DOWNLOADABLE COMPUTER SOFTWARE FOR FOR PROVIDING MUSIC; DOWNLOADABLE SOFTWARE FOR PROVIDING TRANSMISSION OF VOICE, DATA, VIDEO, AND MEDIA CONTENT VIA THE INTERNET AND THE WORLDWIDE WEB; DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION FOR THE UPLOADING, POSTING, SHOWING, DISPLAYING, TAGGING, BLOGGING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION OVER THE INTERNET OR OTHER COMMUNICATION NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 12-15-2013; IN COMMERCE 2-7-2014.

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

SN 86-165,159, FILED 1-14-2014.

KIM MONINGHOFF, EXAMINING ATTORNEY

Michelle K. Lee

Deputy 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.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***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 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.

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Mark: MORE THAN JUST A BROADCAST!

More Than Just A Broadcast!

US Serial Number:	86165159	**Application Filing Date:**	Jan. 14, 2014
US Registration Number:	4607358	**Registration Date:**	Sep. 16, 2014
Filed as TEAS Plus:	Yes	**Currently TEAS Plus:**	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Sep. 16, 2014		
Publication Date:	May 20, 2014	**Notice of Allowance Date:**	Jul. 15, 2014

Mark Information

Mark Literal Elements: MORE THAN JUST A BROADCAST!

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: Downloadable computer software for for providing music; Downloadable software for providing transmission of voice, data, video, and media content via the Internet and the worldwide web; Downloadable software in the nature of a mobile application for the uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communication networks

International Class(es):	009 - Primary Class	**U.S Class(es):**	021, 023, 026, 036, 038
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Dec. 15, 2013	**Use in Commerce:**	Feb. 07, 2014

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	Yes	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: Castgraphy LLC

Owner Address: P.O. Box 1060 Dasman
Kuwait City, Kuwait 15461
KUWAIT

Legal Entity Type:	LIMITED LIABILITY COMPANY	**State or Country Where Organized:**	KUWAIT

Attorney/Correspondence Information

Attorney of Record

Attorney Name:	Carlos Romero		
Attorney Primary Email Address:	car.f.romero@gmail.com	**Attorney Email Authorized:**	Yes

Correspondent

Correspondent Name/Address: CARLOS ROMERO
INVENTUS LAW
P.O. BOX 1060 DASMAN
KUWAIT CITY, KUWAIT KUWAITCITY
KUWAIT

Phone: 4158301057

Correspondent e-mail: car.f.romero@gmail.com malhaidar@gmail.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 16, 2014	REGISTERED-PRINCIPAL REGISTER	
Aug. 15, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 14, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 13, 2014	STATEMENT OF USE PROCESSING COMPLETE	61813
Jul. 19, 2014	USE AMENDMENT FILED	61813
Aug. 07, 2014	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jul. 19, 2014	TEAS STATEMENT OF USE RECEIVED	
Jul. 15, 2014	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 20, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 20, 2014	PUBLISHED FOR OPPOSITION	
Apr. 30, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 16, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Apr. 16, 2014	ASSIGNED TO EXAMINER	85321
Jan. 27, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Aug. 14, 2014

United States of America

United States Patent and Trademark Office

IBroadcasting

Reg. No. 4,531,542	LG ELECTRONICS INC. (REPUBLIC OF KOREA CORPORATION)
Registered May 20, 2014	20 YEOUIDO-DONG YEONGDEUNGPO-GU SEOUL 150-721, REPUBLIC OF KOREA
Int. Cl.: 9	FOR: TELEVISION RECEIVERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).
TRADEMARK	THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.
PRINCIPAL REGISTER	PRIORITY CLAIMED UNDER SEC. 44(D) ON REPUBLIC OF KOREA APPLICATION NO. 452011000579, FILED 12-16-2011, REG. NO. 0045388, DATED 7-8-2013, EXPIRES 7-8-2023.
	SER. NO. 85-535,883, FILED 2-7-2012.
	MORGAN WYNNE, EXAMINING ATTORNEY

Michelle K. Lee

Deputy 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.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***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 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.

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Mark: IBROADCASTING

IBroadcasting

US Serial Number: 85535883

Application Filing Date: Feb. 07, 2012

US Registration Number: 4531542

Registration Date: May 20, 2014

Register: Principal

Mark Type: Trademark

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

Status Date: May 20, 2014

Publication Date: Mar. 04, 2014

Mark Information

Mark Literal Elements: IBROADCASTING

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

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 452011000579

Foreign Application Filing Date: Dec. 16, 2011

Foreign Registration Number: 0045388

Foreign Registration Date: Jul. 08, 2013

Foreign Application/Registration Country: KOREA, REPUBLIC OF

Foreign Expiration Date: Jul. 08, 2023

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: Television receivers

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	No	**Amended Use:**	No
Filed ITU:	Yes	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	Yes	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	Yes	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: LG ELECTRONICS INC.

Owner Address: 20 Yeouido-dong Yeongdeungpo-gu
Seoul 150-721
KOREA, REPUBLIC OF

Legal Entity Type: CORPORATION

State or Country Where Organized: KOREA, REPUBLIC OF

Attorney/Correspondence Information

Attorney of Record			
Attorney Name:	Robert J. Kenney	Docket Number:	0630-5076US1
Attorney Primary Email Address:	mailroom@bskb.com	Attorney Email Authorized:	Yes

Correspondent			
Correspondent Name/Address:	ROBERT J. KENNEY BIRCH, STEWART, KOLASCH & BIRCH, LLP PO BOX 747 FALLS CHURCH, VIRGINIA 22040-0747 UNITED STATES		
Phone:	(703)205-8000	Fax:	(703)205-8050
Correspondent e-mail:	mailroom@bskb.com	Correspondent e-mail Authorized:	Yes

Domestic Representative			
Domestic Representative Name:	BIRCH, STEWART, KOLASCH & BIRCH, LLP	Phone:	(703)205-8000
Fax:	(703)205-8050		
Domestic Representative e-mail:	mailroom@bskb.com	Domestic Representative e-mail Authorized:	No

Prosecution History

Date	Description	Proceeding Number
May 20, 2014	REGISTERED-PRINCIPAL REGISTER	
Mar. 04, 2014	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 04, 2014	PUBLISHED FOR OPPOSITION	
Feb. 12, 2014	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jan. 30, 2014	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Jan. 30, 2014	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 07, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Jan. 07, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Dec. 30, 2013	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Jul. 16, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jul. 16, 2013	LETTER OF SUSPENSION E-MAILED	6332
Jul. 16, 2013	SUSPENSION LETTER WRITTEN	83285
Jun. 04, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Jun. 04, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
May 28, 2013	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Dec. 15, 2012	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Dec. 15, 2012	LETTER OF SUSPENSION E-MAILED	6332
Dec. 15, 2012	SUSPENSION LETTER WRITTEN	83285
Nov. 27, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Nov. 27, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213
Nov. 19, 2012	ASSIGNED TO LIE	66213
Nov. 09, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 09, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 09, 2012	NON-FINAL ACTION E-MAILED	6325
May 09, 2012	NON-FINAL ACTION WRITTEN	83285
May 04, 2012	ASSIGNED TO EXAMINER	83285
Feb. 14, 2012	NOTICE OF PSEUDO MARK MAILED	
Feb. 11, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 10, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** May 20, 2014

United States of America

United States Patent and Trademark Office

broadcastr

Reg. No. 4,091,955

Registered Jan. 24, 2012

Int. Cls.: 9 and 42

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

BROADCASTR INC. (DELAWARE CORPORATION)
325 GOLD ST., SUITE 303
BROOKLYN, NY 11201

FOR: DOWNLOADABLE SOFTWARE IN THE NATURE OF A MOBILE APPLICATION FOR CREATING AUDIO RECORDINGS ASSOCIATED WITH A USER'S LOCATION, MAKING SAID RECORDINGS SEARCHABLE ONLINE AND WITHIN THE APPLICATION, AND FINDING AND INTERACTING WITH OTHER USERS AND LOCATIONS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 4-20-2011; IN COMMERCE 4-20-2011.

FOR: PROVIDING ON-LINE NON-DOWNLOADABLE SOFTWARE, NAMELY, AN INTERNET-BASED APPLICATION FOR CREATING AUDIO RECORDINGS ASSOCIATED WITH A USER'S LOCATION, MAKING SAID RECORDINGS SEARCHABLE ONLINE AND WITHIN THE APPLICATION, AND FINDING AND INTERACTING WITH OTHER USERS AND LOCATIONS; PROVIDING AN ON-LINE PLATFORM FOR CREATING AUDIO RECORDINGS ASSOCIATED WITH A USER'S LOCATION, MAKING SAID RECORDINGS SEARCHABLE ONLINE, AND FINDING AND INTERACTING WITH OTHER USERS AND LOCATIONS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 12-20-2010; IN COMMERCE 1-28-2011.

THE MARK CONSISTS OF THE FOLLOWING: THE WORDING "BROADCASTR" IS DEPICTED IN THE COLOR BLACK WITH A STYLIZED "O" DEPICTED AS AN OVAL FILLED IN WITH BLUE.

THE COLOR(S) BLACK AND BLUE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SN 85-144,849, FILED 10-4-2010.

BRIDGETT SMITH, EXAMINING ATTORNEY

David J. Kappos

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.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***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 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.

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Mark: BROADCASTR

broadcastr

US Serial Number:	85144849	**Application Filing Date:**	Oct. 04, 2010
US Registration Number:	4091955	**Registration Date:**	Jan. 24, 2012
Register:	Principal		
Mark Type:	Trademark, Service Mark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Jan. 24, 2012		
Publication Date:	Mar. 29, 2011	**Notice of Allowance Date:**	May 24, 2011

Mark Information

Mark Literal Elements: BROADCASTR

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the following: the wording "BROADCASTR" is depicted in the color black with a stylized "o" depicted as an oval filled in with blue.

Color Drawing: Yes

Color(s) Claimed: The color(s) black and blue is/are claimed as a feature of the mark.

Design Search Code(s): 26.03.21 - Ovals that are completely or partially shaded
26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)
26.19.25 - Geometric solids other than spheres, cylinders, cones, cube, prisms or pyramids
27.03.01 - Geometric figures forming letters, numerals or punctuation

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: Downloadable software in the nature of a mobile application for creating audio recordings associated with a user's location, making said recordings searchable online and within the application, and finding and interacting with other users and locations

International Class(es): 009 - Primary Class **U.S Class(es):** 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 20, 2011 **Use in Commerce:** Apr. 20, 2011

For: Providing on-line non-downloadable software, namely, an Internet-based application for creating audio recordings associated with a user's location, making said recordings searchable online and within the application, and finding and interacting with other users and locations; Providing an on-line platform for creating audio recordings associated with a user's location, making said recordings searchable online, and finding and interacting with other users and locations

International Class(es): 042 - Primary Class **U.S Class(es):** 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 20, 2010 **Use in Commerce:** Jan. 28, 2011

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	Yes	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: BROADCASTR INC.

Owner Address: 325 GOLD ST., Suite 303
BROOKLYN, NEW YORK 11201
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joshua B. Sessler

Attorney Primary Email Address: trademarks@cdas.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JOSHUA B. SESSLER
COWAN DEBAETS ABRAHAMS & SHEPPARD, LLP
41 MADISON AVE FL 34
NEW YORK, NEW YORK 10010-2209
UNITED STATES

Phone: 212-974-7474

Fax: 212-974-8474

Correspondent e-mail: trademarks@cdas.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
Dec. 17, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 16, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Dec. 09, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 06, 2011	STATEMENT OF USE PROCESSING COMPLETE	76874
Nov. 22, 2011	USE AMENDMENT FILED	76874
Dec. 05, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76874
Nov. 22, 2011	TEAS STATEMENT OF USE RECEIVED	
May 24, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
May 11, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 29, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 29, 2011	PUBLISHED FOR OPPOSITION	
Feb. 24, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Feb. 10, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 20, 2011	EXAMINER'S AMENDMENT ENTERED	70997
Jan. 20, 2011	ASSIGNED TO LIE	70997
Jan. 20, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 20, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 20, 2011	EXAMINERS AMENDMENT -WRITTEN	76582
Jan. 12, 2011	ASSIGNED TO EXAMINER	76582
Oct. 09, 2010	NOTICE OF DESIGN SEARCH CODE AND PSEUDO MARK MAILED	
Oct. 08, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 07, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 16, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments:	1	**Registrant:**	BROADCASTR INC.

Assignment 1 of 1

Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	4533/0684	**Pages:**	4
Date Recorded:	Apr. 01, 2011		
Supporting Documents:	assignment-tm-4533-0684.pdf		

Assignor

Name:	ELECTRIC LITERATURE LLC	**Execution Date:**	Jan. 31, 2011
Legal Entity Type:	LIMITED LIABILITY COMPANY	**State or Country Where Organized:**	No Place Where Organized Found

Assignee

Name:	BROADCASTR INC.		
Legal Entity Type:	CORPORATION	**State or Country Where Organized:**	DELAWARE
Address:	325 GOLD ST. BROOKLYN, NEW YORK 11201		

Correspondent

Correspondent Name:	JOSHUA SESSLER
Correspondent Address:	41 MADISON AVE 34TH FLOOR NEW YORK, NY 10010

Domestic Representative - Not Found

United States of America

United States Patent and Trademark Office

INOVA BROADCASTER

Reg. No. 3,873,131	INOVA SOLUTIONS, INC. (VIRGINIA CORPORATION) 110 AVON STREET
Registered Nov. 9, 2010	CHARLOTTESVILLE, VA 22902
Int. Cl.: 9	FOR: COMPUTER SOFTWARE FOR CREATING AND PRESENTING REAL-TIME CONTENT ON DISPLAY SCREENS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).
TRADEMARK	FIRST USE 7-0-2004; IN COMMERCE 7-0-2004.
PRINCIPAL REGISTER	THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.
	OWNER OF U.S. REG. NOS. 3,768,283 AND 3,768,284.
	SER. NO. 85-000,458, FILED 3-29-2010.
	SOPHIA S. KIM, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office

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Mark: INOVA BROADCASTER

INOVA BROADCASTER

US Serial Number: 85000458
Application Filing Date: Mar. 29, 2010
US Registration Number: 3873131
Registration Date: Nov. 09, 2010
Register: Principal
Mark Type: Trademark
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Nov. 09, 2010
Publication Date: Aug. 24, 2010

Mark Information

Mark Literal Elements: INOVA BROADCASTER
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 3768283, 3768284

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: Computer software for creating and presenting real-time content on display screens
International Class(es): 009 - Primary Class
U.S Class(es): 021, 023, 026, 036, 038
Class Status: ACTIVE
Basis: 1(a)
First Use: Jul. 2004
Use in Commerce: Jul. 2004

Basis Information (Case Level)

Filed Use:	Yes	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	No	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: Inova Solutions, Inc.
Owner Address: 110 Avon Street
Charlottesville, VIRGINIA 22902
UNITED STATES
Legal Entity Type: CORPORATION
State or Country Where Organized: VIRGINIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas F. Bergert
Docket Number: 044305.0022
Attorney Primary Email tbergert@williamsmullen.com
Attorney Email No

Address: Authorized:

Correspondent

Correspondent Name/Address: THOMAS F. BERGERT
WILLIAMS MULLEN, C/O IP DOCKETING
222 CENTRAL PARK AVE STE 1700
VIRGINIA BEACH, VIRGINIA 23462-3035
UNITED STATES

Phone: (434) 951-5700 **Fax:** (434) 817-0977

Correspondent e-mail: tbergert@williamsmullen.com **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 09, 2010	REGISTERED-PRINCIPAL REGISTER	
Aug. 24, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 24, 2010	PUBLISHED FOR OPPOSITION	
Jul. 21, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Jul. 21, 2010	ASSIGNED TO LIE	68171
Jul. 02, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 02, 2010	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 02, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 02, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 02, 2010	EXAMINERS AMENDMENT -WRITTEN	73350
Jun. 28, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jun. 28, 2010	NON-FINAL ACTION E-MAILED	6325
Jun. 28, 2010	NON-FINAL ACTION WRITTEN	73350
Jun. 28, 2010	ASSIGNED TO EXAMINER	73350
Apr. 06, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 01, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Nov. 09, 2010

Int. Cls.: 9 and 42

Prior U.S. Cls.: 21, 23, 26, 36, 38, 100 and 101

Reg. No. 3,290,377

United States Patent and Trademark Office

Registered Sep. 11, 2007

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

TSBROADCASTER

STRATEGY & TECHNOLOGY LIMITED (UNITED KINGDOM CORPORATION)
11/12 GREAT SUTTON STREET
LONDON, UNITED KINGDOM EC1V 0BX

FOR: SOFTWARE FOR THE PROCESSING OF DIGITAL TELEVISION SIGNALS, NAMELY INTEGRATED SOFTWARE TO PERMIT AUTOMATIC GENERATION OF MPEG TRANSPORT STREAMS CONTAINING OBJECT CAROUSELS FOR INTERACTIVE DIGITAL TELEVISION; DATA CARRIERS, NAMELY MAGNETIC TAPES, MAGNETIC DISKS, OPTICAL DISKS AND SOLID-STATE DEVICES PRERECORDED WITH SOFTWARE FOR THE PROCESSING OF DIGITAL TELEVISION SIGNALS, NAMELY INTEGRATED SOFTWARE TO PERMIT AUTOMATIC GENERATION OF MPEG TRANSPORT STREAMS CONTAINING OBJECT CAROUSELS FOR INTERACTIVE TELEVISION FOR USE WITH INTERACTIVE TELEVISION, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: DESIGN OF TELEVISION INSTALLATIONS; DESIGN, DEVELOPMENT AND IMPLEMENTATION OF COMPUTER SOFTWARE, HARDWARE AND COMPUTER PROGRAMS FOR USE WITH TELEVISION APPARATUS; TECHNICAL CONSULTING SERVICES IN THE FIELD OF TELEVISION; COMPUTER SOFTWARE CONSULTATION; PREPARATION OF TECHNICAL REPORTS FOR OTHERS RELATED TO ALL OF THE FOREGOING, IN CLASS 42 (U.S. CLS. 100 AND 101).

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

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 004287231, FILED 2-14-2005, REG. NO. 004287231, DATED 2-14-2005, EXPIRES 2-14-2015.

SER. NO. 78-679,869, FILED 7-27-2005.

WENDY JUN, EXAMINING ATTORNEY

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Mark: TSBROADCASTER

TSBROADCASTER

US Serial Number: 78679869

Application Filing Date: Jul. 27, 2005

US Registration Number: 3290377

Registration Date: Sep. 11, 2007

Register: Principal

Mark Type: Trademark, Service Mark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Mar. 13, 2013

Publication Date: Mar. 06, 2007

Mark Information

Mark Literal Elements: TSBROADCASTER

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

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 004287231

Foreign Application Filing Date: Feb. 14, 2005

Foreign Registration Number: 004287231

Foreign Registration Date: Feb. 14, 2005

Foreign Application/Registration Country: EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM)

Foreign Expiration Date: Feb. 14, 2015

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: SOFTWARE FOR THE PROCESSING OF DIGITAL TELEVISION SIGNALS, NAMELY INTEGRATED SOFTWARE TO PERMIT AUTOMATIC GENERATION OF MPEG TRANSPORT STREAMS CONTAINING OBJECT CAROUSELS FOR INTERACTIVE DIGITAL TELEVISION; DATA CARRIERS, NAMELY MAGNETIC TAPES, MAGNETIC DISKS, OPTICAL DISKS AND SOLID-STATE DEVICES PRE-RECORDED WITH SOFTWARE FOR THE PROCESSING OF DIGITAL TELEVISION SIGNALS, NAMELY INTEGRATED SOFTWARE TO PERMIT AUTOMATIC GENERATION OF MPEG TRANSPORT STREAMS CONTAINING OBJECT CAROUSELS FOR INTERACTIVE TELEVISION FOR USE WITH INTERACTIVE TELEVISION

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 44(e)

For: DESIGN OF TELEVISION INSTALLATIONS; DESIGN, DEVELOPMENT AND IMPLEMENTATION OF COMPUTER SOFTWARE, HARDWARE AND COMPUTER PROGRAMS FOR USE WITH TELEVISION APPARATUS; TECHNICAL CONSULTING SERVICES IN THE FIELD OF TELEVISION; COMPUTER SOFTWARE CONSULTATION; PREPARATION OF TECHNICAL REPORTS FOR OTHERS RELATED TO ALL OF THE FOREGOING

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	No	**Amended Use:**	No
Filed ITU:	Yes	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	Yes	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	Yes	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		

Filed No Basis: No **Currently No Basis:** No

Current Owner(s) Information

Owner Name: Strategy & Technology Limited

Owner Address: 11/12 Great Sutton Street
London EC1V 0BX
UNITED KINGDOM

Legal Entity Type: CORPORATION **State or Country Where Organized:** UNITED KINGDOM

Attorney/Correspondence Information

Attorney of Record

Attorney Name: William M. Lee, Jr. **Docket Number:** 920277-99950

Attorney Primary Email Address: wlee@btlaw.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: WILLIAM M LEE JR
BARNES & THORNBURG LLP
PO BOX 2786
CHICAGO, ILLINOIS 60690-2786
UNITED STATES

Phone: 312-357-1313 **Fax:** 312-759-5646

Correspondent e-mail: wlee@btlaw.com **Correspondent e-mail Authorized:** No

Domestic Representative

Domestic Representative Name: William M. Lee, Jr. **Phone:** 312-357-1313

Fax: 312-759-5646

Domestic Representative e-mail: wlee@btlaw.com **Domestic Representative e-mail Authorized:** Yes

Prosecution History

Date	Description	Proceeding Number
Mar. 13, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - MAILED	
Mar. 13, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68502
Feb. 26, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	68502
Mar. 13, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68502
Feb. 26, 2013	PAPER RECEIVED	
Sep. 11, 2007	REGISTERED-PRINCIPAL REGISTER	
Aug. 06, 2007	1(B) BASIS DELETED; PROCEED TO REGISTRATION	70565
Jun. 25, 2007	NOTICE OF ALLOWANCE CANCELLED	70565
Jun. 25, 2007	PAPER RECEIVED	
May 29, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Mar. 06, 2007	PUBLISHED FOR OPPOSITION	
Feb. 14, 2007	NOTICE OF PUBLICATION	
Jan. 16, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
Jan. 16, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 20, 2006	AMENDMENT FROM APPLICANT ENTERED	77075
Dec. 20, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	77075
Dec. 20, 2006	ASSIGNED TO LIE	77075
Nov. 20, 2006	PAPER RECEIVED	
Sep. 15, 2006	FINAL REFUSAL E-MAILED	
Sep. 15, 2006	FINAL REFUSAL WRITTEN	81856
Aug. 28, 2006	AMENDMENT FROM APPLICANT ENTERED	77976
Aug. 21, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	77976

Aug. 21, 2006	PAPER RECEIVED	
Feb. 21, 2006	NON-FINAL ACTION E-MAILED	6325
Feb. 21, 2006	NON-FINAL ACTION WRITTEN	81856
Feb. 14, 2006	ASSIGNED TO EXAMINER	81856
Aug. 03, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 103 **Date in Location:** Mar. 13, 2013

United States of America

United States Patent and Trademark Office

SAM BROADCASTER

Reg. No. 3,845,077	TRITON MEDIA GROUP, LLC (CALIFORNIA LIMITED LIABILITY COMPANY) 15303 VENTURA BOULEVARD, SUITE 1500
Registered Sep. 7, 2010	SHERMAN OAKS, CA 91403
Int. Cl.: 9	FOR: DOWNLOADABLE COMPUTER SOFTWARE FOR STREAMING AUDIO FOR USE IN RADIO BROADCASTING, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).
TRADEMARK	FIRST USE 11-0-2002; IN COMMERCE 11-0-2002.
PRINCIPAL REGISTER	THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.
	SER. NO. 77-930,852, FILED 2-8-2010.
	PATRICIA EVANKO, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office

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Mark: SAM BROADCASTER

SAM BROADCASTER

US Serial Number: 77930852 **Application Filing Date:** Feb. 08, 2010

US Registration Number: 3845077 **Registration Date:** Sep. 07, 2010

Register: Principal

Mark Type: Trademark

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

Status Date: Sep. 07, 2010

Publication Date: Jun. 22, 2010

Mark Information

Mark Literal Elements: SAM BROADCASTER

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: downloadable computer software for streaming audio for use in radio broadcasting

International Class(es): 009 - Primary Class **U.S Class(es):** 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 2002 **Use in Commerce:** Nov. 2002

Basis Information (Case Level)

Filed Use:	Yes	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	No	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: TRITON MEDIA, LLC

Owner Address: 15303 VENTURA BLVD. SUITE 1500
SHERMAN OAKS, CALIFORNIA 91403
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Sharona Ghodsian, Esq.

Attorney Primary Email Address: sharona@candlaw.com **Attorney Email Authorized:** No

Correspondent

Correspondent Name/Address: SHARONA GHODSIAN, ESQ.
CITRON & DEUTSCH
10866 WILSHIRE BLVD STE 970

LOS ANGELES, CALIFORNIA 90024-4338
UNITED STATES

Phone: (310) 475-0321 **Fax:** (310) 475-1368

Correspondent e-mail: sharona@candlaw.com **Correspondent e-mail Authorized:** No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 10, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 03, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 25, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 07, 2014	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 30, 2013	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 19, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 07, 2010	REGISTERED-PRINCIPAL REGISTER	
Jun. 22, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 22, 2010	PUBLISHED FOR OPPOSITION	
May 17, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70468
May 17, 2010	ASSIGNED TO LIE	70468
May 06, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 06, 2010	EXAMINER'S AMENDMENT ENTERED	88888
May 06, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
May 06, 2010	EXAMINERS AMENDMENT E-MAILED	6328
May 06, 2010	EXAMINERS AMENDMENT -WRITTEN	68603
Apr. 29, 2010	ASSIGNED TO EXAMINER	68603
Feb. 17, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Feb. 11, 2010	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Sep. 07, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 7 **Registrant:** Triton Media Group, LLC

Assignment 1 of 7

Conveyance: CHANGE OF NAME

Reel/Frame: 4861/0258 **Pages:** 4

Date Recorded: Sep. 14, 2012

Supporting Documents: assignment-tm-4861-0258.pdf

Assignor

Name: TRITON MEDIA GROUP, LLC **Execution Date:** Aug. 01, 2011

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Assignee

Name: TRITON MEDIA, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Address: 15303 VENTURA BLVD. SUITE 1500
SHERMAN OAKS, CALIFORNIA 91403

Correspondent

Correspondent Name: SHARONA KATAN

Correspondent Address: 10866 WILSHIRE BOULEVARD, SUITE 970
LOS ANGELES, CA 90024

Domestic Representative - Not Found

Assignment 2 of 7

Conveyance: INTELLECTUAL PROPERTY SECURITY AGREEMENT

Reel/Frame: 5135/0858 **Pages:** 9

Date Recorded: Oct. 22, 2013

Supporting Documents: assignment-tm-5135-0858.pdf

Assignor

Name: TRITON MEDIA, LLC **Execution Date:** Oct. 22, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Assignee

Name: MACQUARIE SIERRA HOLDINGS INC.

Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Address: 125 WEST 55TH STREET
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found

Assignment 3 of 7

Conveyance: SECURITY INTEREST

Reel/Frame: 5150/0194 **Pages:** 7

Date Recorded: Nov. 06, 2013

Supporting Documents: assignment-tm-5150-0194.pdf

Assignor

Name: TRITON MEDIA, LLC **Execution Date:** Oct. 22, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Assignee

Name: WELLS FARGO BANK, NATIONAL ASSOCIATION

Legal Entity Type: NATIONAL BANK **State or Country Where Organized:** UNITED STATES

Address: 2030 MAIN STREET, SUITE 900
MAC:E2231-09A
IRVINE, CALIFORNIA 92614

Correspondent

Correspondent Name: CT LIEN SOLUTIONS

Correspondent Address: SUSAN O'BRIEN
SENIOR SERVICE TEAM MANAGER
187 WOLF ROAD, SUITE 101
ALBANY, NEW YORK 12205

Domestic Representative - Not Found

Assignment 4 of 7

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE RECEIVING PARTY NAME AND ATTACH THE CORRECTED INTELLECTUAL PROPERTY SECURITY AGREEMENT PREVIOUSLY RECORDED ON REEL 005135 FRAME 0858. ASSIGNOR(S) HEREBY CONFIRMS THE INTELLECTUAL PROPERTY SECURITY AGREEMENT.

Reel/Frame: 5269/0969 **Pages:** 11

Date Recorded: Apr. 23, 2014

Supporting Documents: assignment-tm-5269-0969.pdf

Assignor

Name: TRITON MEDIA, LLC **Execution Date:** Oct. 22, 2013

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Assignee

Name: MACQUARIE SIERRA INVESTMENT HOLDINGS INC.

Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Address: 125 WEST 55TH STREET
NEW YORK, NEW YORK 10019

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found

Assignment 5 of 7

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: 5461/0426 **Pages:** 7

Date Recorded: Feb. 17, 2015

Supporting Documents: assignment-tm-5461-0426.pdf

Assignor

Name: MACQUARIE SIERRA INVESTMENT HOLDINGS INC. **Execution Date:** Feb. 12, 2015

Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: TRITON MEDIA LLC

Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Address: 15303 VENTURA BLVD
SUITE 1500
SHERMAN OAKS, CALIFORNIA 91403

Correspondent

Correspondent Name: ROB SONESON

Correspondent Address: 300 N LASALLE
KIRKLAND & ELLIS LLP
CHICAGO, IL 60654

Domestic Representative - Not Found

Assignment 6 of 7

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: 5525/0261 **Pages:** 7

Date Recorded: May 29, 2015

Supporting Documents: assignment-tm-5525-0261.pdf

Assignor

Name: WELLS FARGO BANK, NATIONAL ASSOCIATION **Execution Date:** Feb. 12, 2015

Legal Entity Type: NATIONAL ASSOCIATION **State or Country Where Organized:** UNITED STATES

Assignee

Name: TRITON MEDIA, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Address: 15303 VENTURA BLVD., SUITE 1500
SHERMAN OAKS, CALIFORNIA 91403

Correspondent

Correspondent Name: RENEE PRESCAN

Correspondent Address: 300 NORTH LASALLE STREET
KIRKLAND & ELLIS LLP
CHICAGO, IL 60654

Domestic Representative - Not Found

Assignment 7 of 7

Conveyance: RELEASE

Reel/Frame: 5535/0263 **Pages:** 3

Date Recorded: Feb. 24, 2015

Supporting Documents: assignment-tm-5535-0263.pdf

Assignor

Name: WELLS FARGO BANK, NATIONAL ASSOCIATION **Execution Date:** May 14, 2015

Legal Entity Type: NATIONAL BANK **State or Country Where Organized:** UNITED STATES

Assignee			
Name:	TRITON MEDIA, LLC		
Legal Entity Type:	LIMITED LIABILITY COMPANY	**State or Country Where Organized:**	CALIFORNIA
Address:	15303 VENTURA BLVD, STE 150 SHERMAN OAKS, CALIFORNIA 91		

Correspondent	
Correspondent Name:	WELLS FARGO BANK, NA
Correspondent Address:	ATTN: DEBBIE ESCAMILLA 1700 LINCOLN STREET, 4TH FLOOR MAC #C3700-043 DENVER, CO 80203

Domestic Representative - Not Found

United States of America

United States Patent and Trademark Office

Reg. No. 3,795,458

Registered June 1, 2010

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

TAW~GLOBAL, LLC (MICHIGAN LIMITED LIABILITY COMPANY)
SUITE 211
8135 COX'S DR.
PORTAGE, MI 49002

FOR: RADIO TRANSMITTERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 4-1-2005; IN COMMERCE 4-1-2005.

THE MARK CONSISTS OF THE OUTLINE OF A CAR WITH THE WORDS "DRIVE-BY BROADCASTER".

SER. NO. 77-656,584, FILED 1-26-2009.

PAUL MORENO, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office

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Mark: DRIVE-BY BROADCASTER

US Serial Number:	77656584	**Application Filing Date:**	Jan. 26, 2009
US Registration Number:	3795458	**Registration Date:**	Jun. 01, 2010
Filed as TEAS Plus:	Yes	**Currently TEAS Plus:**	Yes
Register:	Principal		
Mark Type:	Trademark		
Status:	A Section 8 declaration has been accepted.		
Status Date:	Jun. 08, 2015		
Publication Date:	Mar. 16, 2010		

Mark Information

Mark Literal Elements:	DRIVE-BY BROADCASTER
Standard Character Claim:	No
Mark Drawing Type:	3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
Description of Mark:	The mark consists of the outline of a car with the words "Drive-By Broadcaster".
Color(s) Claimed:	Color is not claimed as a feature of the mark.
Design Search Code(s):	18.05.01 - Cabs, taxi; Cars (not emergency); Hearses; Limousines; Race cars; Taxicabs 27.01.04 - Letters forming objects; Numbers forming objects; Objects composed of letters or numerals; Punctuation forming objects

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:	Radio transmitters		
International Class(es):	009 - Primary Class	**U.S Class(es):**	021, 023, 026, 036, 038
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Apr. 01, 2005	**Use in Commerce:**	Apr. 01, 2005

Basis Information (Case Level)

Filed Use:	Yes	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	No	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name:	TAW~Global, LLC		
Owner Address:	Suite 208 Portage, MICHIGAN 49002 UNITED STATES		
Legal Entity Type:	LIMITED LIABILITY COMPANY	**State or Country Where Organized:**	MICHIGAN

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: TAW~Global, LLC
Suite 208
PORTAGE, MICHIGAN 49002
UNITED STATES

Phone: 877-203-5852 **Fax:** 877 606-4072

Correspondent e-mail: sales@tawglobal.com tom.webb@tawglobal.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jun. 08, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 - E-MAILED	
Jun. 08, 2015	REGISTERED - SEC. 8 (6-YR) ACCEPTED	66607
Jun. 08, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Jun. 03, 2015	TEAS SECTION 8 RECEIVED	
Jun. 03, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 01, 2015	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Jun. 01, 2010	REGISTERED-PRINCIPAL REGISTER	
Mar. 16, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 16, 2010	PUBLISHED FOR OPPOSITION	
Feb. 05, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Feb. 04, 2010	ASSIGNED TO LIE	67215
Jan. 13, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 07, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Dec. 07, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Dec. 07, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 07, 2009	PETITION TO REVIVE-GRANTED	88889
Dec. 07, 2009	TEAS PETITION TO REVIVE RECEIVED	
Nov. 10, 2009	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Nov. 10, 2009	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Apr. 14, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 14, 2009	NON-FINAL ACTION E-MAILED	6325
Apr. 14, 2009	NON-FINAL ACTION WRITTEN	83190
Apr. 06, 2009	ASSIGNED TO EXAMINER	83190
Jan. 30, 2009	NOTICE OF DESIGN SEARCH CODE MAILED	
Jan. 29, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 103 **Date in Location:** Jun. 08, 2015

United States of America

United States Patent and Trademark Office

Broadcast1Source

Reg. No. 3,780,057	LITERA CORPORATION (NORTH CAROLINA CORPORATION)
Registered Apr. 27, 2010	5000 CROSSMILL ROAD MCLEANSVILLE, NC 27301
Int. Cl.: 9	FOR: COMPUTER SOFTWARE FOR BROADCASTERS TO COMPLY WITH FCC LICENSE REQUIREMENTS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).
TRADEMARK	FIRST USE 8-1-2008; IN COMMERCE 11-12-2008.
PRINCIPAL REGISTER	THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.
	SER. NO. 77-658,599, FILED 1-28-2009.
	LINDA ESTRADA, EXAMINING ATTORNEY

David J. Kappos

Director of the United States Patent and Trademark Office

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Mark: BROADCAST1SOURCE

Broadcast1Source

US Serial Number: 77658599

Application Filing Date: Jan. 28, 2009

US Registration Number: 3780057

Registration Date: Apr. 27, 2010

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

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

Status Date: Apr. 27, 2010

Publication Date: Feb. 09, 2010

Mark Information

Mark Literal Elements: BROADCAST1SOURCE

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: Computer software for broadcasters to comply with FCC license requirements

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2008

Use in Commerce: Nov. 12, 2008

Basis Information (Case Level)

Filed Use:	Yes	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	No	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: LITERA CORPORATION

Owner Address: 5000 CROSSMILL ROAD
MCLEANSVILLE, NORTH CAROLINA 27301
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NORTH CAROLINA

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: MASSAND, DEEPAK
MASSAND, DEEPAK
5000 CROSSMILL RD
MC LEANSVILLE, NORTH CAROLINA 27301-9710
UNITED STATES

Phone:	336-375-2991	Fax:	336-375-2921
Correspondent e-mail:	dmassand@litera.com	Correspondent e-mail Authorized:	No

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 27, 2010	REGISTERED-PRINCIPAL REGISTER	
Feb. 09, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Feb. 09, 2010	PUBLISHED FOR OPPOSITION	
Jan. 05, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	67287
Dec. 24, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 14, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	67287
Dec. 14, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	67287
Dec. 09, 2009	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 06, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 06, 2009	PETITION TO REVIVE-GRANTED	88889
Dec. 06, 2009	TEAS PETITION TO REVIVE RECEIVED	
Nov. 18, 2009	ABANDONMENT NOTICE MAILED - FAILURE TO RESPOND	
Nov. 17, 2009	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Apr. 11, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 11, 2009	NON-FINAL ACTION E-MAILED	6325
Apr. 11, 2009	NON-FINAL ACTION WRITTEN	76795
Apr. 11, 2009	ASSIGNED TO EXAMINER	76795
Feb. 17, 2009	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	67287
Feb. 17, 2009	ASSIGNED TO LIE	67287
Feb. 13, 2009	TEAS VOLUNTARY AMENDMENT RECEIVED	
Feb. 03, 2009	NOTICE OF PSEUDO MARK MAILED	
Feb. 02, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 31, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	PUBLICATION AND ISSUE SECTION	Date in Location:	Apr. 27, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments:	1	Registrant:	LITERA CORPORATION

Assignment 1 of 1

Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	4108/0769	Pages:	3
Date Recorded:	Dec. 06, 2009		
Supporting Documents:	assignment-tm-4108-0769.pdf		

Assignor

Name:	MASSAND, DEEPAK	Execution Date:	Dec. 03, 2009
Legal Entity Type:	INDIVIDUAL	Citizenship:	UNITED STATES

Assignee

Name:	LITERA CORPORATION		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	NORTH CAROLINA

Address:	5000 CROSSMILL ROAD MCLEANSVILLE, NORTH CAROLINA 27301

Correspondent

Correspondent Name:	CARLOS R. VILLAMAR
Correspondent Address:	7918 JONES BRANCH DRIVE, SUITE 500 MCLEAN, VA 22102

Domestic Representative - Not Found

Int. Cls.: 9, 16, 35, 38, and 41

Prior U.S. Cls.: 2, 5, 21, 22, 23, 26, 29, 36, 37, 38, 50, 100, 101, 102, 104, and 107

Reg. No. 3,623,695

United States Patent and Trademark Office **Registered May 19, 2009**

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER

BROADCAST YOUR BEST

FABER COMMUNICATIONS, LLC (COLORADO LIMITED LIABILITY COMPANY)
6180 NORTH WILDER COURT
PARKER, CO 80134

FOR: PRERECORDED ELECTRONIC MEDIA, NAMELY, AUDIO AND VIDEO CASSETTES, CDS AND DVDS ALL FEATURING INFORMATION ON BUSINESS, COMMUNICATION, COMMERCIAL SKILLS, COURAGE, FINANCES, LEADERSHIP, MANAGEMENT, MARKETING, MOTIVATION, NEGOTIATION AND SALES TRAINING, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 10-23-2007; IN COMMERCE 10-23-2007.

FOR: PAPER AND PRINTED MATTER, NAMELY, A SERIES OF ARTICLES FOR PUBLICATION IN BOOKLETS, BROCHURES, CATALOGS, GUIDES, HANDOUTS, MAGAZINES, MANUALS AND NEWSLETTERS ALL FEATURING INFORMATION ON BUSINESS, COMMUNICATION, COMMERCIAL SKILLS, COURAGE, FINANCES, LEADERSHIP, MANAGEMENT, MARKETING, MOTIVATION, NEGOTIATION AND SALES TRAINING; FLASH CARDS; PAPERWEIGHTS, PHOTOGRAPHS MOUNTED AND UNMOUNTED; POSTERS; POSTCARDS; PRINTED GREETING CARDS; PRINTED EDUCATIONAL, INSTRUCTIONAL AND TEACHING MATERIALS ALL FEATURING INFORMATION ON BUSINESS, COMMUNICATION, COMMERCIAL SKILLS, COURAGE, FINANCES, LEADERSHIP, MANAGEMENT, MARKETING, MOTIVATION, NEGOTIATION AND SALES TRAINING; SERIES OF NON-FICTION BOOKS ALL FEATURING INFORMATION ON BUSINESS, COMMUNICATION, COMMERCIAL SKILLS, COURAGE, FINANCES, LEADERSHIP, MANAGEMENT, MARKETING, MOTIVATION, NEGOTIATION AND SALES TRAINING; FOLDERS, PENS, PENCILS, STICKERS AND WRITING PADS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 10-23-2007; IN COMMERCE 10-23-2007.

FOR: ARRANGING AND CONDUCTING BUSINESS CONFERENCES AND PROMOTIONAL MARKETING EVENT PLANNING; BUSINESS MARKETING AND MANAGEMENT CONSULTING SERVICES; BUSINESS MARKETING AND MANAGEMENT COACHING SERVICES; PROVIDING INFORMATION SERVICES VIA A GLOBAL COMPUTER NETWORK FEATURING INFORMATION ON BUSINESS COMMUNICATION, SALES AND COMMERCIAL NEGOTIATION SKILLS, BUSINESS LEADERSHIP, BUSINESS MANAGEMENT, MARKETING, SALES MOTIVATION, NEGOTIATION, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-23-2007; IN COMMERCE 10-23-2007.

FOR: TELECOMMUNICATIONS SERVICES, NAMELY, ELECTRONIC, ELECTRIC AND DIGITAL TRANSMISSION OF VOICE, DATA, IMAGES, SOUND, SIGNAL AND MESSAGES; ELECTRONIC TRANSMISSION OF BOOKS, E-ZINES AND NEWSLETTERS VIA A GLOBAL COMPUTER NETWORK; TRANSMISSION OF INFORMATION BY ELECTRONIC COMMUNICATIONS NETWORKS; VIDEO AND AUDIO TELECONFERENCING SERVICES VIA THE INTERNET; INTERNET COMMUNICATION SERVICES, NAMELY, PODCASTING, BROADCASTING AND WEBCASTING SERVICES ALL FEATURING INFORMATION ON BUSINESS, COMMUNICATION, COMMERCIAL SKILLS, COURAGE, FINANCES, LEADERSHIP, MANAGEMENT, MARKETING, MOTIVATION, NEGOTIATION AND SALES TRAINING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 10-23-2007; IN COMMERCE 10-23-2007.

FOR: EDUCATIONAL AND INSTRUCTIONAL SERVICES, NAMELY, CONDUCTING EDUCATIONAL CLASSES, CONFERENCES, RETREATS, SEMINARS AND WORKSHOPS ALL FEATURING INFORMATION ON BUSINESS, COMMUNICATION, COMMERCIAL SKILLS, COURAGE, FINANCES, LEADERSHIP, MANAGEMENT, MARKETING, MOTIVATION, NEGOTIATION AND SALES TRAINING, AND DISTRIBUTING INSTRUCTIONAL MATERIALS IN CONNECTION THEREWITH; ENTERTAINMENT SERVICES, NAMELY, LIVE SPEAKING PERFORMANCES AND SPEAKING ENGAGEMENTS ALL FEATURING INFORMATION ON BUSINESS, COMMUNICATION, COMMERCIAL SKILLS, COURAGE, FINANCES, LEADERSHIP, MANAGEMENT, MARKETING, MOTIVATION, NEGOTIATION AND SALES TRAINING; PROVIDING INFORMATION SERVICES VIA A GLOBAL COMPUTER NETWORK FEATURING INFORMATION ON SALES TRAINING, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 10-23-2007; IN COMMERCE 10-23-2007.

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

SN 77-242,786, FILED 7-31-2007.

HOWARD B. LEVINE, EXAMINING ATTORNEY

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Mark: BROADCAST YOUR BEST

BROADCAST YOUR BEST

US Serial Number: 77242786 **Application Filing Date:** Jul. 31, 2007

US Registration Number: 3623695 **Registration Date:** May 19, 2009

Register: Principal

Mark Type: Trademark, Service Mark

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

Status Date: May 19, 2009

Publication Date: Jun. 17, 2008 **Notice of Allowance Date:** Sep. 09, 2008

Mark Information

Mark Literal Elements: BROADCAST YOUR BEST

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: prerecorded electronic media, namely, audio and video cassettes, CDs and DVDs all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training

International Class(es): 009 - Primary Class **U.S Class(es):** 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 23, 2007 **Use in Commerce:** Oct. 23, 2007

For: paper and printed matter, namely, a series of articles for publication in booklets, brochures, catalogs, guides, handouts, magazines, manuals and newsletters all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training; flash cards; paperweights, photographs mounted and unmounted; posters; postcards; printed greeting cards; printed educational, instructional and teaching materials all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training; series of non-fiction books all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training; folders, pens, pencils, stickers and writing pads

International Class(es): 016 - Primary Class **U.S Class(es):** 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 23, 2007 **Use in Commerce:** Oct. 23, 2007

For: arranging and conducting business conferences and promotional marketing event planning; business marketing and management consulting services; business marketing and management coaching services; providing information services via a global computer network featuring information on business communication, sales and commercial negotiation skills, business leadership, business management, marketing, sales motivation, negotiation

International Class(es): 035 - Primary Class **U.S Class(es):** 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 23, 2007 **Use in Commerce:** Oct. 23, 2007

For: telecommunications services, namely, electronic, electric and digital transmission of voice, data, images, sound, signal and messages; electronic transmission of books, e-zines and newsletters via a global computer network; transmission of information by electronic communications networks; video and audio teleconferencing services via the internet; internet communication services, namely, podcasting, broadcasting and webcasting services all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training

International Class(es): 038 - Primary Class **U.S Class(es):** 100, 101, 104

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 23, 2007 **Use in Commerce:** Oct. 23, 2007

For: educational and instructional services, namely, conducting educational classes, conferences, retreats, seminars and workshops all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training, and distributing instructional materials in connection therewith; entertainment services, namely, live speaking performances and speaking engagements all featuring information on business, communication, commercial skills, courage, finances, leadership, management, marketing, motivation, negotiation and sales training; providing information services via a global computer network featuring information on sales training

International Class(es): 041 - Primary Class **U.S Class(es):** 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 23, 2007 **Use in Commerce:** Oct. 23, 2007

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	Yes	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: FABER COMMUNICATIONS, LLC

Owner Address: 6180 NORTH WILDER COURT
PARKER, COLORADO 80134
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** COLORADO

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Andrew A. Gonzalez, Esq.

Correspondent

Correspondent Name/Address: Andrew A. Gonzalez, Esq.
Gonzalez Oberlander & Holohan, LLP
841 Broadway
Suite #500
New York, NEW YORK 10003
UNITED STATES

Phone: [212] 587-7977 **Fax:** [212] 587-7955

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 30, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 30, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 08, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 08, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 19, 2009	REGISTERED-PRINCIPAL REGISTER	
Apr. 10, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED	76537
Apr. 09, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 23, 2009	STATEMENT OF USE PROCESSING COMPLETE	61813
Mar. 04, 2009	USE AMENDMENT FILED	61813
Mar. 20, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Mar. 04, 2009	TEAS STATEMENT OF USE RECEIVED	
Nov. 09, 2008	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 09, 2008	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	

Sep. 09, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jun. 17, 2008	PUBLISHED FOR OPPOSITION	
May 28, 2008	NOTICE OF PUBLICATION	
May 16, 2008	EXAMINERS AMENDMENT MAILED	
May 15, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	76537
May 15, 2008	ASSIGNED TO LIE	76537
May 15, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 15, 2008	EXAMINER'S AMENDMENT ENTERED	88888
May 15, 2008	EXAMINER'S AMENDMENT ENTERED	88888
May 15, 2008	EXAMINERS AMENDMENT -WRITTEN	68792
Apr. 22, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 22, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 22, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 06, 2007	NON-FINAL ACTION MAILED	
Nov. 06, 2007	NON-FINAL ACTION WRITTEN	68792
Nov. 06, 2007	ASSIGNED TO EXAMINER	68792
Aug. 03, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Apr. 10, 2009

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36, and 38

United States Patent and Trademark Office

Reg. No. 3,534,477

Registered Nov. 18, 2008

TRADEMARK
PRINCIPAL REGISTER

BROADCASTERSEDGE

SPORTSTECH, LLC (MARYLAND LIMITED LIABILITY COMPANY)
10511 SUMMIT AVENUE
KENSINGTON, MD 20895

FOR: COMPUTER DATABASE MANAGEMENT SOFTWARE FOR THE COLLECTION, COMPILATION, ORGANIZATION, REPORTING, DISPLAY, TRANSMISSION, STORAGE AND SHARING OF COLLEGE AND PROFESSIONAL SPORTS INFORMATION, DATA AND STATISTICS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 6-15-2007; IN COMMERCE 6-15-2007.

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

SN 76-680,566, FILED 8-10-2007.

FLORENTINA BLANDU, EXAMINING ATTORNEY

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Mark: BROADCASTERSEDGE

BROADCASTERSEDGE

US Serial Number:	76680566	**Application Filing Date:**	Aug. 10, 2007
US Registration Number:	3534477	**Registration Date:**	Nov. 18, 2008
Register:	Principal		
Mark Type:	Trademark		
Status:	A Sections 8 and 15 combined declaration has been accepted and acknowledged.		
Status Date:	Dec. 03, 2014		
Publication Date:	Feb. 12, 2008	**Notice of Allowance Date:**	May 06, 2008

Mark Information

Mark Literal Elements: BROADCASTERSEDGE

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: Computer database management software for the collection, compilation, organization, reporting, display, transmission, storage and sharing of college and professional sports information, data and statistics

International Class(es): 009 - Primary Class **U.S Class(es):** 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 15, 2007 **Use in Commerce:** Jun. 15, 2007

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	Yes	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: Sportstech, LLC

Owner Address: 10511 Summit Avenue
Kensington, MARYLAND 20895
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** MARYLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Brian L. Alpert

Attorney Primary Email Address: bla@sftlaw.com **Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Brian L. Alpert
Silver, Freedman, Taff & Tiernan LLP

Suite 100
3299 K Street, NW
Washington, DISTRICT OF COLUMBIA 20007-4444
UNITED STATES

Phone: (202) 295-4522 **Fax:** (202) 337-5502

Correspondent e-mail: bla@sftlaw.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 03, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 03, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Dec. 03, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Nov. 13, 2014	TEAS SECTION 8 & 15 RECEIVED	
Nov. 18, 2008	REGISTERED-PRINCIPAL REGISTER	
Oct. 16, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	78288
Oct. 16, 2008	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 04, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Oct. 03, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Oct. 03, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 22, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Sep. 22, 2008	NON-FINAL ACTION E-MAILED	
Sep. 22, 2008	SU - NON-FINAL ACTION - WRITTEN	73360
Jul. 25, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	78288
Jul. 25, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	78288
Jul. 24, 2008	ASSIGNED TO LIE	78288
Jul. 21, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 14, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
Jul. 14, 2008	NON-FINAL ACTION E-MAILED	
Jul. 14, 2008	SU - NON-FINAL ACTION - WRITTEN	73360
May 27, 2008	STATEMENT OF USE PROCESSING COMPLETE	66530
May 12, 2008	USE AMENDMENT FILED	66530
May 12, 2008	PAPER RECEIVED	
May 08, 2008	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 08, 2008	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 06, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 12, 2008	PUBLISHED FOR OPPOSITION	
Jan. 23, 2008	NOTICE OF PUBLICATION	
Jan. 05, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	71373
Jan. 05, 2008	ASSIGNED TO LIE	71373
Nov. 19, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 19, 2007	ASSIGNED TO EXAMINER	73360
Aug. 23, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 21, 2007	APPLICATION FILING RECEIPT MAILED	
Aug. 17, 2007	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 117 **Date in Location:** Dec. 03, 2014

Int. Cls.: 8 and 9

Prior U.S. Cls.: 21, 23, 26, 28, 36, 38, and 44

Reg. No. 2,445,055

United States Patent and Trademark Office

Registered Apr. 17, 2001

TRADEMARK

PRINCIPAL REGISTER

BROADCASTREADY

CONNECTOOL INC. (CALIFORNIA CORPORATION)
10446 LAKERIDGE PARKWAY
ASHLAND, VA 230058124

FOR: KIT CONTAINING MANUALLY OPERABLE TOOLS FOR USE IN THE FIELD OF AUDIO AND VIDEO BROADCAST CONNECTOR INSTALLATION, NAMELY, CRIMPING TOOL, COAXIAL CABLE STRIPPING TOOL, AND COAXIAL CUTTER, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 4-4-2000; IN COMMERCE 4-4-2000.

FOR: COAXIAL CABLE CONTINUITY TESTER, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 4-4-2000; IN COMMERCE 4-4-2000.

SN 75-693,049, FILED 4-28-1999.

DAVID H. STINE, EXAMINING ATTORNEY

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Mark: BROADCASTREADY

US Serial Number:	75693049	**Application Filing Date:**	Apr. 28, 1999
US Registration Number:	2445055	**Registration Date:**	Apr. 17, 2001
Register:	Principal		
Mark Type:	Trademark		
Status:	The registration has been renewed.		
Status Date:	Dec. 08, 2010		
Publication Date:	Aug. 01, 2000	**Notice of Allowance Date:**	Oct. 24, 2000

Mark Information

Mark Literal Elements: BROADCASTREADY

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

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: KIT CONTAINING MANUALLY OPERABLE TOOLS FOR USE IN THE FIELD OF AUDIO AND VIDEO BROADCAST CONNECTOR INSTALLATION, NAMELY, CRIMPING TOOL, COAXIAL CABLE STRIPPING TOOL, AND COAXIAL CUTTER

International Class(es):	008 - Primary Class	**U.S Class(es):**	023, 028, 044
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Apr. 04, 2000	**Use in Commerce:**	Apr. 04, 2000

For: COAXIAL CABLE CONTINUITY TESTER

International Class(es):	009 - Primary Class	**U.S Class(es):**	021, 023, 026, 036, 038
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Apr. 04, 2000	**Use in Commerce:**	Apr. 04, 2000

Basis Information (Case Level)

Filed Use:	No	**Currently Use:**	Yes	**Amended Use:**	No
Filed ITU:	Yes	**Currently ITU:**	No	**Amended ITU:**	No
Filed 44D:	No	**Currently 44D:**	No	**Amended 44D:**	No
Filed 44E:	No	**Currently 44E:**	No	**Amended 44E:**	No
Filed 66A:	No	**Currently 66A:**	No		
Filed No Basis:	No	**Currently No Basis:**	No		

Current Owner(s) Information

Owner Name: GREENLEE TEXTRON INC.

Owner Address: 4455 BOEING DRIVE
ROCKFORD, ILLINOIS 61109
UNITED STATES

Legal Entity Type:	CORPORATION	State or Country Where Organized:	DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name:	Joseph M. Lafata	Docket Number:	3191G-200014
Attorney Primary Email Address:	docketingTM@hdp.com	Attorney Email Authorized:	Yes

Correspondent

Correspondent Name/Address:	Joseph M. Lafata Harness, Dickey & Pierce PLC 5445 Corporate Drive, Suite 200 Troy, MICHIGAN 48098 UNITED STATES		
Phone:	248-641-1600	Fax:	248-641-0270
Correspondent e-mail:	docketingTM@hdp.com	Correspondent e-mail Authorized:	Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 22, 2012	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 22, 2012	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Mar. 02, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 23, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Feb. 07, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Dec. 08, 2010	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67723
Dec. 08, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 07, 2010	TEAS SECTION 8 & 9 RECEIVED	
Oct. 29, 2008	REVIEW OF CORRESPONDENCE COMPLETE	71427
Sep. 02, 2008	PAPER RECEIVED	
Aug. 06, 2008	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 05, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Apr. 30, 2007	ASSIGNED TO PARALEGAL	67723
Mar. 29, 2007	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Mar. 29, 2007	TEAS SECTION 8 & 15 RECEIVED	
Nov. 14, 2006	CASE FILE IN TICRS	
Nov. 23, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 17, 2001	REGISTERED-PRINCIPAL REGISTER	
Jan. 23, 2001	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jan. 17, 2001	ASSIGNED TO EXAMINER	62520
Jan. 16, 2001	STATEMENT OF USE PROCESSING COMPLETE	
Oct. 27, 2000	USE AMENDMENT FILED	
Oct. 24, 2000	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 01, 2000	PUBLISHED FOR OPPOSITION	
Jun. 30, 2000	NOTICE OF PUBLICATION	
May 09, 2000	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 03, 2000	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Sep. 13, 1999	NON-FINAL ACTION MAILED	
Sep. 01, 1999	ASSIGNED TO EXAMINER	62520
Aug. 31, 1999	ASSIGNED TO EXAMINER	76583

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Apr. 17, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	GENERIC WEB UPDATE	Date in Location:	Dec. 08, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments:	4	Registrant:	CONNECTOOL INC.

Assignment 1 of 4

Conveyance:	MERGER EFFECTIVE 12/31/2002		
Reel/Frame:	4464/0020	Pages:	18
Date Recorded:	Jan. 31, 2011		
Supporting Documents:	assignment-tm-4464-0020.pdf		

Assignor

Name:	CONNECTOOL OF VIRGINIA INC.	Execution Date:	Dec. 12, 2002
Legal Entity Type:	CORPORATION	State or Country Where Organized:	VIRGINIA

Assignee

Name:	CONNECTOOL INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	CALIFORNIA
Address:	10446 LAKERIDGE PARKWAY ASHLAND, VIRGINIA 23005		

Correspondent

Correspondent Name:	CLARK HILL PLC
Correspondent Address:	150 N. MICHIGAN AVE. SUITE 2700 CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance:	CORRECTIVE ASSIGNMENT TO CORRECT THE INFORMATION PROVIDED FOR THE ASSIGNOR AND ASSIGNEE IN THE MERGER RECORDED ON JANUARY 31, 2011 PREVIOUSLY RECORDED ON REEL 004464 FRAME 0020. ASSIGNOR(S) HEREBY CONFIRMS THE MERGER.		
Reel/Frame:	4481/0754	Pages:	18
Date Recorded:	Feb. 17, 2011		
Supporting Documents:	assignment-tm-4481-0754.pdf		

Assignor

Name:	CONNECTOOL INC.	Execution Date:	Dec. 12, 2002
Legal Entity Type:	CORPORATION	State or Country Where Organized:	CALIFORNIA

Assignee

Name:	CONNECTOOL OF VIRGINIA INC.		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	VIRGINIA
Address:	10446 LAKERIDGE PARKWAY ASHLAND, VIRGINIA 23005		

Correspondent

Correspondent Name:	CLARK HILL PLC
Correspondent Address:	150 N. MICHIGAN AVE. SUITE 2700 CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 3 of 4

Conveyance:	ATRICLES OF AMENDMENT

Reel/Frame:	4481/0889	**Pages:**	4
Date Recorded:	Feb. 17, 2011		
Supporting Documents:	assignment-tm-4481-0889.pdf		

Assignor

Name:	CONNECTOOL OF VIRGINIA INC.	**Execution Date:**	Jan. 31, 2003
Legal Entity Type:	CORPORATION	**State or Country Where Organized:**	VIRGINIA

Assignee

Name:	CONNECTOOL INC.		
Legal Entity Type:	CORPORATION	**State or Country Where Organized:**	VIRGINIA
Address:	10446 LAKERIDGE PARKWAY ASHLAND, VIRGINIA 23005		

Correspondent

Correspondent Name:	CLARK HILL PLC
Correspondent Address:	150 N. MICHIGAN AVE. SUITE 2700 CHICAGO, IL 60601

Domestic Representative - Not Found

Assignment 4 of 4

Conveyance:	ASSIGNS THE ENTIRE INTEREST		
Reel/Frame:	3827/0420	**Pages:**	5
Date Recorded:	Aug. 01, 2008		
Supporting Documents:	assignment-tm-3827-0420.pdf		

Assignor

Name:	CONNECTOOL INC.	**Execution Date:**	Dec. 17, 2007
Legal Entity Type:	CORPORATION	**State or Country Where Organized:**	VIRGINIA

Assignee

Name:	GREENLEE TEXTRON INC.		
Legal Entity Type:	CORPORATION	**State or Country Where Organized:**	DELAWARE
Address:	4455 BOEING DRIVE ROCKFORD, ILLINOIS 61109		

Correspondent

Correspondent Name:	TREXLER, BUSHNELL, GIANGIORGI, BLACKSTON
Correspondent Address:	105 WEST ADAMS STREET SUITE 3600 CHICAGO, IL 60603

Domestic Representative - Not Found