

## Request for Reconsideration after Final Action

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	86335329
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 115
<b>MARK SECTION</b>	
<b>MARK</b>	http://tmng-al.uspto.gov/resting2/api/img/86335329/large
<b>LITERAL ELEMENT</b>	SWIPE
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>ARGUMENT(S)</b>	
Applicant's substantive arguments are submitted by .pdf ("ROA2_86335329.pdf")	
<b>EVIDENCE SECTION</b>	
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<b>DESCRIPTION OF EVIDENCE FILE</b>	Applicant's substantive response; Definitions of "swipe"; third party registrations; information about Registrant's mark
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>DESCRIPTION</b>	
Wearable multifunctional smartphone compatible personal electronic device, not or medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games; Activity tracking device, namely, pedometers	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 05/07/2014

<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 05/07/2014
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>TRACKED TEXT DESCRIPTION</b>	
<p><del>Wearable multifunctional smartphone compatible personal electronic device, not or medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games;</del> <u>Wearable multifunctional smartphone compatible personal electronic device, not for medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games;</u> Activity tracking device, namely, pedometers</p>	
<b>FINAL DESCRIPTION</b>	
<p>Wearable multifunctional smartphone compatible personal electronic device, not for medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games; Activity tracking device, namely, pedometers</p>	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 05/07/2014
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 05/07/2014
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/g mathew lombard/
<b>SIGNATORY'S NAME</b>	G. Mathew Lombard
<b>SIGNATORY'S POSITION</b>	Attorney for Applicant, NYS Bar Member
<b>SIGNATORY'S PHONE NUMBER</b>	917.779.9967

<b>DATE SIGNED</b>	11/17/2015
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Nov 17 18:43:35 EST 2015
<b>TEAS STAMP</b>	USPTO/RFR-24.218.204.73-2 0151117184335645319-86335 329-5403e434ee4b65615fab8 98a46904bea6e11a6ef86e253 5fb8797ac7e165f60b0-N/A-N /A-20151117183812625358

PTO Form 1960 (Rev 9/2007)  
OMB No. 0651-0050 (Exp. 07/31/2017)

## Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **86335329** SWIPE(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86335329/large>) has been amended as follows:

### ARGUMENT(S)

**In response to the substantive refusal(s), please note the following:**

Applicant's substantive arguments are submitted by .pdf ("ROA2\_86335329.pdf")

### EVIDENCE

Evidence in the nature of Applicant's substantive response; Definitions of "swipe"; third party registrations; information about Registrant's mark has been attached.

**Original PDF file:**

[evi\\_2421820473-20151117183812625358 . ROA2\\_86335329.pdf](#)

**Converted PDF file(s)** ( 14 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

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[Evidence-9](#)  
[Evidence-10](#)  
[Evidence-11](#)  
[Evidence-12](#)  
[Evidence-13](#)  
[Evidence-14](#)

**Original PDF file:**

[evi\\_2421820473-20151117183812625358\\_.ROA2.ExA.pdf](#)

**Converted PDF file(s) ( 23 pages)**

[Evidence-1](#)  
[Evidence-2](#)  
[Evidence-3](#)  
[Evidence-4](#)  
[Evidence-5](#)  
[Evidence-6](#)  
[Evidence-7](#)  
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[Evidence-21](#)  
[Evidence-22](#)  
[Evidence-23](#)

**Original PDF file:**

[evi\\_2421820473-20151117183812625358\\_.ROA2.ExB.Part1.pdf](#)

**Converted PDF file(s) ( 75 pages)**

[Evidence-1](#)  
[Evidence-2](#)  
[Evidence-3](#)  
[Evidence-4](#)  
[Evidence-5](#)  
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**Original PDF file:**

[evi\\_2421820473-20151117183812625358\\_.ROA2\\_ExB\\_Part2.pdf](#)

**Converted PDF file(s) ( 84 pages)**

[Evidence-1](#)

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[Evidence-3](#)

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[Evidence-7](#)

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[Evidence-83](#)

[Evidence-84](#)

## **CLASSIFICATION AND LISTING OF GOODS/SERVICES**

### **Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 009 for Wearable multifunctional smartphone compatible personal electronic device, not or medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games; Activity tracking device, namely, pedometers

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 05/07/2014 and first used in commerce at least as early as 05/07/2014, and is now in use in such commerce.

### **Proposed:**

**Tracked Text Description:** ~~Wearable multifunctional smartphone compatible personal electronic device, not or medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games;~~ Wearable multifunctional smartphone compatible personal electronic device, not for medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games; Activity tracking device, namely, pedometers

Class 009 for Wearable multifunctional smartphone compatible personal electronic device, not for medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by

metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and documents and for playing electronic video games; Activity tracking device, namely, pedometers

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 05/07/2014 and first used in commerce at least as early as 05/07/2014 , and is now in use in such commerce.

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /g mathew lombard/ Date: 11/17/2015

Signatory's Name: G. Mathew Lombard

Signatory's Position: Attorney for Applicant, NYS Bar Member

Signatory's Phone Number: 917.779.9967

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 86335329

Internet Transmission Date: Tue Nov 17 18:43:35 EST 2015

TEAS Stamp: USPTO/RFR-24.218.204.73-2015111718433564

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904bea6e11a6ef86e2535fb8797ac7e165f60b0-

N/A-N/A-20151117183812625358

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Cambridge Overseas Development Inc.	
Serial No.:	86335329	Marc J. Leipzig Examining Attorney Law Office 115
Filed:	July 11, 2014	
Mark:	<b>SWIPE</b>	
Our Ref:	121.0536	

**RESPONSE TO OFFICE ACTION**

Box RESPONSES

**NO FEE**

Commissioner for Trademarks

P.O. Box 1451

Alexandria, Virginia 22313-1451

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This responds to the Office Action dated May 17, 2015.

Applicant notes with appreciation that the Examining Attorney has withdrawn his § 2(d) refusals with regard to Registration Nos. 3425685, 3989492, 4465926, 4015718 and 3670554.

Applicant also notes that the Examining Attorney has maintained – and made final – his his § 2(d) refusal with regard to Registration No. 4465926.

Lastly, Applicant notes there remains a minor outstanding issue regarding the identification of goods.

**Identification of Goods**

In response to the Examining Attorney's objection, Applicant amends the identification of goods as follows:

*Wearable multifunctional smartphone compatible personal electronic device, not for medical use, comprised primarily of software and display screens in the form of bracelets and arm bands, for measuring and displaying data relating to the wearer, namely, distances traveled, number of steps taken, metabolic rate, calories burned, altitude, number of hours slept, and quality of sleep as determined by metabolic rates during sleep, for receiving and sending text messages and phone calls, for notification of text messages and calendar appointments, for transmitting electronic documents, and for manipulating text and image files, for recording messages, for transmitting tracked activity data and*

*documents and for playing electronic video games; Activity tracking device, namely, pedometers in Class 9.*

### **Likelihood of Confusion**

The Examining Attorney has maintained his citation of Registration No. 4558657 as a bar to registration of the applied-for mark. Trademark Act Section 2(d), 15 U.S.C. § 1052(d); *see* TMEP §§ 1207.01 *et seq.* Applicant disagrees with the Examining Attorney's refusal and, for the reasons that follow, requests that the Examining Attorney withdraw his refusal(s).

During the examination of an application, the Examining Attorney should consider separately each registration found in a search of the marks registered in the USPTO that may bar registration of the applicant's mark under §2(d). *If the examining attorney finds registrations that appear to be owned by more than one registrant, he or she should consider the extent to which dilution may indicate that there is no likelihood of confusion.* TMEP § 1207.01(d)(x). The simple fact that the Examining Attorney had previously cited five (5) prior registrations tends to support the fact that the term "SWIPE," as used in connection with the relevant goods is diluted.

#### *Comparison of the Marks*

##### **Weakness of "SWIPE"**

The appearance of "SWIPE" in the mark cited by the Examining Attorney is not strong. Indeed, it is highly suggestive and may be merely descriptive. The weak nature of "SWIPE" is evidenced by the coexistence of the prior registrations cited by the Examining Attorney, the applications referenced by the Examining Attorney and the evidence of similar marks in use in commerce previously submitted by Applicant.

The original citation of six (6) prior registrations for similar or related goods and services, alone, strongly suggests the "SWIPE" term is weak and diluted for those goods and services.

To be clear, this is not a case where there is one outlier caused by a mistake or oversight by one Examining Attorney. Rather, several registrations containing "SWIPE" coexist for similar goods – goods that are far more similar to each other than they are to Applicant's goods.

There can be no doubt that "SWIPE" is diluted. The U.S. Patent & Trademark Office has clearly taken the position that "SWIPE" is not so distinctive so as to be entitled to a broad scope of protection.

For these reasons, "SWIPE" is rather weak in connection with the relevant goods. Moreover, this weakness explains the coexistence and dilution of several marks for **SWIPE** for the relevant goods.

In addition to the evidence previously submitted, Applicant submits additional evidence as **EXHIBIT A**. This evidence shows that the current Registrant's software operates by

using a “swipe” gesture. Most of this evidence comes from *Registrant’s own FAQ* at <https://www.gotinder.com/faq>. Applicant also submits definitions of “SWIPE”.

In addition to Applicant’s earlier arguments that **SWIPE** is weak because it is diluted, this evidence shows that the mark **SWIPE** is very weak in connection with Registrant’s mark and Registrant’s goods.

Registrant’s software covered by the **SWIPE** mark uses a *swipe* gesture to navigate the software. Registrant’s software operates on smart phones and other mobile devices by using a “swipe” gesture (*e.g.*, “You know the drill. Swipe left, swipe right.”). **EXHIBIT A**. To the extent that Registrant’s software operates on computers, users with computer trackpads may use a *swipe* gesture to navigate the software.

Registrant’s software operates in the following manner: Upon viewing a potential match’s or date’s photograph, a user of Registrant’s software *swipes* left if he is not interested in the potential date, and *swipes* right if she is interested in the potential date.

Given this information, it is clear that Registrant’s mark is very weak.

If the common element of two marks is “weak” in that it is generic, descriptive or *highly suggestive* of the named goods or services, consumers typically will be able to avoid confusion unless the overall combinations have other commonality. *See, e.g., In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986) (**BED & BREAKFAST REGISTRY** for making lodging reservations for others in private homes held not likely to be confused with **BED & BREAKFAST INTERNATIONAL** for room booking agency services); *The U.S. Shoe Corp. v. Chapman*, 229 USPQ 74 (TTAB 1985) (**COBBLER’S OUTLET** for shoes held not likely to be confused with **CALIFORNIA COBBLERS (stylized)** for shoes); *In re Istituto Sieroterapico E Vaccinogeno, Toscano “SCLAVO” S.p.A.*, 226 USPQ 1035 (TTAB 1985) (**ASO QUANTUM** (with “ASO” disclaimed) for diagnostic laboratory reagents held not likely to be confused with **QUANTUM I** for laboratory instrument for analyzing body fluids). *See also* TMEP § 1207.01(b)(ix).<sup>1</sup>

“[I]t is well established that the scope of protection afforded a merely descriptive or even a highly suggestive term is less than that accorded an arbitrary or coined mark. That is, terms falling within the former category have been generally categorized as ‘weak’ marks, and the scope of protection extended to these marks has been limited to the substantially identical notation and/or to the subsequent use and registration thereof for substantially similar goods.” *In re Hunke & Jochheim*, 185 USPQ 188, 189 (TTAB 1975) (emphasis added). With regard to the Registered Mark, Applicant has established it is weak.

In one T.T.A.B. decision, the mark **POSADA** for lodging and restaurant services was held not to be a bar against an application for the identical mark **POSADA** for frozen

---

<sup>1</sup> Applicant asserts that *In re Istituto Sieroterapico E Vaccinogeno, Toscano “SCLAVO” S.p.A.* is particularly relevant since it involves marks that share the same term(s) and covers goods or services that fall into a related broad category, but are not identical. Therefore, Applicant submits that *In re Istituto Sieroterapico E Vaccinogeno, Toscano “SCLAVO” S.p.A.* should be given significant weight by the Examining Attorney, if not control the disposition of the instant refusal.

Mexican food. See *In re Central Soya Co.*, 220 U.S.P.Q. 914 (T.T.A.B. 1984). See also TMEP §1207.01(b)(ix) (“That is, terms falling within the former category have been generally categorized as ‘weak’ marks, and the [sic] scope of protection extended to these marks has been limited to the substantially identical notation and/or to the subsequent use and registration thereof for substantially similar goods.”) J. Thomas McCarthy, MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION §19:37 (4th Ed. 2003); *In re Hunke & Jochheim*, 185 U.S.P.Q. 188 (T.T.A.B. 1975).

Likewise, even in *In re Clorox Co.*, which actually found confusion between the marks at issue, the C.C.P.A. clearly stated, “[t]he level of distinctiveness of a cited mark may influence the conclusion that confusion is likely or unlikely.” 578 F.2d 305, 198 U.S.P.Q. 337 (C.C.P.A. 1978).

In *Home Decorators, Inc. v. Ekco Products Co.*, 130 U.S.P.Q. 153 (C.C.P.A. 1961), which found no likelihood of confusion between **PRESTIGE** for bathroom, kitchen and closet accessories and the identical mark **PRESTIGE** for silver-plated flatware, the court explained:

Since the marks are the same, we must turn to the nature of the mark, the goods, and the channels of trade.... When one selects a [common English word] for a trademark, he must realize that the scope of protection will be more limited than if he had chosen an arbitrary or fanciful word. In fairness to all others who desire to use the same word in a suggestive manner as a trademark, the protection to each user will usually be carefully confined to the particular goods or those closely related since its source-identifying qualities are equally limited.

Here, even accepting, *arguendo*, the Examining Attorney’s position, the goods are not identical and the weakness of **SWIPE** as registered in connection with Registrant’s goods (based on dilution and its inherent weakness) means that the marks can coexist without confusion.

#### *Comparison of the Goods*

The Examining Attorney reiterates that, “the identification set forth in the application has no restrictions as to nature, type, channels of trade, or classes of purchasers”.

As Applicant previously argued, the identification of goods covered by the Cited Registration is limited to software products. Applicant’s application covers hardware. To write that there are no restrictions is inaccurate. Additionally, the Registered Mark **SWIPE** is limited to “software for social introduction and dating services”. There are obvious restrictions.

By contrast, as amended, Applicant’s goods are a wearable hardware device.

To conclude that there are no restrictions such that there is a presumption “that these goods and/or services travel in all normal channels of trade, and are available to the same class of purchasers” is wrong. The restrictions are the *goods themselves*.

Moreover, the Examining Attorney writes, “the application use(s) broad wording to describe the goods and/or services and this wording is presumed to encompass all goods and/or services of the type described, including those in registrant’s more narrow identification.” Again, this is unsupportable. Applicant’s product is a hardware device. The Registered Marks are quite clearly limited to software. It is incomprehensible to conclude that one could encompass the other. This is simply untrue. Registrant’s goods are very narrowly identified as “software for social introduction and dating services”.

The fact that the functions of Applicant’s device requires software to operate is of no consequence. All such devices require software to operate. Applicant is not selling software. It is selling a device that relies on software to operate. To the extent that Applicant’s product uses software, it is software that is built in to the device to allow it to operate – like other similar devices such as laptops, smart phones, tablets and competitors’ smart watches.

Further, the Registered Mark is limited to software for for social introduction and dating services. This is a restriction on Registrant’s goods. Applicant’s goods do not include introduction software of any kind, nor do they include software for dating.

The Examining Attorney also writes, “Here, both applicant and registrant provide computer software, each for potentially-overlapping uses. Given that registrant’s software is for dating and social introduction purposes, applicant’s software could be for similar purposes, as it is for use in relation to message sending/receiving and the calendaring of appointments.” This is a stretch.

The Examining Attorney’s argument would require finding email software (*e.g.*, Outlook® or Gmail®) is similar (or related) to courier services (*e.g.*, FedEx®, UPS® or USPS) because both are capable of sending messages, files or documents generally.

Dating software is simply not similar to incidental software that is built-in to a hardware device.

This is particularly true in light of the fact that the Examining Attorney has previously cited **CANDYSWIPE** for “game software” and **SMOOTHIESWIPE** for “games” (in Class 9).

By way of example, the following marks coexist on the Register:

Mark	Owner	Class	Goods/Services
<b>OUTLOOK</b>	Microsoft Corp.	9	computer programs for providing enhanced electronic mail and scheduling capabilities, for use by individual computer users, namely, computer programs for managing, viewing, and editing files, documents, electronic mail

			messages and private network and global computer network communications; computer programs for meeting and event scheduling, managing group calendars, task delegation and reporting, recording notes, transferring data to and from data bases and to and from computer programs and computer files; address book programs, telephone dialing programs, programs for correcting typographical and capitalization errors, programs for tallying voting responses; and instruction manuals therefor sold as a unit
<b>OUTLOOK</b>	Avocent Redmond Corp.	9	computer peripherals for the control of multiple computers from a single personal computer console

See **EXHIBIT B**.

The situation is the same: Two identical marks – one for software and one for hardware – coexist in the name of different entities. Both are in use on the marketplace.

It is important to note that each of the records in the above tables covers computer software and not computer hardware.

Nothing in Applicant’s identification of goods – both as originally filed and as amended – identifies computer software, alone. Applicant’s goods are hardware only.

Therefore, contrary to the Examining Attorney’s position, the respective goods are not similar or related.

Evidence of third-party use falls under the sixth *du Pont* factor – the “number and nature of similar marks in use on similar goods.” *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973). If the evidence establishes that the consuming public is exposed to third-party use of similar marks on similar goods, it “is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection.” *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondée en 1772*, 396 F.3d 1369, 1373-74, 73 USPQ2d 1689, 1693 (Fed. Cir. 2005). *Id.*

**EXHIBIT C** (to ROA1) shows dozens of “apps” (i.e., software) that include the term “SWIPE” from the Apple App Store, the Google Play store and the iTunes store. This evidence further establishes that “SWIPE” is weak and diluted for computer software. Again, Applicant reminds the Examining Attorney that Applicant’s goods are hardware, not software.

Additionally, Applicant notes the following:

Mark	Owner	Goods/Services	Class	Status	Reg. No.	Reg. Date	Ser. No.	Filing Date
<b>4GO SAFESWIPE</b> 	Shift4 Corporation	computer software for securely processing, managing and storing electronic payment information and cardholder payment data	9	Registered	3887388	December 7, 2010	77789230	July 24, 2009
<b>EASYSWIPE</b> 	Landmark Clearing, Inc.	computer software and hardware for processing secure commercial transactions and payment options at a point of sale	9	Registered August 25, 2009	3671719	August 25, 2009	77508966	June 26, 2008
<b>EDUSWIPE</b> 	Eduswipe LLC	downloadable educational non-fiction books, guidebooks and periodicals on a variety of topics	9, 41	Published			86432721	October 23, 2014
<b>NETSWIPE and Design</b> 	Jumio Inc.	computer software for processing electronic payments and transferring funds to and from others and for credit and debit card transaction processing	9, 36	Registered	4155691	June 5, 2012	85366748	July 8, 2011
<b>NETSWIPE: THE</b>	Jumio Inc.	computer software for	9, 36	Allowed			86131560	November 27, 2013

Mark	Owner	Goods/Services	Class	Status	Reg. No.	Reg. Date	Ser. No.	Filing Date
<b>ONLINE CARD PRESENT TRANSACTION</b>		processing electronic payments and transferring funds to and from others and for credit and debit card transaction processing						
<b>PAISA SWIPE and Design</b> 	Paisa Swipe	downloadable mobile applications that takes over the mobile lock screen and allows users to unlock their phones by swiping left or right and allows users to earn credits to be redeemable for prizes	9	Registered	4652102	December 9, 2014	86248150	April 10, 2014
<b>SURESWIPE</b> SURE SWIPE	Capital One Financial	mobile device application software, namely, security software	9	Registered	4593951	August 26, 2014	85939951	May 22, 2013
<b>SWIPE THRU</b> SWIPE THRU	Somo Audience Corp.	computer application software for mobile phones, namely, software for use with advertising and marketing applications; computer application software for mobile phones, pc tablets and other electronic devices with internet access namely, software for use in internet advertising and marketing applications	9	Allowed			85893612	April 3, 2013

Mark	Owner	Goods/Services	Class	Status	Reg. No.	Reg. Date	Ser. No.	Filing Date
<b>SWIPEONE</b> SwipeOne	Egis Technology Inc.	computer software and firmware for the encryption; decryption; compression; protection; retention and transmission of data; protect information stored in computer with fingerprint recognition; downloadable electronic publications, namely, manuals, handbooks, and guides featuring information relating to computer software and firmware for the encryption, decryption, compression, protection, retention and transmission of data, files and information recorded on electronic media	9	Registered	3670554	August 18, 2009	77492565	June 6, 2008
<b>SWIPEQ</b> SWIPEQ	Carney Labs, LLC	downloadable computer software, and cloud computing software for users to create, store, search, access, modify, sort, categorize and share study aids and study tools and access a searchable database of educational aids, tools, service and resources	9	Allowed			86366697	August 14, 2014

Mark	Owner	Goods/Services	Class	Status	Reg. No.	Reg. Date	Ser. No.	Filing Date
<b>SWIPES</b> SWIPES	Digital Juice, Inc.	compact discs, digital versatile discs, and digital downloads featuring animations and special effects; computer software for use with video editing, presentations, web, television, film, games, cell phones, and all multimedia applications and hardware	9	Registered	3404750	April 1, 2008	77231158	July 17, 2007
<b>SWIPESHOP</b> SWIPESHOP	Creos Group, LLC	downloadable mobile applications for providing a marketplace for sellers and buyers of goods and services to exchange and/or purchase the goods and services of each other	9	Pending			86395217	September 15, 2014
<b>SWIPESPEAR</b> SwipeSpear	Golgotha Press, Inc.	computer application software for mobile phones, namely, software for the reading of interactive electronic books	9	Registered	4412236	October 1, 2013	85771778	November 5, 2012
<b>SWYPE</b> Swype	Swype, Inc.	text input software for touch-screen devices	9	Registered	4040081	October 18, 2011	77540413	August 6, 2008
<b>ZOMBIE SWIPEOUT</b> ZOMBIE SWIPEOUT	Zynga Inc.	computer game software; computer game programs; electronic game programs;	9, 41	Registered	4351459	June 11, 2013	85629410	May 18, 2012

Mark	Owner	Goods/Services	Class	Status	Reg. No.	Reg. Date	Ser. No.	Filing Date
		interactive video game <u>programs</u>						
<b>ZWIPE</b> ZWIPF	Zwipe As	electronic apparatus for receiving, processing or transmitting biometric data for use in identification authentication and verification; blank magnetic data carriers and recording discs; encoded or magnetic identity cards, smart cards, security clearance cards and time-tracking and recording cards; encoded or magnetic access control cards; contactless cards with fingerprint scanning and matching functionality; magnetically encoded cash and payment cards, namely, debit cards, credit cards, charge cards, stored value cards, gift cards and loyalty cards; card reading equipment; electronic card readers; smart card readers; contactless card readers; automatic or electric access control and alarm monitoring systems; card	9, 36, 45	Published			85967012	June 21, 2013

Mark	Owner	Goods/Services	Class	Status	Reg. No.	Reg. Date	Ser. No.	Filing Date
		operated electronic locks; point of sale terminals; terminals for the electronic transfer of funds; computers; tablet computers; telephones; mobile telephones; electronic apparatus for reading electronically, magnetically or optically stored data; fingerprint scanners; fingerprint imagers; blank encoded or magnetic cards with fingerprint sensors; pre-recorded encoded or magnetic cards with fingerprint sensors featuring biometric and personal identification data; cards encoded with security features for identification purposes; <u>computer software</u> for reading smart cards, contactless cards, access cards, identity cards, time-tracking and recording cards, credit, debit and charge cards, payment cards, stored value cards, gift cards						

Mark	Owner	Goods/Services	Class	Status	Reg. No.	Reg. Date	Ser. No.	Filing Date
		and loyalty cards; <u>computer software</u> for analyzing and verifying fingerprints; <u>computer software</u> for use in controlling building access and security systems; <u>computer software</u> for authorizing electronic payments; <u>computer software</u> for use in processing financial data and transactions, and parts, fittings and accessories for the aforesaid goods						

The marks identified in the above table represent a small sampling of hundreds of registered, allowed or published marks in Class 9 for software that comprise the word “SWIPE”. Also see **EXHIBIT D** (ROA1).

The “SWIPE” element is clearly diluted. Again, Applicant reminds the Examining Attorney that Applicant’s applied-for goods are hardware, not software.

In light of the diluted nature of “SWIPE” for software products, Applicant’s mark for hardware is not likely to cause confusion with the Cited Marks or the prior applications referenced by the Examining Attorney.

Not only has Applicant shown that “SWIPE” is diluted on the Register; it has also shown it is diluted in the marketplace for goods that are, for trademark purposes, *identical*. By contrast, Applicant’s goods are not identical because they are not computer software.

This dilution is explained by the relative weakness of “SWIPE” for the relevant goods. *See supra*.

Insofar as Applicant has submitted credible evidence of dilution of the term “SWIPE,” the Examining Attorney should consider the extent to which dilution may indicate that there is no likelihood of confusion. TMEP § 1207.01(d)(x).

Applicant has shown:

1. "SWIPE," as used in connection with Registrant's goods is weak because it is highly suggestive;
2. "SWIPE," as used in connection with Registrant's goods is weak because it is highly diluted on the Register;
3. "SWIPE," as used in connection with Registrant's goods is weak because it is highly diluted in the marketplace;
4. Applicant's goods are wearable hardware products; and
5. The goods covered by the Cited Registrations and the referenced applications are software products.

Applicant has responded to all issues raised by the Examining Attorney. Accordingly, Applicant respectfully requests that the Examining Attorney withdraw all refusals and approve the subject for publication as soon as practicable.

Finally, Applicant informs the Examining Attorney that it has filed:

1. A Notice of Appeal; and
2. A Petition to Cancel Registration No. 4465926 (*see attached*).

In the event the Examining Attorney does not withdraw his refusal, Applicant respectfully requests that the subject application be **SUSPENDED**. TMEP § 716.06.

If a telephone conference will advance the prosecution of the subject application, the Examining Attorney is invited to call the undersigned at 917.779.9967.

Respectfully submitted,

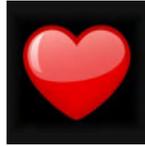
/g mathew lombard/  
G. Mathew Lombard  
Attorney for Applicant, NYS Bar Member

# **EXHIBIT A**

DOWNLOADS

# SpeedDate - Date Local Singles - iPad version

Free



**CURRENT VERSION** Version: 1.0

**AUTHOR** [SpeedDate.com, Inc.](http://ax.itunes.apple.com/us/app/speeddate-date-local-singles/id368568848?mt=8&ign-imp=clickRef%3DSoftware%2520Page-US-SpeedDate%2520-%2520Date%2520Local%2520Singles%2520-%2520iPad%2520version-368568848-Lockup)  
(<http://ax.itunes.apple.com/us/app/speeddate-date-local-singles/id368568848?mt=8&ign-imp=clickRef%3DSoftware%2520Page-US-SpeedDate%2520-%2520Date%2520Local%2520Singles%2520-%2520iPad%2520version-368568848-Lockup>)

**PRICE** Free

**DESCRIPTION** LIMITED TIME OFFER!!!  
Right now, iPad users can contact ALL MEMBERS for FREE within the iPad App... Hurry, this special offer ends soon!

Want to meet great local people? Download SpeedDate's revolutionary new iPad app!

SpeedDate Features on the iPad:

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- \* Finger-swipe through photos of thousands of local women and men
- \* Wink at an unlimited number of singles
- \* Receive messages from anyone who writes you, and subscribe to send unlimited messages
- \* Search singles based on your preferences and/or specific keywords
- \* Create a profile with your basic information
- \* Meet singles of many different backgrounds: Asian, Black, Christian, Catholic, Jewish, Muslim, straight and gay, and lots more
- \* Our members come from every major city around the world, and lots of places in between too
- \* Automatically synchs with your SpeedDate.com account - a great way to check out what SpeedDate offers before you subscribe

Company Information:

SpeedDate for the iPad is brought to you by SpeedDate.com, the #1 online speed dating personals site on the web, Facebook, iPhone, and MySpace. Our website, SpeedDate.com, offers extra features with a premium membership, like unlimited IM and live video chat. Find a date now! Get started today!

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LOCAL-SINGLES/ID368568848?MT=8&IGN-  
IMPT=CLICKREF%3DSOFTWARE%2520PAGE-US-SPEEDDATE%2520-  
%2520DATE%2520LOCAL%2520SINGLES%2520-  
%2520IPAD%2520VERSION-368568848-LOCKUP)**

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Dictionary

# swipe

noun | \ˈswɪp/

SAVE POPULARITY



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- : a criticism or insult that is directed toward a particular person or group
- : a swinging movement of a person's hand, an animal's paw, etc., that is done in an attempt to hit something



**Shrinkflation: how things get smaller but cost the same »**

## Full Definition of SWIPE

- : a strong sweeping blow <a *swipe* of a paw>
- : a sharp often critical remark <look a parting *swipe* at management>

See *swipe* defined for English-language learners »

ADVERTISEMENT

## Examples of SWIPE

- She *took a swipe* at her former company in her latest column.
- a *swipe* of the cat's paw

## Ask The Editor Videos



Lay vs. Lie

'Try and' vs. 'Try to'



## Origin of SWIPE

- probably alteration of *sweep*
- First Known Use: 1739

Word of the Day NOVEMBER 09, 2015

# umami

a meaty or savory taste sensation

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*It is? Or sho* When to Use It's vs. Its

*It's?*



Monster of the Day (Final Update!)

## Word Games

Take a 3-minute break and test your skills!

Name That Thing



True or False?



Spell It



## Trend Watch



Éminence Grise

George H.W. Bush is critical of his son's political advisers ...

## Related to SWIPE

## Synonyms

bang, bash, bat, beat, belt, biff, bop, box, buffet, bust, chop, clap, clip, clout, crack, cuff, dab, douse [*British*], fillip, hack, haymaker, hit, hook, knock, larrup [*dialect*], lash, lick, pelt, pick, plump, poke, pound, punch, rap, slam, slap, slug, smack, smash, sock, spank, stinger, stripe, stroke, swat, <sup>1</sup>blow, switch, thud, thump, thwack, wallop, welt, whack, wham, whop (*also* whap)

[+] [more](#)

## Rhymes with SWIPE

Cuyp, gripe, hype, pipe, ripe, snipe, stipe, stripe, tripe, type, wipe

<sup>2</sup>swipe

*verb*

- : to reach toward and try to hit (something) with a swinging motion
- : to steal (something)
- : to pass (a credit card, ATM card, etc.) through a machine that reads information from it

swiped **swip**-ing

## Full Definition of SWIPE

*intransitive verb*

- : to strike or move with a sweeping motion

*transitive verb*

- 1 : to strike or wipe with a sweeping motion
- 2 : STEAL, PILFER
- 3 : to slide (a card with a magnetic strip or bar code) through a slot in a reading device so that information stored on the strip can be processed (as in making a purchase)

See [swipe](#) defined for English-language learners »

See [swipe](#) defined for kids »

## Examples of SWIPE

- The cat *swiped* the dog across the nose.
- They *swiped* some candy from the store.
- The cashier *swiped* the credit card and gave it back to me.

## First Known Use of SWIPE

circa 1825

## Related to SWIPE

## Synonyms

bang, bash, bump, collide, crash, impact, impinge, knock, ram, slam, smash, strike, hit, thud

[+] [more](#)

### SWIPE Defined for Kids

# 1 swipe

noun | \ˈswɪpəl

#### Definition of SWIPE for Kids

: a strong sweeping movement <He took a *swipe* at the ball.>

# 2 swipe

verb

**swiped** **swip-ing**

#### Definition of SWIPE for Kids

1 : <sup>1</sup>STEAL 1 <No, she wouldn't *swipe* Christmas greens from a graveyard ... — Richard Peck, *A Year Down Yonder*>

2 : to make a strong sweeping movement <The cat *swiped* at the dog.>

#### Learn More About SWIPE

-  Thesaurus: All synonyms and antonyms for "swipe"
-  Spanish Central: Spanish translation of "swipe"
-  Nglish: Translation of "swipe" for Spanish speakers
-  Britannica English: Translation of "swipe" for Arabic speakers

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Dictionary.com (<http://dictionary.reference.com/>)

of the

(<http://dictionary.reference.com/>)

definitions ▾

swipe



# swipe

(<http://static.sfdict.com/staticrep/dictaudio/S11/S1191700.mp3>)

[swahyp]

Examples Word Origin

## noun

1. a strong, sweeping blow, as with a cricket bat or golf club.
2. *Informal.* a swing of the arm in order to strike somebody; punch.
3. a sideswipe (<http://dictionary.reference.com/browse/sideswipe>).
4. *Informal.* a critical or cutting remark.
5. a leverlike device for raising or lowering a weight, especially a bucket in a well; sweep.
6. an act or instance of swiping:  
*You can debit your checking account with just a swipe of your card.*
7. Also called **rubber**. *Horse Racing.* a person who rubs down horses in a stable, groom.

(<http://blog.dictionary.c>)  
 "Differer  
 Differer

**verb (used with object), swiped, swiping.**

8. to strike with a sweeping blow.

9. *Informal.* to steal:

*He'll swipe anything that isn't nailed down.*

10. to slide (a magnetic card) quickly through an electronic device that reads data.

11. *Digital Technology.* to move a finger or fingers, or a stylus, across an area on (a touchscreen) in order to execute a command:

*Put your finger on the arrow and swipe the screen to the right to unlock your phone.*

**verb (used without object), swiped, swiping.**

12. to make a sweeping stroke.

13. to slide a magnetic card through an electronic device.

14. *Digital Technology.* to move the fingers across a touchscreen:

*Swipe to the right to close the article.*

**Origin of swipe**

1730-1740

---

1730-40; akin to sweep (<http://dictionary.reference.com/browse/sweep>)<sup>1</sup>; cognate with German *schweifen*

Dictionary.com Unabridged

Based on the Random House Dictionary, © Random House, Inc. 2015.

Cite This Source (<http://dictionary.reference.com/cite.html?qh=swipe&ia=luna>)

## Examples from the Web for swipe

### Contemporary Examples

It's easy to take a *swipe* at Fieri's rocker-meets-dad image.

(<http://www.thedailybeast.com/articles/2009/11/10/the-glenn-beck-of-foot.html?source=dictionary>)

Rachel Syme (<http://www.thedailybeast.com/contributors/rachel-syme.html?source=dictionary>)

November 9, 2009

Flawless skin, perfect hair, and bright white teeth are all just a *swipe* away.

(<http://www.thedailybeast.com/articles/2014/04/07/new-app-skinneepix-promises-to-shave-15-pounds-off-your-selfies.html?source=dictionary>)

Charlotte Lytton (<http://www.thedailybeast.com/contributors/charlotte-lytton.html?source=dictionary>)

April 6, 2014

We *swipe* a fanged cupcake and fight one last battle, to get out of the party.

(<http://www.thedailybeast.com/articles/2009/11/17/new-moon-rises-over-hollywood.html?source=dictionary>)

Kim Masters (<http://www.thedailybeast.com/contributors/kim-masters.html?source=dictionary>)

November 16, 2009

Visa wanted to meet with Pelosi and her top aides to make the case against the *swipe* fees.

(<http://www.thedailybeast.com/articles/2011/11/15/how-visa-courted-nancy-pelosi-hoping-to-forestall-swipe-fee-changes.html?source=dictionary>)

Daniel Stone, John Solomon (<http://www.thedailybeast.com/contributors/daniel-stone-john-solomon.html?source=dictionary>)

November 14, 2011

Romney took a *swipe* at the "pundits and pollsters" who had counted him out.

(<http://www.thedailybeast.com/articles/2012/02/29/mitt-romney-wins-the-arizona-primary-over-rick-santorum.html?source=dictionary>)

Howard Kurtz (<http://www.thedailybeast.com/contributors/howard-kurtz.html?source=dictionary>)

February 28, 2012

## Historical Examples

The fact that emotion caused him to *swipe* at a straight half-volley, miss it, and be bowled next ball made the wound rankle.

Mike (<http://www.gutenberg.org/files/7423/7423-h/7423-h.htm>)

P. G. Wodehouse

He goes to make a *swipe* at figure on other side of stairs—sees Rusty.

The Ghost Breaker (<http://www.gutenberg.org/files/24702/24702-h/24702-h.htm>)

Paul Dickey

He advanced a foot or two, and Porky turned his back toward Thor and made ready to deliver a *swipe* with his powerful tail.

The Grizzly King (<http://www.gutenberg.org/files/10977/10977-h/10977-h.htm>)

James Oliver Curwood

The *swipe* I took at him should have swept him over, but he got his coils around me.

Vigorish (<http://www.gutenberg.org/files/24382/24382-h/24382-h.htm>)

Gordon Randall Garrett

A *swipe* is an implement for drawing water for a brewery, the name of which has thus been transferred to the beer.

The Sailor's Word-Book (<http://www.gutenberg.org/files/26000/26000-h/26000-h.htm>)

William Henry Smyth

## British Dictionary definitions for swipe

# swipe

/swaɪp/

## verb

1. (**informal**) *when intr, usually foll by at.* to hit hard with a sweeping blow
2. (**transitive**) (**slang**) to steal
3. (**transitive**) to pass a machine-readable card, such as a credit card, debit card, etc, through a machine that electronically interprets the information encoded, usu. in a magnetic strip, on the card

## noun

4. (**informal**) a hard blow
5. an unexpected criticism of someone or something while discussing another subject
6. *Also called* **sweep**. a type of lever for raising and lowering a weight, such as a bucket in a well

## Word Origin

C19: perhaps related to sweep

Collins English Dictionary - Complete & Unabridged 2012 Digital Edition

© William Collins Sons & Co. Ltd. 1979, 1986 © HarperCollins

Publishers 1998, 2000, 2003, 2005, 2006, 2007, 2009, 2012

Cite This Source (<http://dictionary.reference.com/cite.html?qh=swipe&ia=ced2>)

## Word Origin and History for swipe

*n.*

1807, "a driving stroke made with the arms in full swing," perhaps a dialectal variant of sweep (/browse/sweep) (n.), or in part from obsolete *swip* "a stroke, blow" (c.1200), from Proto-Germanic \**swip-*, related to Old English *swipu* "a stick, whip." Other possible sources or influences are Middle English *swope* "to sweep with broad movements" (in reference to brooms, swords, etc.), from Old English *swapan*; obsolete *swaip* "stroke, blow;" or obsolete *swape* "oar, pole."

v.

1825, from swipe (/browse/swipe) (v.). The slang sense of "steal, pilfer" appeared 1885, American English; earliest use in prison jargon:

The blokes in the next cell, little Charley Ames and the Sheeney Kid, they was hot to try it, and swiped enough shoe-lining out of shop No. 5, where they worked, to make us all breeches to the stripes. ["Lippincott's Magazine," vol. 35, June 1885]

Meaning "run a credit card" is 1990s. Related: *Swiped*; *swiper*; *swiping*.

Online Etymology Dictionary, © 2010 Douglas Harper

Cite This Source (<http://dictionary.reference.com/cite.html?qh=swipe&ia=etymon2>)

## Slang definitions & phrases for swipe

### swingman

**noun**

A narcotics dealer; connection (/browse/connection) (1960s+ *Narcotics*)

### swing shift

**noun phrase**

A work shift between the regular day and night shift, typically from four to midnight (1941+)

The Dictionary of American Slang, Fourth Edition by Barbara Ann Kipfer, PhD. and Robert L. Chapman, Ph.D.

Copyright (C) 2007 by HarperCollins Publishers.

Cite This Source (<http://dictionary.reference.com/cite.html?qh=swipe&ia=das>)

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# WIN GEAR FOR FALL WIN STOCK

Rowdy  
SHOW



COLUMNS VIDEOS WATER COOLER THE WALL MORE SUBMIT

Home » Columns » *Swipe Left, Swipe Right: Simple Standards For Tinder*

### TRENDING TODAY

1. Can We Save Thanksgiving?
2. My Retirement From Buying Other People Shots
3. Your Guide To Finding A Hibernation Girlfriend
4. What Girls Say Vs. What I Hear
5. Long Live Casual Friday

### POPULAR COLUMNS

Things Girls Do After Graduation: Sip & Paint Class  
Will deFries



Living The Dream Means Staying Hungry  
CrashDavis



I Used Tinder Postgrad And Ended Up In A TCU Dorm  
PGP Admin



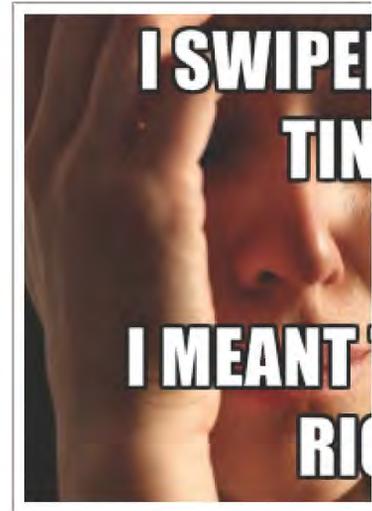
I Hate Your Birthday  
Will deFries

# Swipe Left, Swipe Right For Tinder

RedHead\_Rebel 16 2 years

Share

Tweet



If you're like me, you're stuck somewhere in-between a Tinder profile and a HowAboutWe.com account. It's time to take the plunge into serious online dating. Let's



I Played Sports My Entire Life And Now My Body Hates Me

MadoffInvestment



What Girls Say Vs. What I Hear

Will deFries



In Search Of The Perfect Buzz

Jafarrell17



Pull The Trigger On A Random Trip Before It's Too Late

D-Man



Power Ranking Every "Saved By The Bell" Character

Will deFries



The Only Whiskey Drinking Playlist You'll Need Until Winter's Over

Will deFries



though every blind date or one night stand wi

That's where Tinder comes in. Tinder is supposed to be an app that lets you judge a person solely on their profile picture. Well, you can actually get that far.

With Tinder now worldwide, I took it upon myself to see if my friend introduced me to it in undergrad, and I realized I don't even have a need there need Tinder to get a date? Then I was still couldn't take it seriously though. That was until I started using it, shifting, realizing most people around me are making relationships.

Enter Tinder. You know the drill. Swipe left, s

**His first photo is him with his shirt off, Swipe left.**

**It's a mirror selfie.**

*Swipe left. Go back to MySpace.*

**You have to click through his profile to find the picture.**  
*Swipe left. This is not "Where's Waldo."*

**He's holding another female, or multiple.**  
*Swipe left. I'm not starting this out if you already have a girlfriend.*

**He has a nice whip in the picture with his dog.**  
*Swipe left. It's not his.*

**He's holding up a degree.**

*Swipe right, but only if it's a college degree. 1*

**He doesn't look too drunk.**

*Swipe left. I'm questioning your sobriety. No*

**His bio has Hansen lyrics in it.**

*Swipe left. Personal experience. He asked for*

**He actually talks about wanting a relati**

*Swipe left. If you have to sell it to me, I'm not*

**His bio claims he's in some kind of engi  
program.**

*Swipe left. Why don't you already have some*

Congrats. You've found someone with which y  
at a blank screen where Tinder tells you to say  
message them already.”

They message you: **Hi, Hello, Halo, Herro  
bang, Gorgeous,** or any other derivative of .

*Don't respond.*

Nope, don't respond. Don't give them your nu  
or agree to meet up with them in a public spa

Instead, just get off Tinder and realize that yo  
judged based solely on looks that will make yc  
word attractive.

Go back to accepting every blind date from yo  
swipe.



**RedHead\_Rebel**



COM

You must be logged in to comment. [Log in](#) or [create](#)

 **chrisbru** This list probably explains why y  
 Pre-anything maybe, but don't write off d  
 they have someone already?" Relationship  
 hard to meet someone new, ya know?  
 Nice work • Meh • [Log in](#) or [sign up](#) to reply. • 2

 **5OClockShadow** I'm not a docto  
 Nice work • Meh • [Log in](#) or [sign up](#) to

 **PledgeTall** Grouper.  
 Nice work • Meh • [Log in](#) or [sign up](#) to reply. • 2

 **5OClockShadow** Brazzers  
 Nice work • Meh • [Log in](#) or [sign up](#) to reply. • 2

 **The EIT** If an engineer doesn't marry his c  
 Nice work • Meh • [Log in](#) or [sign up](#) to reply. • 2

 **ICF** Nope. That being said, most  
 Nice work • Meh • [Log in](#) or [sign up](#) to

 **GOB** I hope you're wro  
 Nice work • Meh • [Log in](#) o

 **Boots56** Nope,  
 Nice work • Meh

- 

**re\_chard** Just take the plunge, and make a

Nice work • Meh • Log in or sign up to reply. • 2
- 

**responsible\_adult\_lol** Single moms, bible v

Nice work • Meh • Log in or sign up to reply. • 1
- 

**VickySanders** Tinder's okay, but my friend  
dates use cliqie.com and skout. Cliqie is si  
meetup in groups too so it's less sketchy.

Nice work • Meh • Log in or sign up to reply. • 2
- 

**tomsun** "realize that you're not ready for  
on looks" The lament of every guy ever.

Nice work • Meh • Log in or sign up to reply. • 1
- 

**Tank** And here's the list of why you should  
<https://www.youtube.com/watch?v=mlzi>

Nice work • Meh • Log in or sign up to reply. • 1
- 

**jeffjeff** lol you are a f\*\*kin weirdo. You are  
trivial things. You sound like a psycho wh  
srs

Nice work • Meh • Log in or sign up to reply. • 2
- 

**Kmonay88** clearly, jeffjeff here

Nice work • Meh • Log in or sign up to
- 

**Fireflygirl77** I would so swipe ri

Nice work • Meh • Log in or sign up to



## Frequently Asked Questions

### Top Questions

My messages are not going through.



I lost all my Matches!



I accidentally left-swiped someone, can I get them back?



Only Tinder Plus subscribers can Rewind their last swipe. To subscribe, just tap the yellow arrow button (Rewind) on the main screen and follow the instructions.

How do I change my name or my age?



Tinder is stuck on "Finding people near you".



I can't log in.



One of my Matches disappeared.



Sign up and login



Can I undo my last swipe?



Only Tinder Plus subscribers can rewind their last swipe using the yellow arrow on the main screen. To subscribe to Tinder Plus, just tap the yellow arrow button (Rewind) on the main screen and follow the instructions.

Can I use Tinder Plus on multiple devices?



Can other users see me when I'm using Passport?



How do I get unlimited right swipes?



Only Tinder Plus subscribers get unlimited right swipes; they can like as many users as they want. If you do not have Tinder Plus, you will only be able to like a limited amount of profiles. Once you reach the limit, you can either get Tinder Plus, or wait until the displayed time has elapsed.

There was a problem setting up billing.



How do I change payment information?



My payment method failed.



How do I cancel my Tinder Plus subscription?



How do I request a refund?





How do I change my location?



Where did the passport button go?



How do I delete a location?



I can't change my location.



I started a new Tinder account but Tinder Plus doesn't work anymore.



Can I undo my last swipe?



Only Tinder Plus subscribers can rewind their last swipe using the yellow arrow on the main screen. To subscribe to Tinder Plus, just tap the yellow arrow button (Rewind) on the main screen and follow the instructions.

Can I use Tinder Plus on multiple devices?



Can other users see me when I'm using Passport?



How do I get unlimited right swipes?



There was a problem setting up billing.



How do I change payment information?



My payment method failed.



How do I cancel my Tinder Plus subscription?



# **EXHIBIT B**

LRC  
LRC

75053439

NEW CASE DELIVERED

AUG 21 1996

LAW OFFICE 103 DELIVERED

AUG 1 - 1996

LAW OFFICE 103



### CONTENTS

	Entry	Date	Initials
1.		AUG 29 1996	SL
2.	Amot A	11/19/96	DEC 3 1996
3.			
4.			
5.	Ext of Same		
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9.	SOV Filed	5/25/98	JUN 24 1998
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11/25/97

OCT 18 1971

MAR 9 1972

130/ks

75053439

REG NUM: 2188125  
REG DT: 09/08/1998  
S/N 75/053439

3. MARK  
CUTLOCK

4. SER. NO.  
75/053439

5. REGISTER  
PRINCIPAL

6. INTERNATIONAL CLASS  
9

7. PRIOR U.S. CLASS  
21-23-26-36-38

8. FILING DATE  
02/05/96

9. LAW OFFICE  
103

10. APPLICANT AND POST OFFICE  
Microsoft Corporation  
One Microsoft Way  
Redmond, WASHINGTON 980526399  
CORPORATION OF WASHINGTON

16. EXAMINING ATTORNEY SMITH  
*M. Schuyler Godson*

17. TYPE OF MARK  
TRADEMARK SECTION 4(D)

18. FIRST USE  
ICL 009 00/00/0000

11. CORRESPONDENCE ADDRESS 669005.258  
William O. Ferron, Jr.  
SEED and BERRY LLP  
6300 Columbia Center  
Seattle, WA 98104-7092

19. IN COMMERCE  
ICL 009 00/00/0000

12. DOMESTIC REPRESENTATIVE

20. FOREIGN REG. AND APPL. DATA

13. APPLICANT'S ATTORNEY  
William O. Ferron, Jr.

15. GOODS - SERVICES  
009-computer programs for managing, viewing and editing files, documents, electronic mail messages and network and Internet communications; computer programs for meeting and event scheduling; computer programs for managing group calendars; computer programs for task delegation and reporting; computer programs for recording notes; computer programs for transferring data to and from databases and other computer programs and files; address book programs; telephone dialing programs; computer programs for correcting typographical and capitalization errors; computer programs for tallying voting responses; and instruction manuals therefor sold as a unit

21. OTHER DATA

PUBLISHED  
APR 29 1997

PTO-102L (REV. 12/82) U.S. DEPT. OF COMMERCE - PATENT AND TRADEMARK OFFICE

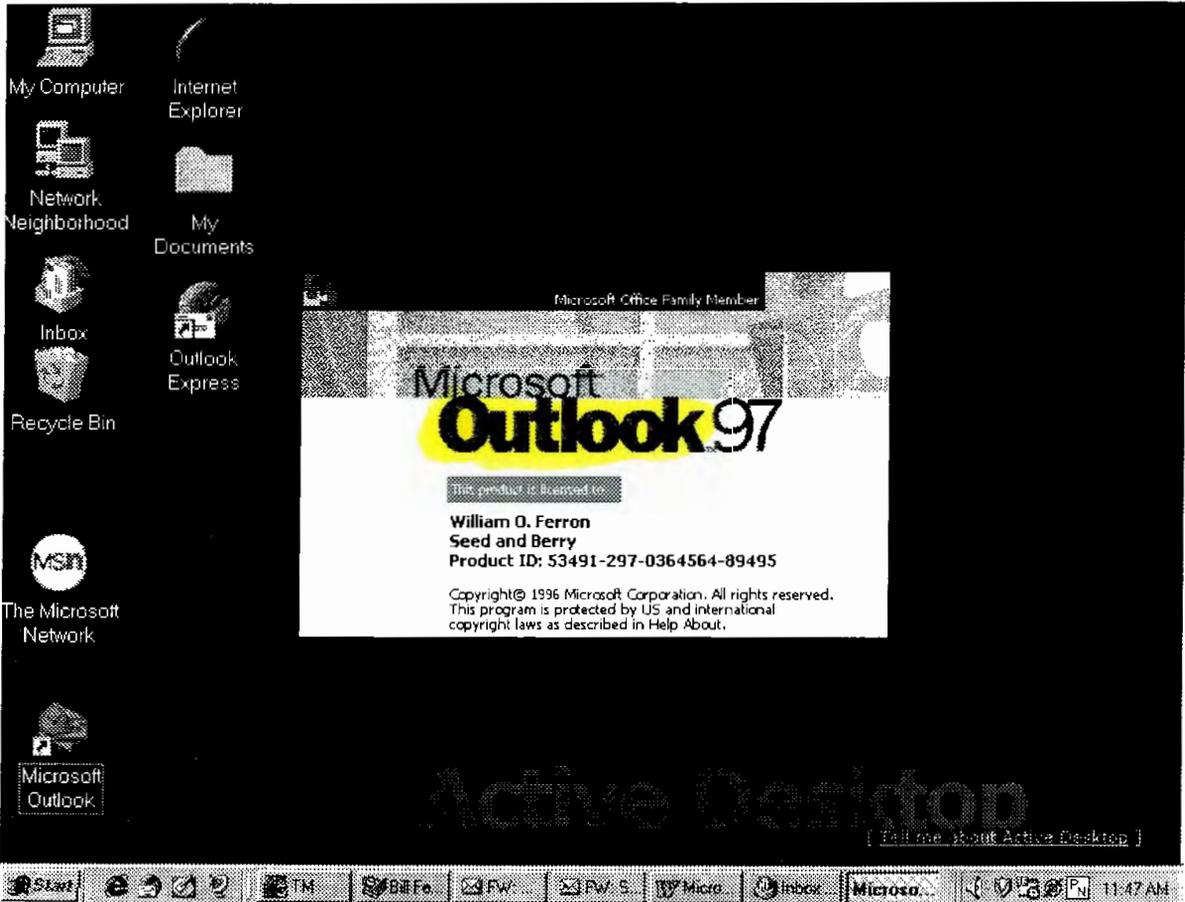
Examining Attorney - (Please Print Name)	Date Published in Trademark O.G.
Approved for Publication (Principal Register) - (Signature)	Section 8 Accepted - (Signature)
Approved for Registration (Section 1(d)) - (Signature)	Section 15 - (Signature)
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TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Microsoft Corporation  
Serial No. : 75/053,439  
Filing Date : February 5, 1996  
For : OUTLOOK in Class 9  
Docket No. : 669005.258  
Date : May 26, 1998

SPECIMENS  
(Three Photocopies SENT)



My Computer

Internet Explorer

Network Neighborhood

My Documents

Inbox

Outlook Express

Recycle Bin

MSN

The Microsoft Network

Microsoft Outlook

# Microsoft Outlook 97

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**William O. Ferron**  
**Seed and Berry**  
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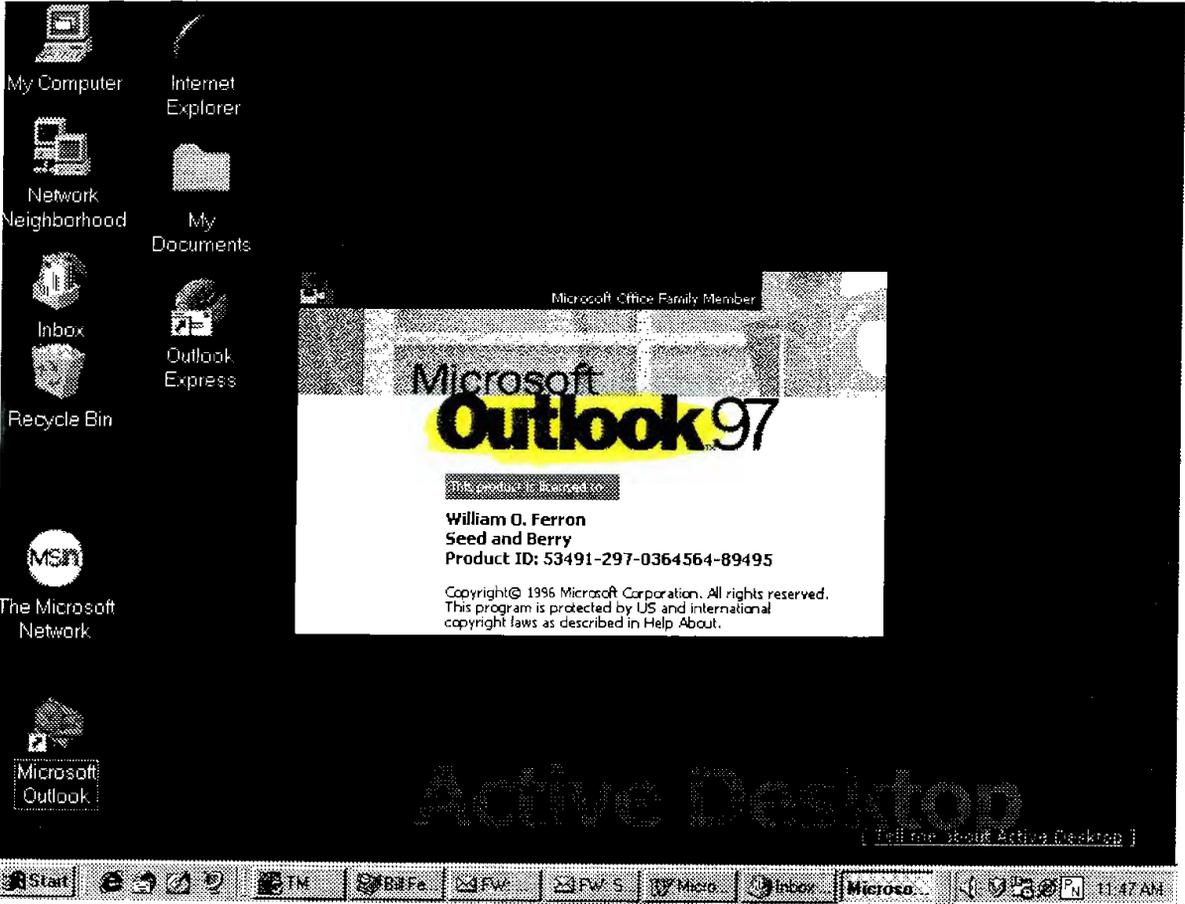
## Active Desktop

[ Tell me about Active Desktop ]

Start [Taskbar icons: Internet Explorer, Outlook Express, My Documents, My Computer, Network Neighborhood, Recycle Bin, MSN, The Microsoft Network, Microsoft Outlook] [System Tray: Volume, Network, Power] 11:47 AM

EXPRESS MAIL NO. : EM067750496US  
APPLICANT : Microsoft Corporation  
SERIAL NO. : 75/053,439  
MARK : OUTLOOK in Class 9  
FILING DATE : February 5, 1996  
DOCKET NO. : 669005.258





My Computer

Internet Explorer

Network Neighborhood

My Documents

Inbox

Outlook Express

Recycle Bin

The Microsoft Network

Microsoft Outlook

# Microsoft Outlook 97

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**Product ID: 53491-297-0364564-89495**

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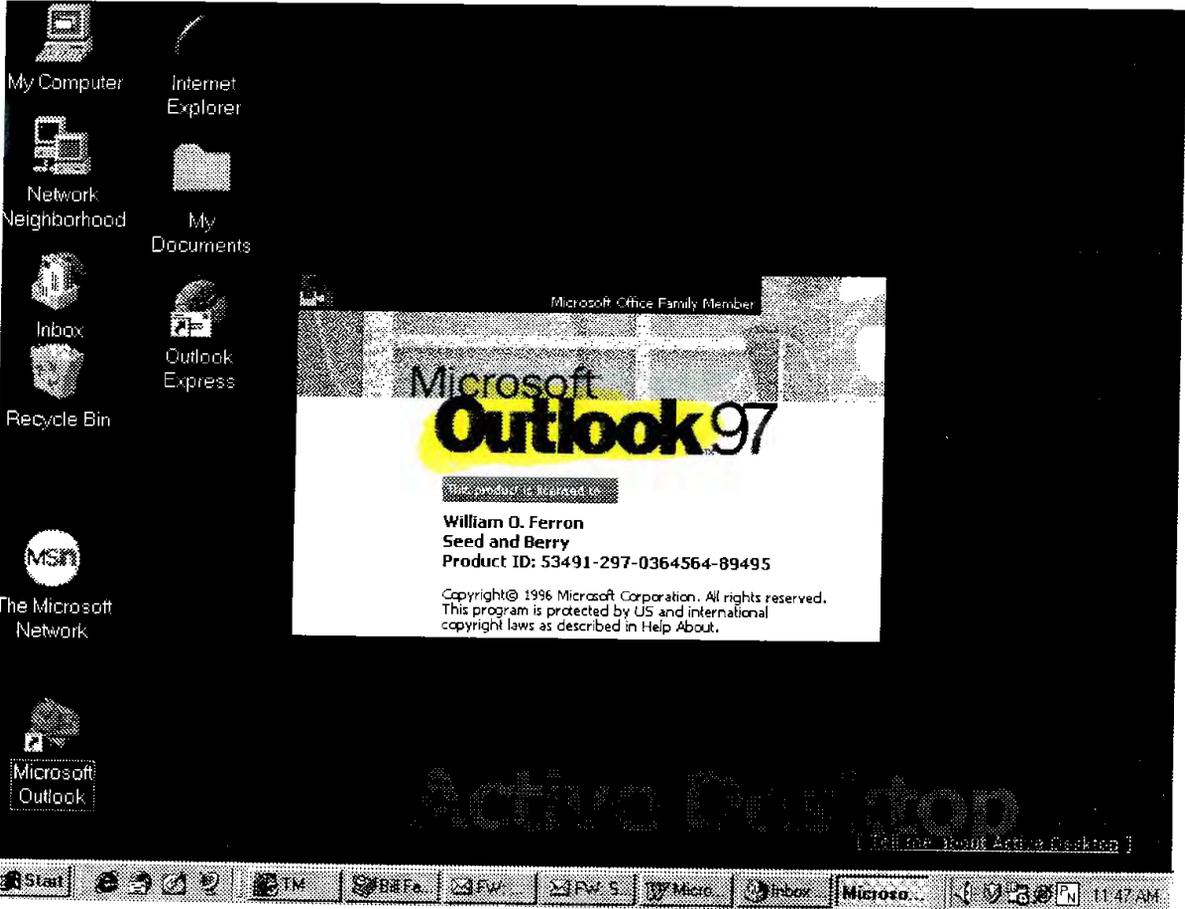
## Active Desktop

[ Tell me about Active Desktop ]

Start | [Icons] | TM | B&F | FW | FW S | Micro | Inbox | Microso... | 11:47 AM

EXPRESS MAIL NO. : EM067750496US  
APPLICANT : Microsoft Corporation  
SERIAL NO. : 75/053,439  
MARK : OUTLOOK in Class 9  
FILING DATE : February 5, 1996  
DOCKET NO. : 669005.258





EXPRESS MAIL NO. : EM067750496US  
APPLICANT : Microsoft Corporation  
SERIAL NO. : 75/053,439  
MARK : OUTLOOK in Class 9  
FILING DATE : February 5, 1996  
DOCKET NO. : 669005.258



**PUBLICAT /REGISTRATION EXAMINATION WORK SHEET**

Reviewer: Lawrence H. Caplan, Sr. **103** Date: 7/22/98 Serial No: 78-75/053439

I certify all information in the database matched the information in the file and no corrections were required.

INSTRUCTIONS: If the information in the database does not match the information in the file the reviewer should check the ERROR column. After correction (text editing), the EDITED column should be checked. RETAIN IN FILE WRAP.

SCREEN	ERROR	EDITED	ERROR FOUND DURING REVIEW REQUIRING AMENDMENT OF:
AM			AM Mark Type:
			AM Register:
			AM Mark: <input type="checkbox"/> MDC:
			AM Amended Register: PR: SR:
			AM Amended Reg. Date:
PY			PY Owner: <input type="checkbox"/> Name:
			PY <input type="checkbox"/> Citizenship:
			PY <input type="checkbox"/> Entity Type:
			EN <input type="checkbox"/> Entity Statement:
			DB DBA/AKA/TA Statement:
			PY Address: <input type="checkbox"/> Inter <input type="checkbox"/> City <input type="checkbox"/> State/Country <input type="checkbox"/> Zip
CL			NC Assignment or Name Change:
			CO Composed of:
			CL International Class: U.S. Class:
			CL First Use: First Use in Commerce:
			GS Goods and Services:
O T H E R			1B 1(b) Claimed: Added <input type="checkbox"/> Deleted <input type="checkbox"/>
			D1 Disclaimer:
			DM Description of Mark:
			LS Lining and Stippling Statement:
			TR Translation of Words in Mark:
			NO Name/Portrait Description/Consent:
			TF Section 2(f): <input type="checkbox"/> Entire Mark <input type="checkbox"/> In Part <input type="checkbox"/> Limitation Statement:
			AF Use in Another Form:
			CS Certification Statement:
			CU Concurrent Use Statement:
FN			PR Prior U.S. Registrations:
			DR Domestic Representative:
			FN Foreign Country of Origin:
			FN Foreign Application No: Frgn. Appl. Filing Date:
			FN Section 44(d): Y/N
			FN Foreign Registration No: Frgn. Reg. Date:
			FN Foreign Registration Expiration Date:
CD			FN Foreign Renewal Reg. No: Frgn. Reg. Renewed:
			FN Foreign Registration Renewed Expiration Date:
			AT Attorney Name:
		CD Correspondence: <input type="checkbox"/> Name <input type="checkbox"/> Inter St. Address <input type="checkbox"/> City/State/Zip	
		DN Attorney Docket Number:	

Other: \_\_\_\_\_  
 \_\_\_\_\_  
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I certify that all corrections have been entered in accordance with the above instructions and text editing guidelines.

Text Editor \_\_\_\_\_

Date \_\_\_\_\_

## STATEMENT OF USE

## AMENDMENT WORKSHEET

NAME: Sly DouglasDATE: 6/12/98 SERIAL #: \_\_\_\_\_

**INSTRUCTIONS:** The dates of use and/or deletion to goods have been entered in the file. The Text Editor should check the "Entered" column after the amendment has been entered into the database.

**RETAIN IN APPLICATION FILE**

SCREEN CODE	AMENDED	ENTERED	AMENDED TO:
CL	X		Date of first use
CL	X		Date of first use in commerce
DELETE(GS)			Goods & Services
CL			International Class
PY			Applicant : ( ) Name ( ) Address ( ) Entity Type ( ) Citizenship/State of Incorporation
NC/99			Assignment/Name Change
CD			Correspondence ( ) Name ( ) Address

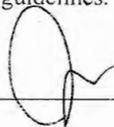
NOTE: \_\_\_\_\_

OTHER INFORMATION OR

AMENDMENTS: \_\_\_\_\_

NO AMENDMENT REQUIRED ( ):

All indicated amendment(s) have been entered in the database in accordance with the above instructions and text editing guidelines.

INIT. DATE: 6-12-98

100/363

*[Handwritten initials]*

EXPRESS MAIL NO.EM067750496US

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Microsoft Corporation  
 Serial No. : 75/053,439  
 Filed : February 5, 1996  
 Mark : OUTLOOK in Class 9  
 Date of Notice of Allowance : November 25, 1997

TM Attorney : Schuyla Goodson  
 Law Office : 103  
 Docket No. : 669005.258  
 Date : May 22, 1998



Box ITU/Fee  
 Assistant Commissioner for Trademarks  
 2900 Crystal Drive  
 Arlington, Virginia 22202-3513

STATEMENT OF USE UNDER 37 C.F.R. § 2.88

Dear Sir:

Applicant requests that the above-identified mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. § 1051 *et seq.*).

A Notice of Allowance was issued on November 25, 1997 for the following goods in Class 9:

Computer programs for providing enhanced electronic mail and scheduling capabilities, for use by individual computer users; namely, computer programs for managing, viewing, and editing files, documents, electronic mail messages and private network and global computer network communications; computer programs for meeting and event scheduling, managing group calendars, task delegation and reporting, recording notes, transferring data to and from data bases and to and from computer programs and computer files; address book programs, telephone

06/02/1998 SHOPPER 00000225 75053439

01 FD:363

100.00 00

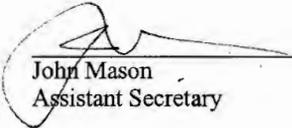
dialing programs, programs for correcting typographical and capitalization errors, programs for tallying voting responses; and instruction manuals therefor sold as a unit

Applicant is using the mark in commerce on or in connection with the goods identified in the Notice of Allowance in this application, and three specimens showing the mark as actually used are presented herewith.

CL 1 SOV	The trademark was first used on the goods at least as early as January 1, 1997 was first used in interstate commerce at least as early as January 1, 1997 and is now in use in such commerce.
----------------	---

The undersigned, John Mason, being hereby warned that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application or any registration resulting therefrom, states that he is the Assistant Secretary of applicant corporation and is authorized to execute this Statement of Use on behalf of said corporation; that he believes said corporation to be the owner of the mark sought to be registered; that the trademark is now in use in commerce; and that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

May 22, 1998  
Date

  
John Mason  
Assistant Secretary

Enclosures:  
Transmittal Letter (+ copy)  
Specimens (3)  
Postcard

U:\WOF98\343

EXPRESS MAIL NO. EM067750496US

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOA  
11-27-97

Applicant : Microsoft Corporation  
 Serial No. : 75/053,439  
 Filed : February 5, 1996  
 Mark : OUTLOOK in Class 9

TM Attorney : Schuylla Good  
 Law Office : 103  
 Docket No. : 669005.258  
 Date : May 26, 1998



Box ITU/Fee  
 Assistant Commissioner for Trademarks  
 2900 Crystal Drive  
 Arlington, Virginia 22202-3513

TRANSMITTAL OF STATEMENT OF USE UNDER 37 C.F.R. § 2.88

Dear Sir:

Enclosed is a Statement of Use for the above-identified trademark.

Our check in the amount of \$100 to cover the cost of filing the statement and three (3) specimens illustrating the mark are also enclosed. The specimens comprise a printout of a computer screen display generated by Applicant's computer program products. Please charge any additional fees or credit any overpayment to our Deposit Account No. 19-1090. A duplicate of this letter is enclosed.

Respectfully submitted,

SEED AND BERRY LLP

A handwritten signature in black ink, appearing to read "William O. Ferron, Jr.", written over a horizontal line.

William O. Ferron, Jr.

RECEIVED  
 I.T.U. UNIT  
 AM 4:52

WOF:jej

Enclosures:

- 98 Postcard
- Check No. 52607 for \$100
- Certificate of Express Mail
- Copy of this letter
- Statement of Use
- Specimens (3)

U:\WOF98\343.1

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Microsoft Corporation  
Serial No. : 75/053,439  
Filed : February 5, 1996  
Mark : OUTLOOK in Class 9  
TM Attorney : Schuyla Gooden  
Law Office : 103  
Docket No. : 669005.258  
Date : May 26, 1998



Box ITU/Fee  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

TRANSMITTAL OF STATEMENT OF USE UNDER 37 C.F.R. § 2.88

Dear Sir:

Enclosed is a Statement of Use for the above-identified trademark.

Our check in the amount of \$100 to cover the cost of filing the statement and three (3) specimens illustrating the mark are also enclosed. The specimens comprise a printout of a computer screen display generated by Applicant's computer program products. Please charge any additional fees or credit any overpayment to our Deposit Account No. 19-1090. A duplicate of this letter is enclosed.

Respectfully submitted,

SEED AND BERRY LLP

William O. Ferron, Jr.

WOF:jej

Enclosures:

Postcard  
Check No. 52607 for \$100  
Certificate of Express Mail  
Copy of this letter  
Statement of Use  
Specimens (3)

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Microsoft Corporation  
Serial No. : 75/053,439  
Filing Date : February 5, 1996  
For : OUTLOOK in Class 9  
Docket No. : 669005.258  
Date : May 26, 1998

Box ITU/FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. EM067750496US, on May 26, 1998, addressed to Box ITU/FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Respectfully submitted,

SEED AND BERRY LLP

  
David Jordan

WOF:jej

Enclosures:  
Postcard  
Check No. 52607 for \$100  
Transmittal Letter (+ copy)  
Statement of Use  
Specimens (3 each/labeled)

U:\WOF98\343.2

U.S. Patent and Trademark Office (PTO)  
**NOTICE OF ALLOWANCE**

(NOTE: If any data on this notice is incorrect, please submit a written request for correction of the NOA to: Assistant Commissioner for Trademarks, Box ITU, 2900 Crystal Drive, Arlington, VA 22202-3513. Please include the serial number of your application on ALL correspondence with the PTO. 15 U.S.C. 1063(b)(2))

ISSUE DATE OF NOA: Nov 25, 1997

William O. Ferron, Jr.  
SEED and BERRY LLP  
6300 Columbia Center  
Seattle, WA 98104-7092

ATTORNEY  
REFERENCE NUMBER  
669005.258

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

To avoid ABANDONMENT of this application, either a "Statement of Use" (a.k.a. "Allegation of Use") or a "Request for Extension of Time to File a Statement of Use" (a.k.a. "Extension Request") and the appropriate fee(s) must be received in the PTO within six months of the issue date of this Notice Of Allowance (NOA). Failure to do so will result in the ABANDONMENT of this application.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements, including fees. These requirements are explained in the PTO booklet "Basic Facts About Trademarks", which can be obtained upon request at (703)308-9000. In addition, there are printed forms contained in this booklet (for "Statements of Use" and "Extension Requests") for your use.

The following information should be reviewed for accuracy:

SERIAL NUMBER: 75/053439  
MARK: OUTLOOK  
OWNER: Microsoft Corporation  
One Microsoft Way  
Redmond, WASHINGTON 980526399

**GOODS/SERVICES BY INTERNATIONAL CLASS**

009-computer programs for providing enhanced electronic mail and scheduling capabilities, for use by individual computer users, namely, computer programs for managing, viewing, and editing files, documents, electronic mail messages and private network and global computer network communications; computer programs for meeting and event scheduling, managing group calendars, task delegation and reporting, recording notes, transferring data to and from data bases and to and from computer programs and computer files; address book programs, telephone dialing programs, programs for correcting typographical and capitalization errors, programs for tallying voting responses; and instruction manuals therefor sold as a unit

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Sheldon H. Klein  
The Cushman Darby & Cushman Intellectual Property  
of Pillsbury Madison & Sutro LLP  
1100 New York Avenue, N.W.  
Ninth Floor, East Tower  
Washington, DC 20005-3918

May 29, 1997

Serial No.: 75053439

Attached please find a copy of a request to extend time to  
oppose granted until 7/28/97.

Please do not hesitate to contact the undersigned for any  
questions relating to this extension.



Carmen Ruth  
Legal Assistant  
Trademark Trial  
and Appeal Board  
Tel.: (703) 308-9300 X142

Attachment

TAB



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

In the Matter of Appln. Ser. No.: 75/053,439  
Filed: February 5, 1996  
Applicant: Microsoft Corporation  
Published in the Official Gazette of April 29, 1997



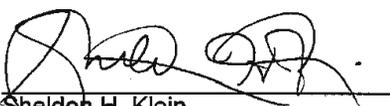
**FIRST REQUEST FOR EXTENSION OF TIME WITHIN WHICH TO OPPOSE**

4/29

In connection with the above-identified application, which was published in the Official Gazette of April 29, 1997 at page TM 155, Research Systems Corporation hereby requests a sixty-day extension of time within which to oppose registration of the mark, up to and including July 28, 1997.

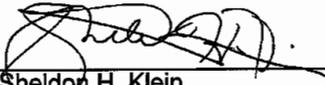
Potential Opposer's and Applicant's attorneys have been engaged in discussions to determine whether a settlement of this matter may be possible without institution of an opposition proceeding. The extension is requested in order to facilitate the continuation of those discussions.

Respectfully submitted,  
RESEARCH SYSTEMS CORPORATION

By:   
Sheldon H. Klein  
THE CUSHMAN DARBY & CUSHMAN  
INTELLECTUAL PROPERTY GROUP OF  
PILLSBURY MADISON & SUTRO LLP  
1100 New York Avenue, N.W.  
Ninth Floor, East Tower  
Washington, D.C. 20005-3918  
(202) 861-3000

CERTIFICATE OF SERVICE

It is hereby certified that on this 15<sup>th</sup> day of May, 1997, a true copy of the foregoing First Request For Extension of Time Within Which To Oppose was served on Applicant Microsoft Corporation's attorney, William O. Ferron, Jr., Esq. of the law firm of Seed and Berry LLP, 6300 Columbia Center, 701 Fifth Avenue, Seattle, Washington, 98104-7092, by first class mail, postage prepaid.

  
Sheldon H. Klein



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mar. 28, 1997

NOTICE OF PUBLICATION UNDER 12(a)

- |                                       |  |
|---------------------------------------|--|
| 1. Serial No.:<br>75/053,439          | 2. Mark:<br>OUTLOOK                    |
| 3. International Class(es):<br>9      |  |
| 4. Publication Date:<br>Apr. 29, 1997 | 5. Applicant:<br>Microsoft Corporation |

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

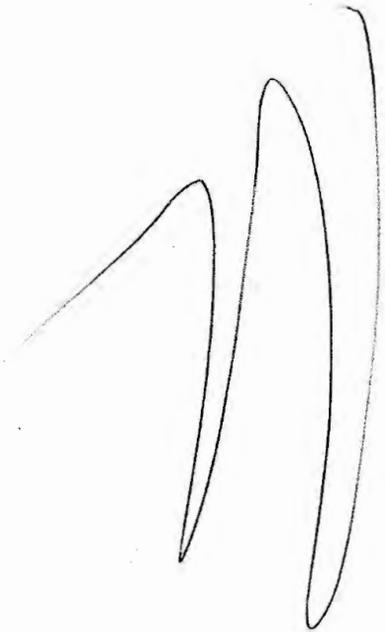
Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained at \$28.00 each for domestic orders, or at \$35.00 each for foreign orders from:

The Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20402

By direction of the Commissioner.

William O. Ferron, Jr.  
SEED and BERRY LLP  
6300 Columbia Center  
Seattle, WA 98104-7092

TMP&I

A large, stylized handwritten signature in black ink, consisting of several sweeping, connected strokes that form a cursive-like shape.

**PUBLICATION/REGISTRATION EXAMINATION WORK SHEET**

Reviewer: **Lawrence Copelin**      LO: **103**      Date: **3/6/97**      Serial No.: \_\_\_\_\_

I certify all information in the database matched the information in the file and no corrections were required.

INSTRUCTIONS: If the information in the database does not match the information in the file the reviewer should check the ERROR column. After correction (text editing), the EDITED column should be checked. RETAIN IN FILE WRAP.

SCREEN	ERROR	EDITED	ERROR FOUND DURING REVIEW REQUIRING AMENDMENT OF:
AM			AM Mark Type:
			AM Register:
			AM Mark: <input type="checkbox"/> MDC:
PY			PY Owner: <input type="checkbox"/> Name:
			PY <input type="checkbox"/> Citizenship:
			PY <input type="checkbox"/> Entity Type:
			EN <input type="checkbox"/> Entity Statement:
			DB DBA/AKA/TA Statement:
			PY Address: <input type="checkbox"/> Inter <input type="checkbox"/> City <input type="checkbox"/> State/Country <input type="checkbox"/> Zip
			NC Assignment or Name Change:
CL			CO Composed of:
			CL International Class: <span style="float:right">U.S. Class:</span>
			CL First Use: <span style="float:right">First Use in Commerce:</span>
			GS Goods and Services:
			GS
			GS
			GS
AM			AM Amended Register: <span style="float:right">P.R.:</span> <span style="float:right">S.R.:</span>
			AM Amended Reg. Date:
O D A T A			D1 Disclaimer:
			DM Description of Mark:
			LS Lining and Stippling Statement:
			TR Translation of Words in Mark:
			NO Name/Portrait Description/Consent:
			TF Section 2(f): <input type="checkbox"/> Entire Mark <input type="checkbox"/> In Part <input type="checkbox"/> Limitation Statement:
			AF Use in Another Form:
			CS Certification Statement:
F N			CU Concurrent Use Statement:
			PR Prior U.S. Registrations:
			DR Domestic Representative:
			FN Foreign Country of Origin:
			FN Foreign Application No.: <span style="float:right">Frqn. Appl. Filing Date:</span>
			FN Section 44(d): Y/N
			FN Foreign Registration No.: <span style="float:right">Frqn. Reg. Date:</span>
			FN Foreign Registration Expiration Date:
C D			FN Foreign Renewal Reg. No.: <span style="float:right">Frqn. Reg. Renewed:</span>
			FN Foreign Registration Renewed Expiration Date:
			AT Attorney Name:
		CD Correspondence: <input type="checkbox"/> Name <input type="checkbox"/> Inter St. Address <input type="checkbox"/> City/State/Zip	
		DN Attorney Docket Number:	

Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I certify that all corrections have been entered in accordance with the above instructions and text editing guidelines.

\_\_\_\_\_      \_\_\_\_\_  
 Text Editor      Date

*Coodin*

To: <i>Gerard Seegars</i>	Location: <i>L-O-106 103</i>
---------------------------	------------------------------

ACTION TAKEN BY ASSISTANT COMMISSIONER  
FOR TRADEMARKS OFFICE  
(10th Floor - South Tower)

Serial No. <i>75/063A39</i>	Date action taken: <i>1/17/97</i>
	Reinstated - Inadvertent abandonment
	Request for Reinstatement - Granted
	Request for Reinstatement - Moot
	Letter of Protest - Granted
<input checked="" type="checkbox"/>	Letter of Protest - Denied
	Letter of Protest - Moot
	Petition to Make Special - Granted
	Petition to Make Special - Denied
	Request for Special Handling - Granted
	Other:

For additional information contact: Carol Smith, Paralegal Specialist 308-8900

**AMENDMENT EXAMINATION WORK SHEET**

Name: Lawrence Copelin L.O.: 103 Date: 11/27/96 Serial No.: \_\_\_\_\_

INSTRUCTIONS: To certify amendments the R&A Clerk should check the "AMENDED" column. The Text Editor should check "ENTERED" after the amendment has been entered. RETAIN IN FILE.

SCREEN	AMENDED	ENTERED	AMENDED TO:
AM			AM Mark Type:
			AM Register:
			AM Mark: <input type="checkbox"/> MDC:
PY			PY Owner: <input type="checkbox"/> Name:
			PY <input type="checkbox"/> Citizenship:
			PY <input type="checkbox"/> Entity Type:
			EN <input type="checkbox"/> Entity Statement:
			DB DBA/AKA/TA Statement:
			PY Address: <input type="checkbox"/> Inter <input type="checkbox"/> City <input type="checkbox"/> State/Country <input type="checkbox"/> Zip
CL			NC Assignment or Name Change:
			CO Composed of:
			CL International Class: <span style="float: right;">U.S. Class:</span>
			CL First Use: <span style="float: right;">First Use in Commerce:</span>
			GS Goods and Services:
AM			AM Amended Register: <span style="float: right;">P.R.:</span> <span style="float: right;">S.R.:</span>
			AM Amended Reg Date:
O T H E R			D1 Disclaimer:
			DM Description of Mark:
			LS Lining and Stippling Statement:
			TR Translation of Words in Mark:
			NO Name/Portrait Description/Consent:
			TF Section 2(f): <input type="checkbox"/> Entire Mark <input type="checkbox"/> In Part <input type="checkbox"/> Limitation Statement:
			AF Use in Another Form:
			CS Certification Statement:
			CU Concurrent Use Statement:
			PR Prior U.S. Registrations:
FN			DR Domestic Representative:
			FN Foreign Country of Origin:
			FN Foreign Application No.: <span style="float: right;">Frqn. Appl. Filing Date:</span>
			FN Section 44(d) Claimed: Y/N
			FN Foreign Registration No.: <span style="float: right;">Frqn. Reg. Date:</span>
			FN Foreign Registration Expiration Date: <span style="float: right;">Frqn. Reg. Renewed:</span>
CD			FN Foreign Registration Renewed Expiration Date:
			AT Attorney Name:
			CD Correspondence: <input type="checkbox"/> Name <input type="checkbox"/> Inter St. Address <input type="checkbox"/> City/State/Zip
		DN Attorney Docket Number:	

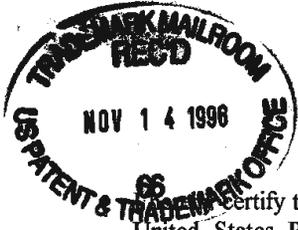
Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I certify that all corrections have been entered in accordance with the above instructions and text editing guidelines.

\_\_\_\_\_  
 Text Editor

12/2  
 Date

Initial Box if No Amendments are required.



10-103

2A

TRADEMARK

I certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

November 11, 1996  
Date

William O. Ferron, Jr.  
William O. Ferron, Jr.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Microsoft Corporation  
Serial No. : 75/053,439  
Filed : February 5, 1996  
Mark : OUTLOOK in Class 9

TM Attorney : Schuylla Goodson  
Law Office : 103  
Docket No. : 669005.258  
Date : November 11, 1996

Box RESPONSES/NO FEE  
Law Office 103  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

56 NOV 20 AM 9:50  
LAW OFFICE 3

AMENDMENT

Dear Sir:

Please amend the description of goods to read as follows:

AI	65	Computer programs for providing enhanced electronic mail and scheduling capabilities, for use by individual computer users; namely, computer programs for managing, viewing, and editing files, documents, electronic mail messages and private network and global computer network communications; computer programs for meeting and event scheduling, managing group calendars, task delegation and reporting, recording notes, transferring data to and from data bases and to and from computer programs and computer files; address book programs, telephone dialing programs, programs for correcting typographical and capitalization errors, programs for tallying voting responses; and instruction manuals therefor sold as a unit, in International Class 9.
----	----	---

### REMARKS

The Examining Attorney has advised applicant of a potential citation should pending application Serial No. 75/018,077 mature into a registration, and requested amendment to applicant's identification of goods. Applicant has amended its identification of goods to clarify the matters requested. With respect to the potential citation of application Serial No. 75/018,077, applicant submits there is no likelihood of confusion between its application and any registration which may mature from such potential citation, and therefore requests that its application be approved for publication.

The potential citation noted by the Examining Attorney is an application for the mark OUTLOOK for "computer peripherals; systems for the control of multiple computers from a single personal computer console" by Apex PC Solutions, Inc. Apex's OUTLOOK product is a concentrator switch — a piece of network hardware sold to and used by network administrators for use in controlling network administration functions. For example, an April 2, 1996 press release from Apex discusses the use of OUTLOOK in combination with other Apex network administration products:

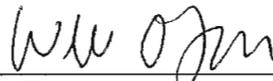
For data centers that operate in a mixed-platform environment, SunDial can be connected and controlled from the OutLook concentrator switch available from Apex. "Now, for the first time, LAN administrators can access and control Sun, HP-9000, and RS-6000 work stations and PC-based systems from a single keyboard, monitor and mouse," said Danny Beasley, director of engineering. Deployment of SunDial and OutLook switches sets a new benchmark for network administration, right on the operator's video screen!

Similarly, in a January 30, 1996 press release, Apex described its OUTLOOK product as ". . . the industry's first video screen-based concentrator switch . . . which allows administrators to control large computer networks from a single keyboard, mouse and monitor." (Printouts of both press releases are attached hereto as Attachment A.)

Applicant's products, in contrast, are software products designed to provide enhanced email and scheduling functions to individual computer users. As such, not only are the products quite different, but they are designed for use by different users. Apex's product is a special-purpose hardware product used by network administrators, and invisible to the typical computer user. Applicant's products are general purpose software aimed at general users, for common office applications.

In view of the above, applicant respectfully submits that its application should be approved for publication. If questions remain, applicant asks that the Examining Attorney call applicant's undersigned attorney at the number listed below to discuss this matter further.

Respectfully submitted,  
Microsoft Corporation  
SEED AND BERRY LLP



---

William O. Ferron, Jr.

WOF:kt

Enclosure:

Postcard  
Attachment A

6300 Columbia Center  
Seattle, Washington 98104-7092  
(206) 622-4900  
Fax: (206) 682-6031

c:\wof\96895\w3



Phone (206) 402-9393, (800) 861-5858 - Fax (206) 402-9494 - E-mail: [sales@pcsol.com](mailto:sales@pcsol.com)

For more information about the products and services listed below,  
please call Apex Solutions at (206) 402-9393 or E-mail: [sales@pcsol.com](mailto:sales@pcsol.com)

**PRESS RELEASE** Contacts: Chris Sirianni

Director of Sales  
and Marketing  
(206) 402-9393

Candy Young  
Young & Company

**For Release April 2, 1996**

Apex's SunDial switch centralizes control of Sun networks Woodinville, WA - Corporate command centers that support Sun workstations can now reliably administer their networks from one console with SunDial from Apex PC Solutions. This integrated switch allows system administrators to control up to 100 Sun workstations using a single keyboard, mouse, and video. By consolidating server management into one location, SunDial offers benefits such as transparent operations, elimination of expensive hardware, space savings, and reduced power consumption.

SunDial takes advantage of a revolutionary on-screen interface, OSCAR( on-screen configuration and activity reporting), which lets users administer their networks from an intuitive, menu-based messaging system. The innovative technology allows users to identify servers with numbers as well as names. "Using OSCAR, operators can assign system names that make sense to them, right on the screen," said Chris Sirianni, director of sales and marketing for Apex. "This means operators can quickly locate servers anywhere in the data center without having to decipher a manufacturer's predefined numbering scheme." With its programmable scanning feature, SunDial removes the need for most monitors and I/O devices. System administrators can define a scan sequence, then visit selected workstations in their system on a timely basis. To ensure dependable operations, administrators can attach and monitor mission-critical applications for up to four minutes per scan cycle.

For data centers that operate in a mixed-platform environment, SunDial can be connected and controlled from the OutLook<sup>2</sup> concentrator switch available from Apex. "Now, for the first time, LAN administrators can access and control Sun, HP-9000, and RS-6000 workstations and PC-based systems from a single keyboard, monitor, and mouse," said Danny Beasley, director of engineering. Deployment of the SunDial and OutLook switches sets a new benchmark for network administration, right on the operator's video screen!

SunDial is fully compatible with other Apex switch products, including SwitchBack( and the company's DensePack cabinet systems. Pricing and Availability SunDial will be available starting May 1, 1996 from Apex PC Solutions. Price: \$1,929.00. Cables for connections between Sun systems and

the SunDial switch are also available from the company.

The Company Apex PC Solutions, Inc. provides space-consolidation and electronic-switching technology for organizations with multiple file servers. In addition to SunDial, its key products are DensePack cabinet systems, OutLook, a video screen-based concentrator switch, SwitchBack, a dual monitor, long-line driver, and ViewPoint®, an integrated, seamless switching system for corporate networks.

The company is located at 20031- 142nd Avenue NE, Woodinville, Wash. 98072. The phone numbers are (206) 402-9393 and (800) 861-5858; the fax is (206) 402-9494. Apex's Internet address is sales@pcsol.com. ### OSCAR, OutLook, SunDial, SwitchBack and ViewPoint are trademarks of Apex PC Solutions, Inc. Editor's note: Color slides of SunDial are available. Please call Chris Sirianni at (206) 402-9393 or e-mail your request to chriss@pcsol.com.

For Release January 30, 1996 (206) 869-8333

#### **COMNET '96 Booth #3336**

#### **Apex's OutLook Raises The Bar For Switching Systems**

Woodinville, Wash. Apex PC Solutions has created the industry's first video screen-based concentrator switch called OutLook, which allows administrators to control large computer networks from a single keyboard, mouse and monitor. OutLook's revolutionary on-screen interface, OSCAR (On Screen Configuration and Activity Reporting), lets users select as many as 64 servers from a single screen. The innovative technology allows servers to be identified using names as well as numbers, so system options can be viewed and selected in an intuitive menu format instead of just a pre-defined numbering system. Administrators can input their own easily accessed system names, and with the the on-screen viewing they avoid the buttons and blinking lights of previous products.

By consolidating multiple file servers in a single location, OutLook makes the functions of a PC network much more manageable. It offers advantages such as transparent reliable operation, physical space savings, hardware elimination and reduction of facility power consumption.

"The industry's efforts to centralize data processing and move away from distributed networks make switching products financially attractive and virtually mandatory," said Chris Sirianni, director of sales and marketing for Apex. "And with the reduction in needed equipment and other cost savings, OutLook offers an immediate return on investment."

Apex planned for future innovations by embedding Outlook with numerous hardware and firmware "hooks" which can adapt as customers' computing needs change. The product, which replaces Apex's DeskTop Concentrator switch and is being incorporated into the company's DensePack cabinet systems, is fully compatible with other Apex products including the SwitchBack and ViewPoint product lines.

#### **Pricing and Availability**

OutLook is available now at \$949 for the 4-port and \$1,290 for the 8-port version.

#### **The company**

provides space-consolidation and electronic-switching technology for organizations with multiple file

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

<b>SERIAL NO.</b> 75/053439		<b>APPLICANT</b> Microsoft Corporation	<b>PAPER NO.</b>	
<b>MARK</b> OUTLOOK		<b>ACTION NO.</b> 01	<b>ADDRESS:</b> Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513	
<b>ADDRESS</b> William O. Ferron, Jr. SEED and BERRY LLP 6300 Columbia Center Seattle, WA 98104-7092				<b>MAILING DATE</b> 08/29/96
FORM PTO-1525 (5-90)				<b>REF. NO.</b> 669005.258
U.S. DEPT. OF COMM. PAT. & TM OFFICE		If no fees are enclosed, the address should include the words "Box Responses - No Fee." Please provide in all correspondence:		
		<ol style="list-style-type: none"> <li>1. Filing Date, serial number, mark and Applicant's name.</li> <li>2. Mailing date of this Office action.</li> <li>3. Examining Attorney's name and Law Office number.</li> <li>4. Your telephone number and ZIP code.</li> </ol>		

**A PROPER RESPONSE TO THIS OFFICE ACTION MUST BE RECEIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID ABANDONMENT.** For your convenience and to ensure proper handling of your response, a label has been enclosed. Please attach it to the upper right corner of your response. If the label is not enclosed, print or type the Trademark Law Office No., Serial No., and Mark in the upper right corner of your response.

RE: Serial Number: 75/053439

The assigned examining attorney has reviewed the referenced application and determined the following.

**Potential Citation**

Although the examining attorney has searched the Office records and has found no similar *registered* mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d), the examining attorney encloses information regarding pending Application Serial No. **75-018077**. 37 C.F.R. Section 2.83.

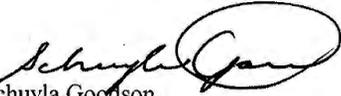
There may be a likelihood of confusion between the applicant's mark and the mark in the above noted application under Section 2(d) of the Act. The filing date of the referenced application precedes the applicant's filing date. If the earlier-filed application matures into a registration, the examining attorney may refuse registration under Section 2(d).

**Identification of Goods**

The word "Internet" in the identification of goods is unacceptable. The applicant may substitute the word "Internet" by using "global computer network". Furthermore, the applicant must amend the identification to insert the words "to and from" before the words computer programs in the seventh line in the identification of goods. The applicant must also insert the word "computer" before the word "files" in the eighth line of the identification.

5The applicant may amend the identification of goods to the following, if accurate: Computer programs for managing, viewing, and editing files, documents, electronic mail messages and private network and global computer network communications; for meeting and event scheduling, managing group calendars, task delegation and reporting, recording notes, transferring data to and from databases and to and from computer programs and computer files; address book programs, telephone dialing programs, programs for correcting typographical and capitalization errors, programs for tallying voting responses and instruction manuals therefor sold as a unit in International Class 9.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.



Schuyla Goodson  
Examining Attorney  
Law Office 103  
(703) 308-9103 ext. 149  
fax (703) 308-7185

\*\*\* User: EX396010 \*\*\* Ser: 1 Number: 75018077 \*\*\*

Word Mark  
OUTLOOK

Goods/Services  
IC 009; US 021 023 026 036 038; G & S: computer peripherals; systems for  
the control of multiple computers from a single personal computer console

Mark Drawing Code  
(1) TYPED DRAWING

Serial Number  
75-018077

Filing Date  
1995.11.13

Owner Name/Address  
(APPLICANT) Apex PC Solutions, Inc. CORPORATION WASHINGTON 20031 - 142nd  
Avenue N.E. Woodinville WASHINGTON 98072

Type of Mark  
TRADEMARK

Register  
PRINCIPAL

\*\*\* Search: 16 \*\*\* Document Number: 4 \*\*\*



245-361  
75053439  
EXPRESS MAIL NO. TB880553366

APPLICATION FOR TRADEMARK REGISTRATION

Mark: OUTLOOK

International Class: 9

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

[03/Microsoft Corporation/WA]  
a corporation of the State of [Washington]  
having a business address of:  
One Microsoft Way  
Redmond, Washington 98052-6399/  
WA

AA

The above-identified applicant has a *bona fide* intention to use the mark shown in the accompanying drawing in commerce for:

subAI  
GS  
009

~~AI~~ [COMPUTER PROGRAMS FOR MANAGING, VIEWING AND EDITING FILES, DOCUMENTS, ELECTRONIC MAIL MESSAGES AND NETWORK AND INTERNET COMMUNICATIONS; COMPUTER PROGRAMS FOR MEETING AND EVENT SCHEDULING, COMPUTER PROGRAMS FOR MANAGING GROUP CALENDARS; COMPUTER PROGRAMS FOR TASK DELEGATION AND REPORTING; COMPUTER PROGRAMS FOR RECORDING NOTES; COMPUTER PROGRAMS FOR TRANSFERRING DATA TO AND FROM DATABASES AND OTHER COMPUTER PROGRAMS AND FILES; ADDRESS BOOK PROGRAMS; TELEPHONE DIALING PROGRAMS; COMPUTER PROGRAMS FOR CORRECTING TYPOGRAPHICAL AND CAPITALIZATION ERRORS; COMPUTER PROGRAMS FOR TALLYING VOTING RESPONSES; AND INSTRUCTION MANUALS THEREFOR SOLD AS A UNIT]

and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946.

The mark is intended to be used by applying it directly to the goods, to labels for the goods, to containers for the goods and to displays associated with the goods.

The undersigned, Mary Snapp, being hereby warned that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application or document or any registration resulting therefrom, states that she is the Assistant Secretary of applicant corporation and is authorized to execute this application on behalf of said corporation;

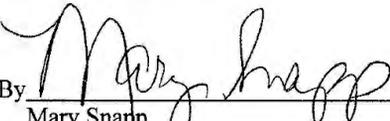
that she believes said corporation to be entitled to use such mark in commerce; that to the best of her knowledge and belief, no other person, firm, corporation, or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; that the facts set forth in this application are true; and that all statements made of her own knowledge are true and all statements made on information and belief are believed to be true.

POWER OF ATTORNEY

Applicant hereby appoints RICHARD W. SEED, ROBERT J. BAYNHAM, EDWARD W. BULCHIS, GEORGE C. RONDEAU, JR., DAVID H. DEITS, WILLIAM O. FERRON, JR., DAVID J. MAKI, PAUL T. MEIKLEJOHN, DAVID V. CARLSON, KARL R. HERMANN, MAURICE J. PIRIO, RICHARD G. SHARKEY, DAVID D. McMASTERS, LORRAINE LINFORD, MICHAEL J. DONOHUE, ROBERT IANNUCCI, JOSHUA KING, CLARENCE T. TEGREENE, ROBERT G. WOOLSTON, STEVEN D. LAWRENZ, KEVIN J. CANNING, CHRISTOPHER J. DALEY-WATSON, MICHAEL L. KIKLIS, ELLEN M. BIERMAN, RAMSEY M. AL-SALAM, N. THANE BAUZ, PATRICK McBRIDE, CAROL NOTTENBURG, JANAKI KOMANDURI, HARRY K. AHN, ANN T. KADLECEK, BRYAN A. SANTARELLI, and JOHN C. STEWART, each a member of the bar of the State of Washington, comprising the firm of [SEED AND BERRY LLP, 6300 Columbia Center, Seattle, Washington 98104-7092] to prosecute this application to registration, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration. Please direct all telephone calls to [William O. Ferron, Jr.] at (206) 622-4900 and facsimiles to (206) 682-6031.

CA  
AT

Microsoft Corporation

By   
Mary Snapp  
Assistant Secretary

Date 2/05/96



75053439

TRADEMARK

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Microsoft Corporation  
Filing Date : February 5, 1995  
For : "OUTLOOK"

Docket No. : 669005.258  
Date : February 5, 1996

Box NEW APP/FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. TB880553366, on February 5, 1995, addressed to Box NEW APP/FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Respectfully submitted,  
SEED AND BERRY LLP

  
\_\_\_\_\_  
Jeanette West

Enclosures:  
Postcard  
Check No. 41615 for \$245  
Cover Sheet (+ copy)  
Trademark Application  
Drawing Sheet

c:\wo96\184alv1

75053439



RAMSEY M. AL-SALAM  
ROBERT I. BAYNHAM  
EDWARD W. BULCHIS  
KEVIN J. CANNING  
DAVID V. CARLSON  
DAVID H. DEITS  
WILLIAM O. FERRON, JR.  
KARL R. HERMANN  
DAVID J. MAKI  
DAVID D. McMASTERS  
PAUL T. MEKLEJOHN  
MAURICE J. PERLO  
GEORGE C. RONDEAU, JR.  
RICHARD W. SEED  
RICHARD G. SHARKEY

OF COUNSEL  
JERRY A. RIEDINGER\*

BENJAMIN F. BERRY  
(1918-1989)

LAW OFFICES  
**SEED AND BERRY LLP**

6300 COLUMBIA CENTER  
701 FIFTH AVENUE  
SEATTLE, WASHINGTON 98104-7092  
(206) 622-4900

FAX: (206) 682-6031

PATENT, TRADEMARK, COPYRIGHT, UNFAIR COMPETITION,  
COMPUTER LAW, BIOTECHNOLOGY LAW, AND RELATED  
LITIGATION AND LICENSING

February 5, 1996

HARRY K. AHN  
N. THANE BAUZ  
ROBERT W. BERGSTROM  
ELLEN M. BIEMAN  
CHRISTOPHER J. DALEY-WATSON  
MICHAEL J. DONOHUE  
ROBERT IANNUCCI  
CRAIG S. JEPSON  
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JANAKI KOMANDURI  
STEVEN D. LAWRENZ  
LORRAINE LINFORD  
PATRICK T. MBRIDE  
CAROL NOTTENBURG  
DAVID W. PARKER\*  
PAUL T. PARKER  
BRYAN A. SANTARELLI  
JOHN C. STEWART  
CASEY T. TEGREENE  
ROBERT G. WOOLSTON

\*ADMITTED ONLY IN JURISDICTIONS  
OTHER THAN WASHINGTON STATE

EXPRESS MAIL NO. TB880553366

Box NEW APP/FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Re: Microsoft Corporation  
Our Reference: 669005.258

Dear Sir:

Enclosed is an application for trademark registration as follows:

Applicant : Microsoft Corporation  
Mark : OUTLOOK  
International Class : 9

Our check in the amount of \$245.00 to cover the cost of filing the application and three specimens illustrating the mark are also enclosed. Please charge any additional fees or credit any overpayment to our Deposit Account No. 19-1090. A duplicate of this letter is enclosed.

Yours very truly,  
SEED AND BERRY LLP

*Bill*  
William O. Ferron, Jr.

WOF:kt  
Enclosures: Return postcard  
Check No. 41615 for \$245 filing fee  
Copy of this letter  
Application  
Drawing sheet

c:\wa\96\135v2



75053439

LAW OFFICES  
**SEED AND BERRY LLP**  
6300 COLUMBIA CENTER  
701 FIFTH AVENUE  
SEATTLE, WASHINGTON 98104-7092  
(206) 622-4900

HARRY K. AHN  
N. THANE BAUZ  
ROBERT W. BERGSTROM  
ELLEN M. BIERMAN  
CHRISTOPHER J. DALEY-WATSON  
MICHAEL J. DONOHUE  
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PAUL T. MEIKLEJOHN  
MAURICE J. PIRIO  
GEORGE C. RONDEAU, JR.  
RICHARD W. SEED  
RICHARD G. SHARKEY

PATENT, TRADEMARK, COPYRIGHT, UNFAIR COMPETITION,  
COMPUTER LAW, BIOTECHNOLOGY LAW, AND RELATED  
LITIGATION AND LICENSING

FAX: (206) 682-6031

February 5, 1996

OF COUNSEL  
JERRY A. RIEDINGER\*

BENJAMIN F. BERRY  
(1918-1988)

\*ADMITTED ONLY IN JURISDICTIONS  
OTHER THAN WASHINGTON STATE

EXPRESS MAIL NO. TB880553366

Box NEW APP/FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

DN

Re: Microsoft Corporation  
Our Reference: [669005.258]

Dear Sir:

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Applicant : Microsoft Corporation  
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Yours very truly,  
SEED AND BERRY LLP

William O. Ferron, Jr.

WOF:kt  
Enclosures: Return postcard  
Check No. 41615 for \$245 filing fee  
Copy of this letter  
Application  
Drawing sheet

c:\wo\96\135\2

75053439

TRADEMARK APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

630 HJ 02/27/96 75053439  
0 361 245.00 CK

PTO-1555  
(5/87)

# CODING SHEET FOR PSEUDO MARKS AND DESIGN SEARCH CODES

SERIES CODE AND SERIAL NUMBER 75-053439

MARK DRAWING CODE  
(please circle appropriate NBC)  1     2     3     4     5     6

PSEUDO MARK (PM) \_\_\_\_\_  
\_\_\_\_\_

## WIPO/DESIGN SEARCH CODES

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

NAME: Shelton Evans

ITU:  or  N

S - 2

SERIAL NO.: 75 053439

TRADEMARK APPLICATION FILE DATA WORKSHEET

CLASS DATA

1. INTERNATIONAL CLASS	009									
2. COLLECTIVE TM or SM	T	S	T	S	T	S	T	S	T	S
3. FEE PAID	<input checked="" type="radio"/>	N	Y	N	Y	N	Y	N	Y	N
4. PRIOR US CLASS(ES)										
5. 1ST USE DATE										
6. 1ST USE IN COMM DATE										
7. IN ANOTHER FORM CODE	1	2	1	2	1	2	1	2	1	2
8. IN ANOTHER FORM STATEMENT	AF CODE IN MARGIN TEXT IN [ ]									
9. GOODS/SERVICES	<input checked="" type="radio"/> INTERNATIONAL CLASS IN MARGIN, TEXT [ ]									
10. CERTIFICATION STATEMENT	CS IN MARGIN, TEXT IN [ ]									

FOREIGN DATA

1. PRIORITY CLAIMED	Y	N	Y	N	Y	N	Y	N	Y	N
2. COUNTRY CODE										
3. FOREIGN APPLICATION										
4. FOREIGN FILING DATE										
5. FOREIGN REG #										
6. FOREIGN REG DATE										
7. FOREIGN EXPIRATION DATE										
8. RENEWAL #										
9. RENEWAL REG DATE										
10. RENEWAL EXPIRATION DATE										

NOTES TO DATA ENTRY PERSONNEL:

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INTENT TO USE  
GOODS/SERVICES

- : Microsoft Corporation
- : One Microsoft Way  
Redmond, Washington 98052-6399
- : COMPUTER PROGRAMS FOR MANAGING, VIEWING AND EDITING FILES, DOCUMENTS, ELECTRONIC MAIL MESSAGES AND NETWORK INTERNET COMMUNICATIONS; COMPUTER PROGRAMS FOR MEETING AND EVENT SCHEDULING. . . MANAGING GROUP CALENDARS. . . TASK DELEGATION AND REPORTING. . . TRANSFERRING DATA TO AND FROM DATABASES. . . ADDRESS BOOK PROGRAMS; TELEPHONE DIALING PROGRAMS; COMPUTER PROGRAMS FOR CORRECTING TYPOGRAPHICAL AND CAPITALIZATION ERRORS. . .

INT CL
9
PRIOR US CL.
21 23 26
36 38 39



OUTLOOK

Registered  
9/08/98  
Pat. & T.M. Office

PUBLISHED  
APR 29 1997

\*\*\* User: EX396010 \*\*\*

STMT NUMBER	TOTAL MARKS	LIVE VIEWED	DEAD VIEWED	SEARCH
01	290	0	0	PHRASCH /OW Microsoft
02	120	0	0	PHRASCH outlook
03	127	0	0	:outlook:
04	2722	0	0	out
05	1647	0	0	:look:
06	128	0	0	PHONSCH outlook ^outlooks
07	38	28	10	4 & 5
08	764840	0	0	dead/ld
09	253760	0	0	009/ic
10	6422	0	0	a/ic^b/ic^200/ic
11	69	0	0	PHRASCH 2~8
12	74	0	0	3~8
13	75	0	0	6 ~8
14	9	9	0	11 & 9
15	9	9	0	12 & 9
16	9	9	0	13 & 9
17	0	0	0	11 & 10
18	0	0	0	12 & 10
19	0	0	0	13 & 10

TERMINAL SESSION STARTED 08/23/96 10:06 A.M. (EASTERN TIME)  
TERMINAL SESSION FINISHED 08/23/96 10:23 A.M. (EASTERN TIME)  
ELAPSED TIME THIS SESSION 0 HRS AND 17 MIN

FORM PTO-1538 REV. 11-84		(FOR PUBLIC USE)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	
<b>ORDER AND CHARGE FOR TRADEMARK FILE</b>					
<b>PRINT INFORMATION REQUESTED.</b> Forms not containing complete and currently correct data can not be efficiently processed. All trademark files abandoned, cancelled, or expired over 2 years are destroyed.			DATE OF ORDER		
			9/6/96		
<b>CURRENT STATUS</b> Check correct box and enter appropriate status date. <input type="checkbox"/> Registered <input type="checkbox"/> Cancelled Sect. 7 <input type="checkbox"/> Abandoned <input type="checkbox"/> Cancelled Sect. 8 <input type="checkbox"/> Expired <input type="checkbox"/> Other			REGISTRATION NO.		
			SERIAL NO.		
<b>PERSON MAKING REQUEST</b> JOSHUA HATTON			ROOM NO.		STATUS DATE
			103 APO		
<b>ORGANIZATION OR FIRM NAME</b> CUSHMAN DARTY et al.		<b>PURPOSE</b>		<b>PHONE NO.</b> 861-3000	
<b>REPOSITORY USE ONLY</b>					
DATE ORDER PROCESSED			<input type="checkbox"/> Not found at Files Repository <input type="checkbox"/> File en route to Repository from _____ According to TRAM		
ORDER PROCESSED BY:			<input type="checkbox"/> File presently charged to _____		

Distribution of copies: Blue: requestor; Yellow: attach to file being ordered; Buff Card Copy: file at Repository

## Change Of Correspondence Address

---

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	75053439
<b>REGISTRATION NUMBER</b>	2188125
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 103
<b>MARK SECTION</b>	
<b>MARK</b>	OUTLOOK
<b>CORRESPONDENCE SECTION (current)</b>	
<b>ORIGINAL ADDRESS</b>	WILLIAM O. FERRON, JR. SEED INTELLECTUAL PROPERTY LAW GROUP SUITE 6300 701 FIFTH AVENUE SEATTLE Washington 98104-7092 United States
<b>NEW CORRESPONDENCE ADDRESS</b>	
<b>NEW ADDRESS</b>	William O. Ferron, Jr. Seed IP Law Group PLLC Suite 5400 701 Fifth Avenue Seattle Washington United States 98104 206-622-4900 206-682-6031 BillF.docketing@SeedIP.com
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/William O. Ferron, Jr./
<b>SIGNATORY NAME</b>	William O. Ferron, Jr.
<b>SIGNATORY DATE</b>	12/29/2006
<b>SIGNATORY POSITION</b>	Attorney for Applicant
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Fri Dec 29 11:33:50 EST 2006

**TEAS STAMP**

USPTO/CCA-64.38.133.114-2  
0061229113350068299-78704  
468-360f8f4f7aaf17f674714  
eacff542d1af-N/A-N/A-2006  
1229113043717540

---

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514  
www.uspto.gov

REGISTRATION NO: 2188125 SERIAL NO: 75/053439 MAILING DATE: 10/29/2003  
REGISTRATION DATE: 09/08/1998  
MARK: OUTLOOK  
REGISTRATION OWNER: Microsoft Corporation

**CORRESPONDENCE ADDRESS:**

WILLIAM O. FERRON, JR.  
SEED INTELLECTUAL PROPERTY LAW GROUP  
SUITE 6300  
701 FIFTH AVENUE  
SEATTLE, WA 98104-7092

## NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(1)

THE COMBINED AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058.

**ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.**

\*\*\*\*\*

## NOTICE OF ACKNOWLEDGEMENT

15 U.S.C. Sec. 1065

THE AFFIDAVIT FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 15 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1065.

**ACCORDINGLY, THE SECTION 15 AFFIDAVIT IS ACKNOWLEDGED.**

\*\*\*\*\*

**THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):**  
009.

ROBERSON, FAITH  
PARALEGAL SPECIALIST  
POST-REGISTRATION DIVISION  
(703)308-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION  
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION**

ORIGINAL

---

**REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION**

**I) SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

**Failure to file the Section 8 Affidavit will result in the cancellation of the registration.**

**II) SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration.

**Failure to file the Application for Renewal will result in the expiration of the registration.**

**NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.**

#10

PTO Form 1583 (Rev 4/2000)  
OMB Control #0651-0009 (Exp. 08/31/2004)

**Combined Declaration of Use and Incontestability Under Sections 8 & 15**

09/10/2003 INTTEAS 00000675 2188125

**To the Commissioner for Trademarks:**

**MARK:** ? OUTLOOK ✓

01 FC:7205 100.00 DA  
02 FC:7208 200.00 DA

**REGISTRATION NUMBER:**?2188125 ✓

**REGISTRATION DATE:**? 09/08/1998 ✓

The owner, Microsoft Corporation, residing at One Microsoft Way , Redmond, WA US 980526399, is using the mark in commerce on or in connection with the goods and /or services as follows:

For International Class 009, the owner is using or is using through a related company the mark in commerce on or in connection with all goods and/or services listed in the existing registration. ✓

The owner is submitting one specimen for each class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) The specimen illustrates the mark as used on packaging for the goods. .

Specimen-1

The applicant, hereby appoints William O. Ferron, Jr. of ?Seed Intellectual Property Law Group PLLC, Suite 6300, 701 Fifth Avenue , Seattle , WA USA 98104-7092 to submit this application on behalf of the applicant. ✓

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 1 class (es), plus any additional grace period fee, if necessary.

**Declaration**

*The owner is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with all goods and/or services as identified above. There has been no final decision adverse to the owner's claim of ownership of such mark for such goods and/or services, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the Patent and Trademark Office or in the courts.* ✓

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /WOF/???Date: 09/10/2003  
Signatory's Name: William O. Ferron, Jr.  
Signatory's Position: Attorney for Registrant

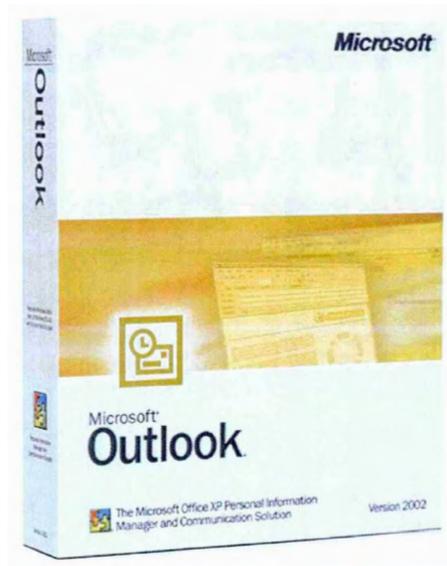
**SPECIMEN**

**Internet Transmission Date:**  
09/10/2003

**International Class:**  
009

**Registration Number:**  
2188125

**Serial Number:**  
75053439



PTO Form 1583 (Rev 4/2000)

OMB Control #0651-0009 (Exp. 08/31/2004)

## Combined Declaration of Use and Incontestability Under Sections 8 & 15

The table below presents the data as entered.

Input Field	Entered
MARK	OUTLOOK
REGISTRATION NUMBER	2188125
REGISTRATION DATE	09/08/1998
SERIAL NUMBER	75053439
OWNER	
NAME	Microsoft Corporation
STREET	One Microsoft Way
CITY	Redmond
STATE	WA
ZIP/POSTAL CODE	980526399
COUNTRY	US
ATTORNEY	
NAME	William O. Ferron, Jr.
FIRM NAME	Seed Intellectual Property Law Group PLLC
INTERNAL ADDRESS	Suite 6300
STREET	701 Fifth Avenue
CITY	Seattle
STATE	WA
ZIP/POSTAL CODE	98104-7092
COUNTRY	USA
PHONE	(206) 622-4900

FAX	(206) 682-6031
EMAIL	billf@seedlaw.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET NUMBERS	669005.258
GOODS AND/OR SERVICES	
?????? INTERNATIONAL CLASS	009
?????? KEEP EXISTING GOODS AND/OR SERVICES	YES
??????SPECIMEN?FILE NAME(S)	204182125140-10123314760-669005_258.jpg
??????SPECIMEN?DESCRIPTION	The specimen illustrates the mark as used on packaging for the goods.
SIGNATURE INFORMATION	?
?????? SIGNATURE	/WOF/
?????? SIGNATURE DATE	09/10/2003
??????SIGNATORY NAME	William O. Ferron, Jr.
??????SIGNATORY POSITION	Attorney for Registrant
PAYMENT	??????
??????NUMBER OF CLASSES	1
??????NUMBER OF CLASSES PAID	1
??????SUBTOTAL AMOUNT	300
??????TOTAL AMOUNT	300
??????RAM SALE NUMBER	675
??????RAM ACCOUNTING DATE	20030910

**FEE RECORD SHEET**

**Registration Number:** 2188125

**Serial Number:** 75053439



**RAM Sale Number:** 675

**Total Fees:** \$300

**RAM Accounting Date:** 20030910

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
§8 affidavit	7205	09/10/2003	\$100	1	\$100
§15 affidavit	7208	09/10/2003	\$200	1	\$200

## Combined Declaration of Use and Incontestability Under Sections 8 & 15

---

The table below presents the data as entered.

Input Field	Entered
<b>REGISTRATION NUMBER</b>	2188125
<b>REGISTRATION DATE</b>	09/08/1998
<b>SERIAL NUMBER</b>	75053439
<b>MARK SECTION</b>	
MARK	OUTLOOK
<b>OWNER SECTION (no change)</b>	
<b>ATTORNEY SECTION</b>	
NAME	William O. Ferron, Jr.
FIRM NAME	Seed Intellectual Property Law Group PLLC
INTERNAL ADDRESS	Suite 6300
STREET	701 Fifth Avenue
CITY	Seattle
STATE	WA
ZIP/POSTAL CODE	98104-7092
COUNTRY	USA
PHONE	(206) 622-4900
FAX	(206) 682-6031
EMAIL	billf@seedlaw.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET NUMBERS	669005.258
<b>GOODS AND/OR SERVICES SECTION</b>	
INTERNATIONAL CLASS	009
KEEP EXISTING GOODS AND/OR	

SERVICES	YES
SPECIMEN FILE NAME(S)	<a href="#">\\tirs\EXPORT6\IMAGEOUT6\750\534\75053439.xml1\81_50002.JPG</a>
SPECIMEN DESCRIPTION	The specimen illustrates the mark as used on packaging for the goods.
<b>PAYMENT SECTION</b>	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
SUBTOTAL AMOUNT	300
TOTAL AMOUNT	300
<b>SIGNATURE SECTION</b>	
SIGNATURE	/WOF/
SIGNATORY NAME	William O. Ferron, Jr.
SIGNATORY DATE	09/10/2003
SIGNATORY POSITION	Attorney for Registrant
<b>FILING INFORMATION</b>	
SUBMIT DATE	Wed Sep 10 12:34:47 EDT 2003
TEAS STAMP	USPTO/S08N15-204182125140 -20030910123447960008-218 8125-2007fa4ea3422e5d6394 b3c71ce8d780daDA675-20030 910123354970051

**Combined Declaration of Use and Incontestability Under Sections 8 & 15  
To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 2188125  
**REGISTRATION DATE:** 09/08/1998

**MARK:** OUTLOOK

The owner, Microsoft Corporation, residing at One Microsoft Way , Redmond, WA US 980526399, is using the mark in commerce on or in connection with the goods and /or services as follows:

For International Class 009, the owner is using or is using through a related company the mark in commerce on or in connection with all goods and/or services listed in the existing registration.

The owner is submitting one specimen for each class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services , consisting of a(n) The specimen illustrates the mark as used on packaging for the goods. .

[Specimen-1](#)

The registrant hereby appoints William O. Ferron, Jr. of Seed Intellectual Property Law Group PLLC, Suite 6300, 701 Fifth Avenue , Seattle , WA USA 98104-7092 to submit this Combined Declaration of Use and Incontestability Under Sections 8 & 15 on behalf of the registrant. The attorney docket/reference number is 669005.258.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

**Declaration**

*The owner is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with all goods and/or services as identified above. There has been no final decision adverse to the owner's claim of ownership of such mark for such goods and/or services, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the Patent and Trademark Office or in the courts.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /WOF/ Date: 09/10/2003  
Signatory's Name: William O. Ferron, Jr.  
Signatory's Position: Attorney for Registrant

Mailing Address:  
Seed Intellectual Property Law Group PLLC  
Suite 6300  
701 Fifth Avenue  
Seattle , WA 98104-7092

RAM Sale Number: 675  
RAM Accounting Date: 09/10/2003

Serial Number: 75053439  
Internet Transmission Date: Wed Sep 10 12:34:47 EDT 2003  
TEAS Stamp: USPTO/S08N15-204182125140-20030910123447  
960008-2188125-2007fa4ea3422c5d6394b3c71  
ce8d780daDA675-20030910123354970051

Microsoft

Microsoft

Outlook



Microsoft  
**Outlook**

 The Microsoft Office XP Personal Information  
Manager and Communication Solution

Version 2002

Microsoft Office XP Personal Information Manager and Communication Solution



Microsoft Office XP Personal Information Manager and Communication Solution

Microsoft

**FEE RECORD SHEET**

**Registration Number:** 2188125

**Serial Number:** 75053439



**RAM Sale Number:** 675

**Total Fees:** \$300

**RAM Accounting Date:** 20030910

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
§8 affidavit	7205	09/10/2003	\$100	1	\$100
§15 affidavit	7208	09/10/2003	\$200	1	\$200

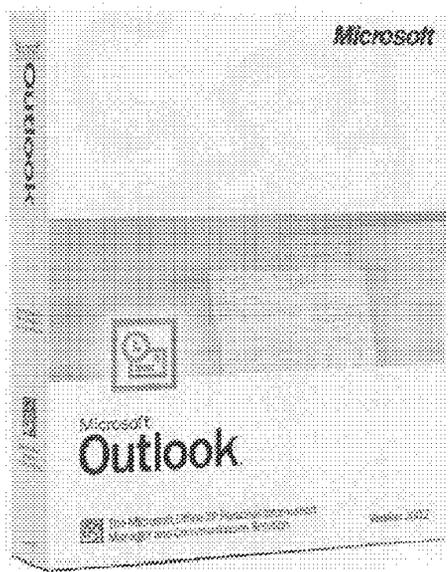
**SPECIMEN**

**Internet Transmission Date:**  
09/10/2003

**International Class:**  
009

**Registration Number:**  
2188125

**Serial Number:**  
75053439



Microsoft

Microsoft

Outlook



Microsoft  
**Outlook**

 The Microsoft Office XP Personal Information  
Manager and Communication Solution

Version 2002

Microsoft Office XP Personal Information Manager and Communication Solution



Microsoft Office XP Personal Information Manager and Communication Solution

Microsoft

Int. Cl.: 9

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

Reg. No. 2,188,125

**United States Patent and Trademark Office**

Registered Sep. 8, 1998

**TRADEMARK  
PRINCIPAL REGISTER**

**OUTLOOK**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399 MICROSOFT CORPORATION (WASHINGTON CORPORATION)

FOR: COMPUTER PROGRAMS FOR PROVIDING ENHANCED ELECTRONIC MAIL AND SCHEDULING CAPABILITIES, FOR USE BY INDIVIDUAL COMPUTER USERS, NAMELY, COMPUTER PROGRAMS FOR MANAGING, VIEWING, AND EDITING FILES, DOCUMENTS, ELECTRONIC MAIL MESSAGES AND PRIVATE NETWORK AND GLOBAL COMPUTER NETWORK COMMUNICATIONS; COMPUTER PROGRAMS FOR MEETING AND EVENT SCHEDULING, MAN-

AGING GROUP CALENDARS, TASK DELEGATION AND REPORTING, RECORDING NOTES, TRANSFERRING DATA TO AND FROM DATA BASES AND TO AND FROM COMPUTER PROGRAMS AND COMPUTER FILES; ADDRESS BOOK PROGRAMS, TELEPHONE DIALING PROGRAMS, PROGRAMS FOR CORRECTING TYPOGRAPHICAL AND CAPITALIZATION ERRORS, PROGRAMS FOR TALLYING VOTING RESPONSES; AND INSTRUCTION MANUALS THEREFOR SOLD AS A UNIT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

SN 75-053,439, FILED 2-5-1996.

FRANCES G. SMITH, EXAMINING ATTORNEY

Int. Cl.: 9

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

Reg. No. 2,188,125

**United States Patent and Trademark Office**

Registered Sep. 8, 1998

**TRADEMARK  
PRINCIPAL REGISTER**

**OUTLOOK**

MICROSOFT CORPORATION (WASHINGTON CORPORATION)  
ONE MICROSOFT WAY  
REDMOND, WA 980526399 MICROSOFT CORPORATION (WASHINGTON CORPORATION)

FOR: COMPUTER PROGRAMS FOR PROVIDING ENHANCED ELECTRONIC MAIL AND SCHEDULING CAPABILITIES, FOR USE BY INDIVIDUAL COMPUTER USERS, NAMELY, COMPUTER PROGRAMS FOR MANAGING, VIEWING, AND EDITING FILES, DOCUMENTS, ELECTRONIC MAIL MESSAGES AND PRIVATE NETWORK AND GLOBAL COMPUTER NETWORK COMMUNICATIONS; COMPUTER PROGRAMS FOR MEETING AND EVENT SCHEDULING, MAN-

AGING GROUP CALENDARS, TASK DELEGATION AND REPORTING, RECORDING NOTES, TRANSFERRING DATA TO AND FROM DATA BASES AND TO AND FROM COMPUTER PROGRAMS AND COMPUTER FILES; ADDRESS BOOK PROGRAMS, TELEPHONE DIALING PROGRAMS, PROGRAMS FOR CORRECTING TYPOGRAPHICAL AND CAPITALIZATION ERRORS, PROGRAMS FOR TALLYING VOTING RESPONSES; AND INSTRUCTION MANUALS THEREFOR SOLD AS A UNIT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

SN 75-053,439, FILED 2-5-1996.

FRANCES G. SMITH, EXAMINING ATTORNEY

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

**The table below presents the data as entered.**

Input Field	Entered
<b>SERIAL NUMBER</b>	75018077
<b>REGISTRATION NUMBER</b>	2098659
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 103
<b>ATTORNEY DOCKET NUMBER</b>	6499A-200078/US
<b>MARK SECTION</b>	
<b>MARK</b>	OUTLOOK
<b>ATTORNEY SECTION</b>	
<b>ORIGINAL ADDRESS</b>	Timothy A. Bush SIROTE & PERMUTT, P.C. 005672-00258 2311 Highland Avenue South Birmingham AL 35205 205.930.5282 205.930.5101 tbush@sirote.com
<b>NEW OTHER APPOINTED ATTORNEYS</b>	any and all other attorneys associated with Harness, Dickey & Pierce, P.L.C.
<b>NEW ATTORNEY ADDRESS</b>	
<b>STATEMENT TEXT</b>	By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney
<b>NAME</b>	Michael P. Brennan
<b>FIRM NAME</b>	Harness, Dickey & Pierce, P.L.C.
<b>STREET</b>	Post Office Box 828

<b>CITY</b>	Bloomfield Hills
<b>STATE</b>	Michigan
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	48303
<b>PHONE</b>	248-641-1600
<b>FAX</b>	248-641-0270
<b>EMAIL</b>	docketingtm@hdp.com
<b>ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>ATTORNEY DOCKET NUMBER</b>	6499A-200078/US

#### NEW CORRESPONDENCE ADDRESS

<b>NAME</b>	Michael P. Brennan
<b>FIRM NAME</b>	Harness, Dickey & Pierce, P.L.C.
<b>STREET</b>	Post Office Box 828
<b>CITY</b>	Bloomfield Hills
<b>STATE</b>	Michigan
<b>COUNTRY</b>	United States
<b>POSTAL/ZIP CODE</b>	48303
<b>PHONE</b>	248-641-1600
<b>FAX</b>	248-641-0270
<b>EMAIL</b>	docketingtm@hdp.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	YES
<b>OTHER APPOINTED ATTORNEY</b>	any and all other attorneys associated with Harness, Dickey & Pierce, P.L.C.

#### SIGNATURE SECTION

<b>SIGNATORY FILE</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">hw 6623817098-100606968 . t US TM Revocation and Power of Attorney Signature Page Only</a>
<b>CONVERTED PDF FILE(S)</b>	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\750\180\75018077\xml1\RAA0002.JPG</a>

<b>(1 page)</b>	
<b>SIGNATORY NAME</b>	Victor A. Lazzaretti
<b>SIGNATORY POSITION</b>	Secretary
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Sep 28 10:12:43 EDT 2010
<b>TEAS STAMP</b>	USPTO/RAA-66.238.170.98-2 0100928101243655387-78579 591-470164eb179b8cbf5b599 06bf8cc6464ea-N/A-N/A-201 00928100606968889

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**Revocation of Attorney/Domestic Representative and/or  
Appointment of Attorney/Domestic Representative**

To the Commissioner for Trademarks:

**MARK:** OUTLOOK

**SERIAL NUMBER:** 75018077

**REGISTRATION NUMBER:** 2098659

**ATTORNEY DOCKET NUMBER** 6499A-200078/US

**The original attorney**

Timothy A. Bush

SIROTE & PERMUTT, P.C.

005672-00258

2311 Highland Avenue South

Birmingham AL 35205

205.930.5282

205.930.5101

tbush@sirote.com

**Original Correspondence Address :**

Timothy A. Bush

SIROTE & PERMUTT, P.C.

2311 Highland Avenue South

Birmingham AL 35205

205.930.5282

205.930.5101

tbush@sirote.com

By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

**Newly Appointed Attorney:**

Michael P. Brennan

Harness, Dickey & Pierce, P.L.C.

Post Office Box 828

Bloomfield Hills, Michigan 48303

United States

248-641-1600

248-641-0270

docketingtm@hdp.com

6499A-200078/US

**Other Appointed Attorneys:**

any and all other attorneys associated with Harness, Dickey & Pierce, P.L.C.

**The following is to be used as the correspondence address:**

Michael P. Brennan  
Harness, Dickey & Pierce, P.L.C.  
Post Office Box 828  
Bloomfield Hills, Michigan 48303  
United States

248-641-1600

248-641-0270

docketingtm@hdp.com The attorney docket/reference number is 6499A-200003/US.

**Original PDF file:**

[hw\\_6623817098-](#)

[100606968 . t US TM Revocation and Power of Attorney Signature Page Only.pdf](#)

**Converted PDF file(s)** (1 page)

[Signature File1](#)

Signatory's Name: Victor A. Lazzaretti

Signatory's Position: Secretary

Serial Number: 75018077

Internet Transmission Date: Tue Sep 28 10:12:43 EDT 2010

TEAS Stamp: USPTO/RAA-66.238.170.98-2010092810124365

5387-78579591-470164eb179b8cbf5b59906bf8

cc6464ea-N/A-N/A-20100928100606968889

**Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative**

**Handwritten Signature**

**Signature Section:**

Signature:  \_\_\_\_\_

Date: 9/27/10

Signatory's Name: Victor A. Lazzaretti

Signatory's Position: Secretary



**NOTE TO APPLICANT:** When filed as part of the electronic form (i.e., scanned and attached as an image file), include only the signature page (no declaration is required, nor should any other information from the actual revocation be included).

[Back](#)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

REGISTRATION NO: 2098659    SERIAL NO: 75/018077    MAILING DATE: 08/24/2007  
REGISTRATION DATE: 09/23/1997  
MARK: OUTLOOK  
REGISTRATION OWNER: AVOCENT REDMOND CORP.

**CORRESPONDENCE ADDRESS:**

Timothy A. Bush  
SIROTE & PERMUTT, P.C.  
2311 Highland Avenue South  
Birmingham AL 35205

## NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(3)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058.

**ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.**

\*\*\*\*\*

## NOTICE OF RENEWAL

15 U.S.C. Sec. 1059(a)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 9 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1059.

**ACCORDINGLY, THE REGISTRATION IS RENEWED.**

\*\*\*\*\*

**THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):**  
009.

COPELAND, VICKY LEN  
PARALEGAL SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

**PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION  
CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION**  
ORIGINAL

**REQUIREMENTS FOR MAINTAINING A FEDERAL TRADEMARK REGISTRATION**

**I) SECTION 8: AFFIDAVIT OF CONTINUED USE**

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. Sec. 1058, at the end of each successive 10-year period following the date of registration.

**Failure to file the Section 8 Affidavit will result in the cancellation of the registration.**

**II) SECTION 9: APPLICATION FOR RENEWAL**

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. Sec. 1059, at the end of each successive 10-year period following the date of registration.

**Failure to file the Application for Renewal will result in the expiration of the registration.**

**NO FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS WILL BE SENT TO THE REGISTRANT BY THE PATENT AND TRADEMARK OFFICE. IT IS RECOMMENDED THAT THE REGISTRANT CONTACT THE PATENT AND TRADEMARK OFFICE APPROXIMATELY ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.**

## Combined Declaration of Use In Commerce & Application For Renewal of Registration of A Mark Under Sections 8 & 9

---

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	2098659
REGISTRATION DATE	09/23/1997
SERIAL NUMBER	75018077
<b>MARK SECTION</b>	
MARK	OUTLOOK
<b>OWNER SECTION (current)</b>	
NAME	AVOCENT REDMOND CORP.
STREET	9911 WILLOWS ROAD N.E.
CITY	REDMOND
STATE	Washington
ZIP/POSTAL CODE	98052
COUNTRY	United States
<b>ATTORNEY SECTION (current)</b>	
NAME	DONNA J. BUNTON
FIRM NAME	NIXON & VANDERHYE PC
STREET	1100 N. GLEBE RD., 8TH FL.
CITY	ARLINGTON
STATE	Virginia
POSTAL CODE	22201-4714
COUNTRY	United States
<b>ATTORNEY SECTION (proposed)</b>	
NAME	Timothy A. Bush
FIRM NAME	SIROTE & PERMUTT, P.C.

<b>STREET</b>	2311 Highland Avenue South
<b>CITY</b>	Birmingham
<b>STATE</b>	Alabama
<b>POSTAL CODE</b>	35205
<b>COUNTRY</b>	United States
<b>PHONE</b>	205.930.5282
<b>FAX</b>	205.930.5101
<b>EMAIL</b>	tbush@sirote.com
<b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b>	Yes
<b>ATTORNEY DOCKET NUMBER</b>	005672-00258
<b>OTHER APPOINTED ATTORNEY</b>	Russell Carter Gache and C. Brandon Browning
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>SPECIMEN FILE NAME(S)</b>	<a href="#">\\TICRS2\EXPORT13\750\180\75018077.xml\1\S890002.JP G</a>
	<a href="#">\\TICRS2\EXPORT13\750\180\75018077.xml\1\S890003.JP G</a>
<b>SPECIMEN DESCRIPTION</b>	picture of computer peripherals
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>NUMBER OF CLASSES PAID</b>	1
<b>SUBTOTAL AMOUNT</b>	500
<b>TOTAL FEE PAID</b>	500
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/tab/
<b>SIGNATORY'S NAME</b>	Timothy A. Bush
<b>SIGNATORY'S POSITION</b>	Attorney of Record
<b>DATE SIGNED</b>	07/24/2007
<b>PAYMENT METHOD</b>	DA
<b>FILING INFORMATION</b>	

<b>SUBMIT DATE</b>	Tue Jul 24 11:40:35 EDT 2007
<b>TEAS STAMP</b>	USPTO/S08N09-216.76.7.1-2 0070724114035353069-20986 59-380159bbfaafe9390e09b 5e4bc2d8263f-DA-6118-2007 0724112332934410

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**Combined Declaration of Use In Commerce & Application For Renewal of  
Registration of A Mark Under Sections 8 & 9  
To the Commissioner for Trademarks:**

**REGISTRATION NUMBER:** 2098659  
**REGISTRATION DATE:** 09/23/1997

**MARK:** OUTLOOK

The owner, AVOCENT REDMOND CORP., having an address of  
9911 WILLOWS ROAD N.E.  
REDMOND, Washington 98052  
United States

is filing a Combined Declaration of Use In Commerce & Application For Renewal of Registration of A  
Mark Under Sections 8 & 9.

For International Class 009, the mark is in use in commerce on or in connection with **all** goods or services  
listed in the existing registration for this specific class; or, the owner is making the listed excusable nonuse  
claim.

The owner is submitting one specimen showing the mark as used in commerce on or in connection with  
any item in this class, consisting of a(n) picture of computer peripherals.

[Specimen File1](#)

[Specimen File2](#)

The registrant hereby appoints Timothy A. Bush and Russell Carter Gache and C. Brandon Browning of  
SIROTE & PERMUTT, P.C.

2311 Highland Avenue South  
Birmingham, Alabama 35205  
United States

to file this Combined Declaration of Use In Commerce & Application For Renewal of Registration of A  
Mark Under Sections 8 & 9 on behalf of the registrant. The attorney docket/reference number is 005672-  
00258.

A fee payment in the amount of \$500 will be submitted with the form, representing payment for 1  
class(es), plus any additional grace period fee, if necessary.

**Declaration**

**Section 8: Declaration of Use in Commerce**

*Unless the owner has specifically claimed excusable non-use, the owner, or its related company, is using  
the mark in commerce on or in connection with the goods and/or services identified above, as evidenced  
by the attached specimen(s) showing the mark as used in commerce.*

**Section 9: Application for Renewal**

*The registrant requests that the registration be renewed for the goods and/or services identified above.*

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /tab/    Date: 07/24/2007  
Signatory's Name: Timothy A. Bush  
Signatory's Position: Attorney of Record

**Mailing Address (current):**  
NIXON & VANDERHYE PC  
1100 N. GLEBE RD., 8TH FL.  
ARLINGTON, Virginia 22201-4714

**Mailing Address (proposed):**  
SIROTE & PERMUTT, P.C.  
2311 Highland Avenue South  
Birmingham, Alabama 35205

Serial Number: 75018077  
Internet Transmission Date: Tue Jul 24 11:40:35 EDT 2007  
TEAS Stamp: USPTO/S08N09-216.76.7.1-2007072411403535  
3069-2098659-380159bbfaafe9390e09b5e4bc  
2d8263f-DA-6118-20070724112332934410





**ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 2098659



**Serial Number:** 75018077



**RAM Sale Number:** 6118

**RAM Accounting Date:** 20070724

**Total Fees:** \$500

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
\$8 affidavit	7205	20070724	\$100	1	1	\$100
Application for Renewal (\$9)	7201	20070724	\$400	1	1	\$400

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

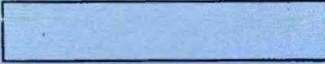
**Transaction Date:** 20070724







75018077



MESSAGE DELIVERED

MAY 16 1996

LAW OFFICE 102



MAY 10 1996

LAW OFFICE 102

### CONTENTS

RR

	Entry	Date	Initials
1.			
2.	Amdt A, AAC [Signature]	SEP 5 1996 AC	5-31-96 8-8-96 [Signature]
3.			
4.	1st + conc order 8-15-96		4-1-97 10/9/02 RD AZ
5.			
6.			
7.			
8.			
9.			
10.			
11.			
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See inside of file for additional entries.

00114/31/96

AUG 12 1997

75018077

1. REG. NO. 2098659		3. MARK CUTLOCK		4. SER. NO. 75/C18077	
2. REG. DATE 9-23-97				5. REGISTER PRINCIPAL	
6. INTERNATIONAL CLASS 5		7. PRIOR U.S. CLASS 21-23-26-36-38		8. FILING DATE 11/17/95	
9. LAW OFFICE 103		10. APPLICANT AND POST OFFICE Apex PC Solutions, Inc. 20031 - 142nd Avenue N.E. Woodinville, WASHINGTON 98072 CORPORATION OF WASHINGTON		16. EXAMINING ATTORNEY SCHUYLA GOODSON	
11. CORRESPONDENCE ADDRESS Lee E. Johnson Christensen C*Conner Johnson & Kirness 1420 Fifth Avenue Suite 2800 Seattle, WA 98101-2367		12. DOMESTIC REPRESENTATIVE		17. TYPE OF MARK <del>TRADEMARK</del> TRADEMARK	
13. APPLICANT'S ATTORNEY Lee E. Johnson		14. FIRST USE CEL COY 12-1-1995		18. IN COMMERCE CEL COY 12-1-1995	
15. GOODS - SERVICES CGS-computer peripherals [redacted] for the control of multiple computers from a single personal computer console,		19. FOREIGN REG. AND APPL. DATA			
21. OTHER DATA					

PTO-102L (REV. 12/82) U.S. DEPT. OF COMMERCE - PATENT AND TRADEMARK OFFICE

Examining Attorney - (Please Print Name)	Date Published in Trademark O.G.
Approved for Publication (Principal Register) - (Signature) <i>Schuyla Goodson</i>	Section 8 Accepted - (Signature) <i>Schuyla Goodson</i>
Approved for Registration (Section 1(d)) - (Signature)	Section 15 - (Signature) <i>Schuyla Goodson</i>
Approved for Registration (Supplemental Register) - (Signature)	Section 9 Renewal Accepted - (Signature)

1 Applicant: Apex PC Solutions, Inc.  
2 Attorney Docket No.: APXP214375  
3 International Class: 9  
4 Mark: OUTLOOK

5 Three specimens of the mark as actually used in International Class 9



6 **OUTLOOK**<sup>TM</sup>  
7 **EL - 40DT**  
8 **4 PORT**  
9 **CONCENTRATOR**

10 **APEX**  
11 **PC SOLUTIONS**

12 **APEX PC SOLUTIONS INC.**  
13 **20031 142 AVE NE**  
14 **WOODINVILLE WA 98072**  
15 **email info@pcsol.com**  
16 **(800) 861 5858**



18 **EL - 40DT**

19 **QUANTITY 1**

20  
21  
22  
23  
24  
25  
**CHRISTENSEN**  
**O'CONNOR**  
**JOHNSON**  
**KINDNESS**

LAW OFFICES

SUITE 1100  
1100 5TH AVENUE  
SEATTLE, WASHINGTON 98101-3100  
TELEPHONE (206) 461-5500

TRADEMARK MAIL ROOM  
REC'D  
AUG 0 8 1996  
66  
U.S. PATENT & TRADEMARK OFFICE

TRADEMARK MAIL ROOM  
REC'D  
AUG 0 8 1996  
66  
U.S. PATENT & TRADEMARK OFFICE

TRADEMARK MAIL ROOM  
REC'D  
AUG 0 8 1996  
66  
U.S. PATENT & TRADEMARK OFFICE

**MAILED**  
**APR 23 1997**  
**PAT. & T.M. OFFICE**

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Applicant: Apex PC Solutions, Inc.  
Serial No.: 75/018,077  
Filed: November 13, 1995  
Mark: OUTLOOK

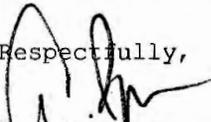
Glenn A. Gundersen  
Dechert Price & Rhoads  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793

Sirs:

The record in this case now shows that on April 1, 1997, the Commissioner cancelled the registration which inadvertently issued to applicant, namely Registration No. 2,035,220, and restored the application to pending status as application Serial No. 75/018,077.

In view thereof, proceedings with respect to the potential opposition are resumed. Accordingly, potential opposer, Towers, Perrin, Forster & Crosby, Inc., is allowed until May 23, 1997 in which to file an opposition to the registration sought by applicant.

Respectfully,

  
Angela Pope  
Legal Assistant,  
Trademark Trial and  
Appeal Board  
(703) 308-9330 144

cc:

Lee E. Johnson  
Christensen O'Connor Johnson & Kindness  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101-2342

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513**

March 18, 1997

Applicant: Apex PC Solutions, Inc.  
Serial No.: 75/018,077  
Filed: November 13, 1995  
Mark: OUTLOOK

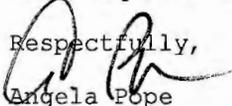
Madam/Sir:

The Board has granted the request to extend time to oppose filed on February 7, 1997 on behalf of Towers, Perrin, Forster & Crosby, Inc.

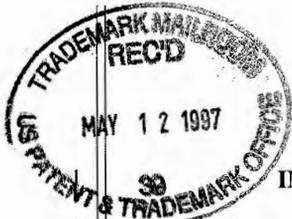
However, it has come to the attention of the Board that the subject application matured into Registration No. 2,035,220. The Board regrets this situation, but it is without authority to vacate the issuance of said registration.

Accordingly, the Board will forward the application file to the Assistant Commissioner for Trademarks for consideration of the cancellation of the inadvertently issued registration, following which further appropriate action will be taken with respect to the request to extend time to oppose.

In the meantime, potential opposer need not continue to file requests to extend time to oppose.

Respectfully,  
  
Angela Pope  
Legal Assistant,  
Trademark Trial and  
Appeal Board

Lee E. Johnson  
Christensen O'Connor Johnson & Kindness  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101-2347



APC PRU

BOX TRADEMARK NO FEE

ASST. COMM. FOR TRADEMARKS

97 JUN -5 PM 3:58

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. PATENT

2 Applicant: Apex PC Solutions, Inc. Attorney Docket No: APXP214375  
 3 Serial No: 75/018,077 Trademark Attorney: S. Goodson  
 4 Filed: November 13, 1995 Law Office: 103  
 5 Mark: OUTLOOK

RETURN OF INADVERTENTLY ISSUED REGISTRATION

Seattle, Washington 98101

May 7, 1997

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

On April 1, 1997, the Commissioner canceled the registration which inadvertently issued to applicant, namely Registration No. 2,035,220, restoring the application to pending status as application Serial No. 75/018,077, in view of on-going opposition proceedings. Thus, we are returning herewith the *original* Registration No. 2,035,220.

Respectfully submitted  
CHRISTENSEN O'CONNOR  
JOHNSON & KINDNESS<sup>PLLC</sup>

*Rodney C. Tullett*  
Rodney C. Tullett  
Registration No. 34,034  
Direct Dial (206) 224-0730

RECEIVED  
PUBLICATION & ISSUE SECT  
97 MAY 31 PM 1:44

RECEIVED  
PUBLICATION & ISSUE SECT  
97 MAY 34 AM 11:26

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on May 7, 1997.

Date: May 7, 1997 Barbara J. Bannister

RCT:SDC/bjb

# The United States of America



## CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

*The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.*

*The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks, and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.*

*A copy of the Mark and pertinent data from the application are a part of this certificate.*

*This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.*



*Bence Lehman*

Commissioner of Patents and Trademarks

Int. Cl.: 9

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

Reg. No. 2,035,220

**United States Patent and Trademark Office**

Registered Feb. 4, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**OUTLOOK**

APEX PC SOLUTIONS, INC. (WASHINGTON  
CORPORATION)  
20031 - 142ND AVENUE N.E.  
WOODINVILLE, WA 98072

FIRST USE 12-1-1995; IN COMMERCE  
12-1-1995.

SER. NO. 75-018,077, FILED 11-13-1995.

FOR: COMPUTER PERIPHERALS FOR THE  
CONTROL OF MULTIPLE COMPUTERS FROM  
A SINGLE PERSONAL COMPUTER CONSOLE,  
IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SCHUYLA GOODSON, EXAMINING ATTOR-  
NEY

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

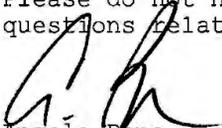
Glenn A. Gundersen  
Dechert Price & Rhoads  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793

February 20, 1997

Serial No.: 75018077

Attached please find a copy of a request to extend time to  
oppose granted until 3/12/97.

Please do not hesitate to contact the undersigned for any  
questions relating to this extension.

  
Angela Pope  
Legal Assistant  
Trademark Trial and  
Appeal Board  
Tel.: (703) 308-9330 X144

Attachment



Accordingly, Petitioner respectfully requests a further extension of time of thirty (30) days in which to file a Notice of Opposition.

Respectfully submitted,

  
\_\_\_\_\_  
Glenn A. Gundersen  
DECHERT PRICE & RHOADS  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793

Certificate of Mailing by Express Mail

I hereby certify that this Request for Further Extension of Time to File a Notice of Opposition is being deposited with the United States Postal Service as Express Mail, Post Office to Addressee, in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB, NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513, on February 7, 1997.

Glenn A. Gundersen  
Person signing the Certificate

February 7, 1997  
Date of Signature

  
\_\_\_\_\_  
Signature

EI244097533US  
Express Mail Number



*Recy*

*TTAB*

LAW OFFICES OF

**DECHERT PRICE & RHOADS**

4000 BELL ATLANTIC TOWER  
1717 ARCH STREET  
PHILADELPHIA, PA 19103-2793

TELEPHONE: (215) 994-4000  
FAX: (215) 994-2222

**February 7, 1997**

1500 K STREET, N.W.  
WASHINGTON, DC 20005-1208  
(202) 626-3300

65 AVENUE LOUISE  
1050 BRUSSELS, BELGIUM  
(32-2) 535-5411

TITMUS SAINER DECHERT  
2 SERJEANTS' INN  
LONDON EC4Y 1LT, ENGLAND  
(44-171) 583-5353

151, BOULEVARD HAUSSMANN  
75008 PARIS, FRANCE  
(33-1) 53 83 84 70

PRINCETON PIRELLA GÖTTSCHE LOWE CENTER  
P.O. BOX 5218  
PRINCETON, NJ 08543-5218  
(609) 520-3200

THIRTY NORTH THIRD STREET  
HARRISBURG, PA 17101-1603  
(717) 237-2000

TEN POST OFFICE SQUARE • SOUTH  
BOSTON, MA 02109-4603  
(617) 728-7100

90 STATE HOUSE SQUARE  
HARTFORD, CT 06103-3702  
(860) 524-3999

Assistant Commissioner  
for Trademarks  
Box TTAB  
No Fee  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: Request for Further Extension of Time re  
Application of APEX PC SOLUTIONS, INC.  
Serial No.: 75/018,077  
Mark: OUTLOOK

971018 10 05 97  
TOWERS, PERRIN, FORSTER & CROSBY, INC.

To the Commissioner:

On behalf of Towers, Perrin, Forster & Crosby, Inc., I enclose three copies of a Request for Further Extension of Time until March 12, 1997 within which to file a Notice of Opposition to the above-noted application.

Respectfully submitted,

*Glenn A. Gundersen*  
Glenn A. Gundersen

GAG/mec  
Enclosures

EXPRESS MAIL

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

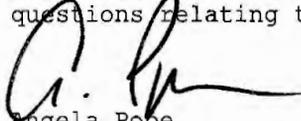
Glenn A. Gundersen  
Dechert Price & Rhoads  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793

January 15, 1997

Serial No.: 75018077

Attached please find a copy of a request to extend time to  
oppose granted until 2/10/97.

Please do not hesitate to contact the undersigned for any  
questions relating to this extension.



Angela Pope  
Legal Assistant  
Trademark Trial and  
Appeal Board  
Tel.: (703) 308-9330 X144

Attachment



TTAB

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: APEX PC SOLUTIONS, :  
 INC. :  
 Serial No.: 75/018,077 :  
 Filed: November 13, 1995 :  
 Mark: OUTLOOK :  
 Published in the Official :  
 Gazette of November 12, 1996 :

6510020 11721  
TRADEMARK 1996/1/11/11/11

11-12

To the Assistant Commissioner for Trademarks  
 BOX TTAB  
 NO FEE  
 2900 Crystal Drive  
 Arlington, VA 22202-3513

FIRST REQUEST FOR EXTENSION OF TIME  
 TO FILE NOTICE OF OPPOSITION

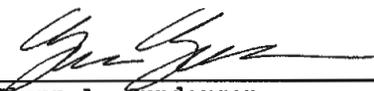
S I R :

Petitioner Towers, Perrin, Forster & Crosby, Inc., a Pennsylvania corporation with a principal place of business at 1500 Market Street, Philadelphia, PA 19103, respectfully requests a sixty (60) day extension of time from December 12, 1996 until February 10, 1997 within which to file a Notice of Opposition against the above-noted application.

Petitioner is in the process of investigating any possible conflicts between Petitioner's marks and Applicant's mark. An extension of time is required to provide time to gather information and to document the basis upon which Petitioner will proceed, if at all, with respect to the application.

Accordingly, Petitioner respectfully requests a sixty (60) day extension of time in which to file a Notice of Opposition.

Respectfully submitted,

  
\_\_\_\_\_  
Glenn A. Gundersen  
DECHERT PRICE & RHOADS  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793

Certificate of Mailing by Express Mail

I hereby certify that this First Request for Extension of Time to File Notice of Opposition is being deposited with the United States Postal Service as Express Mail, Post Office to Addressee, in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB, NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513, on December 12, 1996.

Glenn A. Gundersen  
Person signing the Certificate

  
\_\_\_\_\_  
Signature

December 12, 1996  
Date of Signature

EG606951181US  
Express Mail Number

LAW OFFICES OF  
**DECHERT PRICE & RHOADS**

477 MADISON AVENUE  
NEW YORK, NY 10022-5891  
(212) 326-3500

PRINCETON PIKE CORPORATE CENTER  
P.O. BOX 5218  
PRINCETON, NJ 08543-5218  
(609) 520-3200

THIRTY NORTH THIRD STREET  
HARRISBURG, PA 17101-1603  
(717) 237-2000

TEN POST OFFICE SQUARE • SOUTH  
BOSTON, MA 02109-4600  
(617) 728-7100

90 STATE HOUSE SQUARE  
HARTFORD, CT 06101-1702  
(860) 524-3999

4000 BELL ATLANTIC TOWER

1717 ARCH STREET  
PHILADELPHIA, PA 19103-2793

TELEPHONE: (215) 994-4000

FAX: (215) 994-2222

1500 K STREET, N.W.  
WASHINGTON, DC 20005-1208  
(202) 626-3300

65 AVENUE LOUISE  
1050 BRUSSELS, BELGIUM  
(32-2) 535-5411

TITMUS SAINER DECHERT  
2 SERJEANTS' INN  
LONDON EC4Y 1LT, ENGLAND  
(44-171) 583-5353

151, BOULEVARD HAUSSMANN  
75008 PARIS, FRANCE  
(33-1) 53 83 84 70



December 12, 1996

Assistant Commissioner  
for Trademarks  
Box TTAB,  
No Fee  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: First Request for Extension of Time re  
Application of APEX PC SOLUTIONS, INC.  
Serial No.: 75/018,077  
Mark: OUTLOOK

To the Assistant Commissioner:

On behalf of Towers, Perrin, Forster & Crosby, Inc., I  
enclose three copies of a First Request for Extension of Time  
until February 10, 1997 within which to file a Notice of  
Opposition to the above-noted application.

Respectfully submitted,

  
Glenn A. Gundersen

GAG/mjh  
Enclosures

EXPRESS MAIL

APR 1 1997



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
OFFICE OF ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Lee E. Johnson, Esq.  
Christensen O'Connor Johnson & Kindness  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101-2347

Re: Trademark Registration No. 2,035,220  
For: OUTLOOK

Dear Ms. Johnson:

Due to a clerical error by the Patent and Trademark Office, Trademark Registration No. 2,035,220, for the mark OUTLOOK, was inadvertently issued on February 4, 1997, to Apex PC Solutions, Inc.

The registration issued inadvertently while the application was the subject of an unexpired extension of time to oppose the registration of the mark.

In accordance with the attached order, Registration No. 2,035,220 is hereby cancelled. The application will be restored to pendency (as application Serial No. 75/018077) and forwarded to the Trademark Trial and Appeal Board for further action.

Please return the Registration Certificate to this Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip G. Hampton, II".

Philip G. Hampton, II  
Assistant Commissioner  
for Trademarks

PGH:RJD

cc:

Glenn A. Gundersen, Esq.  
Dechert Price & Rhoads  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

---

Cancellation Order

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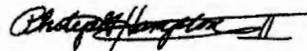
WHEREAS Registration No. 2,035,220 was issued to Apex PC Solutions, Inc. on February 4, 1997, for the mark OUTLOOK; and

WHEREAS due to a clerical error by the Patent and Trademark Office, Registration No. 2,035,220 was inadvertently issued after a Notice of Opposition had been filed with the Trademark Trial and Appeal Board;

THEREFORE, Registration No. 2,035,220, having been issued inadvertently and not in accordance with the procedures required by 15 U.S.C. §§1062a and 1063, is hereby ordered cancelled.

APR 1 1997

(Date)



---

Philip G. Hampton, II  
Assistant Commissioner  
for Trademarks



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

OCT. 11, 1996

**NOTICE OF PUBLICATION UNDER 12(a)**

1. Serial No.:  
75/018,077

2. Mark:  
OUTLOOK

3. Applicant:  
Apex PC Solutions, Inc.

4. Publication Date:  
NOV. 12, 1996

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

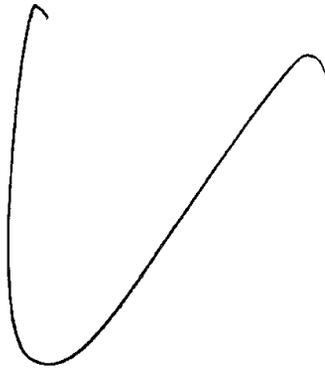
Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained at \$28.00 each for domestic orders, or at \$35.00 each for foreign orders from:

The Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20402

By direction of the Commissioner.

Lee E. Johnson  
Christensen O'Connor Johnson & Kindness  
1420 Fifth Avenue  
Suite 2800  
Seattle, WA 98101-2347

TMP&I

A large, handwritten mark resembling a stylized 'V' or a checkmark, drawn in black ink. It starts with a small upward tick at the top left, curves down to a point at the bottom, and then curves back up to the right, ending with a small upward tick.

**IP/REGISTRATION EXAMINATION/REGISTRATION EXAMINATION WORK SHEET**

Reviewer: LYNETTE ROLLINS Ofc: TAC Date: 9/18/96 Serial No.: 75 11801

I certify all information in the database matched the information in the file and no corrections were required.  
 INSTRUCTIONS: If the information in the database does not match the information in the file the reviewer should check the ERROR column. After correction (text editing), the EDITED column should be checked. RETAIN IN FILE WRAP.

SCREEN | ERROR | EDITED | ERROR FOUND DURING REVIEW REQUIRING AMENDMENT OF:

SCREEN	ERROR	EDITED	ERROR FOUND DURING REVIEW REQUIRING AMENDMENT OF:
AM			AM Mark Type:
			AM Register:
			AM Mark: <input type="checkbox"/> MDC:
PY			PY Owner: <input type="checkbox"/> Name:
			PY <input type="checkbox"/> Citizenship:
			PY <input type="checkbox"/> Entity Type:
			DB DBA/AKA/TA Statement:
CL			PY Address: <input type="checkbox"/> Inter <input type="checkbox"/> City <input type="checkbox"/> State/Country <input type="checkbox"/> Zip
			IC Assignment or Name Change:
			CL International Class: U.S. Class:
			CL First Use: First Use in Commerce:
			CL Goods and Services:
			GS
			GS
AM			AM Amended Register: P.R.: S.R.:
			AM Amended Reg. Date:
O D A T A R			D1 Disclaimer:
			DM Description of Mark:
			LS Lining and Stippling Statement:
			TR Translation of Words in Mark:
			NO Name/Portrait Description/Consent:
			TF Section 2(f): <input type="checkbox"/> In Part <input type="checkbox"/> Limitation Statement <input type="checkbox"/> Entire Mark
			AF Use in Another Form:
			CS Certification Statement:
			CU Concurrent Use Statement:
			PR Prior U.S. Registrations:
FN			DR Domestic Representative:
			FN Foreign Country of Origin:
			FN Foreign Application No.: Frgn. Appl. Filing Date:
			FN Section 44(d): Y/N Section 44(e): Y/N
			FN Foreign Registration No.: Frgn. Reg. Date:
			FN Foreign Registration Expiration Date:
			FN Foreign Renewal Reg. No.: Frgn. Reg. Renewed:
CD			AT Attorney Name:
			CD Correspondence: <input type="checkbox"/> Name <input type="checkbox"/> Inter St. Address <input type="checkbox"/> City/State/Zip
			DN Attorney Docket Number:

Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I certify that all corrections have been entered in accordance with the above instructions and text editing guidelines.

\_\_\_\_\_  
Text Editor

\_\_\_\_\_  
Date





109-362

10-103

2A

Trademark Law Office: 103  
Serial No: 75/018,077  
Mark: OUTLOOK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Apex PC Solutions, Inc. Attorney Docket No. APXP214375  
Serial No: 75/018,077 Trademark Attorney: S. Goodson  
Filed: November 13, 1995 Law Office: 103  
Mark: OUTLOOK International Class: 9

AMENDMENT

Seattle, Washington 98101

August 8, 1996

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Please amend the application as follows:

Page 1, lines 14-15, delete "; systems".

Remarks

In the Office Action of May 31, 1996, the Examiner stated that the word "systems" in the identification of goods is too broad because it could include items classified in other classes. In response, applicant has amended the description of goods to recite: "computer peripherals for the control of multiple computers from a single personal computer console."

AI GS

PRINT

The Examiner further stated that the search of the Trademark Office records found no similar registered or pending marks that would bar registration. As such, it is requested that the Examiner enter the amendment and pass this case to publication at the earliest possible date.

Submitted herewith is an Amendment to Allege Use Under 37 C.F.R. § 2.76, along with the appropriate specimens.

///

///

///

620 SL 08/13/96 75018077  
0 362 100.00 CK



1 Should the Examiner have any further questions, he is invited to call the applicant's attorney at  
2 the number listed below.

3 Respectfully submitted,

4 CHRISTENSEN O'CONNOR  
5 JOHNSON & KINDNESS<sup>PLLC</sup>

6

7 Rodney C. Tullett  
8 Registration No. 34,034  
9 Direct Dial (206) 224-0730

10 **EXPRESS MAIL CERTIFICATE**

11 "Express Mail" mailing label number TB830470828US  
12 Date of Deposit August 8, 1996

13 I hereby certify that this paper or fee is being deposited with the United States Postal Service  
14 "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above  
15 and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA  
16 22202-3513.

17 Cindy Hocketts  
18 (Typed or printed name of person mailing paper or fee)

19 Cindy Hocketts  
20 (Signature of person mailing paper or fee)

21 RCT:nfs/bjb



2AAU

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Apex PC Solutions, Inc. Attorney Docket No: APXP214375  
Serial No: 75/018,077 Trademark Attorney: S. Goodson  
Filed: November 13, 1995 Law Office: 103  
Mark: OUTLOOK

AMENDMENT TO ALLEGE USE UNDER 37 C.F.R. § 2.76.

WITH DECLARATION - ALL GOODS

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Applicant requests registration of the above-identified mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. § 1051, et seq., as amended). Applicant is using the mark in commerce on or in connection with all of the goods identified in the application. Three specimens showing the mark as used in commerce are submitted with this amendment.

AAU  
CL

Date of first use of the mark anywhere: at least as early as December 1, 1995.

Date of first use of the mark in commerce which the U.S. Congress may regulate: at least as early as December 1, 1995.

Type of commerce: interstate.

The mark is used on or in connection with the goods by applying the mark to labels affixed to containers for the goods and in other manners customary in the trade.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this application or any resulting registration, declares that he is properly authorized to execute this Amendment to Allege Use on behalf of the applicant; he believes the applicant to be the owner of the mark sought to be registered; the mark is now in use in

///





2A FEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 Applicant: Apex PC Solutions, Inc. Attorney Docket No: APXP214375  
 3 Serial No: 75/018,077 Trademark Attorney: S. Goodson  
 4 Filed: November 13, 1995 Law Office: 103  
 5 Mark: OUTLOOK

7 TRANSMITTAL LETTER - AMENDMENT AND  
 8 AMENDMENT TO ALLEGE USE

Seattle, Washington 98101

August 8, 1996

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

The following papers are enclosed:

- 1. Amendment to Allege Use under 37 C.F.R. § 2.76;
- 2. Three specimens of the mark as actually used;
- 3. An Amendment in response to the May 31, 1996 Office Action; and

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4. Our check No. 79983 in the amount of \$100 to cover the associated fee.

Please charge any additional fees or credit any overpayment to Deposit Account No. 03-1740. A  
copy of this letter is enclosed.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON & KINDNESS<sup>PLLC</sup>

Rodney C. Tullett  
Registration No. 34,034  
Direct Dial (206) 224-0730

**EXPRESS MAIL CERTIFICATE**

"Express Mail" mailing label number TB830470828US  
Date of Deposit August 8, 1996

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Cindy Hutchins  
(Typed or printed name of person mailing paper or fee)

Cindy Hutchins  
(Signature of person mailing paper or fee)

RCT:EAW/bjb





**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

<b>SERIAL NO.</b> 75/018077 Apex PC Solutions, Inc.		<b>APPLICANT</b> Apex PC Solutions, Inc.		<b>PAPER NO.</b>	
<b>MARK</b> OUTLOOK		<b>ADDRESS:</b> ASSISTANT COMMISSIONER FOR TRADEMARKS 2900 Crystal Drive Arlington, Virginia 22202-3513		If no fees are enclosed, the address should include the words "Box 5." Please provide in all correspondence: 1. Filing Date, serial number, mark and Applicant's name. 2. Mailing date of this Office action. 3. Examining Attorney's name and Law Office number. 4. Your telephone number and ZIP code.	
<b>ADDRESS</b> Lee E. Johnson Christensen O'Connor Johnson & Kindness 1420 Fifth Avenue Suite 2800 Seattle, WA 98101-2347		<b>ACTION NO.</b> 01			
		<b>MAILING DATE</b> 05/31/96			
		<b>REF. NO.</b> APXP214375			
FORM PTO-1525 (5-90)		U.S. DEPT. OF COMM. PAT. & TM OFFICE			

**A PROPER RESPONSE TO THIS OFFICE ACTION MUST BE RECEIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID ABANDONMENT.** For your convenience and to ensure proper handling of your response, a label has been enclosed. Please attach it to the upper right corner of your response. If the label is not enclosed, print or type the Trademark Law Office No., Serial No., and Mark in the upper right corner of your response.

RE: Serial Number 75/018077

The assigned examining attorney has reviewed the referenced application and determined the following.

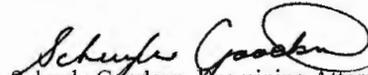
**Identification of Goods**

The wording "systems" in the identification of goods is too broad because it could include items classified in other classes. The applicant must clarify the identification or amend the identification to substitute the following wording, if accurate: Computer peripherals for the control of multiple computers from a single personal computer console in International Class 9. TMEP sections 804 and 804.03.

**No Conflicting Marks**

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 1105.01.

**PLEASE NOTE:** All of the issues raised can be resolved by telephone. The applicant may telephone the examining attorney, instead of submitting a written response, to expedite the application.

  
Schuyler Goodson, Examining Attorney  
Law Office 103, (703) 308-9103 ex 149

The Patent and Trademark Office has established a home page on the World Wide Web. Updated often, the site provides the latest information regarding U.S. and International Patent and Trademark matters and PTO announcements. In addition, the Trademark Acceptable Identification Manual is available on-line which provides descriptions of goods and services and their corresponding International Class designations. The home page URL address is **<http://www.uspto.gov>**

SMG

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#245-361

75018077



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK APPLICATION - PRINCIPAL REGISTER

BASED ON INTENT TO USE

CORPORATE APPLICANT

Mark: OUTLOOK

International Class: 9

Attorney Docket No: (APXP214375)

DN

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

03 WA  
Apex PC Solutions, Inc./ a Washington corporation  
20031 - 142nd Avenue N.E.  
Woodinville, Washington 98072  
WA

AA

The above-identified applicant requests registration of the mark shown in the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. § 1051, et seq., as amended), for use with computer peripherals; systems for the control of multiple computers from a single personal computer console.

Sub A  
CS  
OP  
Sub AA461

~~Applicant has a bona fide intention to use the mark in commerce on or in connection with the above-identified goods (15 U.S.C. § 1051(b), as amended). Applicant intends to use the mark on or in connection with the goods by applying the mark to labels to be affixed to the goods, applying the mark directly to the goods, and in other manners customary in the trade.~~

Applicant hereby appoints the firm of Christensen O'Connor Johnson & Kindness<sup>PLLC</sup> and Bruce E. O'Connor, Reg. No. 24,849; (Lee E. Johnson), Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James W. Anable, Reg. No. 26,827; James R. Uhlir, Reg. No. 25,096; Jerald E. Nagae, Reg. No. 29,418; Thomas F. Broderick, Reg. No. 31,332; Dennis K. Shelton, Reg. No. 26,997; Jeffrey M. Sakoi, Reg. No. 32,059; KiSong Kim Lang-Caditz; Ward Brown, Reg. No. 28,400; F. Ross Boundy; and Robert J. Carlson, Reg. No. 35,472; members of the firm, as its attorneys with

1 full power of substitution and revocation to prosecute this application for registration, to transact all  
2 business in the U.S. Patent and Trademark Office in connection therewith and to receive the  
3 certificate of registration. Direct all telephone calls to Rodney C. Tullett at telephone number  
4 (206) 224-0730. Address all correspondence to:

5 CA  
6 Christensen O'Connor Johnson & Kindness<sup>LLC</sup>  
7 1420 Fifth Avenue  
8 Suite 2800  
9 Seattle, WA 98101-2347

10 The undersigned, being hereby warned that willful false statements and the like so made are  
11 punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false  
12 statements may jeopardize the validity of this application or any resulting registration, declares that he  
13 is properly authorized to execute this application on behalf of the applicant; that he believes the  
14 applicant is entitled to use the mark in commerce; that to the best of his knowledge and belief no  
15 other person, firm, corporation or association has the right to use said mark in commerce, either in  
16 the identical form or in such near resemblance thereto as may be likely, when used on or in connection  
17 with the goods of such other person, firm, corporation or association to cause confusion, or to cause  
18 mistake, or to deceive; that all statements made herein of his own knowledge are true and that all  
19 statements made on information and belief are believed to be true.

20 APEX PC SOLUTIONS, INC.

21 Date: 11-13-95

22   
23 Kevin J. Haber  
24 Title: President

25 RCT:NHH/cmr



BOX NEW APP  
FEE

75018077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Apex PC Solutions, Inc. Attorney Docket No: APXP214375

Mark: OUTLOOK International Class: 9

TRANSMITTAL LETTER OF TRADEMARK APPLICATION

BASED ON INTENT TO USE

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

We enclose herewith the papers in an application for registration of the mark OUTLOOK in the name of Apex PC Solutions, Inc., based on intent to use, said papers comprising:

1. Written application;
2. Drawing (typewritten);
3. Our check No. 74157 in the amount of \$245 (\$245 per class) covering the

filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 03-1740. A copy of this letter is enclosed.

A filing date in accordance with 37 C.F.R. § 1.10 is requested. The Express Mail Certificate appears below.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON & KINDNESS<sup>PLLC</sup>

Rodney C. Tullett  
Registration No. 34,034  
Direct Dial (206) 224-0730

**EXPRESS MAIL CERTIFICATE**

"Express Mail" mailing label number TB645539862US Date of Deposit November 13, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

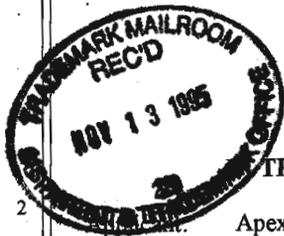
Carel Courtmanch  
(Typed or printed name of person mailing paper or fee)

Carel Courtmanch  
(Signature of person mailing paper or fee)

RCT/NHH:nfs

CHRISTENSEN  
O'CONNOR  
JOHNSON  
KINDNESS<sup>PLLC</sup>

LAW OFFICES  
1420 FIFTH AVENUE  
SUITE 3500  
SEATTLE, WASHINGTON 98101-2347  
TELEPHONE (206) 682-8100



BOX NEW APP  
FEE  
75018077

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Apex PC Solutions, Inc. Attorney Docket No: APXP214375

Mark: OUTLOOK International Class: 9

TRANSMITTAL LETTER OF TRADEMARK APPLICATION

BASED ON INTENT TO USE

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

We enclose herewith the papers in an application for registration of the mark OUTLOOK in the name of Apex PC Solutions, Inc., based on intent to use, said papers comprising:

1. Written application;
2. Drawing (typewritten);
3. Our check No. 74157 in the amount of \$245 (\$245 per class) covering the

filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 03-1740. A copy of this letter is enclosed.

A filing date in accordance with 37 C.F.R. § 1.10 is requested. The Express Mail Certificate appears below.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON & KINDNESS<sup>PLLC</sup>

Rodney C. Tullett  
Registration No. 34,034  
Direct Dial (206) 224-0730

**EXPRESS MAIL CERTIFICATE**

"Express Mail" mailing label number TB645539862US Date of Deposit November 13, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Carol Courtmanch  
(Typed or printed name of person mailing paper or fee)

Carol Courtmanch  
(Signature of person mailing paper or fee)

RCT/NHH:nfs

CHRISTENSEN  
O'CONNOR  
JOHNSON  
KINDNESS<sup>PLLC</sup>

LAW OFFICES  
1430 FIFTH AVENUE  
SUITE 2800  
SEATTLE, WASHINGTON 98101-2147  
TELEPHONE: (206) 652-5100

TRADEMARK APPLICATION SERIAL NO. 75018077

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

120 EB 12/05/95 75018077

0 361 245.00 CK

SERIES CODE & SERIAL NUMBER

75/018077

CODING SHEET FOR PSEUDO MARKS  
AND DESIGN SEARCH CODES

MARK DRAWING CODE  
(please circle appropriate MDC)

① 2 3 5 6

PSEUDO MARK (PM)

WIPO/DESIGN SEARCH CODES

_____	_____	_____
_____	_____	_____
_____	_____	_____

NAME: J. Briscoe

P1 5-2  
ITU Y or N

SERIAL NO. 75-618077

**TRADEMARK APPLICATION FILE DATA WORKSHEET**

**CLASS DATA**

1. INTERNATIONAL CLASS	<u>209</u>									
2. COLLECTIVE TM or SM	T	S	T	S	T	S	T	S	T	S
3. FEE PAID	<u>Y</u>	N	Y	N	Y	N	Y	N	Y	N
4. PRIOR US CLASS(ES)										
5. 1ST USE DATE										
6. 1ST USE IN COMM DATE										
7. IN ANOTHER FORM CODE	1	2	1	2	1	2	1	2	1	2
8. IN ANOTHER FORM STATEMENT	AF CODE IN MARGIN TEXT IN [ ]									
9. GOODS/SERVICES	<u>CS</u> INTERNATIONAL CLASS IN MARGIN, TEXT [ ]									
10. CERTIFICATION STATEMENT	CS IN MARGIN, TEXT IN [ ]									

**FOREIGN DATA**

	Y	N	Y	N	Y	N	Y	N	Y	N
1. PRIORITY CLAIMED										
2. COUNTRY CODE										
3. FOREIGN APPLICATION										
4. FOREIGN FILING DATE										
5. FOREIGN REG #										
6. FOREIGN REG DATE										
7. FOREIGN EXPIRATION DATE										
8. RENEWAL # DATE										
9. RENEWAL REG DATE #										
10. RENEWAL EXPIRATION DATE										

**NOTES TO DATA ENTRY PERSONNEL:**

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TRADEMARK ASSIGNMENT QUERY AS OF 11/29/2002 13:54:26  
REEL/FRAME DATA

REEL: 2455  
FRAME: 0092  
NUMBER OF PAGES: 002  
ELECTRONIC SUBMISSIONN  
PTAS SUBMISSION: Y  
DATE LAST UPDATED: 04/29/2002  
DATE IN SYSTEM:  
DATE KEYED IN:  
RECORDATION DATE: 03/01/2002  
DATE MAILED: 04/29/2002  
ASSIGNMENT RECEIPT DATE: 03/07/2002  
CONVEY EFFECTIVE DATE:

**CORRESPONDENCE**

NAME: NIXON & VANDERHYE P.C.  
DONNA J. BUNTON  
1100 NORTH GLEBE ROAD  
8TH FLOOR  
ARLINGTON, VA 22201

BRIEF CODE: 33  
BRIEF TEXT: CHANGE OF NAME

**CONVEYING PARTY DATA**

ENTRY: 001  
NAME: APEX PC SOLUTIONS, INC.  
FORMERLY:  
ENTITY: 03 - CORPORATION  
ENTITY TEXT:  
CITIZENSHIP: WA - WASHINGTON  
EXECUTION DATE: 06/15/1999

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**RECEIVING PARTY DATA**

ENTRY: 600  
NAME: APEX INC.  
COMPOSED OF:  
DBA/AKA/TA:  
ADDRESS: 9911 WILLOWS ROAD N.E.  
REDMOND  
STE/CTRY CODE: WA - WASHINGTON  
ZIP CODE: 98052  
ENTITY: 03 - CORPORATION  
ENTITY TEXT:  
CITIZENSHIP: WA - WASHINGTON

**DOMESTIC REPRESENTATIVE DATA**

NAME:

**PROPERTY DATA**

SERIAL NUMBER: 75018077  
REGISTRATION NUMBER: 2098659  
WORD MARK: OUTLOOK  
MARK DESCRIPTION: WORDS, LETTERS, OR NUMBERS IN TYPED FORM  
LOCATION: 834 - POST REGISTRATION  
LOCATION DATE: 11/29/02  
FILING DATE: 11/13/1995  
ISSUE DATE: 09/23/1997

**EXAMINER:**

**END OF DATA**

NOTE: Assignments prior to 01/01/1955 are not contained in this data base.



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Applicant: Apex PC Solutions, Inc.  
1580 - 150th Avenue N.E.  
Redmond, Washington 98052

Goods: Int'l Class 9: computer peripherals; systems for the control of multiple computers  
from a single personal computer console

9

OUTLOOK

PUBLISHED  
NOV 12 1996

CHRISTENSEN  
O'CONNOR  
JOHNSON  
KINDNESS<sup>PLLC</sup>

LAW OFFICES  
1420 FIFTH AVENUE  
SUITE 2800  
SEATTLE, WASHINGTON 98101-2147  
TELEPHONE: (206) 462-8100

\*\*\* User: EX396010 \*\*\*

STMT NUMBER	TOTAL MARKS	LIVE VIEWED	DEAD VIEWED	SEARCH
01	9	5	4	PHRASCH /OW Apex PC Solutions
02	150	0	0	PHRASCH oscar
03	739827	0	0	PHRASCH dead/ld
04	96	96	0	PHRASCH 2~3
05	782914	0	0	PHRASCH 016/cc
06	34	1	0	PHRASCH 4 & 5
07	164	0	0	PHRASCH :oscar:
08	107	0	0	PHRASCH 7~3
09	39	39	0	PHRASCH 5 &8
10	116	0	0	PHRASCH outlook
11	66	66	0	PHRASCH 10 ~3
12	9	8	1	PHRASCH out look
13	485	0	0	PHRASCH vista ^ vistas
14	283	0	0	PHRASCH 13 ~3
15	166	166	0	PHRASCH 14 & 5

TERMINAL SESSION STARTED 05/24/96 4:48 P.M. (EASTERN TIME)  
TERMINAL SESSION FINISHED 05/24/96 5:26 P.M. (EASTERN TIME)  
ELAPSED TIME THIS SESSION 0 HRS AND 38 MIN

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

TRANSMITTAL LETTER (GENERAL)  
(With Certificate of Mailing by First Class Mail)

Applicant/Registrant: **Avocent Redmond Corporation**  
Serial No.: **75/018077**  
Registration No.:  
Trademark: **OUTLOOK**

Docket No.  
**005672-00060**

TO THE COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is the following:

**Power of Attorney**

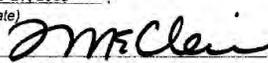
- No fee is required.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- A check in the amount of \_\_\_\_\_ is attached.  
Any excess or insufficiency should be credited or debited to Deposit Account No. \_\_\_\_\_
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
\_\_\_\_\_  
*Signature*

Dated: September 27, 2005

Tiffany McClain  
Sirote & Permutt, P.C.  
P.O. Box 55727  
Birmingham, AL 35255-5727

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451" [37 CFR 1.8(a)] on September 27, 2005 (Date)  _____ <i>Signature of Person Mailing Correspondence</i> Tiffany McClain _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>
---



CC:

10-03-2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

POWER OF ATTORNEY (and REVOCATION OF PREVIOUS POWER OF ATTORNEY)

Docket No.  
005672-00060

Name of Applicant: **Avocent Redmond Corporation**  
Address of Applicant: **9911 Willows Road N.E.**  
**Redmond, WA, 98052**

Trademark: **OUTLOOK**

Serial No., if Any: **75/018077**

\_\_\_\_\_  
TO THE COMMISSIONER FOR TRADEMARKS

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

Honorable Sir:

I hereby appoint:

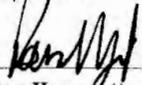
**Timothy A. Bush, Esq.**  
**Russell Carter Gache, Esq.**  
**C. Brandon Browning, Esq.**  
**Peter J. Hardin, Esq.**  
**Thomas S. Wolfe, Esq.**  
and the law firm of **Sirote & Permutt, P.C.**

as principal attorneys to prosecute this application, to transact all business in the Patent and Trademark Office connected therewith and to receive the Registration Certificate if one should issue. Applicant hereby revokes all previous powers of attorney associated with this application.

Please direct all future correspondence to:

**Timothy A. Bush, Esq.**  
**Sirote & Permutt, P.C.**  
**P.O. Box 55727**  
**Birmingham, AL 35255-5727**

By: \_\_\_\_\_

  
**Pam Honeycutt**  
**Director of Publications**

Dated: 9/21/05



# Incoming Correspondence Routing Sheet

Work Location: C      PRU      T

**Mark: OUTLOOK**

Reg. No.: 2098659



Serial No: 75018077



Mail Date: 10032005



Doc. Type: Revocation of Old/Appointment of New Attorney



**Examiner: 73344 - GOODSON, SCHUYLA**

CASE IN TICRS: NO

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Process in Accordance with Standard Operating Procedure and Work Steps.

---

**No Fee**

RAM Mail Date: 100305



# Incoming Correspondence Routing Sheet

Physical Location: **CENTRAL DOCKET**

**Mark: OUTLOOK**

Reg. No.: 2098659



Serial No: 75018077



Mail Date: 10032005



Doc. Type: Revocation of Old/Appointment of New Attorney



**Examiner: 73344 - GOODSON, SCHUYLA**

CASE IN TICRS: NO

---

Process in Accordance with Standard Operating Procedure and Work Steps.

---

**No Fee**

RAM Mail Date: 100305



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

TRANSMITTAL LETTER (GENERAL)  
(With Certificate of Mailing by First Class Mail)

Applicant/Registrant: **Avocent Redmond Corporation**  
Serial No.: **75/018077**  
Registration No.:  
Trademark: **OUTLOOK**

Docket No.  
**005672-00060**

TO THE COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is the following:

**Power of Attorney**

- No fee is required.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- A check in the amount of \_\_\_\_\_ is attached.  
Any excess or insufficiency should be credited or debited to Deposit Account No. \_\_\_\_\_
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



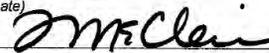
*Signature*

Dated: September 27, 2005

Tiffany McClain  
Sirote & Permutt, P.C.  
P.O. Box 55727  
Birmingham, AL 35255-5727

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451" [37 CFR 1.8(a)] on  
September 27, 2005

(Date)



*Signature of Person Mailing Correspondence*

**Tiffany McClain**

*Typed or Printed Name of Person Mailing Correspondence*



CC:

10-03-2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

POWER OF ATTORNEY (and REVOCATION OF PREVIOUS POWER OF ATTORNEY)

Docket No.

**005672-00060**

Name of Applicant: **Avocent Redmond Corporation**  
Address of Applicant: **9911 Willows Road N.E.**  
**Redmond, WA, 98052**

Trademark: **OUTLOOK**

Serial No., if Any: **75/018077**

\_\_\_\_\_  
TO THE COMMISSIONER FOR TRADEMARKS

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

Honorable Sir:

I hereby appoint:

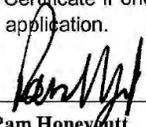
**Timothy A. Bush, Esq.**  
**Russell Carter Gache, Esq.**  
**C. Brandon Browning, Esq.**  
**Peter J. Hardin, Esq.**  
**Thomas S. Wolfe, Esq.**  
and the law firm of **Sirote & Permutt, P.C.**

as principal attorneys to prosecute this application, to transact all business in the Patent and Trademark Office connected therewith and to receive the Registration Certificate if one should issue. Applicant hereby revokes all previous powers of attorney associated with this application.

Please direct all future correspondence to:

**Timothy A. Bush, Esq.**  
**Sirote & Permutt, P.C.**  
**P.O. Box 55727**  
**Birmingham, AL 35255-5727**

By: \_\_\_\_\_

  
**Pam Honeycutt**  
**Director of Publications**

Dated: \_\_\_\_\_

**9/21/05**

Box Post Reg  
Fee

#5

2540-309

Mark: OUTLOOK

Reg. No. 2,098,659

Class No. 9

10/9  
T

**COMBINED DECLARATION UNDER SECTIONS 8 AND 15**

Donna J. Bunton declares that she is Attorney for Registrant, Apex Inc., a corporation organized and existing under the laws of the state of Washington having an office and place of business at 9911 Willows Road N.E., Redmond, Washington 98052, and owner of Registration No. 2,098,659, issued September 23, 1997 as shown by the records in the Patent and Trademark Office; that the owner is using the mark in commerce on or in connection with the goods identified below, as evidenced by the attached specimen showing the mark as currently used in commerce:

COMPUTER PERIPHERALS FOR THE CONTROL OF  
MULTIPLE COMPUTERS FROM A SINGLE PERSONAL  
COMPUTER CONSOLE.

The mark has been in continuous use in commerce for five (5) consecutive years after the date of registration, or the date of publication under § 12(c), and is still in use in commerce on or in connection with all the goods listed in the existing registration. There has been no final decision adverse to the owner's claim of ownership of such mark for such goods, or to the owner's right to register the same or keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the Patent and Trademark Office or in the courts. The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements

10/23/2002 SWILSON 00000009 2098659

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02 FC:6208

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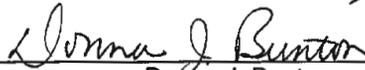
OUTLOOK  
Reg. No. 2,098,659

and the like may jeopardize the validity of this document, declares that she is properly authorized to execute this document on behalf of the Owner; and all statements made of her own knowledge are true and that all statements made on information and belief are believed to be true.

**POWER OF ATTORNEY**

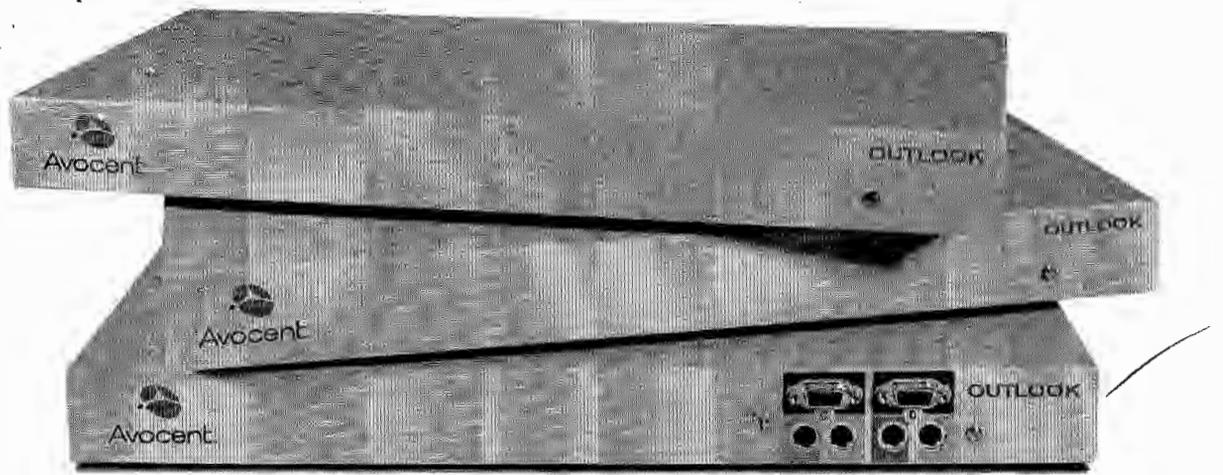
Apex Inc. hereby appoints Donna J. Bunton and the firm of Nixon & Vanderhye P.C., 1100 North Glebe Road, Eighth Floor, Arlington, Virginia 22201-4714, its attorneys to file this declaration, and to transact all business in the Patent and Trademark Office connected therewith. Every member of that law firm, and every attorney at law associated with that law firm, is hereby authorized to sign any paper, or conduct any business, on its behalf.

APEX INC.



\_\_\_\_\_  
Donna J. Bunton  
Attorney for Registrant

Date: 10-9-02



# Incoming Correspondence Routing Sheet

To: Post Registration (PRU)

Word Mark: OUTLOOK

Reg. No.: 2098659



Serial No: 75018077



Mail Date: 10092002



Doc. Type: Combined 8 and 15



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No Fee

RAM Mail Date: 100902



*R*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re  TRADEMARK APPLICATION

TRADEMARK REGISTRATION of:

Apex Inc.

Class(es): 9

Serial No.: 75/018,077

Examiner:

Filed: November 13, 1995

Our Account No. 14-1140

Reg. No. 2,098,659

Dated: September 23, 1997

Our Reference: 2540-309

Mark: OUTLOOK



**Box Post Reg - Fee**

Assistant Commissioner for Trademarks

2900 Crystal Drive

Arlington, Virginia 22202-3513

Date: October 9, 2002

Sir:

The document indicated below is attached for filing and is incorporated by reference. Fees are attached as calculated below:

<input type="checkbox"/> <u>BASED ON INTENT-TO-USE</u> : Trademark Application in 0 class(es) (\$325.00 per class)	\$ 0.00
<input type="checkbox"/> <u>BASED ON USE</u> : Trademark Application in class(es) (\$325.00) with 0 specimen(s) (one specimen per class)	\$ 0.00
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<input type="checkbox"/> Trademark Application in 0 class(es) (\$325.00) based on foreign registration under 15 U.S.C. 1126(e)	\$ 0.00
<input type="checkbox"/> Response to Official Action of ; <input type="checkbox"/> 0 new class(es) after response (\$325.00 per class)	\$ 0.00
<input type="checkbox"/> Allegation of Use (under Sec. 1051(c)) (\$100.00 per class) in 0 class(es) with 0 specimen(s)	\$ 0.00
<input type="checkbox"/> Allegation of Use (under Section 1051(d)) (\$100.00 per class) in 0 class(es), together with 0 specimen(s)	\$ 0.00
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<input type="checkbox"/> Declaration Of Use Under Section 8 in 0 class(es) (\$100.00 per class)	\$ 0.00
<input type="checkbox"/> LATE FEE FOR SECTION 8 (\$ 100.00 per class) in 0 class(es)	\$ 0.00
<input type="checkbox"/> Declaration Of Use Under Section 15 in 0 class(es) (\$200.00 per class)	\$ 0.00
<input checked="" type="checkbox"/> Combined Declaration of Use Under Sections 8&15 in 1 class(es) (\$300.00 per class) Above 8 and/or 15 with 1 specimen(s) (one per class)	\$ 300.00
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<input type="checkbox"/> Assignment to be recorded against 0 mark at \$40.00 (and 0 additional marks at \$25.00)	\$ 0.00
<input type="checkbox"/> Other:	
<b>TOTAL</b>	<b>\$ 300.00</b>

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

NIXON & VANDERHYTE P.C.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4003  
Facsimile: (703) 816-4100  
DJB:pav

By Atty: Donna J. Bunton

Signature: Donna J. Bunton

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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NIXON & VANDERHYTE P.C.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4003  
Facsimile: (703) 816-4100  
DJB:pav

By Atty: Donna J. Bunton

Signature: \_\_\_\_\_

*Donna J. Bunton*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Trademark Registrations of:

**APEX, INC.**

**REVOCATION AND NEW POWER OF ATTORNEY**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

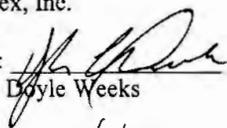
Sir:

Apex, Inc., the owner of the registrations identified in Appendix A, attached hereto, hereby revokes any and all previous Powers of Attorney and appoints Davidson, Berquist, Klima & Jackson, LLP, Attorneys at Law, of 4501 North Fairfax Drive, Suite 920, Arlington, Virginia, 22203 (telephone 703.248.0333) to transact all business in the Patent and Trademark Office in connection therewith. Every member of that law firm, and every attorney at law associated with that law firm is hereby authorized to sign any paper or conduct any business on its behalf.

Please direct all future correspondence and telephone inquiries regarding the referenced applications to Jay D. Berquist, Esq. or Mary Fran Love, Esq., at the address indicated above.

Respectfully submitted,

Apex, Inc.

By:   
Doyle Weeks

Date: 5/1/03

**Appendix A**

<b><u>Mark</u></b>	<b><u>Registration Number</u></b>	<b><u>Date Issued</u></b>
RUN YOUR SERVERS SMARTER	2,488,575	9/11/2001
APEX &Design	2,385,646	11/12/2000
APEX	2,385,645	11/12/2000
APEX PC SOLUTIONS & Design	2,248,466	6/01/1999
OSCAR	2,120,341	12/09/1997
OUTLOOK	2,098,659	9/23/1997
VIEWPOINT	2,012,635	10/29/1996
EMERGE	2,591,871	7/09/2002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re  TRADEMARK APPLICATION

TRADEMARK REGISTRATION of:

Apex Inc.

Class(es): 9

Serial No.: 75/018,077



Examiner:

Filed: November 13, 1995

Our Account No. 14-1140

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Dated: September 23, 1997

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DJB:pav

NIXON & VANDERHYE P.C.

By Atty: Donna J. Bunton

Signature: Donna J. Bunton

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re <input type="checkbox"/> TRADEMARK APPLICATION	<input checked="" type="checkbox"/> TRADEMARK REGISTRATION of:
Apex Inc.	Class(es): 9
Serial No.: 75/018,077	Examiner:
Filed: November 13, 1995	Our Account No. 14-1140
Reg. No. 2,098,659	
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Facsimile: (703) 816-4100  
DJB:pav

NIXON & VANDERHYE P.C.

By Atty: Donna J. Bunton

Signature: Donna J. Bunton

**Box Post Reg  
Fee**

2540-309

Mark: OUTLOOK

Reg. No. 2,098,659

Class No. 9

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10/23/2002 SWILSON 00000009 2098659

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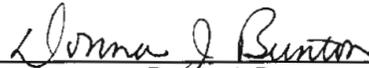
OUTLOOK  
Reg. No. 2,098,659

and the like may jeopardize the validity of this document, declares that she is properly authorized to execute this document on behalf of the Owner; and all statements made of her own knowledge are true and that all statements made on information and belief are believed to be true.

**POWER OF ATTORNEY**

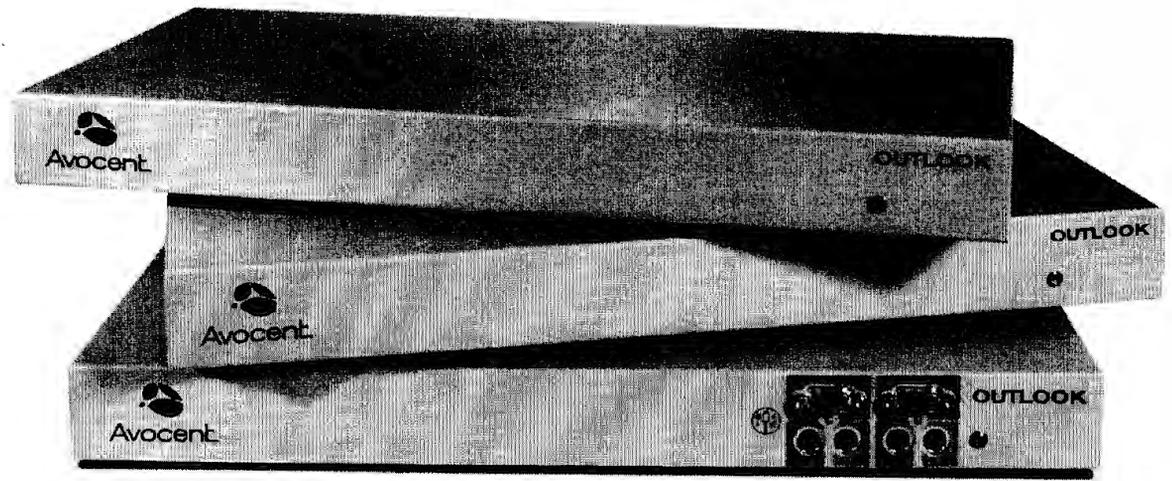
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APEX INC.



\_\_\_\_\_  
Donna J. Bunton  
Attorney for Registrant

Date: 10-9-02



Int. Cl.: 9

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

Reg. No. 2,098,659

**United States Patent and Trademark Office**

Registered Sep. 23, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**OUTLOOK**

APEX PC SOLUTIONS, INC. (WASHINGTON  
CORPORATION)  
20031 - 142ND AVENUE N.E.  
WOODINVILLE, WA 98072

FIRST USE 12-1-1995; IN COMMERCE  
12-1-1995.

SER. NO. 75-018,077, FILED 11-13-1995.

FOR: COMPUTER PERIPHERALS FOR THE  
CONTROL OF MULTIPLE COMPUTERS FROM  
A SINGLE PERSONAL COMPUTER CONSOLE,  
IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SCHUYLA GOODSON, EXAMINING ATTOR-  
NEY

Int. Cl.: 9

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

Reg. No. 2,098,659

**United States Patent and Trademark Office**

Registered Sep. 23, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**OUTLOOK**

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20031 - 142ND AVENUE N.E.  
WOODINVILLE, WA 98072

FIRST USE 12-1-1995; IN COMMERCE  
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SCHUYLA GOODSON, EXAMINING ATTOR-  
NEY

11/17/2015

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 Microsoft  
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Outlook 2016



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★★★★★ (15) Read reviews

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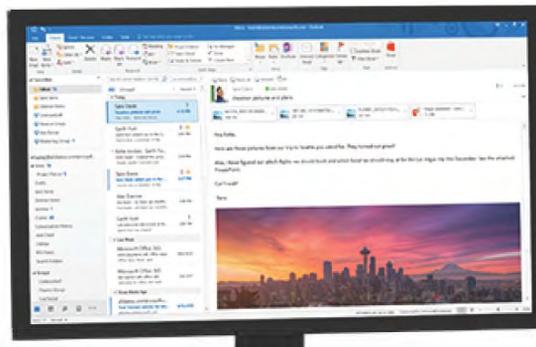
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Outlook 2016 lets you focus on what's important with a clear view of email, calendars, and contacts.

(<https://twitter.com/share>)

### Overview





### Manage your email, calendar, and contacts

Outlook helps keep you organized and on track. Attachments from OneDrive allow for easier sharing and collaboration on documents, and calendars can be viewed side-by-side for better planning. Conversation view keeps related messages together. You can even see all your contacts key information in one place, making it easier to manage all your communications in one place.

### The Microsoft Difference



### We'll get you up and running

We're the company that built Office, so we know it better than anybody. No matter what help you may need with downloading or installing Office, we've got the expertise you need. We'll give you the support you need until your software is up and running.

Contact us > ([http://www.microsoftstore.com/store/msusa/en\\_US/DisplayHelpContactUsPage/](http://www.microsoftstore.com/store/msusa/en_US/DisplayHelpContactUsPage/))

### Requirements

**Required Processor**

1 gigahertz (Ghz) or faster x86- or x64-bit processor with SSE2

**Required Operating System**

Windows 7 or later, Windows Server 2008 R2, or Windows Server 2012

**Required Memory**

1 GB RAM (32 bit); 2 GB RAM (64 bit)

**Required Hard Disk Space**

3.0 GB available disk space

**Required Display**

1280 x 800 resolution

**Graphics**

Graphics hardware acceleration requires a DirectX 10 graphics card.

**Multi-touch**

A touch-enabled device is required to use any multi-touch functionality. However, all features and functionality are always available by using a keyboard, mouse, or other standard or accessible input device. Note that new touch features are optimized for use with Windows 8 or later.

**Additional System Requirements**

Internet functionality requires an Internet connection.  
Microsoft account required.

### Ratings and reviews

#### Rating Snapshot

Select a row below to filter reviews.

5 ★	5
4 ★	4
3 ★	0
2 ★	2
1 ★	4

#### Average Customer Ratings

Overall 3.3

#### Most Helpful Favorable Review



#### Most Helpful Critical Review



11/17/2015

Not Me · 2 months ago

### Working fine - Now

I had problems when I initially upgraded (just Outlook - Word, Excel, etc. worked from the start). U... Show Full Review ([http://www.microsoftstore.com/store/msusa/en\\_US/pdp/productID.323024000?s\\_kwid=AL1424913182561566533!e!g!microsoft%20outlook&WT.mc\\_id=pointitsem+Google+Adwords+5+-+Outlook+2016&ref\\_id=Vh5kHwAAABFrcPa:20151117183809:s&bvroute=Review%2F90326787](http://www.microsoftstore.com/store/msusa/en_US/pdp/productID.323024000?s_kwid=AL1424913182561566533!e!g!microsoft%20outlook&WT.mc_id=pointitsem+Google+Adwords+5+-+Outlook+2016&ref_id=Vh5kHwAAABFrcPa:20151117183809:s&bvroute=Review%2F90326787))

8 of 18 people found this helpful

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1-8 of 15 Reviews

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★★★ Not Me · 2 months ago

### Adobe PDF Maker

Just down loaded updated to Outlook 2016. Have worked for 2 days to get the PDF Maker add-in to work or appear with this product. Wasted lots of time I needed to be productive. Still not working on it. Would not recommend updating to Outlook 2016 at this time.

- This product will be used for: Work
- No, I do not recommend this product.

Helpful? Report

★ . . . KurtSr · a month ago

### Sad that you can't buy it with word

I was again disappointed that if I wanted both word and outlook I have to buy they separately at a crazy price

- This product will be used for: Personal
- No, I do not recommend this product.

Originally posted on Outlook 2016 ([http://www.microsoftstore.com/store/msusa/en\\_US/pdp/productID.323801900](http://www.microsoftstore.com/store/msusa/en_US/pdp/productID.323801900))

Helpful? Report

★ Tomte · 22 days ago

### Review of Outlook for Office 2016

I wanted to purchase Outlook for my computer that had Office 2013 installed. The only version of Outlook available from Microsoft seemed to be Outlook for Office 2016. I purchased it and when I tried to install it on my computer, it erased my Office 2013 programs. I was very disappointed!

- This product will be used for: Personal
- No, I do not recommend this product.

Originally posted on Outlook 2016 ([http://www.microsoftstore.com/store/msusa/en\\_US/pdp/productID.323801900](http://www.microsoftstore.com/store/msusa/en_US/pdp/productID.323801900))

Helpful? Report

### Response from Microsoft:

Anonymous · MS OutReach Team · 14 days ago

Hello Tomte, if you recently activated one of the following qualifying Office 2013 or Office for Mac 2011 product, you can pay \$40 USD to upgrade to the equivalent Office 2016 edition. For more information please contact us at : <https://support.microsoft.com/en-us/answerdesk> (<https://support.microsoft.com/en-us/answerdesk>) . We apologize for any inconvenience and hope this was helpful to you.

★ gtyyy · 2 months ago

### hate it.. again

needed to upgrade to 2016 with office 365- still have not been able to get outlook to work! yippee - gotta love MS

- This product will be used for: Work

Buy Microsoft Outlook 2016 - Microsoft Store

Not Me · 2 months ago

### Adobe PDF Maker

Just down loaded updated to Outlook 2016. Have worked for 2 days to get the PDF Maker add-in to work... Show Full Review ([http://www.microsoftstore.com/store/msusa/en\\_US/pdp/productID.323024000?s\\_kwid=AL1424913182561566533!e!g!microsoft%20outlook&WT.mc\\_id=pointitsem+Google+Adwords+5+-+Outlook+2016&ref\\_id=Vh5kHwAAABFrcPa:20151117183809:s&bvroute=Review%2F90752201](http://www.microsoftstore.com/store/msusa/en_US/pdp/productID.323024000?s_kwid=AL1424913182561566533!e!g!microsoft%20outlook&WT.mc_id=pointitsem+Google+Adwords+5+-+Outlook+2016&ref_id=Vh5kHwAAABFrcPa:20151117183809:s&bvroute=Review%2F90752201))

59 of 67 people found this helpful

See more 1, 2, and 3 star reviews ([http://www.microsoftstore.com/store/msusa/en\\_US/pdp/productID.323024000?s\\_kwid=AL1424913182561566533!e!g!microsoft%20outlook&WT.mc\\_id=pointitsem+Google+Adwords+5+-+Outlook+2016&ref\\_id=Vh5kHwAAABFrcPa:20151117183809:s&bvroute=Reviews%2FshowHelpfulCritical](http://www.microsoftstore.com/store/msusa/en_US/pdp/productID.323024000?s_kwid=AL1424913182561566533!e!g!microsoft%20outlook&WT.mc_id=pointitsem+Google+Adwords+5+-+Outlook+2016&ref_id=Vh5kHwAAABFrcPa:20151117183809:s&bvroute=Reviews%2FshowHelpfulCritical))

11/17/2015

Buy Microsoft Outlook 2016 - Microsoft Store

Yes, I do not recommend this product.

Helpful? Yes · 21 No · 9 [Report](#)

★★★★★ officeuser · 2 months ago

### Breaks Exchange Server

Only allows auto discovery for exchange servers. no manual setup available. TERRIBLE for corporate

This product will be used for: Work

No, I do not recommend this product.

Helpful? Yes · 22 No · 11 [Report](#)

★★★★★ Noss1 · a month ago

### Not as good

I've had problems with it from the start. Often requires a "force refresh" to be able to open emails.

This product will be used for: Personal

No, I do not recommend this product.

Helpful? Yes · 7 No · 5 [Report](#)

### Response from Microsoft:

Anonymous · MS OutReach Team · a month ago

Hello Noss1. Thank you for posting a review. We appreciate your loyalty to Microsoft and will gladly provide you with assistance at a time that's convenient for you. Please contact us using one of the methods below. Support Web Portal: [www.Support.Microsoft.com](http://www.Support.Microsoft.com) Technical Support: Call 1-877-696-7786 We apologize for any frustration with your Outlook issues have caused, and we thank you for choosing Microsoft.

### Response from Microsoft:

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★★★★★ KMat · 2 months ago

### Working fine - Now

I had problems when I initially upgraded (just Outlook - Word, Excel, etc. worked from the start). Updates over the weekend got it working with our exchange server.

This product will be used for: Work, Personal

Yes, I recommend this product.

Helpful? Yes · 8 No · 10 [Report](#)

★★★★★ Christopher2015 · a month ago

### Outlook is great for Graduate Students

This is a great product for anyone in college or graduate school. Tasks allows you to keep organized, the calendar manages a busy schedule and requests meetings with campus faculty/stuff, and having my nine inboxes open from the desktop or mobile is fantastic.

This product will be used for: Work, School, Personal

Yes, I recommend this product.

Helpful? Yes · 3 No · 4 [Report](#)

1-8 of 15 Reviews

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Next ([http://www.microsoftstore.com/store/msusa/en\\_US/pdp/productID.323024000?s\\_kvocid=AL1424931825615685331e1g1lmsicrsoft%20outlook&WT.mc\\_id=pointilsem+Google+Adwords+5+-+Outlook+2016&ef\\_id=Vh5khWAAABFrtcPa.20151117183809:s&bvstale=pg%3A2%2Fα%3Arj](http://www.microsoftstore.com/store/msusa/en_US/pdp/productID.323024000?s_kvocid=AL1424931825615685331e1g1lmsicrsoft%20outlook&WT.mc_id=pointilsem+Google+Adwords+5+-+Outlook+2016&ef_id=Vh5khWAAABFrtcPa.20151117183809:s&bvstale=pg%3A2%2Fα%3Arj))

★★★★★ 15 Reviews

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### Questions

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1-5 of 5 Questions

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dcldawn · a month ago

Themes on Outlook 2013 were basically nonexistent...Any better on 2016? Too bright..all white

1 answer

Answer this Question

muhammad tariq · 6 days ago

I do not know

Helpful? Yes - 0 | No - 0 Report

jperk · a month ago

I just want the outlook email nothing else any suggestions

2 answers

Answer this Question

RBecca · a month ago

For PC, [http://www.microsoftstore.com/store/msusa/en\\_US/pdp/Outlook-2016/productID.323024000](http://www.microsoftstore.com/store/msusa/en_US/pdp/Outlook-2016/productID.323024000)

For mac:[http://www.microsoftstore.com/store/msusa/en\\_US/pdp/Outlook-2016-for-Mac/productID.323024200](http://www.microsoftstore.com/store/msusa/en_US/pdp/Outlook-2016-for-Mac/productID.323024200)

Helpful? Yes - 2 | No - 1 Report

dcs7 · 3 days ago

if I buy a newer outlook on this pc will I be able to use it on my Iphone and Ipad as well and will it sync?

0 answers

Answer this Question

MARK1111 · 11 days ago

WHY HAS MICROSOFT NOT FIXED THE PROBLEMS WITH OLD EMAILS COMING BACK WHEN YOU UPGRADE TO A NEWER OUT!! THIS IS A HUGE PROBLEM I AM TRYING TO STOP 8000 EMAIL FROM COMING BANK,. BEFORE IT WAS OVER 100,000, FIX THIS PLEASE!!!!

0 answers

Answer this Question

c2thomas · a month ago

Can you print calendars with this version? Current outlook calendar will not print.

0 answers

Answer this Question

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## Quick Installation Guide

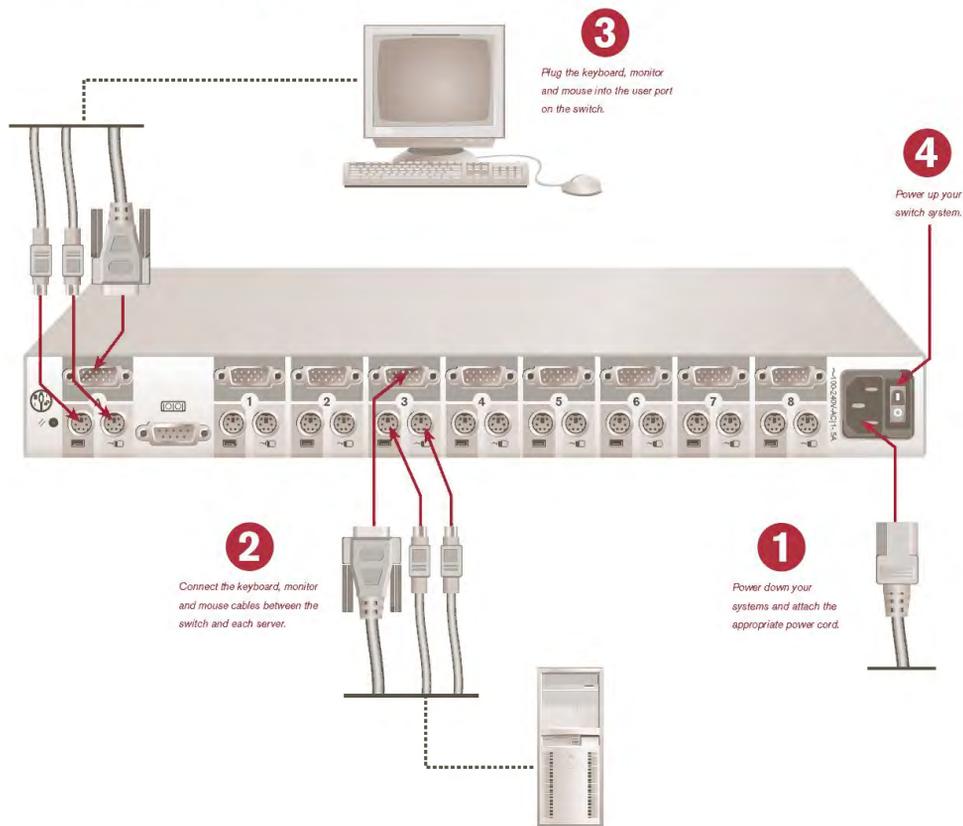
# OutLook ES Series

140ES | 180ES | 280ES

The following instructions will allow you to set up your OutLook system easily.

Should you require further assistance, please consult your Installer/User Guide.

## To connect an OutLook 140ES, 180ES or 280ES switch



### 1 Connecting power to the OutLook switch

Power down all computers that will be part of your OutLook system. Locate the power cord that came with the OutLook unit. Plug it into the power socket on the rear of the OutLook unit. Plug the other end into an appropriate AC wall outlet.

### 2 Connecting the servers

Choose an available server port on the rear of your OutLook unit (labeled 1-4 or 1-8, depending on your model). Locate an appropriate Avocent KVM cable

(purchased separately) and plug one set of keyboard, monitor and mouse connectors into the corresponding ports on the unit. Plug the other set into the appropriately labeled ports on your server. Repeat this procedure for all computers that are to be connected to the OutLook unit.

### 3 Connecting the keyboard, monitor and mouse

Plug your keyboard, monitor and mouse cables into the appropriately labeled user port connectors on the back or front of the unit. Repeat this procedure for the second user on the OutLook 280ES.

### 4 Powering up your system

Power up your system in the following order: monitor, switch and then servers. If the servers are turned on before the switch, they may exhibit abnormal or erratic behavior.

#### For additional information

For further instructions on OutLook hardware connection, software setup and security configuration, please refer to the Installer/User Guide included with the unit. For the latest OutLook software and firmware updates, check out <http://www.avocent.com>.



## Quick Installation Guide

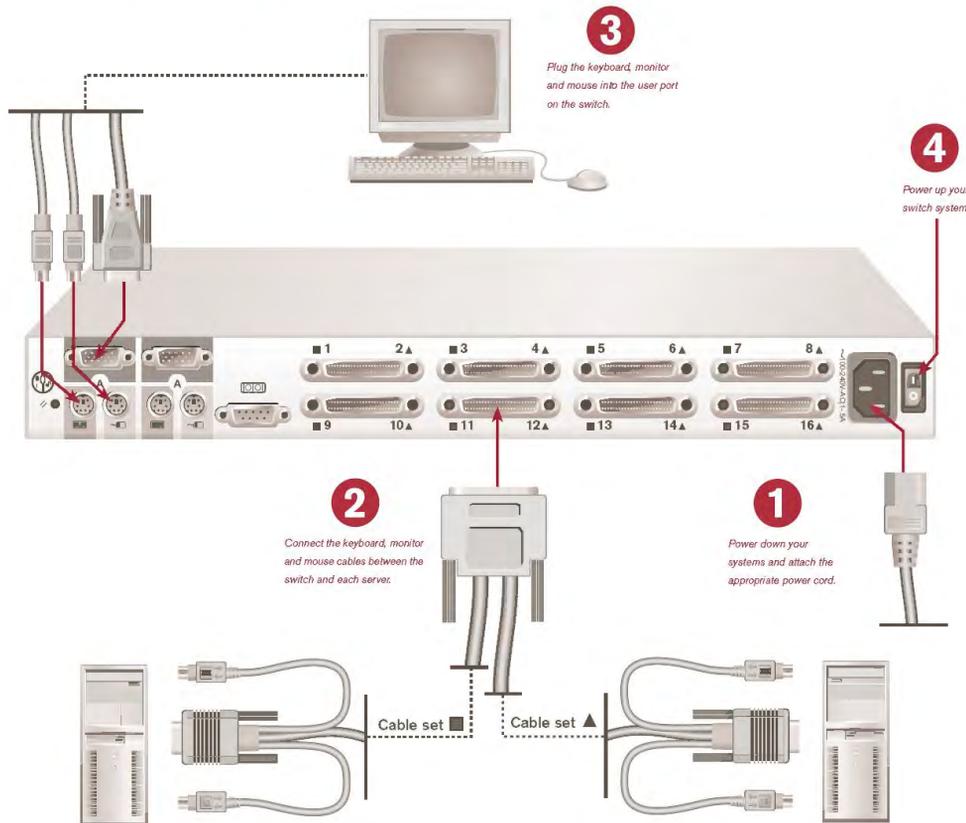
# OutLook ES Series

1160ES | 2160ES | 4160ES

The following instructions will allow you to set up your OutLook system easily.

Should you require further assistance, please consult your Installer/User Guide.

### To connect an OutLook 1160ES, 2160ES or 4160ES switch



#### 1 Connecting power to the OutLook switch

Power down all computers that will be part of your OutLook system. Locate the power cord that came with the OutLook unit. Plug it into the power socket on the rear of the OutLook unit. Plug the other end into an appropriate AC wall outlet.

#### 2 Connecting the servers

Choose an available server port (labeled 1-16) on the rear of your OutLook unit. Locate an appropriate Avocent KVM high-density cable (purchased separately) and plug the 50-pin connector into the chosen port on the unit.

The other end has two sets of KVM connectors. Plug each set of connectors into the corresponding ports on the rear of the two target servers. Repeat this procedure for all servers that are to be connected to the OutLook unit.

#### 3 Connecting the keyboard, monitor and mouse

Choose an available user port (the 4160ES has two on the front and two on the rear of the unit). Plug your keyboard, monitor and mouse cables into the appropriately labeled user port connectors on the back or front of the unit. Repeat this procedure for the additional users for the 2160ES and 4160ES models.

#### 4 Powering up your system

Power up your system in the following order: monitor, switch and then servers. If the servers are turned on before the switch, they may exhibit abnormal or erratic behavior.

#### For additional information

For further instructions on OutLook hardware connection, software setup and security configuration, please refer to the Installer/User Guide included with the unit.

For the latest OutLook software and firmware updates, check out <http://www.avocent.com>.