

ESTTA Tracking number: **ESTTA487573**

Filing date: **08/06/2012**

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

**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Newscoop, LLC
Granted to Date of previous extension	08/05/2012
Address	60 Thoreau Street, Suite 111 Concord, MA 01742 UNITED STATES

Attorney information	Thomas F. Dunn Morse, Barnes-Brown & Pendleton, P.C. 230 Third Avenue, 4th Floor CityPoint Waltham, MA 02451 UNITED STATES ttab@mbbp.com, tdunn@mbbp.com, ssm@mbbp.com Phone:781 622 5930
----------------------	--

**Applicant Information**

Application No	85369525	Publication date	02/07/2012
Opposition Filing Date	08/06/2012	Opposition Period Ends	08/05/2012
Applicant	Sourcefabric o.p.s. Salvátorská; 10 Praha 110 00 Praha 1, CZECH REPUBLIC		

**Goods/Services Affected by Opposition**

<p>Class 009. First Use: 2010/04/27 First Use In Commerce: 2011/04/13 All goods and services in the class are opposed, namely: (Based on Use in Commerce) Content management software for managing professional newspapers and magazines, namely, for managing breaking news, full length articles, blogs, comments and editorial staff through intuitive interfaces and intelligent workflows; (Based on Intent to Use) data-processing equipment; computers; apparatus and instruments for recording, reproduction and transmission of information, including text, image and sound by internet and intranet electronic channels</p>
<p>Class 038. All goods and services in the class are opposed, namely: Communications by telephone; communications by telegrams; communications by computer terminals; communication by fiber-optic networks; providing internet chat rooms; paging services by radio, telephone and other means of electronic communication</p>
<p>Class 042. First Use: 2010/04/27 First Use In Commerce: 2011/04/13 All goods and services in the class are opposed, namely: (Based on Use in Commerce) Computer programming; designing and developing of computer software; consultancy in computer software; (Based on Intent to Use) providing search engines for the internet</p>

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3694816	Application Date	08/27/2008
Registration Date	10/13/2009	Foreign Priority Date	NONE
Word Mark	NEWSCOOP		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2008/01/15 First Use In Commerce: 2008/02/20 Providing an online website featuring current events news and information		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	NEWSCOOP		
Goods/Services	<p>content creation, aggregation, and management software for use in the fields of reporting and journalism; content creation software that allows users to share and collaborate on presentations and news stories; software for mobile and desktop gaming relating to news reporting and journalism, in International Class 009; communication and collaboration services, namely, providing online chat rooms, video chat rooms and instant messaging services; telecommunications services, namely, electronic transmission of data, messages and information; providing online tools and forums allowing users to exchange audio, video, images, and written communications, in International Class 038; providing consulting services in the fields of video production, multimedia and journalism, in International Class 041; and providing technology consulting services in the fields of social media and software design; providing online, non-downloadable software that allows users to share and collaborate on presentations; providing a web site featuring instruction and information in the fields of reporting and journalism; providing a web site featuring news for and by students and other citizen journalists; providing a web site where users can access and post news articles, audio and video; providing a web site for students and other citizen journalists featuring information and instruction in the fields of news, media production and journalism; providing a web site where users can contribute and access stock footage and other raw content for</p>		

	use in news articles and presentations, in International Class 042; all in pending App. Ser. No. 85695827 filed on even date herewith.
--	--

Attachments	77557284#TMSN.jpeg ( 1 page )( bytes ) Opposition (NEWSCOOP SOURCEFABRIC) FINAL (M0435617).PDF ( 25 pages )(1043220 bytes )
-------------	--

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Thomas F. Dunn/
Name	Thomas F. Dunn
Date	08/06/2012

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

)		
)	)	
Newscoop, LLC	)	In re App. Ser. No.: 85369525
	)	
Opposer,	)	Mark: NEWSCOOP
	)	SOURCEFABRIC
v.	)	(& Design)
	)	
Sourcefabric o.p.s.	)	Filing Date: July 12, 2011
	)	
Applicant	)	Publication Date: February 7, 2012
	)	
	)	Opposition No.: _____

**NOTICE OF OPPOSITION**

Opposer Newscoop, LLC, a limited liability company organized under the laws of the state of Delaware and having an address of 60 Thoreau Street, Suite 111, Concord, Massachusetts 01742, believes it will be damaged by the registration of the mark shown in Application Ser. No. 85369525, and hereby opposes same.

The grounds for opposition, Opposer states and alleges as follows:

1. Opposer is a leading provider of software, electronic communications, consulting services, online software services, and online information resources, all in the fields of reporting and journalism, video production, multimedia, social media, and software design.
  
2. On or about August 27, 2008, Ms. Camilla Warrender in her capacity as an individual filed U.S. App. Ser. No. 77557284 under Section 1(a) of the Lanham Act based on use of the NEWSCOOP mark at least as early as January 15, 2008, and use of the mark in interstate commerce at least as early as February 20, 2008.

3. Opposer has continuously used its NEWSLOOP trademark in interstate commerce in the U.S. since at least as early as February 20, 2008.

4. On October 13, 2009, App. Ser. No. 77557284 matured into U.S. Reg. No. 3694816 for the NEWSLOOP mark for use in connection with "Providing an online website featuring current events news and information," in International Class 41 (the "NEWSLOOP Mark").

5. The certificate of registration constitutes prima facie evidence of Opposer's exclusive right to use the NEWSLOOP mark throughout the United States and its territories with the services recited therein. The certificate of registration constitutes prima facie evidence of Opposer's exclusive right to use the NEWSLOOP mark throughout the United States and its territories with goods and services that are closely related to the services recited therein. Copies of the certificate of registration, the associated TARR page and the assignment history are attached hereto as **Exhibit A**.

6. On August 6, 2012, Camilla Warrender assigned U.S. Reg. No. 3694816 for the NEWSLOOP mark, and all rights associated therewith, to Opposer. A copy of the assignment and the filing receipt for the Request for Recordation are attached hereto as **Exhibit B**.

7. On August 6, 2012, Opposer filed U.S. App. Ser. No. 85695827 on a 1(b) basis for the NEWSLOOP mark for use with the following services:

content creation, aggregation, and management software for use in the fields of reporting and journalism; content creation software that allows users to share and collaborate on presentations and news stories; software for mobile and desktop gaming relating to news reporting and journalism, in International Class 009;

communication and collaboration services, namely, providing online chat rooms, video chat rooms and instant messaging services; telecommunications services, namely, electronic transmission of data, messages and information; providing online

tools and forums allowing users to exchange audio, video, images, and written communications, in International Class 038;

providing consulting services in the fields of video production, multimedia and journalism, in International Class 041; and

providing technology consulting services in the fields of social media and software design; providing online, non-downloadable software that allows users to share and collaborate on presentations; providing a web site featuring instruction and information in the fields of reporting and journalism; providing a web site featuring news for and by students and other citizen journalists; providing a web site where users can access and post news articles, audio and video; providing a web site for students and other citizen journalists featuring information and instruction in the fields of news, media production and journalism; providing a web site where users can contribute and access stock footage and other raw content for use in news articles and presentations, in International Class 042.

Printouts reflecting this mark from the TESS and TARR databases and assignment page are not yet available because the application was filed on even date herewith; however, as evidence of the foregoing applicant attaches a copy of the application filing receipt hereto as **Exhibit C**.

8. In light of Opposer's promotion and use of the NEWSLOOP mark it serves to identify and indicate the source of Opposer's goods and services to the consuming public nationwide, and to distinguish Opposer's goods and services from the goods and services of others. Opposer has developed valuable goodwill in its NEWSLOOP mark.

9. On or about July 15, 2011, Applicant Sourcefabric o.p.s. ("Applicant") filed U.S. Trademark Application (Ser. No. 85369525) (the "Application") to register the mark NEWSLOOP SOURCEFABRIC (& Design) for use in connection with the following goods and services:

Content management software for managing professional newspapers and magazines, namely, for managing breaking news, full length articles, blogs, comments and editorial staff through intuitive interfaces and intelligent workflows; data-processing

equipment; computers; apparatus and instruments for recording, reproduction and transmission of information, including text, image and sound by internet and intranet electronic channels, in International Class 9;

Communications by telephone; communications by telegrams; communications by computer terminals; communication by fiber-optic networks; providing internet chat rooms; paging services by radio, telephone and other means of electronic communication, in International Class 38; and

Computer programming; designing and developing of computer software; consultancy in computer software; providing search engines for the internet, in International Class 42.

10. The Application was filed in part on a 1(b) basis and in part on a 1(a) basis.

Applicant has alleged use of the NEWSLOOP SOURCEFABRIC mark with both content management software in Class 9 and the services recited in Class 42 anywhere since at least as early as April 27, 2010, and in interstate commerce since at least as early as April 13, 2011.

11. Opposer's constructive use date of the NEWSLOOP mark of August 27, 2008, predates applicant's constructive use date of the NEWSLOOP SOURCEFABRIC mark of July 15, 2011, by more than two years and eleven months.

12. Opposer's date of first use of the NEWSLOOP mark anywhere of January 15, 2008, predates Applicant's alleged date of first use of the NEWSLOOP SOURCEFABRIC mark anywhere of April 27, 2010, by more than two years and three months.

13. Opposer's date of first use of the NEWSLOOP mark in interstate commerce of at least as early as February 20, 2008, predates Applicant's alleged date of first use of the NEWSLOOP SOURCEFABRIC mark with a subset of its applied-for goods and services of at least as early as April 13, 2011, by more than three years.

14. The literal elements of Applicant's mark incorporate Opposer's NEWSCOOP mark as the leading component.

15. The NEWSCOOP component of the Applicant's mark is the dominant component.

16. Applicant's NEWSCOOP SOURCEFABRIC mark so resembles Opposer's NEWSCOOP mark as to be likely to cause confusion, mistake, or deception. Consumers are likely to believe, incorrectly, that there is an affiliation, connection, or sponsorship between the parties, thereby damaging Opposer within the meaning of 15 U.S.C. § 1064.

17. The goods and services identified in the Application are identical or closely related to Opposer's goods and services as identified and/or recited in Opposer's registered mark and its pending application.

18. The services identified in the NEWSCOOP SOURCEFABRIC application will be encountered by the same or similar class of consumers who are familiar with and interested in the services recited by Opposer under the NEWSCOOP registration.

18. The parties' respective channels of trade are identical or very similar.

19. For the foregoing reasons, the use and registration by Applicant of the NEWSCOOP SOURCEFABRIC mark set forth in App. Ser. No. 85369525 is likely to cause consumer confusion, mistake and deception under 15 U.S.C. § 1114(1).

20. Opposer would be damaged by the registration of Applicant's mark set forth in App. Ser. No. 85369525 because registration would support and assist Applicant in confusing, misleading, and/or deceptive use of Opposer's NEWSCOOP mark, and would give Applicant a presumption of statutory rights to which Applicant is not entitled, in violation and degradation of Opposer's prior rights.

21. Based on all of the foregoing, registration of the mark depicted in App. Ser. No. 85369525 would cause injury and damage to Opposer.

WHEREFORE, Opposer prays that this Opposition be sustained and that the Application be denied for the reasons set forth above.

Date: August 6, 2012

NEWSCOOP, LLC

By its attorneys,

MORSE, BARNES-BROWN & PENDLETON,  
P.C.

By: /Thomas F. Dunn/  
Thomas F. Dunn  
Sheri S. Mason  
CityPoint  
230 Third Avenue, 4<sup>th</sup> Floor  
Waltham, Massachusetts 02451  
Tel: (781) 622-5930  
Fax: (781) 622 5933  
Email: [ttab@mbbp.com](mailto:ttab@mbbp.com)  
[tdunn@mbbp.com](mailto:tdunn@mbbp.com)  
[smason@mbbp.com](mailto:smason@mbbp.com)

**Exhibit A**

Copy of U.S. Reg. No. 3694816, TARR History and Assignment History

# United States of America

United States Patent and Trademark Office

## newscoop

**Reg. No. 3,694,816** CAMILLA WARRENDER (UNITED STATES INDIVIDUAL)  
Registered Oct. 13, 2009 P.O. BOX 3421  
NANTUCKET, MA 02584

**Int. Cl.: 41** FOR: PROVIDING AN ONLINE WEBSITE FEATURING CURRENT EVENTS NEWS AND INFORMATION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

**SERVICE MARK** FIRST USE 1-15-2008; IN COMMERCE 2-20-2008.  
**PRINCIPAL REGISTER**

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

SER. NO. 77-557,284, FILED 8-27-2008.

ANDREA K. NADELMAN, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-08-06 21:39:48 ET

Serial Number: [77557284 Assignment Information](#)      [Trademark Document Retrieval](#)

Registration Number: [3694816](#)

Mark

newscoop

(words only): [NEWSCOOP](#)

Standard Character claim: [Yes](#)

Current Status: [Registered](#). The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: [2009-10-13](#)

Filing Date: [2008-08-27](#)

Transformed into a National Application: [No](#)

Registration Date: [2009-10-13](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 110](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2009-10-13](#)

---

**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. [Camilla Warrender](#)

**Address:**

[Camilla Warrender](#)  
[P.O.Box 3421](#)  
[Nantucket, MA 02584](#)  
[United States](#)

**Legal Entity Type:** [Individual](#)

**Country of Citizenship:** [United States](#)

**Phone Number:** [5083254809](#)

---

**GOODS AND/OR SERVICES**

---

**International Class:** [041](#)

**Class Status:** [Active](#)

[Providing an online website featuring current events news and information](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [2008-01-15](#)

**First Use in Commerce Date:** [2008-02-20](#)

---

**ADDITIONAL INFORMATION**

---

(NOT AVAILABLE)

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

[2009-10-13 - Registered - Principal Register](#)

[2009-07-28 - Published for opposition](#)

[2009-07-08 - Notice of publication](#)

2009-06-24 - Law Office Publication Review Completed

2009-06-23 - Approved for Pub - Principal Register (Initial exam)

2009-06-23 - Examiner's Amendment Entered

2009-06-23 - Notification Of Examiners Amendment E-Mailed

2009-06-23 - EXAMINERS AMENDMENT E-MAILED

2009-06-23 - Examiners Amendment -Written

2009-06-23 - Notification Of Final Refusal Emailed

2009-06-23 - Final refusal e-mailed

2009-06-23 - Final Refusal Written

2009-06-05 - Teas/Email Correspondence Entered

2009-06-05 - Communication received from applicant

2009-06-05 - Assigned To LIE

2009-06-04 - TEAS Response to Office Action Received

2008-12-08 - Notification Of Non-Final Action E-Mailed

2008-12-08 - Non-final action e-mailed

2008-12-08 - Non-Final Action Written

2008-12-04 - Assigned To Examiner

2008-09-03 - Notice Of Pseudo Mark Mailed

2008-09-02 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Correspondent**  
CAMILLA WARRENDER

PO BOX 3421  
NANTUCKET, MA 02584-3421  
Phone Number: 5083254809

---



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)



### [Assignments on the Web](#) > Trademark Query

**No assignment has been recorded at the USPTO**

**For Serial Number: 77557284**

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350. v.2.3.2  
Web interface last modified: July 10, 2012 v.2.3.2

[.HOME](#) | [INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

**Exhibit B**

Copy of assignment and recordation filing receipt

ASSIGNMENT OF TRADEMARK

WHEREAS, Camilla Warrender, an individual having a residential address of P.O. Box 3421, Nantucket, Massachusetts, 02584, is the record owner of the NEWSLOOP trademark in U.S. Reg. No. 3694816 (the "Mark");

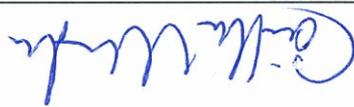
WHEREAS, Newscoop, LLC, a limited liability organized under the laws of the state of Delaware and having an address of 60 Thoreau Street, Suite 111, Concord, Massachusetts 01742 ("Assignee"), is desirous of acquiring the Mark;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns to Assignee all right, title and interest it may now have, may ever have, in and to the Mark and the good will of the business symbolized thereby, including all rights to sue and recover for past infringements thereof.

The Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at expense of the Assignee, do all lawful and just acts, including the execution and acknowledgement of instruments that may be or become necessary for obtaining, sustaining, or renewing the Mark, and for maintaining and perfecting the Assignee's right to the Mark.

EXECUTED this 6<sup>th</sup> day of August, 2012

CAMILLA WARRENDER  
In her personal capacity



By:

CAMILLA WARRENDER  
Manager  
Newscoop, LLC

  
NEWSLOOP, LLC

**Thomas F. Dunn**

---

**From:** etas-server@uspto.gov  
**Sent:** Monday, August 06, 2012 8:43 PM  
**To:** Trademark  
**Subject:** Assignment confirmation receipt ID:TM242673  
**Attachments:** EASTM242673.html

ELECTRONIC TRADEMARK ASSIGNMENT SYSTEM (ETAS) CONFIRMATION RECEIPT

The USPTO has received a Trademark Assignment submitted through the Electronic Trademark Assignment System (ETAS). This is the only acknowledgement of receipt that will be transmitted for this ETAS submission. The submission may not be recalled.

After review by Assignment Services Division personnel a Notice of Recordation/Non-Recordation will be returned via fax. USPTO will attempt to fax to the number provided in the submission; fax failures will be delivered via US Postal Service to the Correspondence Address provided in the submission.

If a communication from the Assignment Services Division has not been received within 60 days of your confirmation receipt contact the Assignment Services Division Customer Service Desk at 571-272-3350 or send an e-mail to [etas@uspto.gov](mailto:etas@uspto.gov).

If you have a technical question, comment or concern about your ETAS submission call 571-272-3350 during business hours or e-mail to [etas@uspto.gov](mailto:etas@uspto.gov). Please have your ETAS receipt ID which is 'EASTM242673' available when calling or writing for assistance.

A printable version of the Confirmation Receipt is attached to this e-mail.

-----  
Electronic Assignment Server at <http://etas.uspto.gov>

<b>TRADEMARK ASSIGNMENT</b>
-----------------------------

Electronic Version v1.1

Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Camilla Warrender		08/06/2012	INDIVIDUAL: UNITED STATES
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Newscoop, LLC		
<b>Street Address:</b>	60 Thoreau Street		
<b>Internal Address:</b>	Suite 111		
<b>City:</b>	Concord		
<b>State/Country:</b>	MASSACHUSETTS		
<b>Postal Code:</b>	01742		
<b>Entity Type:</b>	LIMITED LIABILITY COMPANY: DELAWARE		
<b>PROPERTY NUMBERS Total: 1</b>			

Property Type	Number	Word Mark
Registration Number:	3694816	NEWSCOOP

## CORRESPONDENCE DATA

Fax Number: 7816972248

Phone: 1.781.697.2248

Email: trademark@mbbp.com

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*

Correspondent Name: Thomas F. Dunn

Address Line 1: CityPoint, 230 Third Avenue

Address Line 2: 4th Floor

Address Line 4: Waltham, MASSACHUSETTS 02451

ATTORNEY DOCKET NUMBER:	NEWSCOOP ASSIGNMENT
NAME OF SUBMITTER:	Thomas F. Dunn
Signature:	/Thomas F. Dunn/
Date:	08/06/2012

**Total Attachments: 1**

source=Trademark Assignment (NEWSCOOP)#page1.tif

**RECEIPT INFORMATION**

**ETAS ID:** TM242673

**Receipt Date:** 08/06/2012

**Fee Amount:** \$40

**Exhibit C**

Copy of the filing receipt for U.S. App. Ser. No. 85695827

Subject:

00099 Serial number 85695827: Received Your Trademark/Service Mark Application, Principal Register

From:

[teas@uspto.gov](mailto:teas@uspto.gov)

Date:

8/6/2012 11:52 AM

To:

[hbalmat@balmatlaw.com](mailto:hbalmat@balmatlaw.com)

**MARK:** NEWSLOOP (Standard Characters, mark.jpg)

The literal element of the mark consists of NEWSLOOP.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

We have received your application and assigned serial number '85695827' to your submission. The summary of the application data, *bottom below*, serves as your official filing receipt.

In approximately 3 months, an assigned examining attorney will review your application to determine if all legal requirements are met. Currently, your mark is **not** registered and is considered a "pending" application. The overall process from the time of initial filing to registration or final refusal can take 13-18 months or even longer, depending on many factors; *e.g.*, the correctness of the original filing and the type of application filed. It is **CRITICAL** that you check the status of your application **at least every 3 - 4 months** and promptly contact the Office if a letter (an "Office action") or notice has issued for your application that you did not receive or do not understand. To check the status, please use <http://tarr.uspto.gov>. Do **not** submit status requests to [TEAS@uspto.gov](mailto:TEAS@uspto.gov). Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.

Please view all incoming and outgoing correspondence at <http://portal.uspto.gov/external/portal/tow>. If your status check reveals an issued Office action or notice that you did not receive, immediately view the action/notice through the USPTO website. The USPTO does not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must ensure that you update your record if your mail and/or e-mail address changes, using the form available at <http://www.uspto.gov/teas/eTEASpageE.htm>.

If you discover an error in the application data, you may file a Voluntary Amendment, at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Do **not** submit any proposed amendment to [TEAS@uspto.gov](mailto:TEAS@uspto.gov), because the technical support team may not make any data changes. **NOTE:** You must wait approximately 7-10 days to submit any Voluntary Amendment, to permit initial upload of your serial number into the USPTO database. The acceptability of any Voluntary Amendment will only be determined once regular examination

begins, since the assigned examining attorney must decide whether the change proposed in the amendment is permissible. **Not all errors may be corrected;** e.g., if you submitted the wrong mark, if the proposed correction would be considered a material alteration to your original filing, it will not be accepted, and your only recourse would be to file a new application (with **no** refund for your original filing).

Since your application filing has already been assigned a serial number, please do **not** contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov) to request cancellation. The USPTO will only cancel the filing and refund your fee if upon review we determine that the application did not meet minimum filing requirements. **The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration. NOTE:** The only "exception" to the above is if you inadvertently file duplicate applications specifically because of a *technical glitch* and not merely a misunderstanding or mistake; *i.e.*, if you believe that the first filing did not go through because no confirmation was received and then immediately file again, only to discover later that both filings were successful, then the technical support team at [TEAS@uspto.gov](mailto:TEAS@uspto.gov) can mis-assign and refund one of the filings.

**WARNING:** You may receive unsolicited communications from companies requesting fees for trademark related services, such as monitoring and document filing. Although solicitations from these companies frequently display customer-specific information, including USPTO serial number or registration number and owner name, companies who offer these services are not affiliated or associated with the USPTO or any other federal agency. The USPTO does not provide trademark monitoring or any similar services. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult the USPTO website. **APPLICATION DATA: Trademark/Service Mark Application, Principal Register**

The applicant, Newscoop, LLC, a limited liability company legally organized under the laws of Delaware, having an address of  
Suite 111,  
60 Thoreau Street  
Concord, Massachusetts 01742  
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 009: content creation, aggregation, and management software for use in the fields of reporting and journalism; content creation software that allows users to share and collaborate on presentations and news stories; software for mobile and desktop gaming relating to news reporting and journalism

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 038: communication and collaboration services, namely, providing online chat rooms, video chat rooms and instant messaging services; telecommunications services, namely, electronic transmission of data, messages and information; providing online tools and forums allowing users to exchange audio, video, images, and written communications

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 041: providing consulting services in the fields of video production, multimedia and journalism

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 042: providing technology consulting services in the fields of social media and software design; providing online, non-downloadable software that allows users to share and collaborate on presentations; providing a web site featuring instruction and information in the fields of reporting and journalism; providing a web site featuring news for and by students and other citizen journalists; providing a web site where users can access and post news articles, audio and video; providing a web site for students and other citizen journalists featuring information and instruction in the fields of news, media production and journalism; providing a web site where users can contribute and access stock footage and other raw content for use in news articles and presentations

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

For informational purposes only, applicant's website address is: [www.newscoop.com](http://www.newscoop.com)

The applicant's current Attorney Information:

Heather E Balmat of Balmat Law, PLLC  
977 Seminole Trail, #342  
Charlottesville, Virginia 22901  
United States

The attorney docket/reference number is 00099.

The applicant's current Correspondence Information:

Heather E Balmat  
Balmat Law, PLLC  
977 Seminole Trail, #342  
Charlottesville, Virginia 22901  
(434) 260-1837(phone)  
(434) 473-6738(fax)

[hbalmat@balmatlaw.com](mailto:hbalmat@balmatlaw.com) (authorized)

A fee payment in the amount of \$1300 will be submitted with the application, representing payment for 4 class(es).

### **Declaration**

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. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

### **Declaration Signature**

Signature: /CJW/ Date: 08/06/2012  
Signatory's Name: Camilla Warrender  
Signatory's Position: Executive Editor

---

Thank you,

The TEAS support team

Mon Aug 06 11:52:09 EDT 2012

STAMP: USPTO/BAS-76.104.21.104-20120806115209505812-85695827-49067439ab03149850e8dd71d4a1e17a6-CC-9552-20120803141237175802

22309900-F107-445B-AD12-7B517A6C62E3[9].png

**CERTIFICATE OF SERVICE**

I, Thomas F. Dunn, certify that a copy of the foregoing NOTICE OF OPPOSITION was served on:

John Alunit  
ALUMIT IP  
135 South Jackson Street, Suite 200  
Glendale CA 91205

by placing same with the U.S. Postal Service, via first class mail, postage pre-paid, this 6th day of August, 2012.

/Thomas F. Dunn/

Thomas F. Dunn

Counsel for Newscoop LLC