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Filing date: **05/16/2013**

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

Proceeding	92057201
Party	Plaintiff NexPay, Inc.
Correspondence Address	JOHN S TORKELSON CARTER STAFFORD ARNETT HAMADA & MOCKLER PLLC 8150 N CENTRAL EXPRESSWAY, SUITE 1950 DALLAS, TX 75206 UNITED STATES trademarks@carterstafford.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	John S. Torkelson
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Signature	/John S. Torkelson/
Date	05/16/2013
Attachments	NEXP03_00004_Amended_Petition_for_Cancellation_051613.pdf(101574 bytes) NEXP03_00004_Amended_Petition_for_Cancellation_Exhibit_1_Part_1_051613.pdf(4487791 bytes) NEXP03_00004_Amended_Petition_for_Cancellation_Exhibit_1_Part_2_051613.pdf(2527433 bytes) NEXP03_00004_Amended_Petition_for_Cancellation_Exhibit_2_051613.pdf(3540552 bytes) NEXP03_00004_Amended_Petition_for_Cancellation_Exhibit_3_051613.pdf(878647 bytes)

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

In re:

Mark: VPAY
Registration No.: 3,432,014
Date of Registration: May 20, 2008

Mark: VPAYMENT
Registration No.: 3,839,238
Date of Registration: August 24, 2010

Mark: VCARD
Registration No.: 3,839,239
Date of Registration: August 24, 2010

NexPay, Inc.	§	
	§	
Petitioner,	§	Cancellation No. 92057201
	§	
v.	§	
	§	
StoneEagle Services, Inc.	§	
	§	
Registrant.	§	

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

AMENDED PETITION FOR CANCELLATION

Petitioner NexPay, Inc., a corporation duly organized under the laws of South Dakota, with a business address of 15455 N. Dallas Parkway, Suite 525, Addison, Texas 75001, believes that it has been, and will continue to be, damaged by Registration Nos. 3,432,014, 3,829,238, and 3,839,239 hereby timely petitions to cancel same, pursuant to 37 CFR §2.111(b).

As grounds therefor, Petitioner alleges as follows:

PETITIONER

1. Petitioner provides virtual payment solutions to third party administrators in the medical field.
2. Petitioner's president, David Gillman, ("Gillman") has worked in the healthcare industry for over 30 years.
3. Gillman was a director of Talon Transaction Technologies, Inc., a Texas corporation ("T3-TX") and Talon Transaction Technologies, Inc., an Oklahoma corporation ("T3-OK").

REGISTRANT

4. Registrant provides virtual payment solutions to third party administrators in the medical field.
5. Registrant was a vendor to T3-TX and T3-OK in connection with providing virtual payment solutions to third party administrators in the medical field.
6. Registrant applied to register the mark VPAY on November 29, 2006, Application Serial No. 77/053,186, for "electronic process of insurance claims and payment data" in International Class 036 (the "VPAY Mark"). The registration for the VPAY Mark issued May 20, 2008, under Registration No. 3,432,014 (the "VPAY Registration").
7. Registrant applied to register the mark VPAYMENT on October 13, 2009, Application Serial No. 77/847,275, for "electronic processing of insurance claims and payment data" in International Class 036 (the "VPAYMENT Mark"). The registration for the VPAYMENT Mark issued August 24, 2010, under Registration No. 3,839,238 (the "VPAYMENT Registration").

8. Registrant applied to register the mark VCARD on October 13, 2009, Application Serial No. 77/847,279, for “electronic processing of insurance claims and payment data” in International Class 036 (the “VCARD Mark”). The registration for the VCARD Mark issued August 24, 2010, under Registration No. 3,839,239 (the “VCARD Registration”).

9. For purposes of this Petition for Cancellation, the VPAY Mark, VPAYMENT Mark and VCARD Mark are collectively referred to as the “Marks.”

10. For purposes of this Petition for Cancellation, the VPAY Registration, VPAYMENT Registration and VCARD Registration are collectively referred to as the “Registrations.”

THE MARKS ARE MERELY DESCRIPTIVE OF THE SERVICES – 15 U.S.C. §1052(E)

11. Petitioner realleges and incorporates herein by reference the matters alleged in Paragraphs 1 through 10 of this Petition for Cancellation.

12. The Marks are merely descriptive of the services for which they are registered.

13. The prefix “V” is commonly used with “pay,” “payment” and “card” to indicate “virtual” as in “virtual pay,” “virtual payment” and “virtual card.” *See* Exhibit 1.

14. Registrant’s competitors and others in the financial services industry use the Marks to describe their own products and services. *See* Exhibit 2.

REGISTRANT IS NOT RIGHTFUL OWNER OF THE REGISTERED MARKS

15. Petitioner realleges and incorporates herein by reference the matters alleged in Paragraphs 1 through 14 of this Petition for Cancellation.

16. Registrant is not the rightful owner of the Marks.

17. At the time the applications were filed, Registrant was not the rightful owner of the Marks.

18. At the time the applications were filed, Talon Transaction Technologies, Inc., a Texas corporation, (“T3-TX”) was the owner of the Marks.

19. On January 31, 2008, the date the Statement of Use was filed for the VPAY Mark, T3-TX was the owner of the VPAY Mark. The specimen submitted with the Statement of Use clearly indicates that Talon Transaction Technologies, Inc. is the owner of the VPAY Mark. *See* Exhibit 3.

20. On July 15, 2010, T3-TX, T3-OK, Gillman and the Registrant entered into an agreement, which is now in dispute, in which T3-TX, T3-OK and Gillman purported to release “any and all claims to any right, title or interest in the Mark.”

21. On July 27, 2010, T3-TX and Registrant entered into a Service Mark Agreement, which is now in dispute, in which Registrant purported to license the use of the Marks to T3-TX.

STANDING: LIKELIHOOD OF DAMAGE TO PETITIONER – 15 U.S.C. §1064

22. Petitioner realleges and incorporates herein by reference the matters alleged in Paragraphs 1 through 21 of this Petition for Cancellation.

23. Petitioner believes it has been damaged – and will continue to be damaged – by the Registrations.

24. Registrant has accused Petitioner of trademark infringement with respect to the VPAY and VCARD Marks. Registrant has sued Petitioner for, among other things, trademark infringement, counterfeiting under the Lanham Act, and unfair competition, in the United States

District Court for the Northern District of Texas in a case styled *StoneEagle Services, Inc. v. David Gillman et al*, Civil Action No. 3:11-CV-2408-P-BD.

25. By reason of the foregoing, Petitioner has been harmed by the Registrations.

26. This Petition for Cancellation is timely, as it is being submitted within five years of the Registrations' registration dates.

REQUEST FOR RELIEF

WHEREFORE, Petitioner believes that it has been and is likely to be damaged by U.S. Registration Nos. 3,432,014, 3,839,238 and 3,839,239, and Petitioner respectfully requests that this Petition for Cancellation be granted and the Registrations be cancelled.

Dated: May 16, 2013

Respectfully submitted,

By: /s/ John S. Torkelson

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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petition for Cancellation (Registration Nos. 3,432,014, 3,839,238 and 3,839,239) has been served on Registrant, StoneEagle Services, Inc., 111 W. Spring Valley Road, Suite 220, Richardson, Texas 75081, pursuant to 37 C.F.R. §2.119, via first class mail on this 16th day of May, 2013.

/s/ John S. Torkelson_____

John S. Torkelson

EXHIBIT 1

To: INXPO, Inc. (bpage@inxpo.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85105248 - VPAD - N/A
Sent: 9/20/2010 11:36:22 AM
Sent As: ECOM105@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)
[Attachment - 4](#)
[Attachment - 5](#)
[Attachment - 6](#)
[Attachment - 7](#)
[Attachment - 8](#)
[Attachment - 9](#)
[Attachment - 10](#)
[Attachment - 11](#)
[Attachment - 12](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85105248

MARK: VPAD

85105248

CORRESPONDENT ADDRESS:
BONNIE PAGE
770 N HALSTED ST STE 6S
CHICAGO, IL 60642-5999

CLICK HERE TO RESPOND TO THIS LETTER:
<http://www.uspto.gov/teas/eTEASpageD.htm>

APPLICANT: INXPO, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

N/A

CORRESPONDENT E-MAIL ADDRESS:
bpage@inxpo.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER
TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST

EXHIBIT 1

RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: **9/20/2010**

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

Search Results

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. §1052(d). TMEP §704.02.

Issue Summary

Descriptiveness refusal

Request for more information

Section 2(e)(1) - Descriptive Refusal

Registration is refused because the proposed mark merely describes a feature, characteristic or purpose of applicant's goods and/or services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); TMEP §§1209 *et seq.*

A mark is merely descriptive under Trademark Act Section 2(e)(1), 15 U.S.C. 1052(e)(1), if it describes an ingredient, quality, characteristic, function, feature, purpose or use of the relevant goods or services. *In re Gyulay*, 820 F.2d 1216, 3 USPQ2d 1009 (Fed. Cir. 1987); *In re Bed & Breakfast Registry*, 791 F.2d 157, 229 USPQ 818 (Fed. Cir. 1986); *In re MetPath Inc.*, 223 USPQ 88 (TTAB 1984); *In re Bright-Crest, Ltd.*, 204 USPQ 591 (TTAB 1979); TMEP section 1209.01(b).

The examining attorney must consider whether a mark is merely descriptive in relation to the identified goods and services, not in the abstract. *In re Omaha National Corp.*, 819 F.2d 1117, 2 USPQ2d 1859 (Fed. Cir. 1987); *In re Abcor Development Corp.*, 588 F.2d 811, 200 USPQ 215 (CCPA 1978); *In re Venture Lending Associates*, 226 USPQ 285 (TTAB 1985).

The mark VPAD is merely descriptive of computer services which provide a virtual tablet or pad for storing and managing information. **Please note attached dictionary definitions which confirm that the letter "V" is an abbreviation for "virtual" in the field of computing. Applicant has merely combined the letter V indicating the virtual nature of the service with the term PAD which identifies the type of function offered.** A "pad" is a synonym for "tablet" which is the generic name for a type of computer service. Applicant's use of VPAD merely informs consumers that its computer services provide a virtual pad or tablet for storing and managing data. Also, please note attached website references to various computing devices which are referred to as Vpads.

EXHIBIT 1

The term “virtual” immediately informs the potential purchaser that applicant’s goods and/or services are “virtual” or non-physical, or are simulated or provided electronically or online. *In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1526 (TTAB 2001) (stating that “people have come to recognize that the term ‘virtual,’ when used in connection with computers and related goods and services, means that someone at a computer is able to encounter certain things in a non-physical or ‘virtual’ manner”).

Material obtained from the Internet is generally accepted as competent evidence in examination and ex parte proceedings. *See In re Rodale Inc.*, 80 USPQ2d 1696, 1700 (TTAB 2006) (Internet evidence accepted by the Board to show genericness); *In re White*, 80 USPQ2d 1654, 1662 (TTAB 2006) (Internet evidence accepted by the Board to show false connection); *In re Joint-Stock Co. “Baik”*, 80 USPQ2d 1305, 1308-09 (TTAB 2006) (Internet evidence accepted by the Board to show geographic significance); *Fram Trak Indus. v. WireTracks LLC*, 77 USPQ2d 2000, 2006 (TTAB 2006) (Internet evidence accepted by the Board to show relatedness of goods); *In re Consol. Specialty Rest. Inc.*, 71 USPQ2d 1921, 1927-29 (TTAB 2004) (Internet evidence accepted by the Board to show that geographic location is well-known for particular goods); *In re Gregory*, 70 USPQ2d 1792, 1793 (TTAB 2004) (Internet evidence accepted by the Board to show surname significance); *In re Fitch IBCA Inc.*, 64 USPQ2d 1058, 1060 (TTAB 2002) (Internet evidence accepted by the Board to show descriptiveness); TBMP §1208.03; TMEP §710.01(b).

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

In addition to being merely descriptive, the applied-for mark appears to be generic in connection with the identified services and, therefore, incapable of functioning as a source-identifier for applicant’s services. *In re Gould Paper Corp.*, 834 F.2d 1017, 5 USPQ2d 1110 (Fed. Cir. 1987); *In re Pennzoil Prods. Co.*, 20 USPQ2d 1753 (TTAB 1991); *see* TMEP §§1209.01(c) *et seq.*, 1209.02(a). Under these circumstances, neither an amendment to proceed under Trademark Act Section 2(f) nor an amendment to the Supplemental Register can be recommended. *See* TMEP §1209.01(c).

If the applicant chooses to respond to the refusal to register, the applicant must also respond to the following issue.

Request for information

To permit proper examination of the application, applicant must submit additional information about the services. *See* 37 C.F.R. §2.61(b); *In re Planalytics, Inc.*, 70 USPQ2d 1453, 1457-58 (TTAB 2004); TMEP §814. The requested information should include fact sheets, brochures, and/or advertisements. If these materials are unavailable, applicant should submit similar documentation for services of the same type, explaining how its own services will differ. If the services feature new technology and no information regarding competing services is available, applicant must provide a detailed factual description of the services.

The submitted factual information must make clear what the services are and how they are rendered, their salient features, and their prospective customers and channels of trade. Conclusory statements regarding the services will not satisfy this requirement for information.

Failure to respond to a request for information is an additional ground for refusing registration. *See In re Cheezwhse.com, Inc.*, 85 USPQ2d 1917, 1919 (TTAB 2008); *In re DTI P’ship LLP*, 67 USPQ2d 1699, 1701-02 (TTAB 2003). Merely stating that information about the services is available on applicant’s

EXHIBIT 1

website is an inappropriate response to a request for additional information and is insufficient to make the relevant information of record. *See In re Planalytics*, 70 USPQ2d at 1457-58.

Response to Office action

In all correspondence to the Patent and Trademark Office, the applicant should list the name and law office of the examining attorney, the serial number of this application, the mailing date of this Office action, and the applicant's telephone number.

/John E. Michos/
Trademark Attorney
Law Office 105
571 272-9197

TO RESPOND TO THIS LETTER: Use the Trademark Electronic Application System (TEAS) response form at <http://teasroa.uspto.gov/roa/>. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a

EXHIBIT 1

copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

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vir-tu-al (vûr'chû-ə)
adj.
1. Existing or resulting in essence or effect though not in actual fact, form, or name: *the virtual extinction of the buffalo*.
2. Existing in the mind, especially as a product of the imagination. Used in literary criticism of a text.
3. *Computer Science* Created, simulated, or carried on by means of a computer or computer network: *virtual conversations in a chatroom*.

[Middle English *virtuall*, *effective*, from Medieval Latin *virtuālis*, from Latin *virtūs*, *excellence*; see **virtue**.]

vir-tu-al'i-ty (-ă'l'i-tē) n.
Usage Note: When *virtual* was first introduced in the computational sense, it applied to things simulated by the computer, like *virtual memory*—that is, memory that is not actually built into the processor. Over time, though, the adjective has been applied to things that really exist and are created or carried on by means of computers. *Virtual conversations* are conversations that take place over computer networks, and *virtual communities* are genuine social groups that assemble around the use of e-mail, webpages, and other networked resources. The adjectives *virtual* and *digital* and the prefixes *e-* and *cyber-* are all used in various ways to denote things, activities, and organizations that are realized or carried out chiefly in an electronic medium. There is considerable overlap in the use of these items: people may speak either of *virtual communities* or of *cybercommunities* and of *e-cash* or *cybercash*. To a certain extent the choice of one or another of these is a matter of use or convention (or in some cases, of finding an unregistered brand name). But there are certain tendencies. *Digital* is the most comprehensive of the words, and can be used for almost any

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Virtualization? Easily Control Data Management. Learn How Today!
www.CommVault.com/Virtualization

Server Virtualization
Protect all of your **virtual** data Reduce **virtual** server backup costs
www.Acronis.com/Virtual_Backup

1 Trick of a Tiny Belly:



Cut down a bit of your belly every day by using this

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an unregistered brand name, but there are certain trademarks digital to the most components of the word, and can be used for almost any device or activity that makes use of or is based on computer technology, such as a *digital camera* or a *digital network*. *Virtual* tends to be used in reference to things that mimic their "real" equivalents. Thus a *digital library* would be simply a library that involves information technology, whether a brick-and-mortar library equipped with networked computers or a library that exists exclusively in electronic form, whereas a *virtual library* could only be the latter of these. The prefix *e-* is generally preferred when speaking of the commercial applications of the Web, as in *e-commerce*, *e-cash*, and *e-business*, whereas *cyber-* tends to be used when speaking of the computer or of networks from a broader cultural point of view, as in *cybersex*, *cyberchurch*, and *cyberspace*. But like everything else in this field, such usages are evolving rapidly, and it would be rash to try to predict how these expressions will be used in the future.

The American Heritage® Dictionary of the English Language, Fourth Edition copyright ©2000 by Houghton Mifflin Company. Updated in 2009. Published by Houghton Mifflin Company. All rights reserved.

virtual ['vɜːlʃoʊl]

adj

1. having the essence or effect but not the appearance or form of a *virtual revolution*
2. (Physics / General Physics) *Physics* being, relating to, or involving a virtual image a *virtual focus*
3. (Electronics & Computer Science / Computer Science) *Computing* of or relating to virtual storage *virtual memory*
4. (Electronics & Computer Science / Computer Science) of or relating to a computer technique by which a person, wearing a headset or mask, has the experience of being in an environment created by the computer, and of interacting with and causing changes in it
5. *Rare* capable of producing an effect through inherent power or virtue
6. (Physics / Atomic Physics) *Physics* designating or relating to a particle exchanged between other particles that are interacting by a field of force a *virtual photon* See also [exchange force](#)

[from Medieval Latin *virtuālis* effective, from Latin *virtūs* VIRTUE]

Collins English Dictionary – Complete and Unabridged © HarperCollins Publishers 1991, 1994, 1998, 2000, 2003

Thesaurus

Legend: [Synonyms](#) [Related Words](#) [Antonyms](#)

Adj. 1. virtual - being actually such in almost every respect; "a practical failure"; "the once elegant temple lay in virtual ruin"

[practical](#)

[realistic](#) - aware or expressing awareness of things as they really are; "a realistic description"; "a realistic view of the possibilities"; "a realistic appraisal of our chances"; "the actors tried to create a realistic portrayal of the Africans"

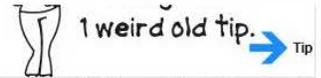
2. virtual - existing in essence or effect though not in actual fact; "a virtual dependence on charity"; "a virtual revolution"; "virtual reality"

[essential](#) - basic and fundamental; "the essential feature"

Based on WordNet 3.0, Farlex clipart collection. © 2003-2008 Princeton University, Farlex Inc.

virtual

adjective [practical](#), [near](#), [essential](#), [implied](#), [indirect](#), [implicit](#), [tacit](#), rear enough, [unacknowledged](#), in all but name *He was a virtual prisoner in his own*



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adjective ■ practical, real, essential, implied, indirect, implicit, tacit, near enough, unacknowledged, in an out name *He was a virtual prisoner in his own home.*

Collins Thesaurus of the English Language – Complete and Unabridged 2nd Edition 2002 © HarperCollins Publishers 1995, 2002

Translations

Select a language: ▼

virtual

adj **virtual** ['ve:(r)tʃʊəl]

almost (as described), though not exactly in every way *a virtual collapse of the economy.*

n virtual reality

a computer system that creates an environment that looks real on the screen and in which the person operating the computer can take part.

Kernerman English Multilingual Dictionary © 2006-2010 K Dictionaries Ltd.

virtual →

Multilingual Translator © HarperCollins Publishers 2009

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References in classic literature

The result, except in the case of insanity, must for the most part be arbitrary; and insanity, without any formal or express provision, may be safely pronounced to be a **virtual** disqualification.

Federalist Papers Authored by Alexander Hamilton by Hamilton, Alexander [View in context](#)

He had undergone some strange experiences in his absence; he had seen the **virtual** Faustina in the literal Cornelia, a spiritual Lucretia in a corporeal Phryne; he had thought of the woman taken and set in the midst as one deserving to be stoned, and of the wife of Uriah being made a queen; and he had

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the most as one deserving to be stoned, and of the wife of Urian being made a queen; and he had asked himself why he had not judged Tess constructively rather than biographically, by the will rather than by the deed?

Tess of the d'Urbervilles - A Pure Woman by Hardy, Thomas [View in context](#)

With these formalities was born the Clan Torn, which grew in a few years to number a thousand men, and which defied a king's army and helped to make Simon de Montfort **virtual** ruler of England.

The Outlaw of Torn by Burroughs, Edgar Rice [View in context](#)

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- Virtual Address Extension
- Virtual Address Extension Ethernet Local Network
- Virtual Address Extension Fault Tolerant
- Virtual Address Extension/Virtual Memory System
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sort results: [alphabetical](#) | rank 2

Rank	Abbr.	Meaning
*****	V	5 (Roman numeral)
*****	V	Video
*****	V	Version
*****	V	We
*****	V	Value
*****	V	Voice
*****	V	Very
*****	V	Virtual
*****	V	Vision
*****	V	Volume
*****	V	Valley
*****	V	Single Connection (relative to Net access)

EXHIBIT 1

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*****	V	Vice	
*****	V	Vacation	
*****	V	Victoria	
*****	V	Visitors	
*****	V	Vehicle	
*****	V	Visa (credit card)	
*****	V	Vital	
*****	V	Victory	
*****	V	Variable	
*****	V	Versus	
*****	V	Verse	
*****	V	Voltage (physics)	
*****	V	Volt	
*****	V	Victor (aviation letter code)	
*****	V	Variant	
*****	V	Verso	
*****	V	Velocity	
*****	V	Vide (Latin: see)	
*****	V	Vegetarian (food labeling)	
*****	V	Valor (military award medals)	
*****	V	Ventilation	
*****	V	Verb	
*****	V	British Columbia (postal code designation, Canada)	
*****	V	Vatican (international automobile identification)	
*****	V	Vessels (blood)	
*****	V	Vivendi Universal (stock symbol)	
*****	V	Venieta (r-nmir)	
*****	V	Veto (as in V-chips on televisions)	
*****	V	Viscount	
*****	V	Varsity	
*****	V	Vowel	
*****	V	Vecka (Swedish: Week)	
*****	V	Visual Acuity	
*****	V	Vitreous	

EXHIBIT 1

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***** V	Vänsterpartiet (Swedish political party)	
***** V	Violini (catalog of Graf zeppelin mail; philately)	
**** V	Velocity or speed	
*** V	VTOL/STOL (US military aircraft vehicle type designation)	
*** V	sector pattern (US DoD)	
*** V	Peak Hour Flows (peak hour forecast traffic flows)	
** V	velocity of target drift (US DoD)	
** V	US DoT tire speed rating (150 mph)	
** V	Vanessa Hudgens music album (Disney Channel star)	
* V	search and rescue unit ground speed (US DoD)	
* V	V-Band: 40 GHz-75 GHz frequency band	
* V	Valine (amino acid)	
* V	Gas Flow	
* V	Vanarlium	
* V	Vector	
* V	Vegan	
* V	Venturi	

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UZR	UZSI	V and I	V&B
UZRA	UZSS	V of	V&CT
UZRH	UZSSR	V dss	V&D
UZS	UZW	V SCALE	V&E
UZSC	UZTM	V&A	V&H

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iiView Vpad enters today's tablet fray with yesterday's netbook specs

By Donald Melanson posted Feb 18th 2010 12:41AM



iiView's already shown that it's not one to [avoid a trend](#), and it's now hopped on the biggest one going with its new 10.2-inch Vpad tablet. Unfortunately, it seems that the company isn't as quick to update the specs as the form factor, as this one only packs some of the most basic, netbook-like internals, including

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an Atom N270 processor, 1GB of RAM, a 160GB hard drive, and Windows 7 Starter Edition for an OS. That will set you back \$499, while \$699 will buy you a slightly upgraded model with built-in 3G, an extra gig of RAM, and a 320GB hard drive. A bit of a tough sell in today's tablet market, to be sure, but you can place your order for one right now if it happens to strike your fancy.

VIA [Notebooks.com](#)
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- Lowell McAdam tapped to succeed Verizon head Ivan Seidenberg -- Engadget* 188
- HTC said to have placed* 121

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- ▶ SLIMv2™™
- ▶ LUX™™
- ▶ MAGNUM™™
- ▶ RACKSERVER™™
- ▶ RACKSERVER+PLUS™™
- ▶ RACK8™™
- ▶ RACK16™™
- ▶ RACK24™™

MEDIA EXTENDERS

- ▶ SLIM™™ v2
- ▶ ROOMCLIENT™™
- ▶ ROOMCLIENTHD™™
- ▶ RACKCLIENT™™
- ▶ RACKCLIENT™™v2

CONTROLS

- ▶ vPAD8™™
- ▶ vPAD10™™
- ▶ TOUCHCLIENT8™™
- ▶ TOUCHCLIENT12™™

SPECIALTY

- ▶ vCONTROLLER™™
- ▶ PicoPC™™

vPAD10™™

Premium Ultra-mobile 10.4" Screen Tablet

- Full color, SVGA 10.4" Touchscreen
- Quickly access and control:
 - VidaBox media centers
 - Multi-room Audio
 - Home Automation
 - Any web-accessible device!
- Built-in WiFi (802.11b/g)*
- Stylish cocking cradle included
- Preconfigured for minimal hassle



Shown with included Stylus Pen



*. Note: Each vPad requires its own dedicated in-room AP for maximum reliability.

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Why vPad10™™

Control & integrate music, TV, pictures, and movies throughout your home wirelessly with this super lightweight, ultra-portable VidaBox vPad10™™. With an beautiful 10.4" touchscreen, home control has never been easier - right at your fingertips.

In conjunction with optional home automation hardware & multi-zone audio servers, you can use the vPad10™™ and pump the same songs into every room, change lighting, adjust the thermostat, or check security cameras - no matter where you go! Give family, friends, and guests the ultimate experience by precisely controlling and changing the mood. Make it easy with VidaBox™™!



Quick Access Interface

EXHIBIT 1

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WHY VIDABOX?

Best of all, VidaBox offers customization & design services to make your Quick Access Interface truly unique! Add your name, a picture of your home, and logo/contact information of your integrator right on the vPad10. VidaBox can help take care of it all.

Already have your own home automation and/or multi-zone audio serving hardware? The vPad can work with any web-controllable device and display everything you need to control those systems. VidaBox can customize your Quick Access Interface to quickly control those devices!

Specifications

Screen Type:	Color TFT LCD Display
Size:	10.4 inches (diagonal)
Colors:	Thousands of colors
Resolution:	1024 x 768 (XGA)
Wireless Support:	802.11b & g standard (built-in)
Power:	Recharges w. included AC Plug or desktop cradle Worldwide EMI & Safety Approvals
Audio:	Includes Built-in mono speaker & mono microphone
Battery:	Lithium-ion Battery pack Up to 2.5 hrs run time on full charge
Dimensions: (W x L x H)	11-7/16 x 8-11/16 x 1-7/32 in. (290 x 220 x 31 mm)
Weight:	3 lbs, 4 oz. (1500 g)
Requires:	vAutomation OR Mirage software for VidaBox control One (1) dedicated wireless/WIFI AP per vPad for reliable control & access



VidaBox Control via Mirage



Multi-zone Audio Control



mControl Automation Control

EXHIBIT 1

To: INXPO, Inc. (bpage@inxpo.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85105248 - VPAD - N/A
Sent: 9/20/2010 11:36:24 AM
Sent As: ECOM105@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR U.S. TRADEMARK APPLICATION

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EXHIBIT 1

To: Datapipe, Inc. (glenn.bacal@bacalgroup.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85545169 - V STRATOSPHERE
- 53718-1038
Sent: 6/7/2012 6:53:28 PM
Sent As: ECOM104@USPTO.GOV
Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85545169

MARK: V STRATOSPHERE

85545169

CORRESPONDENT ADDRESS:

GLENN S. BACAL
BACAL LAW GROUP, P.C.
6991 E CAMELBACK RD STE D102
SCOTTSDALE, AZ 85251-2465

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: Datapipe, Inc.

CORRESPONDENT'S REFERENCE/DOCKET

NO:
53718-1038

CORRESPONDENT E-MAIL ADDRESS:

glenn.bacal@bacalgroup.com

EXAMINER'S AMENDMENT/PRIORITY ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 6/7/2012

PRIORITY ACTION

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

EXHIBIT 1

ISSUES APPLICANT MUST ADDRESS: On June 7, 2012, the trademark examining attorney and Glenn Bacal discussed the issues below. Applicant must timely respond to these issues. *See* 15 U.S.C. §1062(b); 37 C.F.R. §2.62(a); TMEP §§708, 711.

AMENDED IDENTIFICATION OF SERVICES REQUIRED

The wording “Providing on-demand resource allocation for computer systems including access to virtual servers and virtual machines” in the identification of services needs clarification because it is too broad and could include services classified in other international classes. *See* TMEP §§1402.01, 1402.03. In particular, classification is determined by the nature of the resource provided. For instance, the act of providing access would be a communications service in International Class 38 while the use resources for the storage of data would be classified in International Class 39 and the temporary use of data processing resources is classified in International Class 42.

Applicant must adopt the appropriate international classification number for the goods and/or services identified in the application. The United States follows the *International Classification of Goods and Services for the Purposes of the Registration of Marks*, established by the World Intellectual Property Organization, to classify goods and services. 37 C.F.R. §2.85(a); TMEP §§1401.02, 1401.02(a).

For assistance with identifying and classifying goods and/or services in trademark applications, please see the USPTO’s online searchable *U.S. Acceptable Identification of Goods and Services Manual* at <http://tess2.uspto.gov/netahhtml/tidm.html>. *See* TMEP §1402.04.

Applicant may adopt the following identification of services, if accurate:

INTERNATIONAL CLASS 38: Providing multiple user access to the internet in the form of internet bandwidth data connection services; **providing on-demand access to databases stored on virtual servers.**

INTERNATIONAL CLASS 39: Electronic data storage services, namely, storing electronic data at data centers; Electronic data storage; **providing on-demand electronic storage of data at off-site computer servers.**

INTERNATIONAL CLASS 42: Computer services in the nature of providing an integrated suite of data and computer related services, namely, providing computer security consulting in the area of data storage, online security and information security vulnerability; Computer services in the nature of monitoring and managing computer network systems; Security management services, namely, computer consultation in the field of computer security; Disaster recovery services, namely, computer disaster recovery planning and recovery of computer data; Server management services, namely, hosting the web sites of others on a computer server for a global computer network; Data backup services, namely, back-up services for computer hard drive data; Web site hosting services; Computer services, namely, remote and on-site management of the information technology cloud computing systems of others; Consulting services in the field of cloud computing, namely, consulting in connection with cloud computing applications and networks; Technical consulting services in the fields of public and private cloud computing, namely, consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others; Technical support services, namely, monitoring of network systems, servers and web and database applications and notification of related events and alerts; **Providing on-demand temporary use of non-downloadable computer software for data and word processing;** Hosting the software and other computer applications of others on a virtual private and public server; Technical support services for hardware, software and operating systems in the nature of monitoring, diagnosing and problem resolution related to software applications.

EXHIBIT 1

Computer services, namely, remote and on-site management of electronic messaging systems of others including troubleshooting, optimizing, patching, hardening, storage management, mailbox movement, installation and configuration and migration of electronic messages and message systems, such as e-mail; Computer services, namely, providing managed web hosting services, web site security services to prevent unauthorized access to client web sites and databases.

An applicant may amend an identification of services only to clarify or limit the services; adding to or broadening the scope of the services is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07 *et seq.*

MULTIPLE – CLASS APPLICATION REQUIREMENTS

The services are currently classified in International Classes 38, 39 and 42. If applicant adopts the suggested amendment of services, then no amendment is required to the classification of services. *See* 37 C.F.R. §§2.32(a)(7), 2.85; TMEP §§805, 1401.

For an application with more than one international class, called a “multiple-class application,” an applicant must meet all the requirements below for those international classes based on an intent to use the mark in commerce under Trademark Act Section 1(b):

- (1) LIST GOODS AND/OR SERVICES BY INTERNATIONAL CLASS: Applicant must list the goods and/or services by international class.
- (2) PROVIDE FEES FOR ALL INTERNATIONAL CLASSES: Applicant must submit an application filing fee for each international class of goods and/or services not covered by the fee(s) already paid (confirm current fee information at http://www.uspto.gov/trademarks/tm_fee_info.jsp).

See 15 U.S.C. §§1051(b), 1112, 1126(e); 37 C.F.R. §§2.34(a)(2)-(3), 2.86(a); TMEP §§1403.01, 1403.02(c).

EXAMINER'S AMENDMENT

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by the individual identified in the Priority Action section above, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

DISCLAIMER

The following disclaimer statement is added to the record:

No claim is made to the exclusive right to use “V” apart from the mark as shown.

15 U.S.C. §1056; TMEP §§1213, 1213.03(a) and 1213.08(a)(i).

/Verna B. Ririe/

EXHIBIT 1

Trademark Attorney
Law Office 104
(571) 272-9310
(571) 273-9104 (office fax)
verna.ririe@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

EXHIBIT 1

To: Datapipe, Inc. (glenn.bacal@bacalgroup.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85545169 - V STRATOSPHERE
- 53718-1038
Sent: 6/7/2012 6:53:28 PM
Sent As: ECOM104@USPTO.GOV
Attachments:

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To: VSCHOOLZ, Inc. (ip@akerman.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85564548 - VSCHOOLZ - 10541-1 (254)
Sent: 6/16/2012 4:54:03 PM
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[Attachment - 10](#)
[Attachment - 11](#)
[Attachment - 12](#)
[Attachment - 13](#)
[Attachment - 14](#)
[Attachment - 15](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

APPLICATION SERIAL NO. 85564548

MARK: VSCHOOLZ

85564548

CORRESPONDENT ADDRESS:

MICHAEL K. DIXON
AKERMAN SENTERFITT
222 LAKEVIEW AVE FL 4
WEST PALM BEACH, FL 33401-6147

CLICK HERE TO RESPOND TO THIS LETTER:
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: VSCHOOLZ, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET
NO:**

10541-1 (254)

CORRESPONDENT E-MAIL ADDRESS:

ip@akerman.com

EXHIBIT 1

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 6/16/2012

SUMMARY OF ISSUES that applicant must address:

- Descriptiveness Refusal
- Classification and Identification of Services

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06.

SEARCH OF OFFICE'S DATABASE OF MARKS

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

SECTION 2(e)(1) REFUSAL – MERELY DESCRIPTIVE

Registration is refused because the applied-for mark merely describes the applicant's services and/or the purpose of the intended user of the services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

The determination of whether a mark is merely descriptive is considered in relation to the identified goods and/or services, not in the abstract. *In re Abcor Dev. Corp.*, 588 F.2d 811, 814, 200 USPQ 215, 218 (C.C.P.A. 1978); TMEP §1209.01(b); *see, e.g., In re Polo Int'l Inc.*, 51 USPQ2d 1061 (TTAB 1999) (finding DOC in DOC-CONTROL would be understood to refer to the "documents" managed by applicant's software, not "doctor" as shown in dictionary definition); *In re Digital Research Inc.*, 4 USPQ2d 1242 (TTAB 1987) (finding CONCURRENT PC-DOS merely descriptive of "computer programs recorded on disk" where relevant trade used the denomination "concurrent" as a descriptor of a particular type of operating system). "Whether consumers could guess what the product is from consideration of the mark alone is not the test." *In re Am. Greetings Corp.*, 226 USPQ 365, 366 (TTAB 1985).

EXHIBIT 1

The prefix “V” is merely an acronym for “virtual” which defined as “created by computers, or appearing on computers or the Internet.” A school is “an educational institution.” See the attached definitions. The term “virtual” immediately informs the potential purchaser that applicant’s goods and/or services are “virtual” or non-physical, or are simulated or provided electronically or online. *In re Styleclick.com Inc.*, 58 USPQ2d 1523, 1526 (TTAB 2001) (stating that “people have come to recognize that the term ‘virtual,’ when used in connection with computers and related goods and services, means that someone at a computer is able to encounter certain things in a non-physical or ‘virtual’ manner”).

The applicant offers online educational services or the web hosting platform for such services. Consumers encountering the applicant’s mark would perceive it to involve a platform for hosting virtual schools, namely educational services offered in an online environment. The applicant’s own attached website states “VSCHOOLZ was founded by a team of educators to provide a turnkey digital solution for schools or districts who want to launch their own virtual programs or support a blended learning environment in traditional schools. Powered by VSCHOOLZ gives schools and districts a fully integrated customizable platform that teachers are able to edit, change, remove, or adapt the content provided to fit their individualized classroom and school needs. All courses come complete with fully customizable interactive and engaging student activities, an e-text, assignments, quizzes and tests, and are delivered in a safe and user-friendly online environment, incorporating collaborative tools such as message boards, digital drop boxes, chat rooms, and teacher to teacher file sharing. This is a vastly new approach to education, based on the pedagogy of online instruction, which taps into how today’s digital children learn.” See also the attached Internet websites demonstrating the use of virtual school with hosting platforms as well as educational services.

The novel spelling of the “SCHOOLZ” portion of the mark is still perceived as “SCHOOLS.” A novel spelling or an intentional misspelling that is the phonetic equivalent of a merely descriptive word or term is also merely descriptive if purchasers would perceive the different spelling as the equivalent of the descriptive word or term. See *In re Hercules Fasteners, Inc.*, 203 F.2d 753, 97 USPQ 355 (C.C.P.A. 1953) (holding “FASTIE,” phonetic spelling of “fast tie,” merely descriptive of tube sealing machines); *Andrew J. McPartland, Inc. v. Montgomery Ward & Co.*, 164 F.2d 603, 76 USPQ 97 (C.C.P.A. 1947) (holding “KWIXTART,” phonetic spelling of “quick start,” merely descriptive of electric storage batteries); *In re Carlson*, 91 USPQ2d 1198 (TTAB 2009) (holding “URBANHOUSING” phonetic spelling of “urban” and “housing,” merely descriptive of real estate services); *In re State Chem. Mfg. Co.*, 225 USPQ 687 (TTAB 1985) (holding “FOM,” phonetic spelling of “foam,” merely descriptive of foam rug shampoo); TMEP §1209.03(j).

Thus, in the context of applicant's services, the proposed mark merely describes the applicant’s services and/or the intended user of the services and registration on the Principal Register must be refused under Trademark Act Section 2(e)(1).

SUPPLEMENTAL REGISTER

The applied-for mark has been refused registration on the Principal Register. Applicant may respond to the refusal by submitting evidence and arguments in support of registration and/or by amending the application to seek registration on the Supplemental Register. See 15 U.S.C. §1091; 37 C.F.R. §§2.47, 2.75(a); TMEP §§801.02(b), 816. Amending to the Supplemental Register does not preclude applicant from submitting evidence and arguments against the refusal(s). TMEP §816.04.

CLASSIFICATION AND IDENTIFICATION OF SERVICES

EXHIBIT 1

The identification of services is indefinite and must be clarified because it fails to specify and properly classify the applicant's services. *See* TMEP §1402.01. Applicant may adopt the following identification, if accurate:

1. Class 42- PROVIDING A WEB HOSTING PLATFORM for providing online educational services, including lessons, virtual text books, assignments, tests, quizzes, chat rooms, file sharing, collaborative tools, PROVIDING A WEB HOSTING PLATFORM monitoring educational progress, for teachers to manage grading work product and students and reporting student grades and allowing for interaction with parents

An applicant may amend an identification of services only to clarify or limit the services; adding to or broadening the scope of the services is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07 *et seq.*

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahtml/tidm.html>. *See* TMEP §1402.04.

/ScottBibb/
Scott K. Bibb
Trademark Examining Attorney
Law Office 109
Ph- (571) 272-5669
F- (571) 273-9109
scott.bibb@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using TEAS, to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using Trademark Applications and Registrations Retrieval (TARR) at <http://tarr.uspto.gov/>. Please keep a copy of the complete TARR screen. If TARR shows no change for more than six months, call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/teas/eTEASpageE.htm>.

EXHIBIT 1

http://www.acronymfinder.com/V.html 06/16/2012 03:47:18 PM

New search features | Acronym Blog
Google Toolbar button
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AF Acronym Finder

abbreviation to define

V

find

Examples: NFL, NASA, PSP, HIPAA, random
Word(s) in meaning: chat "global warming"
Postal codes: USA: 91657, Canada: T5A 0A7

9043 likes. Sign Up to see what your friends like.

abbreviation word in meaning location

What does V stand for?

Your abbreviation search returned 64 meanings

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sort results: [alphabetical](#) | [rank ?](#)

Rank	Abbr.	Meaning
*****	V	5 (Roman numeral)
*****	V	Video
*****	V	Version
*****	V	We
*****	V	Value
*****	V	Voice
*****	V	Very
*****	V	Virtual
*****	V	Vision
*****	V	Volume
*****	V	Valley
*****	V	Single Connection (relative to Net access)
*****	V	Vice
*****	V	Vacation
*****	V	Victoria

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http://www.acronymfinder.com/V.html 06/16/2012 03:47:18 PM

*****	V	Victoria	
*****	V	Visitors	
*****	V	Vehicle	
*****	V	Visa (credit card)	
*****	V	Vital	
*****	V	Victory	
*****	V	Variable	
*****	V	Versus	
*****	V	Verse	
*****	V	Voltage (physics)	
*****	V	Volt	
*****	V	Victor (aviation letter code)	
*****	V	Variant	
*****	V	Verso	
*****	V	Velocity	
*****	V	Vide (Latin: see)	
*****	V	Vegetarian (food labeling)	
*****	V	Vomiting	
*****	V	Valor (military award medals)	
*****	V	Ventilation	
*****	V	Verb	
*****	V	British Columbia (postal code designation, Canada)	
*****	V	Vatican (international automobile identification)	
*****	V	Vessels (blood)	
*****	V	Vivendi Universal (stock symbol)	
*****	V	Vendetta (comic)	
*****	V	Veto (as in V-chips on televisions)	
*****	V	Viscount	
*****	V	Varsity	
*****	V	Vowel	
*****	V	Vecka (Swedish: Week)	
*****	V	Visual Acuity	
*****	V	Vitreous	
*****	V	Vänsterpartiet (Swedish political party)	
*****	V	Violini (catalog of Graf zeppelin mail; philately)	

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<http://www.acronymfinder.com/V.html> 06/16/2012 03:47:18 PM

**** V	Velocity or speed	
*** V	VTOL/STOL (US military aircraft vehicle type designation)	
*** V	sector pattern (US DoD)	
*** V	Peak Hour Flows (peak hour forecast traffic flows)	
** v	velocity of target drift (US DoD)	
** V	US DoT tire speed rating (150 mph)	
** V	Vanessa Hudgens music album (Disney Channel star)	
* V	search and rescue unit ground speed (US DoD)	
* V	V-Band: 40 GHz-75 GHz frequency band	
* V	Valine (amino acid)	
* V	Gas Flow	
* V	Vanadium	
* V	Vector	
* V	Vegan	
* V	Venturi	

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UZRI	UzSSR	V dss	V&D
UZS	UZW	V SCALE	V&E
UZSC	UZM	V&A	V&H

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virtual - definition ★★

Show Less

ADJECTIVE  Pronunciation /'vɜ:rtʃuəl/

[View thesaurus entry for virtual](#)

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T [Using the thesaurus](#)

- 1 almost the same as the thing that is mentioned
The company had created a virtual monopoly.
It's a virtual impossibility.
Business has come to a virtual standstill.
The servants rarely leave the house and live like virtual prisoners.
T [Thesaurus entry for this meaning of virtual](#)

Related dictionary definitions

- virtual community HOUR
- virtual disk HOUR
- virtual memory HOUR
- virtual reality HOUR

- 2 **COMPUTING** **created by computers, or appearing on computers or the Internet.**
Students would get their degrees from virtual universities.
a virtual community
a virtual pet
T [Thesaurus entry for this meaning of virtual](#)

This is the American English definition of virtual. [View British English definition of virtual.](#)
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EXHIBIT 1

Did you know?

Click any word in a definition or example to find the entry for that word



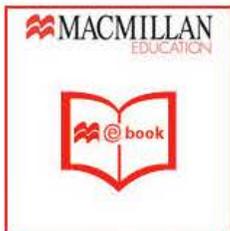
learn English



live English



love English



BuzzWord

Zumba

a fitness activity in which dance exercises are performed to lively music

[BuzzWord Article](#)

More BuzzWords

exergaming chillax obesogenic
bodylitt healthspan orthorexia
fat tax irisin [street dance](#)

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Open Dictionary

onesie

a one-piece sleepsuit similar to a Babygro but for teenagers or adults

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Word of the Day 📅

fruitarian

someone who eats only fruit

[Word of the Day](#)

Blog

A must for anyone with an interest in the changing face of language. The Macmillan Dictionary blog explores English as it is spoken around the world today.

[global English and language change from our blog](#)



American definition of virtual from the online English dictionary from Macmillan Publishers Limited.



EXHIBIT 1

<http://www.vocabulary.com/dictionary/school>

06/16/2012 03:52:31 PM

Types: [show 4 types...](#)

Type of: [building](#), [edifice](#)

a structure that has a roof and walls and stands more or less permanently in one place

n an educational institution's faculty and students

"the school keeps parents informed"

"the whole school turned out for the game"

Type of: [educational institution](#)

an institution dedicated to education

n the process of being formally educated at a school

"what will you do when you finish school?"

Synonyms: [schooling](#)

Type of: [education](#)

the gradual process of acquiring knowledge

n the period of instruction in a school; the time period when school is in session

"stay after school"

"he didn't miss a single day of school"

"when the school day was done we would walk home together"

Synonyms: [school day](#), [schooltime](#)

Type of: [period](#), [period of time](#), [time period](#)

an amount of time

v educate in or as if in a school

"The children are schooled at great cost to their parents in private institutions"

Types: [home-school](#)

educate (one's children) at home instead of sending (them) to a school

Type of: [educate](#)

give an education in

give an education to

v **teach or refine to be discriminative in taste or judgment**

*"She is well **schooled** in poetry"*

Synonyms: [civilise](#), [civilize](#), [cultivate](#), [educate](#), [train](#)

Types: [sophisticate](#)
make less natural or innocent

Type of: [down](#), [fine-tune](#), [polish](#), [refine](#)
improve or perfect by pruning or polishing

2

n **a body of creative artists or writers or thinkers linked by a similar style or by similar teachers**

*"the Venetian **school** of painting"*

Types: [show 7 types...](#)

Type of: [body](#)
a group of persons associated by some common tie or occupation and regarded as an entity

3

n **a large group of fish**

*"a **school** of small glittering fish swam by"*

Synonyms: [shoal](#)

Type of: [animal group](#)
a group of animals

v **swim in or form a large group of fish**

*"A cluster of **schooling** fish was attracted to the bait"*

Type of: [swim](#)
travel through water

EXHIBIT 1

<http://www.vschoolzonline.com/about/history/> 06/16/2012 04:21:18 PM



VSCHOOLZ

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History

VSCHOOLZ was founded by a team of educators to provide a turnkey digital solution for schools or districts who want to launch their own virtual programs or support a blended learning environment in traditional schools. *Powered by VSCHOOLZ* gives schools and districts a fully integrated customizable platform that teachers are able to edit, change, remove, or adapt the content provided to fit their individualized classroom and school needs. All courses come complete with fully customizable interactive and engaging student activities, an e-text, assignments, quizzes and tests, and are delivered in a safe and user-friendly online environment, incorporating collaborative tools such as message boards, digital drop boxes, chat rooms, and teacher to teacher file sharing.

This is a vastly new approach to education, based on the pedagogy of online instruction, which taps into how today's digital children learn.

Facebook

[Sign Up](#) Create an account or **log in** to see what your friends like.



VSCHOOLZ on Facebook

[Like](#)



VSCHOOLZ shared their own photo.

There is still 1 week left to submit your ques eLearning! Do you have a question you'd like below!

DIGITAL EDUCAT

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The screenshot shows a website with a blue background. In the top right corner, there is a white sidebar with a Facebook social plugin. The plugin displays the text "17,799 people like VSCHOOLZ." and a grid of eight profile pictures. Below the pictures are the names: Amanda, Glenda, Lea, Stephanie, Tracy, Carl, Chris, and Bryan. At the bottom of the sidebar is a Facebook logo and the text "Facebook social plugin".

Privacy Policy

VSCHOOLZ, Inc. 1999 N. University Drive, Suite 204, Coral Springs, FL 33071

phone: 954-088-3438

ADA STATEMENT

fax: 954-200-7771

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info@vschoolz.com

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https://scvspconnect.ed.sc.gov/ 06/16/2012 04:48:21 PM

South Carolina Virtual School Program



SOUTH CAROLINA
STATE DEPARTMENT
OF EDUCATION

[About Us](#) [Resources](#) [Course Information](#) [Students](#) [Parent/Guardian](#) [Sponsors](#) [Employment](#) [FAQs](#) [Contact Us](#) [Staff](#)

Welcome to Online Learning through SCVSP



The South Carolina Virtual School Program -The South Carolina Virtual School Program (SCVSP) is a **FREE** online learning program for students in grades 7-12 who attend a public, private, or home school in South Carolina. Students may earn no more than 3 units of credit per year or a total of 12 units toward a high school diploma. Since the SCVSP is a program rather than a school, it does not award diplomas. Students may earn those from their "brick and mortar" schools. If you have a smartphone, click here to scan the QR code to download our website to your device today!

Important Announcements

Summer Registration: *Summer 2 registration is closed.*

Did I make it in? SCVSP classes begin this Wednesday, June 13th. Your teacher will have your classroom open by 7:00 am. Login to your VSA account to see your teacher's name. Here is an example of an active classroom and what you will see:

Show Status: Status: Active

Course	Semester	Instructor	Materials	Status	Weeks Active	Start Date	% Complete
Year 1 Algebra 1 - Algebra 1	SA	Christina, Cook		Active	7	June 2012	

If you do not see an active classroom assignment under the "Status" column, you are not in the course. You may [click here](#) to see the meaning of each enrollment status in VSA. If you do not get the course you want this summer, you may request courses for the fall beginning August 13, 2012.

Students, please check your status in VSA to see if you have been assigned to a class. For information on your status [click here](#). Classes for Summer 2 begin June 13, 2012. Your teacher will be contacting you prior to that date through VSA or OneCall messaging. Please give your teacher time to contact you or respond to any message you have sent.

New to SCVSP, apply here.

Already a VSA user?

[Click here to login to VSA](#)

[Login Here](#)

Progress reports in VSA are updated every two weeks. For the most updated grade, please contact your teacher.

Need immediate help?



Announcements

AP Registration: The South Carolina Virtual School Program (SCVSP) is pleased to announce flexible registration options for 2012-13 Advanced Placement™ (AP) courses. Students may register early beginning March 26 through the week of August 13-17. The purpose of registering early is twofold. First, students will have ...[read more](#).

[Additional announcements...](#)

EXHIBIT 1

<https://scvspconnect.ed.sc.gov/> 06/16/2012 04:48:21 PM

teacher time to contact you or respond to any message you have sent.

Call volume in our Columbia office is high at this time. Please use [LiveChat](#) if you want to contact us directly. We have multiple operators waiting to help you there. Calling our office directly will result in a longer response time.

Fall 2012 registration opens on August 13, 2012 at 9:00 am. For a complete list of dates and deadlines, [click here](#). Course offerings are listed under the [Course Information](#) menu above.

Step by Step Registration Instructions:

[How to register](#)
[Login/Password Issues](#)

Helpful Video Links:

[How to create a student account in VSA](#)
[How to recover your VSA username and/or password](#)
[How to request a course](#)
[How to access your course through VSA](#)
[Disabling Pop Up Blockers and Special Toolbars \(Google, Yahoo, etc.\)](#)

Test Preparation: Click the Shmoop image for free ACT, PSAT, SAT, AP exam reviews. This practice will help you prepare for these important national exams.



Upcoming events

- 2012 Summer 1 Final Exams (9 days)
- 2012 Summer 2 Last Day to Drop (10 days)
- 2012 Summer 1 Final Grades Posted (12 days)
- 2012 Summer 2 Final Exams (51 days)

[more](#)

Search

Search this site:

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<http://webcache.googleusercontent.com/search?q=cache:DCPdL5R51HcJ:www.educadium.com/press4.html+virtual+school+platform&cd=1&hl=en&ct=clnk&g=us> 06/16/2012 04:51:16 PM

This is Google's cache of <http://www.educadium.com/press4.html>. It is a snapshot of the page as it appeared on Jun 4, 2012 15:45:31 GMT. The [current page](#) could have changed in the meantime. [Learn more](#)

These search terms are highlighted: **virtual school platform**



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MEDIA CONTACT:

media@educadium.com

Tel. 888.558.1683

INTERNATIONAL AIR AND HOSPITALITY ACADEMY SELECTS EASYCAMPUS

Renewable Energy Institute Uses Educadium's LMS for Green Online Learning

Portland, OR, March 5th --- Educadium and the International Air and Hospitality Academy announced today the creation of a new online learning center for IAHA's Renewable Energy Institute. Educadium's EasyCampus **Virtual School Builder platform** will enable state-of-the-art renewable energy technical training.

"EasyCampus brings the International Air and Hospitality Academy into the 21st century," said Ed Bedecarrax, IAHA's Director of Education. "Through Web-based applications,

EXHIBIT 1

<http://webcache.googleusercontent.com/search?q=cache:DCPdL5R51HcJ:www.educadium.com/press4.html+virtual+school+platform&cd=1&hl=en&ct=clnk&gl=us> 06/16/2012 04:51:16 PM

EasyCampus brings the international air and hospitality industry into the 21st century," said Ed Ecclesberry, IAHA's Director of Education. "Through new web-based approaches, we can better serve the educational needs of our students. At the same time, EasyCampus gives our faculty the tools to explore more efficient and innovative ways of teaching."

"We're honored that EasyCampus will support the innovative programs offered by the Renewable Energy Institute," said Educadium President Todd Harris. "Our hosted **virtual school platform** is an affordable and convenient way for career schools like IAHA to reach new students and improve educational quality through online learning."

The International Air and Hospitality Academy is based in Vancouver, Washington. The Academy's new institute comes as a response to the growing demand for wind power and wind-power workers. The U.S. Department of Energy has stated a goal of having 20% of the nation's energy come from wind by 2030. Graduates of the program will be qualified for entry-level positions as wind turbine technicians. More information about IAHA and the Renewable Energy Institute is found at www.nw-rei.com.

ABOUT EDUCADIUM LLC Educadium (www.educadium.com) is a next-generation learning management company, which helps organizations and individuals take advantage of e-learning, online training, and distance education. Educadium was formed in 2008 by an experienced group of teachers and technologists. [The Portland, Oregon-based company](#) is privately held. Educadium develops the [EasyCampus Virtual School Builder](#), a convenient and affordable LMS used by schools, nonprofits, trainers, and learning organizations around the world to create **virtual** schools and classrooms. #####

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EXHIBIT 1

To: VSCHOOLZ, Inc. (ip@akerman.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85564548 - VSCHOOLZ - 10541-1 (254)
Sent: 6/16/2012 4:54:04 PM
Sent As: ECOM109@USPTO.GOV
Attachments:

IMPORTANT NOTICE REGARDING YOUR U.S. TRADEMARK APPLICATION

USPTO OFFICE ACTION HAS ISSUED ON **6/16/2012** FOR SERIAL NO. **85564548**

Please follow the instructions below to continue the prosecution of your application:

TO READ OFFICE ACTION: Click on this [link](#) or go to <http://portal.uspto.gov/external/portal/tow> and enter the application serial number to [access](#) the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this e-mail notification.

RESPONSE IS REQUIRED: You should carefully review the Office action to determine (1) how to respond; and (2) the applicable [response time period](#). Your response deadline will be calculated from **6/16/2012** (or sooner if specified in the office action).

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System [Response Form](#).

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

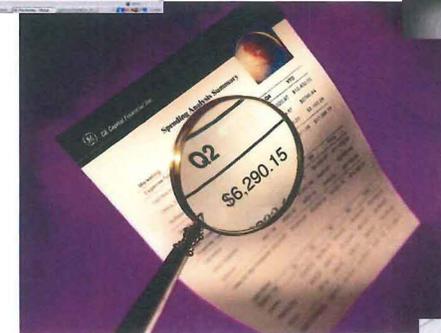
WARNING

Failure to file the required response by the applicable deadline will result in the [ABANDONMENT](#) of your application.



GE Corporate Payment Services

AP vPayment XML Supplier Training



Last updated:
1/26/2005

EXHIBIT 2

AP vPayment – Overview

What is AP vPayment?

- AP vPayment is a new settlement method to pay invoices.
- AP vPayment is a single use Credit Card that has transaction and time controls.
- You process the transaction the same way as other credit cards.
- The difference is the vPayment number is good for only one transaction, and only for the amount on the Invoice Remittance Notification.
- Each AP vPayment number has an expiration date. Usually 90 days.

EXHIBIT 2

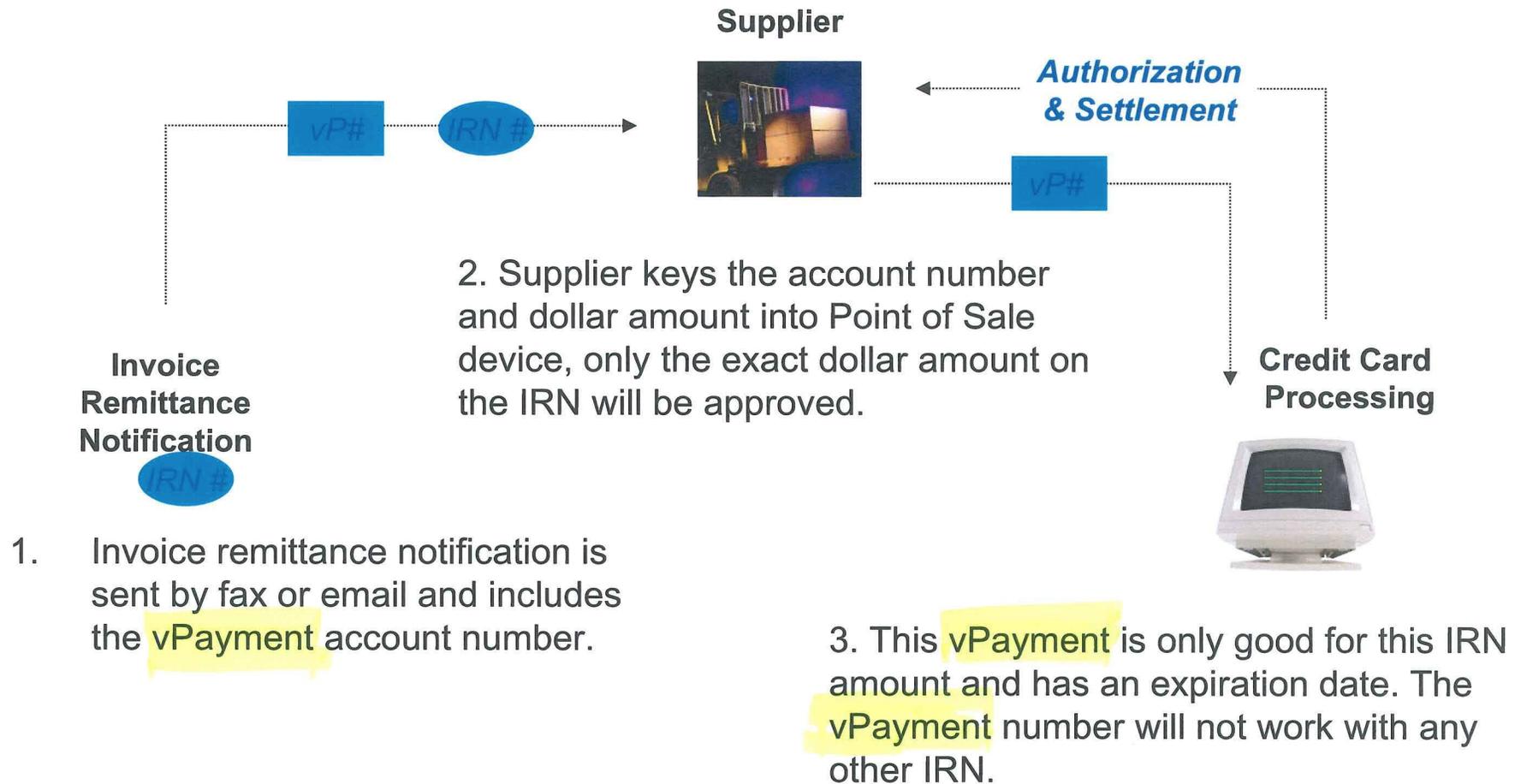
vPayment AP Uses The Familiar MasterCard

Process – No Additional Setup or Steps

imagination at work



vPayment Process Flow - Overview



Important Points

- An individual AP vPayment account number is selected for each Invoice Remittance Notification (IRN).
- The AP vPayment will allow the supplier to charge exact dollar amount on the IRN. Once charged the AP vPayment account is no longer available.
- Please note an IRN can contain more than one invoice number. The account number single charge is for the total of all invoice numbers on IRN.
- If you enter a POS code, (or prompted to enter a value) use the invoice number. If too big, enter 999.
- If you enter CVC, it is not required, if you feel you must have one enter 000.
- An AP vPayment will only allow you to charge the exact dollar amount, do not try to break up or charge more.

Important Points cont.

- AP vPayments are not associated with a cardholder. Therefore, the supplier must not add an vPayment account number to an internal cardholder or company profile.
- The name on the vPayment account is the business name and the address is the general business address. These will be listed on the IRN.
- The AP vPayment Account Number expiration date (e.g., 03/06) will be printed on the IRN and will be needed for the supplier to complete the charge. (same as any MasterCard)
- For processing credits, ensure that you apply the credit to the same vPayment number that was used on the original IRN.

Transaction Expiration Dates

- Unlike regular credit cards, AP vPayment accounts have an additional layer of control. The period of time in which the account number can be charged is limited to X calendar days from the day the IRN was created. (usually 90 days)
- THE IRN will contain the number of days the AP vPayment Account Number is good for and the date IRN was created.
- To prevent declines charge the account number before the 90 days or the number listed on the IRN.
- If the date is beyond the transaction expiration date, contact the AP department for a new AP vPayment account number.

Acquiring Bank Agreements

- Increased transactions may cause suppliers to exceed current agreements with acquiring banks such as:
 - Exceeding maximum transaction amount.
 - Exceeding the monthly average spending allowed.
- To prevent declines:
 - If clients dramatically increase their spend with your company, review your current contract with their acquiring bank for clauses that may prohibit larger or more frequent transactions.
 - Notify GE’s supplier strategy team – they may be able to facilitate a much lower transaction rate through one of our five acquiring bank partners for the supplier.
 - suppliersignup@gecapital.com (866) 517-5748

Where to Get Help

vPayment Assist Line

1 (800) 279-6069

vPayment Supplier Training Website

<http://www.gebusinessmarketplace.com/suppliertraining.htm>



Buy Virtual Visa Credit Card with Liberty Reserve

Now you can buy Prepaid Virtual Visa Credit Card With Liberty Reserve. Liberty Reserve is a digital currency and online payment system with similarity to Paypal, E-Gold, Pecunix, CashU and other E-Currency services. You can send or receive money to or from anyone in the world and unlike Paypal, Liberty Reserve payments are 100% irrevocable. If you have not Liberty Reserve Account [Sign Up](#)

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INTRODUCTION Virtual Visa Credit Card

Every one needs Credit Card for online shopping. Most of the people prefer to use Prepaid Virtual Credit Cards instead of their own credit cards. [Prepaid Virtual Credit Card](#) is easy to get and more secure to use. PrepaidVcard is committed to change the life style of the people around the world to meet their needs for credit card, especially for those who don't have Credit Cards. Prepaid Virtual Credit Card works just like an actual Credit Card for online, phone or Fax shopping.

Virtual Visa Credit Card FEATURES

1. No bank account needed
2. No employment required.
3. Easy to get Virtually with no documentation.
4. No fee for Check Balance Statement.
5. 72 Hours card order delivery.
6. Use at Yahoo, Amazon, eBay, ClickBank, Paypal, iBill, ccBill, Google Adwords and anywhere Visa is accepted.
7. account is fully verified. International visa card accepted worldwide for online, phone or fax orders
8. Five easy payment methods available to everyone from all parts of the world.
9. Use at Paypal account for purchase on the Internet even before your Paypal
10. Worldwide Acceptance throughout internet merchants and websites
11. Anyone from anywhere around the world is 100% eligible to get the Credit Card.

What's new

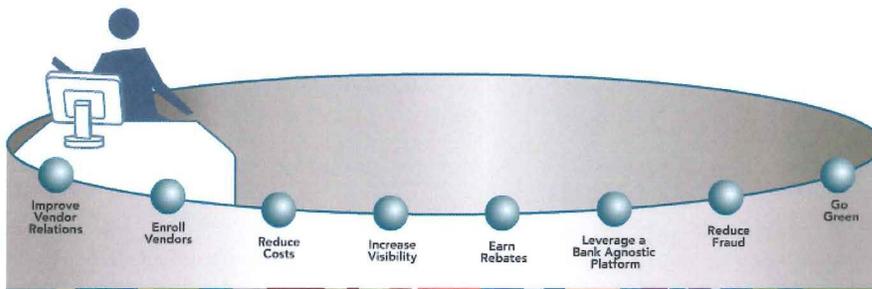
Virtual Visa Card



EXHIBIT 2

EXHIBIT 1

LEAVING THE CHECK BEHIND



B2B ELECTRONIC PAYMENTS

WHY LEAVE THE PAPER CHECK BEHIND?

B2B adoption of **electronic payments** processes is growing.

While the tangible ROI and bottom line gains such as cost reduction are easy to point to as the main driver for moving away from paper checks, the benefits gained in other areas make the switch valuable as well.

Explore this site to learn about the many benefits of electronic payments and find out how you can transform your A/P cost center into a revenue generator with **AvantGard PayNetExchange**.

INDUSTRY INSIGHTS

"Checks still rule," but electronic payments are on the rise
Companies have been slow to move away from check payments, whether due to the difficulty of changing habits or tight budgets and an unstable economic environment – 70% of monthly B2B payments are still made via check. >> [Read now](#)

"Working the Connections" A Look at SunGard's PayNetExchange

Has the long-awaited "tipping point" in B2B payments finally arrived? In pursuit of the answer, Glenbrook Partners is interviewing various solution providers. Read about the interview with Mike Kresse, SVP of Payment Services at SunGard. >> [Read now](#)

Creating the Business Case for Payment Execution Outsourcing

What business goals should you consider as you build the case to outsource your payment function? >> [Read now](#)

B2B A/P Best Practices

Matthew Dragliff, vp of product management, SunGard Payment Services provides industry best practices for efficient A/P processing and fraud reduction. >> [Read now](#)

BLOG

SunGard AvantGard payments experts share industry insights and the latest product and customer news. >> [Enter blog](#)

Featured Blogs

2013 AFP Payments Fraud and Control Survey
Mar 21, 2013

Expansion of FedACH® SameDay Service
Mar 7, 2013

ROI Calculator

Switching from paper checks to **electronic payments** can offer significant value such as cost savings, numerous environmental benefits and rebates from V-Cards.

Perform a quick analysis. [Calculator](#)

CONTACT INFORMATION

Global Sales
1-800-825-2518
avantgardinfo@sungard.com

CHANNEL PARTNER?
Access the Marketing Channel Partner Portal

Optimize Cash and Unlock Trapped Value with Collaborative Financial Management



[Download Now - Whitepaper](#)

Benefits of B2B E-Payments: Finally Leaving the Paper Check Behind

1 2 3 4

VIDEO



Leaving the Check Behind: The Value of Electronic Payments

View this animation to learn about the value of transitioning to electronic payments. Discover how to successfully migrate more of your vendors to e-payments via a social network model.

[\[Total time 5:00\]](#)

SPOTLIGHT

SunGard's AvantGard PayNetExchange Earns Payment Card Industry (PCI) Compliance Certification » [Press Release](#)
April 30, 2012

White Paper: Leaving the check behind: A look at the movement away from paper check towards ACH and Virtual Card »

SunGard's AvantGard Electronic Payments Solution Processes More Than \$96 Billion in Transactions in 2010 »

BROCHURE

[AvantGard PayNetExchange Electronic Payments »](#)

SEE ALSO

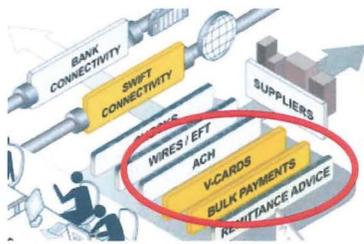
[Follow us on Twitter »](#)

EXHIBIT 2

SUNGARD AVANTGARD - B2B ELECTRONIC PAYMENTS

Home Solution Enroll Vendors Earn Rebates ROI Calculator Insights Blog

CHECK-TO-CARD MIGRATION



As companies increasingly look to migrate costly check disbursements to electronic payments the adoption of virtual card payments is gaining in popularity.

Virtual cards are single-use, unique card numbers with fixed credit limits that are set based on a given company's payment instructions. Companies can use virtual cards in lieu of paper checks to securely pay invoices and A/P disbursements either online or over the phone.

AvantGard PayNetExchange offers Check-to-Card Migration Services helping organizations execute card payments with integrated rebate programs. With the use of Vcards, companies can earn rebates on check disbursements that are migrated to virtual card payments.

companies can earn rebates on check disbursements that are migrated to virtual card payments.

SOLUTION BENEFITS:

- Revenue share (rebates)
- Eliminate paper checks and/or paper remittance advices
- Eliminate postage and printing costs
- Reduce check fraud
- Reduces A/P task load, error
- Automated email notification of payments to vendors
- Delivers remittance data electronically to vendors
- Rapid online enrollment of vendors
- Option to download payment and remittance data into an electronic file
- Enhance business relationships with key suppliers

CONTACT INFORMATION

Global Sales
1-800-825-2518
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B2B ePayments:
How Zachry Holdings, Inc. Migrated Checks to ACH & Virtual Card

[VIEW RECORDING NOW](#)

1 2 3

VIDEO



PayNetExchange Check-to-Card Migration Services
Mike Kresse, svp payment services, SunGard's AvantGard discusses the value of migrating from paper check to virtual card payments and how companies can earn rebates on card disbursements with AvantGard PayNetExchange Check to Card migration services.

[Total time 3:35]

BROCHURES

[Check-to-Card Migration »](#)

EXHIBIT 3

PTO Form 1553 (Rev 9/2005)
 OMB No. 0651-0054 (Exp. 09/30/2011)

**Trademark/Service Mark Statement of Use
 (15 U.S.C. Section 1051(d))**

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77053186
LAW OFFICE ASSIGNED	LAW OFFICE 117
NOTICE OF ALLOWANCE	YES
EXTENSION OF USE	NO
REQUEST TO DIVIDE	NO
MARK SECTION	
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	VPAY
OWNER SECTION (no change)	
ATTORNEY SECTION (current)	
NAME	Anton J. Hopen
FIRM NAME	SMITH & HOPEN, P.A.
STREET	180 PINE AVE N
CITY	OLDSMAR
STATE	Florida
POSTAL CODE	34677-4629
COUNTRY	United States
PHONE	813-925-8505
FAX	813-925-8525
EMAIL	trademarks@smithhopen.com
ATTORNEY DOCKET NUMBER	1516.05

EXHIBIT 3

ATTORNEY SECTION (proposed)

NAME	Anton J. Hopen
FIRM NAME	SMITH & HOPEN, P.A.
STREET	180 PINE AVE N
CITY	OLDSMAR
STATE	Florida
POSTAL CODE	34677-4629
COUNTRY	United States
PHONE	813-925-8505
FAX	813-925-8525
EMAIL	trademarks@smithhopen.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
ATTORNEY DOCKET NUMBER	1516.05

GOODS AND/OR SERVICES SECTION

INTERNATIONAL CLASS	036
CURRENT IDENTIFICATION	Electronic process of insurance claims and payment data
GOODS AND/OR SERVICES	KEEP ALL LISTED
FIRST USE ANYWHERE DATE	01/09/2008
FIRST USE IN COMMERCE DATE	01/09/2008
SPECIMEN FILE NAME(S)	\\TICRS2\EXPORT15\770\531\77053186\xml1\SOU0002.JP G
	\\TICRS2\EXPORT15\770\531\77053186\xml1\SOU0003.JP G
SPECIMEN DESCRIPTION	instruction manual

PAYMENT SECTION

NUMBER OF CLASSES	1
SUBTOTAL AMOUNT	100
TOTAL AMOUNT	100

SIGNATURE SECTION

SIGNATURE	/anton j hopen/
------------------	-----------------

EXHIBIT 3

SIGNATORY'S NAME	Anton J. Hopen
SIGNATORY'S POSITION	Attorney of Record
DATE SIGNED	01/31/2008
FILING INFORMATION	
SUBMIT DATE	Thu Jan 31 16:04:19 EST 2008
TEAS STAMP	USPTO/SOU-24.129.133.10-2 0080131160419790228-77053 186-400842b1b3e942eb135e3 708f85ac9622-CC-1383-2008 0131160059038389

EXHIBIT 3

PTO Form 1553 (Rev 9/2005)
OMB No. 0651-0054 (Exp. 09/30/2011)

Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

To the Commissioner for Trademarks:

MARK: VPAY

SERIAL NUMBER: 77053186

This Allegation of Use is being filed after a Notice of Allowance has issued.

The applicant, StoneEagle Service, Inc., having an address of Suite 100 111 W. Spring Valley Road, Richardson, Texas United States 75081, is using or is using through a related company or licensee the mark in commerce on or in connection with the goods and/or services as follows:

For International Class 036:

Current identification: Electronic process of insurance claims and payment data

The applicant, or the applicant's related company or licensee, is using the mark in commerce on or in connection with all goods and/or services listed in the application or Notice of Allowance or as subsequently modified.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 01/09/2008, and first used in commerce at least as early as 01/09/2008, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) instruction manual.

[Specimen File1](#)

[Specimen File2](#)

The applicant hereby appoints Anton J. Hopen of SMITH & HOPEN, P.A., 180 PINE AVE N, OLDSMAR, Florida United States 34677-4629 to submit this Trademark/Service Mark Statement of Use on behalf of the applicant. The attorney docket/reference number is 1516.05.

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

Declaration

Applicant requests registration of the above-identified trademark/service 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. Section 1051 et seq., as amended). Applicant is the owner of the mark sought to be registered, and 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 undersigned being hereby warned that willful false statements and the like are punishable by fine or

EXHIBIT 3

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: /anton j hopen/ Date Signed: 01/31/2008

Signatory's Name: Anton J. Hopen

Signatory's Position: Attorney of Record

Mailing Address:

SMITH & HOPEN, P.A.

180 PINE AVE N
OLDSMAR, Florida 34677-4629

Mailing Address:

SMITH & HOPEN, P.A.

180 PINE AVE N
OLDSMAR, Florida 34677-4629

RAM Sale Number: 1383

RAM Accounting Date: 02/01/2008

Serial Number: 77053186

Internet Transmission Date: Thu Jan 31 16:04:19 EST 2008

TEAS Stamp: USPTO/SOU-24.129.133.10-2008013116041979

0228-77053186-400842b1b3e942eb135e3708f8

5ac9622-CC-1383-20080131160059038389

EXHIBIT 3



From Talon Transaction Technologies, Inc.



Talon Transaction Technologies, Inc.
111 West Spring Valley Road, Suite 100
Richardson, TX 75081

Your Representative is _____

Telephone Number _____

Email _____

EXHIBIT 3

Introduction to Vpay

What is a Virtual payment?

In the simplest sense, a virtual payment is any payment **information** transmitted across the Internet or telephone lines from the payer to the receiver. A virtual payment contains the information that the receiver or the payee must have in order to collect actual dollars. Does that sound unusual or too technical? What is the difference between a virtual payment (we call it Vpay, a trademark of Talon Transaction Technologies, Inc.) and a paper check?

Checks

Checks have been around since the eighth century. They were developed for the use of Middle Eastern merchants who were traveling via caravan to China to purchase goods. Because of the high probability of those caravans been ambushed by outlaws, the merchants wanted a method whereby goods could be purchased without the use of hard currency such as gold. The solution was a form of written agreement between the purchaser in the Middle East and the vendor in China. The term check is actually derived from a Muslim term meaning promise to pay.

The format for the modern check was more or less formalized in the 18th century. A check contains a "pay to the order of", or payee, the amount of the payment, the bank or institution on which the check is to be drawn, and the drawer, or payer. All of the information the payee needs in order to collect his money is on the check.

Vpay

"Vpay", is a patent pending product of Talon Transaction Technologies, Inc., ("T3" for short). The term Vpay is also trademarked by T3. Vpay is a simplified term for virtual payment. In today's lexicon the term virtual is applied to many different activities, procedures, and things so we need to define our terms. When we use the term virtual we mean information that is transmitted from the payer to the payee electronically not physically. The information contained in this electronic transmission allows the payee to collect funds the payer has deposited in a banking institution. A Vpay contains a "pay to the order of", or payee, the amount of the payment, the bank or institution on which the payment is to be drawn, and the payer. Notice the similarities between the information on a check and information transmitted in a Vpay. The main difference between the two is how the information gets from the payer to the payee. With a check it must be mailed. With a Vpay it can be e-mailed or faxed. So the manner of transmission of the information is the fundamental difference between a check and a Vpay.

We call Vpay a check replacement product. The information on the check and the Vpay may be the same but the manner of transmission to the payee is very different.