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Filing date: **12/22/2014**

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

Proceeding	92057344
Party	Plaintiff Cloudpath Networks, Inc.
Correspondence Address	STEPHEN GRUBER NEUGEBOREN O'DOWD PC 1227 SPRUCE STREET, SUITE 200 BOULDER, CO 80302 UNITED STATES craig@neugeborenlaw.com, sarah@nodiplay.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Craig Neugeboren
Filer's e-mail	craig@neugeborenlaw.com, sarah@nodiplay.com, vanessa@nodiplay.com
Signature	/Craig Neugeboren/
Date	12/22/2014
Attachments	<p>CLD0000004 (2).pdf(400178 bytes )                      CLD0000004.pdf(400178 bytes )                      CLD0000005.pdf(163405 bytes )                      CLD0000006.pdf(138186 bytes )                      CLD0000007.pdf(194311 bytes )                      CLD0000008.pdf(96909 bytes )                      CLD0000009.pdf(139080 bytes )                      CLD0000010.pdf(1141811 bytes )                      CLD0000011.pdf(175919 bytes )                      CLD0000012.pdf(1342844 bytes )                      CLD0000013.pdf(533100 bytes )                      CLD0000014.pdf(559334 bytes )                      CLD0000015.pdf(62101 bytes )                      CLD0000019.pdf(179753 bytes )                      CLD0000021.pdf(78773 bytes )                      CLD0000022.pdf(106977 bytes )                      CLD0000024.pdf(122376 bytes )                      CLD0000026.pdf(857758 bytes )                      CLD0000028.pdf(549628 bytes )                      CLD0000029.pdf(306171 bytes )                      CLD0000030.pdf(300218 bytes )                      CLD0000031.pdf(366826 bytes )                      CLD0000032.pdf(377103 bytes )                      CLD0000033.pdf(335410 bytes )                      CLD0000034.pdf(207380 bytes )                      CLD0000035.pdf(239278 bytes )                      CLD0000036.pdf(293535 bytes )                      CLD0000037.pdf(368475 bytes )                      CLD0000039.pdf(351765 bytes )                      CLD0000041.pdf(311662 bytes )                      CLD0000042.pdf(330038 bytes )                      CLD0000043.pdf(294414 bytes )                      CLD0000044.pdf(295877 bytes )                      CLD0000045.pdf(298024 bytes )                      1317.2000_Notice of Reliance_12222014.pdf(10392 bytes )                      CLD0000046.pdf(4674797 bytes )                      CLD0000134.pdf(575552 bytes )</p>

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# GoGrid and Racemi Start the Cloud Onboarding Arms Race -

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Category: In The News



"...it is easy to envision a world where public cloud vendors like Amazon, Microsoft, Google, and RackSpace all bundle the Racemi service for onboarding. If this occurs it will knock down one of the major barriers to the migration of workloads to public clouds which is the cost and the time required to do these migrations manually..." – Bernd Harzog, The Virtualization Practice

<http://www.virtualizationpractice.com/news-gogrid-and-racemi-start-the-cloud-onboarding-arms-race-21161/>

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## About Us:

Founded in 2001, Racemi is a pioneer in the server migration space. With "industry first" support for migrating application workloads between dissimilar physical, virtual, and cloud infrastructure, Racemi makes it possible for businesses to deploy applications to meet their business needs without fear of vendor lock-in. A Gartner Cool Vendor award winner, Racemi has hundreds of customers, users, and partners leveraging our technology in data centers around the world.

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## Protected: IBM and Racemi – Accelerating Cloud Adoption

There is no excerpt because this is a protected post.

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## CA and Racemi – Accelerating Cloud Adoption

CA and Racemi are pleased to announce a special promotion for CA customers. For a limited time, customers can buy a 20 pack of [...]

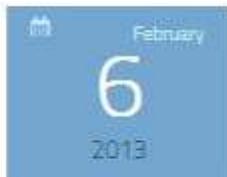
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## GoGrid and Racemi – Cloud Migration Simplified

Racemi and GoGrid are pleased to offer qualifying GoGrid customers free server workload migrations via Racemi Cloud Path for GoGrid! Cloud Path is [...]

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## SoftLayer and Racemi – Cloud Migration Simplified

Racemi and SoftLayer are pleased to announce support for SoftLayer CloudLayer in Racemi Cloud Path, enabling physical and virtual server migrations to CloudLayer instances via a [...]

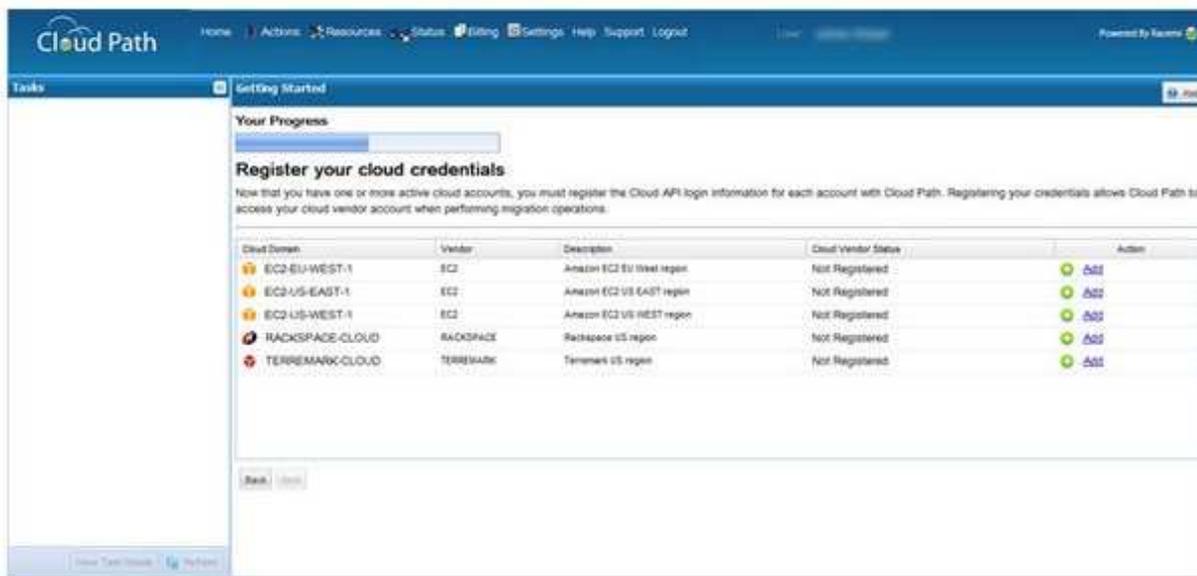
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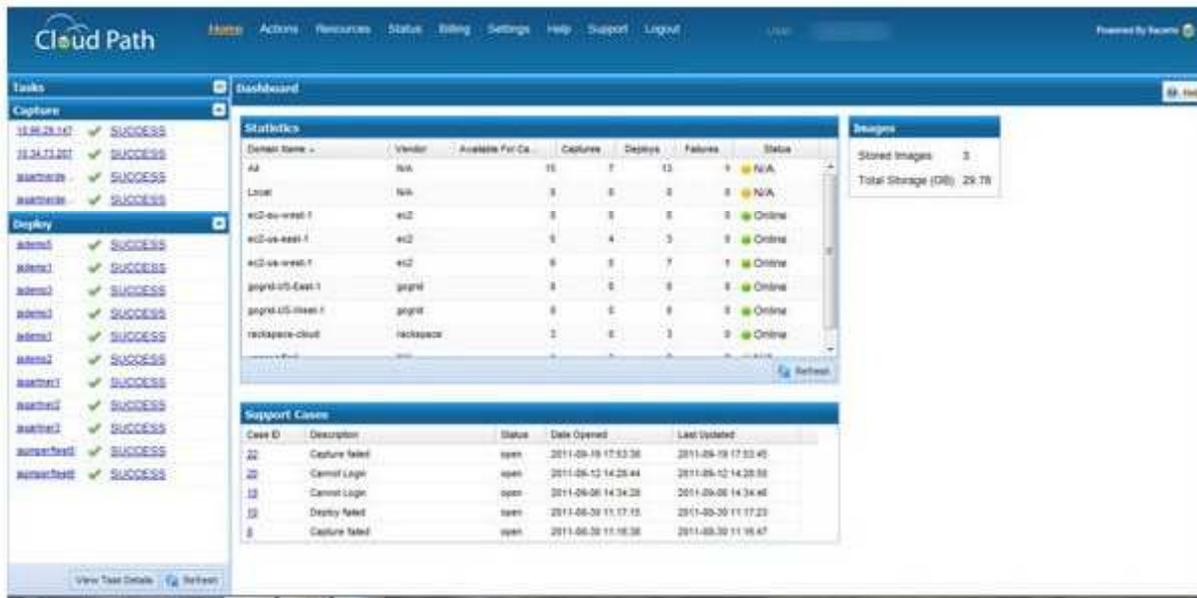
## vCloud and Racemi – Cloud Migration Simplified

Racemi is a VMware vCloud TAP Partner that provides heterogeneous (Hyper-V, AWS, etc) server migrations into vCloud Powered clouds and data centers. Supporting a wide [...]

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## Cloud Path Dashboard



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(404) 892-5850

info@racemi.com

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## Cloud Path Screenshots -

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### The Getting Started Wizard – Step #1 – Sign Up For a Supported Cloud Provider



### Getting Started Wizard – Step #2 – Register Your Cloud Credentials



# Server and Cloud Migration Partners - Racemi

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Racemi partners with some of the most recognizable names in cloud computing and virtualization. With a variety of partner programs and flexible licensing options, Racemi is sure to have a server migration solution that fits your business needs.

MSP and Cloud Providers

System Integrators and Consultants

ISV and Solution Providers

## Current Partners Include:





(404) 892-5850

info@racemi.com

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## System Integrators -

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Racemi's powerful server migration capabilities allows **System Integrators** to speed project timelines and win more business. Billable hours can be focused on higher business value areas such as architecture and design, application optimization, and fail over or high availability strategies, giving your consulting business an edge over the competition.

Consider Racemi server migration solutions if you need:

- Solutions to help with server migration as part of a [data center migration or consolidation](#) project
- Solutions for [cloud migration](#) projects
- Solutions for private cloud server migration projects
- Solutions for server hardware refresh projects
- Solutions for [server virtualization](#) projects

[Contact Us](#) for more information on partnering with Racemi

[Click here](#) for more information on Racemi server migration and cloud migration solutions

### At-A-Glance

#### Black Belt Certification Benefits

- Create competitive advantage
- Speed project timelines
- Reduce costs
- Flexible licensing

## Users

"Racemi and GoGrid ensured our migration was hassle-free. The combination of GoGrid's flexible, low-cost cloud platform and **an automated migration solution made our transition to cloud computing far easier than I'd hoped.**" - Josh Vermette, founder of Calydonian Interactive.

"Racemi Cloud Path was **the clear choice for migrating my servers into the cloud.** It was **fast, automated, and easy to use**, plus there were no upfront fees or long term contracts to hassle with. **I can't imagine using anything else** for my cloud migrations." - Rajiv Hira, Soci-Ads

"The Racemi team was **invaluable** to our cloud migration project - **highly recommended!**" -Rami Lulu, Stoneface Media, LLC

"The knowledgeable and reliable services team at Racemi **accelerated our cloud migration project.** Not only did they **complete the work ahead of schedule**, but also provided us with tips and recommendations to facilitate future migrations. **We literally couldn't have done it without them.**" - Juan Zaporoli, Enterprise Architect @ Malauzai Software Inc.

"[Cloud Path] is the coolest thing here." - Greg Stephens, President of Cotent on seeing a Cloud Path demo at the AWS Summit in San Francisco

"My confidence is higher than ever in regards to my cloud migrations."

Check out our [Reference Customers](#) here

## Partners

"We're excited to launch this new service with Racemi. Together, we're making it painless for customers to migrate existing workloads to our innovative cloud platform and saving them thousands of dollars in the process." - Dave Smith, vice president of global sales at **GoGrid**.

"[Cloud Path] will not only help new Rackspace customers, but it will make it easier for existing Rackspace customers to move to our open cloud platform. We are pleased to be collaborating with a company like Racemi that continues to support our effort to reduce the barriers to cloud adoption." - Bob Bardwell, business development manager at **Rackspace**.

"SoftLayer is about delivering innovation, choice, and performance to our customers and we expect no less from our partners. With Cloud Path, Racemi has brought SaaS simplicity to cloud migration, providing our customers with a fast and easy way to migrate server workloads into CloudLayer." - Duke Skarda, chief technology officer, **SoftLayer**.

## Analysts

"Now that GoGrid has bundled migration via the Racemi CloudPath service into its core offering, other cloud vendors are going to have to follow suit. This will rapidly become like online banking, where once one bank offered it for free, every bank had to offer it for free in order to compete. This is clearly a good thing for the public cloud vendors, a good thing for customers who want to be able to move workloads to public clouds at minimum cost and hassle, and a great thing for Racemi...**it is easy to envision a world where public cloud vendors like Amazon, Microsoft, Google, and RackSpace all bundle the Racemi service for onboarding. If this occurs it will knock down one of the major barriers to the migration of workloads** to public clouds which is the cost and the time required to do these migrations manually." - Bernd Harzog, [The Virtualization Practice](#)

"EC2 customers Foursquare, Quora, Reddit.com and others won't soon forget the April 2011 outage at the Amazon Web Services datacenter in northern Virginia... Frustrating as the downtime was for its victims, it serves as a useful reminder to other enterprises contemplating cloud use to engineer around expected outages. AWS customers who had built for high availability achieved it. **By making it possible to harness private datacenters to multiple public cloud providers, Racemi's DynaCenter is aiming to enable just these kinds of complex and resilient cloud strategies.**" - [Tier 1 Research - 5/15/2011](#)

"T1R believes that Racemi does enough for managed service providers without creating the typical 'marketecture' fatigue that entraps so many growing managed hosting providers. Enough, that is, to **solve two of the pressing worries of enterprises: how do I easily and quickly migrate and integrate my complex workloads to a cloud platform; and how do I do so without the risk of locking myself in unnecessarily, if it wasn't what I expected?**" - Antonio Pirano/Rachel Chalmers [451 Group/Tier 1 Research - 5/15/2011](#)

"For beleaguered systems administrators, **the prospect of moving physical servers into cloud services from Amazon, Rackspace, Terremark or GoGrid via a point-and-click Web portal is little short of miraculous...**Cloud Path should be a fast, low-touch, low-risk way to move into - and between - cloud providers." - [Rachel Chalmers, 451 Research](#)

"Racemi Cloud Path is designed to convert existing infrastructure, networking and storage into a virtual architecture ready to be spun up on a number of major cloud providers, with essentially no input from the owner beyond a few commands and network access. **It's a remarkable feat of automation to say the least...**" - [Carl Brooks, Tier 1R, November 2011](#)

"What's new with Racemi is that it **has found a way to make a complex, highly intrusive set of operations into a use-able online service, effectively bridging the gap between IaaS and internal IT infrastructure.**" - [Carl Brooks, Tier 1 Research, November 2011](#)

## Press

"Anyone whose business suffered from the recent Amazon EC2 outages should welcome [Racemi's] clear methodology for shifting to alternative suppliers. Its use can become part of a new way for users to future-proof offloaded applications, accommodating the ones which shift from 'non-core' to 'mission critical' in time...**Racemi's approach should help users guard against lock-in as vendors become increasingly vertically integrated.** We predict big problems down the line if Cloud service contracts don't address how to off-board at the end of the contract." - [IT Candor - 5/2/2011](#)

"As people are getting their heads around the economic benefits of cloud computing - pay just for what you use servers and services - I've been hearing a lot of people say they'd use the cloud if only they could move their existing servers to the cloud without a lot of blood, sweat, and toil. This is where [Racemi](#), a cloud-services company, comes in with its easy server migration program. **Racemi's answer for server to cloud migration is an online point-and-click tool that lets you easily take your servers from your server room to the cloud of your choice. This magic trick is called Racemi Cloud Path.**" - [Steven J. Vaughan-Nichols, ZDNet](#)

"The really neat thing about this is that DynaCenter, and now Cloud Path, doesn't require you to modify your server to make it portable. In short, you really can just move your local servers to the cloud without a lot of pain and suffering. Just as nice, with Cloud Path you can avoid cloud vendor lock-in. Say you discover that Amazon EC2 isn't for you. Usually shifting from one cloud provider can be another can be a nightmare. **Racemi promises that Cloud Path can also make shifting servers from one cloud to another a simple point-and-click operation. I really like the sound of that.**" - [Steven J. Vaughan-Nichols, ZDNet](#)

Racemi offers products and services for a wide range of server migration needs, including cloud migration, hardware refresh, bare metal provisioning, and data center consolidation. Check out the video for a quick introduction to Racemi products and technology.



“*Racemi Cloud Path was the clear choice for migrating my servers into the cloud. It was fast, automated, and easy to use, plus there were no upfront fees or long term contracts to hassle with. I can’t imagine using anything else for my cloud migrations.*”

**Rajiv Hira, Soci-Ads** [More](#)

# Panel: WLAN Developments



Michael Sommadossi  
VP, Product Agent and  
Marketing Development



Bruce Miller  
VP, Product Marketing



Adam Hill  
VP, Product Development



From: Path v. Racemi  
CLD0000013  
Sent:

Bert Kashyap <bert.kashyap@cloudpath.net>  
Tuesday, August 07, 2012 1:22 PM  
Sara Koster  
FW: XpressConnect 2012 renewal  
PRINTERS\_CanonIRADV5030 IT\_0202\_001.pdf

Tradema

Sara, a direct invoice renewal....

Thx,  
Bert

-----Original Message-----  
From: Velco, Jim [mailto:jvelco@jmls.edu]  
Sent: Tuesday, August 07, 2012 11:19 AM  
To: Bert Kashyap  
Subject: RE: XpressConnect 2012 renewal

Bert,

See attached.

Jim Velco  
Chief Technology Officer  
Information Technology Services  
The John Marshall Law School  
315 South Plymouth Court  
Chicago, IL 60604  
(312) 427-2737 x568  
mailto:jvelco@jmls.edu

-----Original Message-----  
From: Bert Kashyap [mailto:bert.kashyap@cloudpath.net]  
Sent: Friday, July 7, 2012 8:40 AM  
To: Lagodzinska, Chris; Goris, Jose; Velco, Jim  
Subject: XpressConnect 2012 renewal

JMLS team,

Hope all is going well.

Your 2012 XpressConnect renewal is attached.

A quick roadmap update, a few things leveraging the XpressConnect Wizard I thought I'd pass along. We have been winning great praise for our new product called Enrollment system to be launched later this summer. Uses for this technology include device classification & differentiation (i.e. IT-owned iPad vs. BYOD iPad uniquely identified and segmented) plus next generation guest access via social media. Enrollment system also won the wireless industry's most prestigious award, "Best of Interop" ([www.bestofinterop.com](http://www.bestofinterop.com)) beating out other finalists Cisco (3600 AP) & Broadcom (WiFi Onchip).

Trade

Quote Date 10/22/2013  
Submitted To Hardin-Simmons University  
Cameron Moore  
2200 Hickory St  
Abilene, TX 79601 US  
(325) 670-1506  
cmoore@hsutx.edu

Quote Number 00000666  
Submitted By Jeff Grimm  
Cloudpath Networks  
1120 W 122nd Ave, Suite 302  
Westminster, CO 80234 USA  
303-647-5412  
jeff@cloudpath.net

Product	Year	Term	Sales Price	Discount	Total Price
CPN-XPES-HED-ST2 - XpressConnect Enrollment System Annual Subscription for HEDU • Includes use within licensed user population during term • Includes telephone & email support (8am-5pm PST/M-F) • Includes all software updates, patch releases, and upgrades, but does not include new products as defined by separate SKU.	2013	1 Year	\$15,000.00	20.00%	\$12,000.00
Grand Total (USD)			\$12,000.00		

\* Quote is valid for 90 days unless otherwise noted.  
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Invoice Preference:  
 Please mail a physical copy of the invoice.  
 Please email a soft copy of the invoice to seekins@hsutx.edu

Accepted By: Travis P. Seekins  
Signature: [Handwritten Signature]  
Date: \_\_\_\_\_



# Racemi woos partners to help it accelerate cloud adoption

**Analyst:** Rachel Chalmers

23 Aug, 2012

Racemi is courting partners to help smooth the way to the cloud. What primary obstacle do potential cloud users face? According to Racemi, it's vendor lock-in at every layer in the stack. The company contends that Amazon doesn't support migration between its own regions. Four major cloud platforms are emerging – CloudStack, Eucalyptus, OpenStack and VMware vCloud – and in Racemi's view, none of them are truly interoperable. Many cloud service providers run multiple services side by side: a public offering, a virtual private cloud, some managed services, and so on. Try migrating between these and see how far you get.

## The 451 Take

Racemi can package up an application and move it from physical to virtual resources, or from on-premises to cloud. That's more than most hypervisor or cloud platform vendors can do, let alone cloud service providers, the company says. So why isn't Racemi better known? Last year's launch of a SaaS offering has gone a long way toward redressing that situation. Company executives hope that a new focus on selling through affiliate partners will do even more to get its message out.

## Context

In July, Racemi closed a \$7m series B round of financing from Paladin Capital Group and Harbert Venture Partners. The funding adds to the \$2.5m series A led by Gray Ghost Ventures, announced in October 2009, as well as earlier rounds from now-defunct firms Patillo Investments and Five Paces Ventures. Racemi provides server workload mobility between dissimilar physical, virtual and

cloud platforms. It does so in order to help businesses migrate workloads around and between differently configured on-premises resources or up into the public cloud.

## **Technology**

Racemi customers have a choice of options. The flagship software, DynaCenter, runs on-premises and includes a management server, image repository and database. Cloud Path, offered as SaaS, adds a Web server and an application server. Recently shipped DynaCenter 4.2 includes Windows cloud migrations and support for AppLogic 3.x. Cloud Path 1.0, just out of beta, supports 100 registered customers and more than 500 cloud deployments.

## **Strategy**

The company has been focused on building its affiliate partner channel. It's particularly interested in wooing cloud and managed service providers (the Amazons, Rackspace and SoftLayer Technologies of the world), services organizations like IBM and CSC, private cloud platform providers like Eucalyptus Systems, Citrix Systems with its CloudStack and the OpenStack ecosystem, as well as more conventional OEM players and direct sales. It targets MSPs and SPs of all sizes, but in professional services and the private cloud market Racemi is aiming for the midmarket and above. Where OEM sales are concerned, it's only looking for large enterprise players.

## **Partners**

Racemi offers a multitiered partner program based on the volume to which its partner is willing to commit. Cloud Path, the SaaS offering that Racemi introduced last year, is offered in silver, gold and platinum tiers, while on-premises software is available only under the black label. The silver tier provides for joint marketing and a promo code for partners' customers. Gold adds accelerated support and product margin options. Platinum adds premium partner status and placement, while the black label provides all of the above, plus a private portal on cloud infrastructure and additional control over end-customer fees.

## **Competition**

Racemi executives calculate that the Big Five management vendors – BMC Software, CA Technologies, Hewlett-Packard, IBM and late entrant Microsoft – are three years behind the state of the art in provisioning technology. That's a bold claim, considering that BMC acquired BladeLogic and HP reached for Opsware – the companies that, between them, invented modern provisioning

automation. But Racemi justifies the charge on the grounds that none of the Big Five support migration across dissimilar hardware, between dissimilar hypervisors or to the public cloud.

Racemi's most constant rival, though, is PlateSpin, now part of Novell. Like Racemi, PlateSpin can encapsulate a server image in order to move it between physical and virtual hosts. Egenera, now partnering with HP, Scalent, now Advanced Infrastructure Manager within Dell, and RackWare each offer variations on dynamic workload management. Newer cloud-focused provisioning specialists include (but are not limited to) Verizon's CloudSwitch tool and RightScale. Both CloudSwitch and RightScale, however, depend on the presence of virtualization to permit them to capture images. It's Racemi Cloud Path's ability to take a physical server into the cloud that sets it apart.

## **SWOT Analysis**

### **Strengths**

Racemi solves a real problem – the lack of workload portability – with software that is by now reasonably robust and mature, at least in its on-premises form.

### **Opportunities**

Every enterprise we talk to has some physical, some virtual and some cloud resources to contend with. All would like to avoid vendor lock-in at each of those layers. Racemi offers a way.

### **Weaknesses**

The company's SaaS Cloud Path is just out of beta and while the numbers look good, it has not yet been tested at truly massive scale.

### **Threats**

Verizon has enormous ambitions for its software in the cloud and along with Terremark, CloudSwitch takes pride of place in those plans.

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## The new Cloud Path Enrollment server look.

1 message

---

**Stephenson, Jeff** <Jeff.Stephenson@meijer.com>

Mon, Aug 26, 2013 at 3:03 PM

To: Kevin Koster <kevin@cloudpath.net>, "'Mark Shin' (mark@cloudpath.net)" <mark@cloudpath.net>

Cc: "Thompson, Andrew" <Andrew.Thompson@meijer.com>, "Bryan, James" <James.Bryan@meijer.com>,

"McLellan, Jason" <Jason.McLellan@meijer.com>, "Stephenson, Jeff" <Jeff.Stephenson@meijer.com>, "Szymanski,

Mark" <Mark.Szymanski@meijer.com>, "Jewell, Michael" <Michael.Jewell@meijer.com>, "MacDonald, Robert"

<Robert.MacDonald@meijer.com>, "Burciaga, Steve" <Steve.Burciaga@meijer.com>

I have attached a couple of documents that are screen shots of how the new Cloud Path Enrollment server application will look like when we schedule a cut over to it.

Please look over them and let me know what you think.

The new application is installed on <https://10.1.204.74/admin/login> if you would like to get familiar with it.

Kevin, I still do not understand how to add new vendor templates so they can only see and control their area.

Could you have someone give me a call and assist me? I would like to have that documented also.

Thanks!



**Jeff Stephenson** | Network Engineer | IT infrastructure/Network Services

Meijer | Office # 982 | 2727 Walker Ave. NW | Grand Rapids, MI 49544

P: 616-735-8026

[jeff.stephenson@meijer.com](mailto:jeff.stephenson@meijer.com)

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---

**2 attachments**



**Cloudpath instructions Vendor Daily.docx**

8129K



**Cloudpath instructions Vendor long term.docx**

8448K



---

## technical details of cloudpath

1 message

---

**Mitsui Dave** <mitsui\_dave@colpal.com>

Tue, Oct 8, 2013 at 6:29 AM

To: kevin@cloudpath.net

Hello Kevin

How are you?

As you know we are moving towards our other phases of the project so I need some information on cloud path. You probably have provided all the technical documents of new enrollment system to Matt but as you know Matt is on medical leave.

If you don't mind can you send me documents of Technical details of the product. I have read the document online which is very brief. Please let me know if you have more documents which can help us understand the enrollment system better and utilize it better.

Thank you

**Mitsui Dave**

**Associate Manager**

GIT-GISSO-ISM-Infrastructure Dev

Colgate-Palmolive

Piscataway, NJ

Email: [mitsui\\_dave@colpal.com](mailto:mitsui_dave@colpal.com)

voIP: 81017661 | Phone: 732-878-7661

Mobile: 347-978-5269



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Kevin Koster

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Create New...

Task

# Email: Re: Cloudpath update- Where is Steve?

Shortcut

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[Unresolved Items](#)

Recent Items

- [Scripps 2011 Wizard Subscription](#)
- [Aaron McHugh](#)
- [University of Umeå](#)
- [Suffolk Public Schools](#)
- [Nick Lowe](#)
- [Daniel Cybulskie](#)
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Custom Links

Messages and Alerts

RainKing

[RainKing Website](#)

Recycle Bin

[Attachments \(0\)](#)

## Task Detail

[Edit](#) [Delete](#) [Create Follow-Up Task](#) [Create Follow-Up Event](#)

### Task Information

Assigned To	<a href="#">Oscar Reyna</a>	Related To	
Subject	Email: Re: Cloudpath update- Where is Steve?	Name	<a href="#">Steve Vassallo</a>
Due Date	1/8/2014		

Comments

Additional To: [svassallo@medimedia.com](mailto:svassallo@medimedia.com)  
 CC:  
 BCC:  
 Attachment:

Subject: Re: Cloudpath update- Where is Steve?  
 Body:  
 Hey Steve,

No problem, I just wanted to make sure everything was okay with you, and it sounds like it is. Glad to hear it.

Yes, please let me know once this comes back around.

Thanks for the update!

Oscar

On Wed, Jan 8, 2014 at 10:21 AM, Vassallo, Steve <[SVassallo@medimedia.com](mailto:SVassallo@medimedia.com)>wrote:

> Oscar I apologize. I am still here, just completely bogged down with  
 > domain migration tasks. The MDM certificate project is still on our radar  
 > but has taken a back seat as we try to break away from our main corporation.

> All the testing and demos we did definitely placed CloudPath as one of the  
 > products we want to implement, it's just a phase 2 now. Once our domain  
 > migration dust settles I will try and hook back up with you to get moving  
 > on this

> Thanks  
 > Steve

> \*From:\* Oscar Reyna [<mailto:oscar@cloudpath.net>]  
 > \*Sent:\* Wednesday, January 08, 2014 10:12 AM  
 > \*To:\* Wallace, Gary  
 > \*Cc:\* Vassallo, Steve  
 > \*Subject:\* Cloudpath update- Where is Steve?

> Hi Gary,

> Happy New Year! We spoke when we demonstrated our Enrollment system to you  
 > and some other folks from your team last September. We've had the  
 > opportunity to work with Steve setting up a trial/demo of our system for

Chat

CloudPath v. Racemi  
CLD0000023

> testing before the holidays.  
 >  
 >  
 >  
 > Unfortunately, we have not been able to connect with Steve for an update  
 > since then. I just want to make sure everything is okay with Steve.  
 >  
 >  
 >  
 > Please let me know if there is anyone else I should reach out to.  
 >  
 >  
 >  
 > Thanks in advance for your time.  
 >  
 >  
 >  
 > Oscar  
 >  
 >  
 >  
 > --  
 >  
 > Oscar Reyna  
 > Cloudpath Networks  
 > Office:512.865.4158  
 > Cell: 512.579.6950  
 > Follow us on Twitter: @cloudpath\_net  
 > Follow me on Twitter: @oreyna  
 > Sign up for our Newsletter: <http://bit.ly/16L8Ymz>  
 >  
 > 2012 Best of Interop winner for Wireless & Mobility  
 >  
 >  
 >

--

Oscar Reyna  
 Cloudpath Networks  
 Office:512.865.4158  
 Cell: 512.579.6950  
 Follow us on Twitter: @cloudpath\_net  
 Follow me on Twitter: @oreyna  
 Sign up for our Newsletter: <http://bit.ly/16L8Ymz>  
 2012 Best of Interop winner for Wireless & Mobility

**Additional Information**

Status	Completed	Phone	(267) 685-2328
Priority	Normal	Email	<a href="mailto:svassallo@medimedia.com">svassallo@medimedia.com</a>

**System Information**

Created By	<a href="#">Oscar Reyna</a> , 1/8/2014 10:13 AM	Last Modified By	<a href="#">Oscar Reyna</a> , 1/8/2014 10:13 AM
------------	---	------------------	---

**Reminder**

Reminder

[Edit](#) [Delete](#) [Create Follow-Up Task](#) [Create Follow-Up Event](#)

**Attachments**

No records to display

[^ Back To Top](#) Always show me [fewer](#) / [more](#) records per related list



---

## NY Presbyterian

1 message

---

**Dave Zales** <dzales@forescout.com>

Tue, Feb 18, 2014 at 2:03 PM

To: "kevin@cloudpath.net" <kevin@cloudpath.net>, Brett Nelson <brett@cloudpath.net>

Cc: Amir Gerges <agerges@forescout.com>, Gil Friedrich <gil@forescout.com>, "amith@cloudpath.net" <amith@cloudpath.net>

Hi Kevin and Brett :

Thanks for your help with Pete at NY Presbyterian today. Amir and I appreciate it. I have a follow up meeting with Pete on Monday at 3 pm.

The meeting will be with his boss and the Security team from Columbia U

We are presenting our joint solution ( ForeScout CounterACT and Cloud Path )

Are you and or Brett available for our meeting on Monday.

All the best,

Dave

PS how do I register this deal with Presby?

Dave Zales

Regional Sales Manager - NYMetro

ForeScout Technologies, Inc.

973 768 3266

[dzales@forescout.com](mailto:dzales@forescout.com)

<http://www.forescout.com>



*\*NEW\* ForeScout is a Leader in 2012 Gartner Magic Quadrant for Network Access Control*

Access the [full report](#)

*Rated the top performer by Forrester for both strength of current product offering and strategy, in the June 2011 report "The Forrester Wave: Network Access Control, Q2 (2011)*

Read the [excerpt](#)

*SC Magazine with a 5 out of 5 stars review*

Read the [release](#)

*CRN named CounterACT the "Appliance of the Future"*

Read the [release](#)

*"Voted Best Overall Security Company of the Year"*

Read the [release](#)



## At-a-Glance

Provides fast, reliable, and cost-effective server migrations across dissimilar physical, virtual, or cloud platforms. Whether you are moving physical or virtual servers to the cloud, Racemi automates the server migration process saving you valuable time and money.

## ADVANTAGES

- Migrates existing physical, virtual, or cloud servers
- No infrastructure to buy or maintain
- Zero risk, pay as you go pricing
- Works across dissimilar physical, virtual, and cloud platforms

"For beleaguered systems administrators, the prospect of moving physical servers into cloud services from...a point-and-click Web portal is little short of miraculous..."  
- Rachel Chalmers, 451 Research

## The Moving Company For The Cloud

Racemi products and services simplify the cloud migration process for physical and virtual servers, making it fast, reliable, and cost-effective to **migrate existing applications to the cloud**. The key to our hassle free migration approach is Racemi's fast and reliable image-based provisioning technology, which automates the entire cloud migration process and supports a broad range of physical and virtual platforms including VMware, Xen, and Hyper-V.

### Why is Racemi the Best Choice for Cloud Migration?

#### Innovative Products

There are few good options out there for **migrating existing applications to the cloud**, in fact, businesses must often rebuild servers in the cloud manually at considerable time and expense. In contrast, with Racemi, you can automatically "capture" your live server workloads and migrate them between dissimilar physical, virtual, and cloud platforms "as is". There's no need to rebuild servers manually from templates or the base OS since Racemi's automated migration process moves the entire server "stack" - operating system, applications, network, and storage configuration for you.

#### Migration Expertise

Whether you need guidance developing a comprehensive cloud strategy or just a little help migrating your servers, Racemi's experienced professional services team can help get you to the cloud faster, with more predictable results. Racemi professionals can help you:

- Determine which of your applications are right for the cloud.
- Select a cloud provider that best meets your business needs.
- Leverage industry leading Racemi tools to automate the migration.

#### Flexible Options

Racemi offers a range of products and services with flexible, zero risk licensing plans to help take the headache out of cloud migration. Our most popular option is Racemi Cloud Path, a SaaS application that makes it point and click simple to migrate a server into the cloud, with no infrastructure to buy or maintain and no up front fees or long term contracts.

## When Should I Consider Racemi?

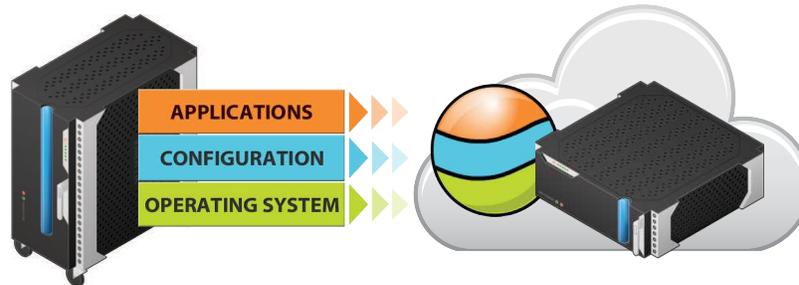
Consider Racemi if you need:

- **Fast and cost-effective migration** of physical or virtual environments to the cloud.
- Freedom to easily move between cloud providers to **minimize risk of vendor lock-in**.
- Ability to **migrate existing applications to, from, and between cloud services** without modifying your workloads.
- High-availability **deployments across multiple availability zones or cloud providers** to protect from service outages and minimize risk to your business services.
- **Cost effective disaster recovery** to quickly and easily stand up servers in your local data center or another cloud provider.



## How Does Racemi Work?

Racemi captures **OS, configuration, application files, and other information** from a source server in an image and stores it in a library. These images can be **deployed to other local or cloud-based servers** with your deployment “profile” applied. **Profiles include information such as storage and network configurations**, which can be modified to address a wide range of environments and configurations. Racemi also **applies any necessary drivers and virtual tools “in flight”** to prepare the image for the target platform. This enables Racemi to quickly and easily migrate server images to dissimilar physical, virtual, and cloud platforms.



## Key Additional Features Include:

- Fully unattended automated migration process supported.
- Live Capture with CPU throttling eliminates need to power down servers during migrations.
- Automatically configures disk layout and network interfaces.
- Supports migrations between dissimilar physical, virtual, and cloud platforms.
- Zero risk, pay as you go licensing available.
- No infrastructure to buy or maintain (SaaS.)

## How Do I Learn More About Racemi?

To learn more about how Racemi can simplify your cloud migration project, visit

[www.racemi.com](http://www.racemi.com) or email [info@racemi.com](mailto:info@racemi.com)



Watch our introductory video on how Cloud Path helps businesses migrate to the cloud at

<http://www.racemi.com>

2014 Global Summit > NET+ Verizon Terremark

# 2014 INTERNET2 GLOBAL SUMMIT



## MEETING INFORMATION

- Meeting Home
- General Schedule
- Featured Keynotes
- Internet2 of Things
- Welcome Reception Directions
- Sponsorship Options
- Internet2 Events Mobile App

## PROGRAM

- All Sessions
- Tracks
- Netcast Sessions (All)
- Netcast Sessions (Ballroom A/B/C)
- Netcast Sessions (Governor's Square 11)
- Netcast Sessions (Governor's Square 12)

## ATTENDEE INFORMATION

- Registration
- Roster
- Hotel & Travel
- Mile-High Survival Tips
- Scholarships
- Speaker Information
- Meeting Evaluation Form

### NET+ Verizon Terremark

TIME: 04/08/14 04:30 PM- 05:00 PM

ROOM: Director's Row E

[SESSION ABSTRACT](#)

The Verizon Terremark Enterprise Cloud combines the power and flexibility of infrastructure-as-a-service with the expertise, security and availability that academic institutions with mission-critical computing needs demand of their infrastructure. This session will provide an overview of the NET+ Verizon Terremark service, including features, structure, status, and how to participate.

### Speakers

**SPEAKER:** Andrew Keating Internet2

### Tracks

Cloud Services | Internet2 NET+ Services | Cloud, Trust, Identity and Middleware Applications

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	<b>CISCO</b>	infinera	BROCADE	
	CRASHPLAN	MATRIX INTEGRATION	CenturyLink Government	
	druva	Sprint	cloudbearing	
	FUJITSU	Vidyo Personal Migration	<b>Cloudpath</b>	
		zavo	enfoPoint solutions	
			FASTIDET	

The screenshot shows the Cloud Path for AWS web interface. At the top, there is a navigation menu with links for Home, Access, Resources, Status, Billing, Settings, Help, Support, and Logout. Below the navigation, there are tabs for Migrate, Capture, Deploy, Scheduler, Task Wizard, and Download Agent. The main content area displays a table of source servers. A modal window titled 'Server Information' is open, showing details for a specific server.

Server Name	Agent Status	Server Type	Operating System	Last Captured	Cloud Domain	Project	Group	Location
66.216.100.99	running	x86_64	CentOS_Linux-6_x86_64					

Server Name	66.216.100.99						
Cloud Domain	Select						
Project	Select						
Group	Select						
Location	Select						
Server UUID	55f1ce48-e096-41ec-8abb-2d1a63e4b509						
Architecture	x86_64						
Operating System	CentOS_Linux-6_x86_64						
Primary MAC Addr	8c:76:4c:05:20:08						
Primary IP Addr	66.216.100.99						
Status	running						
Max capture points	Use default						
File Systems to Capture	<table border="1"><thead><tr><th>Mount Point</th><th>Size</th><th>Used</th></tr></thead><tbody><tr><td>/</td><td>79.76 GB</td><td>967.20 MB</td></tr></tbody></table>	Mount Point	Size	Used	/	79.76 GB	967.20 MB
Mount Point	Size	Used					
/	79.76 GB	967.20 MB					
Network Layout	<table border="1"><tbody><tr><td>eth0</td><td>66.216.100.99</td></tr><tr><td>eth1</td><td>10.180.3.12</td></tr></tbody></table>	eth0	66.216.100.99	eth1	10.180.3.12		
eth0	66.216.100.99						
eth1	10.180.3.12						

**Cloud Path gathers meta data about your server such as OS, architecture, file system, and other information that is needed for the migration process.**

- EC2 Dashboard
- Events
- Tags
- INSTANCES
  - Instances
  - Spot Requests
  - Reserved Instances
- IMAGES
  - AMIs
  - Bundle Tasks
- ELASTIC BLOCK STORAGE
  - Volumes
  - Snapshots
- NETWORK & SECURITY
  - Security Groups
  - Elastic IPs
  - Placement Groups
  - Load Balancers
  - Key Pairs
  - Network Interfaces

Launch Instance Connect Actions

```
root@ip-10-12-31-19:~  
login as: root  
root@ec2-54-235-41-93.compute-1.amazonaws.com's password:  
Last login: Fri Nov 1 19:19:15 2013 from 67-2-56-251.slkc.qwest.net  
[root@ip-10-12-31-19 ~]#
```

**Lifecycle** normal  
**Monitoring** basic  
**Alarm status** None  
**Kernel ID** aki-b4aa75dd  
**RAM disk ID** -  
**Placement group** -  
**Virtualization** paravirtual  
**Reservation** r-55139230  
**AMI launch index** 0  
**Tenancy** default  
**State transition reason** -

66.216.100.99 - Microsoft OneNote

File Home Insert Share Draw Review View

General Unfiled Notes

Personal

66.216.100.99  
bg8WCeWAMuZP

- EC2 Dashboard
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- Network Interfaces

Launch Instance Connect Actions

Filter: All instances All instance types Search Instances

1 to 8 of 8 Instances

Name	Instance ID	Instance Type	Availability Zone	Instance State	Status Checks	Alarm Status	Public DNS	Key Name	Launch Time	Security Groups
NWSCent6	i-405d7a3b	m1.small	us-east-1b	running	2/2 check...	None	ec2-54-204-216-70.com...	a1616566ae2d...	2013-11-01T11...	Nathan-CloudPath

Instance: i-65533e1c (awsdemo2) Public DNS: ec2-54-235-41-93.compute-1.amazonaws.com

Description Status Checks Monitoring Tags

<b>Instance ID</b>	i-65533e1c	<b>Public DNS</b>	ec2-54-235-41-93.compute-1.amazonaws.com
<b>Instance state</b>	running	<b>Elastic IP</b>	-
<b>Instance type</b>	m1.medium	<b>Private DNS</b>	ip-10-12-31-19.ec2.internal
<b>Availability zone</b>	us-east-1b	<b>Private IPs</b>	10.12.31.19
<b>Security groups</b>	jsdemo, view rules	<b>Secondary private IPs</b>	-
<b>Scheduled events</b>	No scheduled events	<b>VPC ID</b>	-
<b>AMI ID</b>	Racemi CentOS 6 (x86_64) 20130723171637 (ami-e1eb9388)	<b>Subnet ID</b>	-
<b>Platform</b>	-	<b>Network interfaces</b>	-
<b>IAM role</b>	-	<b>Source/dest. check</b>	False
<b>Key pair name</b>	0729b9da3d0ddb16e-abe23f36-16ce-4683-af6c-a320f3030037	<b>EBS-optimized</b>	False
<b>Owner</b>	526637576317	<b>Root device type</b>	ebs
<b>Launch time</b>	2013-11-01T19:39:18.000Z (less than one hour)	<b>Root device</b>	-
<b>Termination protection</b>	False	<b>Block devices</b>	/dev/sda
<b>Lifecycle</b>	normal		
<b>Monitoring</b>	basic		
<b>Alarm status</b>	None		
<b>Kernel ID</b>	aki-b4aa75dd		
<b>RAM disk ID</b>	-		
<b>Placement group</b>	-		
<b>Virtualization</b>	paravirtual		
<b>Reservation</b>	r-55139230		
<b>AMI launch index</b>	0		
<b>Tenancy</b>	default		
<b>State transition reason</b>	-		

- EC2 Dashboard
- Events
- Tags
- INSTANCES
  - Instances
  - Spot Requests
  - Reserved Instances
- IMAGES
  - AMIs
  - Bundle Tasks
- ELASTIC BLOCK STORE
  - Volumes
  - Snapshots
- NETWORK & SECURITY
  - Security Groups
  - Elastic IPs
  - Placement Groups
  - Load Balancers
  - Key Pairs
  - Network Interfaces

Launch Instance Connect Actions

Filter: All instances All instance types Search Instances

Name	Instance ID	Instance Type	Availability Zone	Instance State	Status Checks	Alarm Status	Public DNS	Key Name	Launch Time	Security Groups
NWSCent6	i-405d7a3b	m1.small	us-east-1b	running	2/2 check...	None	ec2-54-204-216-70.com...	a1616566ae2d...	2013-11-01T11...	Nathan-CloudPath

Instance: i-65533e1c (awsdemo2) Public DNS: ec2-54-235-41-93.compute-1.amazonaws.com

Description Status Checks Monitoring Tags

<b>Instance ID</b>	i-65533e1c	<b>Private IP address</b>	10.12.31.19
<b>Instance state</b>	running	<b>Secondary private IPs</b>	-
<b>Instance type</b>	m1.medium	<b>VPC ID</b>	-
<b>Availability zone</b>	us-east-1b	<b>Subnet ID</b>	-
<b>Security groups</b>	jsdemo, view rules	<b>Network interfaces</b>	-
<b>Scheduled events</b>	No scheduled events	<b>Source/dest. check</b>	False
<b>AMI ID</b>	Racemi CentOS 6 (x86_64) 20130723171637 (ami-e1eb9388)	<b>EBS-optimized</b>	False
<b>Platform</b>	-	<b>Root device type</b>	ebs
<b>IAM role</b>	-	<b>Root device</b>	-
<b>Key pair name</b>	0729b9da3d0ddb16e-ebe23f36-16ce-4683-af6c-a320f3030037	<b>Block devices</b>	/dev/sda
<b>Owner</b>	526637576317		
<b>Launch time</b>	2013-11-01T19:39:18.000Z (less than one hour)		
<b>Termination protection</b>	False		
<b>Lifecycle</b>	normal		
<b>Monitoring</b>	basic		
<b>Alarm status</b>	None		
<b>Kernel ID</b>	aki-b4aa75dd		
<b>RAM disk ID</b>	-		
<b>Placement group</b>	-		
<b>Virtualization</b>	paravirtual		
<b>Reservation</b>	r-55139230		
<b>AMI launch index</b>	0		
<b>Tenancy</b>	default		
<b>State transition reason</b>	-		

The private IP address of the instance (multiple IP addresses are listed if there is more than one network interface to the instance).

1:54 / 3:52 2:02 PM

- Tasks
- Capture
- Deploy

Source Servers Help

Source Server	Target Cloud Domain	Server Size	Count	Name for New Server	Required Cloud Settings	Optional Cloud Settings	Save Image	Remove
✓ 66.216.100.99	Amazon EC2 US East (N. Virginia)	Medium	1	awsdemo2	Security Group:	View / Change	<input type="checkbox"/>	✗



1 Migration(s) of 66.216.100.99 to Amazon EC2 US East (N. Virginia)(Amazon EC2 US East (N. Virginia))

- ✓ **Source Server Name:** 66.216.100.99
- Name for New Server:** awsdemo2
- Target Cloud Domain:** Amazon EC2 US East (N. Virginia)
- Server Size:** Medium
- Save Image:** No
- Security Group:**
- Availability Zone:**

Schedule Migrations



## About Cloudpath



Cloudpath Networks, Inc. provides software solutions and services that simplify the adoption of standards-based security, including WPA2-Enterprise and 802.1X, in diverse BYOD environments. Our goal is to make secure as simple as insecure; simple for network administrators to deploy and simple for users to access.

Cloudpath's web-based services offer network providers a proven model for deploying and maintaining standards-based security in a scalable, sustainable manner. From educational institutions, to enterprise, to service providers, the Cloudpath services have been used worldwide to bring simplicity to secure networks; simplicity in form and function. With experience in hundreds of WPA2-Enterprise/802.1X environments, Cloudpath services ensure the success of your project.



The cornerstone of the Cloudpath services is the XpressConnect Wizard. Provisioned via the Cloudpath Administrative Console, the XpressConnect Wizard provides the unique capability of moving a user from an open network to a secure network in an automated, fool-proof manner. Available since 2006, the XpressConnect Wizard has configured millions of personal devices in 62 countries.



From unpredictable devices in university environments to mission-critical systems on gas platforms at sea, Cloudpath embodies the knowledge necessary to make a WPA2-Enterprise/802.1X network successful. For more information on Cloudpath services, see the [solutions page](#) or [contact us](#) to discuss your needs.

### Contact Information

General Inquiries: [info@cloudpath.net](mailto:info@cloudpath.net) or via the [online form](#)

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Address: 1120 W 122nd Ave, Suite 302

Westminster, CO 80234 USA

We are located one block north of Avaya on Huron and west of Polycom on 122nd. [Directions](#)



XpressConnect Overview

Enterprise

Higher Education

K-12

Hotspot

### XpressConnect™ Overview

XpressConnect brings standards-based security to diverse and unmanaged environments in a manner that is scalable and sustainable. From wireless networks with WPA2-Enterprise to wired networks with 802.1X, XpressConnect ensures that users are effortlessly provisioned and connected to the secure network across a wide range of laptops, phones, and tablets.

XpressConnect combines the low-cost and ubiquity of the native 802.1X supplicants with the manageability and ease-of-use traditionally associated with expensive third-party supplicants. In situations where the native supplicant doesn't fit your needs exactly, XpressConnect has the ability to augment it to provide the features you need, all in a minimally invasive manner.

**The right fit for every environment.** XpressConnect comes in two varieties to match the needs of every network:

#### XpressConnect Enrollment System

- Perfect for BYOD environments that need to differentiate between device types and ownership.
- Provides onboarding for a full array of use cases, including guests, employees, and IT assets.
- Provides automated distribution of client certificates for per-device control.
- Provides an onboard PKI and integrates with Microsoft Certificate Services.
- Winner of the Best of Interop 2012 for Wireless & Mobility.

#### XpressConnect Wizard

- Provides automated, self-service onboarding for PEAP and TTLS.
- Perfect for when policy is based on only the user's identity.
- Perfect for when users already exist in a directory store, such as Active Directory or LDAP.

**Secure, as simple as insecure.**™ With XpressConnect, increased security no longer translates into end-user frustration and IT support overhead. XpressConnect has the unique ability to configure wireless profiles, 802.1X supplicant information, and other security-related settings on the fly from a browser for most Windows™, Mac™, and Ubuntu™ computers and a growing list of handheld devices, including iPhone™, iPad™, iPod Touch™, and Android™ phones and tablets. XpressConnect also automates the association and authentication process, ensuring users are connected painlessly.

**See For Yourself.** Contact us to [request a demo](#), request [additional information](#), or to discuss the benefits of [WPA2 and 802.1X](#) in general.





XpressConnect Overview

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## XpressConnect™ in Enterprise

From gas platforms at sea to global software companies to Fortune 500 manufacturers, enterprises use XpressConnect in a variety of scenarios in 62 countries around the world.

**Bring Your Own Device (BYOD)** - BYOD is clearly here to stay, so automate configuration of devices, including WiFi, wired 802.1X, certificates, security settings, and web proxies, on a wide array of personal devices. From employee laptops to phones to tablets, XpressConnect ensures that BYOD is quick, secure, and sustainable.

**WPA2 for All** - Your enterprise extends beyond your employees. Your secure WiFi network should too. XpressConnect makes it simple to extend use of your existing WPA2-Enterprise WiFi network to guests, partners, suppliers, and contractors while maintaining appropriate policies, segregation, and your sanity.

**Differentiate BYOD from IT-Owned Devices** - As BYOD devices enter the environment, it is critical that they are treated as personal devices and not IT assets. Employees can quickly and unintentionally break policy by provisioning personal devices with enterprise credentials, leaving the enterprise at risk. XpressConnect can differentiate devices by ownership, not just device type, to ensure that IT assets and personal devices are treated appropriately, regardless of form factor.

**Extend Certificates to Non-Domain Devices** - Client certificates with TLS authentication work great on domain machines. Now, you can extend that same behavior to non-domain machines with the XpressConnect. XpressConnect allows certificates to be issued from a mix of Microsoft Certificate Services and an onboard PKI. XpressConnect supports automated EAP-TLS capabilities across Windows, Mac, Ubuntu, iOS, and Android. With options for both self-service and IT-driven deployment, XpressConnect delivers certificates across the enterprise.

**Common Point of Entry** - XpressConnect provides a common point of entry for all new devices entering the environment, determines the appropriate security policy for each, and provides automated, self-service configuration to enable that policy. XpressConnect ensures each device complies with and is provisioned appropriately for your policies, today and in the future.

**Unmatched Device Success** - Rolling out security to devices in a lab is one thing; doing it in the real world is another. XpressConnect's capabilities have been proven on millions of devices worldwide over the past six years. XpressConnect brings unparalleled success in configuring WPA2-Enterprise and certificates in the broad array of devices characteristic of BYOD.

### See For Yourself

Contact us to [request a demo](#), request [additional information](#), or to discuss the benefits of [WPA2 and 802.1X](#) in general.



Request Demo >>>

Request Info >>>

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XpressConnect Overview

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K-12

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## XpressConnect™ for Higher Education

XpressConnect is used by educational institutions on four continents to bring simplicity and sustainability to WPA-Enterprise, WPA2-Enterprise, and wired 802.1X deployments. With proven results in these complex and diverse network environments, XpressConnect has developed a loyal and vocal following. Never before has standards-based security been so easy to deploy and support in networks containing unmanaged and diverse systems.

For educational institutions, XpressConnect provides a fool-proof, consistent experience across a wide range of devices. XpressConnect goes well beyond simply configuring the machine; XpressConnect ensures network connectivity is established without support desk intervention.

Some of the reasons that educational institutions love XpressConnect include:

**Simplify Wireless Security** - Whether based on 802.1X (WPA2-Enterprise, WPA-Enterprise, WEP/802.1X) or a pre-shared key (WPA2-PSK, WPA-PSK, WEP), you can now enable wireless security without burdening your users or your support desk. XpressConnect ensures that wireless is configured consistently and securely across a wide range of devices, 24 hours a day, without a trip to the support desk.

**Avoid the Acronyms** - Wireless is strewn with acronyms, but access shouldn't require a technical degree. XpressConnect masks away the complexity by automatically configuring PEAP, TTLS, and EAP-TLS and can install additional software and hotfixes when necessary. It can even install and configure trusted root certificate authorities, eliminating the overhead of server certificate validation. For EAP-TLS environments, XpressConnect can interact with your certificate authority (CA) to generate and install client certificates.

**Everyone and Almost Everything** - The XpressConnect license for educational institutions covers anyone entering your network, including students, faculty, guests, conference attendees, and more. Whether they show up with laptops, iOS devices (iPhone, iPad, iPod Touch), or Android devices, XpressConnect is ready to assist them. Bring Your Own Technology (BYOT) has never been simpler.

**Fallback Mechanism** - Beyond the initial rollout, XpressConnect acts as a fallback mechanism for wireless users. When wireless does not behave as expected, whether due to user error, technical error, or network configuration changes, XpressConnect is available to the user to quickly and effortlessly reconnect to the secure network.

**Wired 802.1X Too** - All the magic that XpressConnect brings to wireless environments is also available for wired 802.1X.

### Typical Deployment Models for Higher Education

In educational institutions, there are several options for deploying XpressConnect. The following are some of the most common deployment scenarios:

**Open (or Help) SSID** - The XpressConnect Wizard is placed on a web server within the network. Then, the captive portal on an open SSID is configured to provide users with a link to XpressConnect. As a user enters the network for the first time, they associate to the open SSID. The captive portal on the WLAN controller presents some messaging and a link to XpressConnect. Once clicked, XpressConnect loads, configures the device, and reconnects it to the secure network.

**Remote Preconfiguration** - The XpressConnect Wizard is placed on a web server exposed to the Internet. Then, users access XpressConnect from home or from another public network. XpressConnect prepares the machine for its arrival on campus.

### Higher Education Case Studies

[Purdue University Case Study](#)

[Syracuse University Case Study](#)

[University of Florida Case Study](#)

### See For Yourself

Contact us to [request a demo](#), request [additional information](#), or to discuss the benefits of [WPA2 and 802.1X](#) in general.



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XpressConnect Overview

Enterprise

Higher Education

K-12

Hotspot

## XpressConnect™ for K-12

K-12 institutions utilize XpressConnect to enable wireless security in environments which are rapidly being impacted by student-owned laptops, phones, and tablets. This transformation to a highly diverse and unmanaged set of network users requires the simplicity and completeness of XpressConnect to ensure users are connected properly and effortlessly.

For K-12 institutions, XpressConnect provides a fool-proof, clear, and consistent experience across a wide range of devices. XpressConnect goes well beyond simply configuring the machine; XpressConnect ensures network connectivity is established without support desk intervention.

Some of the reasons that K-12 institutions love XpressConnect include:

**Connecting With One-To-One Initiatives** - Allow students, teachers, and visitors to bring their own devices to meet one-to-one initiatives. XpressConnect will ensure they are quickly and effortlessly attached to the secure wireless network. Whether they show up with laptops, iOS devices (iPhone, iPad, iPod Touch), or Android devices, XpressConnect is ready to assist them. Bring-Your-Own-Device has never been simpler.

**Simplify Wireless Security** - Whether based on 802.1X (WPA2-Enterprise, WPA-Enterprise, WEP/802.1X) or a pre-shared key (WPA2-PSK, WPA-PSK, WEP), you can now enable wireless security without burdening your users or your support desk. XpressConnect ensures that wireless is configured consistently and securely across a wide range of devices, 24 hours a day, without a trip to the support desk.

**Avoid the Acronyms** - Wireless is strewn with acronyms, but access shouldn't require a technical degree. XpressConnect masks away the complexity by automatically configuring PEAP, TTLS, and TLS and can install additional software and hotfixes when necessary. It can even install and configure trusted root certificate authorities, eliminating the overhead of server certificate validation. For TLS environments, XpressConnect can interact with your certificate authority (CA) to generate and install client certificates.

**Fallback Mechanism** - Beyond the initial rollout, XpressConnect acts as a fallback mechanism for wireless users. When wireless does not behave as expected, whether due to user error, technical error, or network configuration changes, XpressConnect is available to the user to quickly and effortlessly reconnect to the secure network.

### Typical Deployment Models for K-12

In K-12 institutions, there are several options for deploying XpressConnect. The following are some of the most common deployment scenarios:

**Open (or Help) SSID** - The XpressConnect Wizard is placed on a web server within the network. Then, the captive portal on an open SSID is configured to provide users with a link to XpressConnect. As a user enters the network for the first time, they associate to the open SSID. The captive portal on the WLAN controller presents some messaging and a link to XpressConnect. Once clicked, XpressConnect loads, configures the device, and reconnects it to the secure network.

**Remote Preconfiguration** - The XpressConnect Wizard is placed on a web server exposed to the Internet. Then, users access XpressConnect from home or from another public network. XpressConnect prepares the machine for its arrival on campus.

**USB flash drive or CD** - The XpressConnect Wizard is placed on physical media for easy access.

### See For Yourself

See how XpressConnect can help you quickly pass the BYOD test. Contact us to [request a demo](#), request [additional information](#), or to discuss the benefits of [WPA2 and 802.1X](#) in general.



Request Demo >>>

Request Info >>>





INTEROP Update [Learn how XpressConnect ES powered secure WiFi for the InteropNet at Interop Las Vegas.](#)

Enterprise

Higher Education

K-12

Hotspot

Leave your unencrypted wireless behind...

# XpressConnect Brings WPA2 To All.

- > 90% Secure Adoption
- Reduced Support Costs
- Satisfied WLAN Users

[Learn More...](#)



**EDUCAUSE:** Cloudpath is proud to be a bronze member of EDUCAUSE. Visit us at EDUCAUSE Annual and regional conferences.

**ACUTA:** Cloudpath is proud to be a member of ACUTA. Visit us at ACUTA Annual.

#### Secure WiFi By Default

Make 2013 the year that your secure wireless network is utilized. The award-winning XpressConnect makes it simple to move the masses to WPA2-Enterprise while reducing support costs.

#### Self-Service Device Onboarding

XpressConnect provides self-services, automated configuration of WiFi, wired 802.1X, certificates, web proxies, and more. With a six year track record of deploying WPA2 into higher education, XpressConnect provides an unmatched user experience and success rates.

#### Vendor Agnostic & Standards-Based

Keep your existing infrastructure and avoid vendor lock-in with 100% standards-based functionality supporting all major WLAN, LAN, and RADIUS vendors.

#### Deploy Your Way

XpressConnect can be deployed on-site or via the cloud.

#### XpressConnect Customers

- 6 of the US News Top 10 Universities.
- 6 of 8 Ivy League Universities.
- 4 of Kiplinger's Top 5 Best Values in Liberal Arts Colleges.
- See live deployments by searching **Powered By Cloudpath.**

#### Higher Ed Case Studies

- Purdue University
- Syracuse University
- University of Kansas
- Washington & Lee University

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INTEROP Update [Learn how XpressConnect ES powered secure WiFi for the InteropNet at Interop Las Vegas.](#)

Enterprise

Higher Education

K-12

Hotspot

Secure Wi-Fi With Set-It-And-Forget-It Simplicity.

# XpressConnect Brings WPA2 To All.

- Student & Faculty BYOD
- Automated Onboarding
- Eliminate PSKs

[Learn More...](#)



**ISTE:** Visit us in booth #5236 to see the XpressConnect Enrollment System in action.

**Interop Las Vegas:** XpressConnect ES has once again been selected to run the secure BYOD network at Interop. Bring your device and experience it firsthand. Also, visit us in booth #551.

#### Secure WiFi By Default

Secure WiFi is for everyone. The award-winning XpressConnect ES enables more users and devices to use the secure WPA2 wireless network while ensuring each device receives the appropriate policy, eliminating the need for pre-shared keys and web logins.

#### Self-Service Device Onboarding

XpressConnect provides self-services, automated configuration of WiFi, wired 802.1X, certificates, web proxies, and more. With a six year track record of deploying WPA2 into higher education, XpressConnect provides an unmatched user experience and success rates.

#### Vendor Agnostic & Standards-Based

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#### Deploy Your Way

XpressConnect can be deployed on-site or via the cloud.

#### [Fairfax County PS Case Study](#)

"Technology is now woven into every student's life. If we didn't embrace BYOD, we would be ignoring huge educational opportunities."

Neal Shelton  
Network Engineering Supervisor

#### [Sevenoaks School Case Study](#)

"The students no longer needed to utilize the Service Desk for configuring their devices; through XpressConnect, they could manage their devices on their own."

Sarah Williamson  
Director of Information Services

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Enterprise

Higher Education

K-12

Hotspot

Provide Wi-Fi Without Embarrassing Your Brand.

# XpressConnect Brings WPA2 To All.

- Seamless Return Visits
- Eliminates Web Logins
- Loyalty Program Tie-Ins

[Learn More...](#)



**InteropNet:** XpressConnect Enrollment System has once again been selected to power the secure, certificate-based Interop BYOD network. Bring your devices and give it a try.

**BYOD Workshop:** Cloudpath is proud to sponsor the [BYOD Workshop](#) at Interop Las Vegas.

**Expo:** Visit us in booth #939. We will have demos of the XpressConnect Enrollment System and views into operations of the InteropNet BYOD network.

#### Secure WiFi By Default

Secure WiFi is for everyone. The award-winning XpressConnect ES is designed to make secure WiFi a better experience than tradition unsecure, hotspot-style WiFi. XpressConnect ES provides unmatched flexibility in authorizing users for the secure WiFi, including the ability to integrate with existing loyalty systems.

#### Self-Service Device Onboarding

XpressConnect ES provides self-services, automated configuration of WPA2-Enterprise WiFi, eliminating the need for annoying web logins. With a six year track record of deploying WPA2 into large, unmanaged environments, XpressConnect provides an unmatched user experience, ensuring the success of your hotspot.

#### Vendor Agnostic & Standards-Based

Keep your existing infrastructure and avoid vendor lock-in with 100% standards-based functionality supporting all major WLAN, LAN, and RADIUS vendors.

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INTEROP Update [Learn how XpressConnect ES powered secure WiFi for the InteropNet at Interop Las Vegas.](#)

Enterprise

Higher Education

K-12

Hotspot

Users expect simplicity. Business demands security.

# XpressConnect Brings WPA2 To All.

- Personal Devices (BYOD)
- Non-Domain IT Assets
- Guest & Partner Devices

[Learn More...](#)



**InteropNet:** XpressConnect Enrollment System has once again been selected to power the secure, certificate-based Interop BYOD network. Bring your devices and give it a try.

**BYOD Workshop:** Cloudpath is proud to sponsor the [BYOD Workshop](#) at Interop Las Vegas.

**Expo:** Visit us in booth #939. We will have demos of the XpressConnect Enrollment System and views into operations of the InteropNet BYOD network.

#### Secure WiFi By Default

Secure WiFi is for everyone. The award-winning XpressConnect ES enables more users and devices to use the secure WPA2 wireless network while ensuring each device receives the appropriate policy.

#### Self-Service Device Onboarding

XpressConnect ES provides self-services, automated configuration of WiFi, wired 802.1X, certificates, web proxies, and more. With a six year track record of deploying WPA2 into large, unmanaged environments, XpressConnect provides an unmatched user experience and success rates.

#### Vendor Agnostic & Standards-Based

Keep your existing infrastructure and avoid vendor lock-in with 100% standards-based functionality supporting all major WLAN, LAN, and RADIUS vendors.

#### Deploy Your Way

XpressConnect ES deploys on-site as a VMWare virtual appliance or is available in the cloud.

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XpressConnect Overview

Enterprise

Higher Education

K-12

Hotspot

## XpressConnect™ for Hotspots

The days of providing one-size-fits-all, unsecure hotspot access are fading. Users are demanding more seamless connectivity. Governments are legislating secure WiFi. The risks and exploits of unencrypted wireless networks are becoming staples of the front-page news.

Hotspots can now offer the option of secure WiFi to their customers with XpressConnect. XpressConnect handles all the complexities, automatically configuring and connecting the device to the WPA2-Enterprise wireless network. With options for integrating with existing loyalty systems, the provider benefits from greater visibility and the customer benefits from a better WiFi experience.

We understand the sensitivity of service providers and carriers to providing a great user experience. XpressConnect ensures that users have a positive, successful experience with your standards-based WPA2-Enterprise wireless network. We have proved it millions of times. With expertise in Bring Your Own Device (BYOD) environments, XpressConnect is perfectly suited to addressing the vast array of devices entering hotspots.

### See For Yourself

Contact us to [request a demo](#), request [additional information](#), or to discuss the benefits of [WPA2 and 802.1X](#) in general.



[Request Demo >>>](#)

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

Cloudpath Networks, Inc.

Petitioner,

v.

Racemi, Inc.,

Registrant.

Cancellation No. 92057344

**Date: December 22, 2014**

**NOTICE OF RELIANCE**

Pursuant to TMBP §704.02, Petitioner Cloudpath Networks, Inc., (“Cloudpath”) hereby notifies Registrant Racemi, Inc., (“Racemi”) that Cloudpath intends to rely on documents submitted with this notice as evidence in support of its case. All such documents have been submitted through the Electronic System for Trademark Trials and Appeals (ESTTA), and a copies of the documents are being served on Racemi.

Documents have been submitted as “confidential” as indicated. Documents deemed to be confidential included those deemed confidential under the Board’s standard protective order, those marked “confidential” and/or “attorney’s eyes only (AEO)” by either of the parties, and deposition transcripts containing confidential information. The following are the categories of documents that are being submitted in accordance with this Notice of Reliance.

- 1) Deposition transcripts from James Strayer and Charles Watt (confidential)
- 2) Exhibits from depositions of James Strayer and Charles Watt (certain documents submitted as confidential as necessary)

- 3) All documents produced by Cloudpath during discovery (certain documents submitted as confidential as necessary)
- 4) All documents produced by Racemi during discovery (certain documents submitted as confidential as necessary)
- 5) Racemi's Responses to Requests for Admission
- 6) Racemi's Responses to Interrogatories (Confidential)

The documents listed herein are being submitted prior the original deadline for Cloudpath's testimony period, which is December 25, 2014. Both parties have previously stipulated to the extension of Cloudpath's testimony period to January 31, 2015, for the limited purpose of taking the deposition of Kevin Koster. (See Stipulation filed December 9, 2014). Therefore, Cloudpath will file an additional notice of reliance and accompanying documents comprising Kevin Koster's testimony transcript and deposition exhibits within the appropriate time after the deposition takes place.

Dated: December 22, 2014

Respectfully Submitted,

/Craig A. Neugeboren/

Craig A. Neugeboren  
Attorney for Petitioner  
Neugeboren O'Dowd PC  
1227 Spruce St., Suite 200  
Boulder, CO 80302

Certificate of Service

I certify that on December 22, 2014, I had the foregoing Notice of Reliance document served on Mr. Larry Jones, counsel for Racemi, Inc. via email, pursuant to an agreement between the parties to serve all such documents electronically. Pursuant to an additional agreement between the parties, I had copies of the actual documents that were uploaded via ESTTA, listed by category in this letter, copied onto a DVD and mailed via FedEx to Mr. Larry Jones.

Dated: December 22, 2014

Respectfully Submitted,

/Craig A. Neugeboren/

Craig A. Neugeboren

Attorney for Petitioner  
Neugeboren O'Dowd, PC  
1227 Spruce St., Suite 200  
Boulder, CO 80302



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Phone: 303-415-2557

Fax: 303-447-0970

Correspondent e-mail: [rob@colsonquinn.com](mailto:rob@colsonquinn.com)

Correspondent e-mail Yes  
Authorized:

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Oct. 25, 2011	REGISTERED-PRINCIPAL REGISTER	
Sep. 20, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Sep. 19, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	73296
Sep. 16, 2011	ASSIGNED TO LIE	73296
Sep. 09, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 09, 2011	STATEMENT OF USE PROCESSING COMPLETE	66154
Aug. 03, 2011	USE AMENDMENT FILED	66154
Aug. 03, 2011	TEAS STATEMENT OF USE RECEIVED	
Mar. 16, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 15, 2011	EXTENSION 1 GRANTED	66154
Mar. 11, 2011	EXTENSION 1 FILED	66154
Mar. 15, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Mar. 11, 2011	TEAS EXTENSION RECEIVED	
Sep. 14, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 20, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 20, 2010	PUBLISHED FOR OPPOSITION	
Jun. 17, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74193
Jun. 14, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 25, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	74193
May 25, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	74193
May 25, 2010	ASSIGNED TO LIE	74193
May 04, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Nov. 16, 2009	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Nov. 16, 2009	NON-FINAL ACTION E-MAILED	6325
Nov. 16, 2009	NON-FINAL ACTION WRITTEN	83188
Nov. 16, 2009	ASSIGNED TO EXAMINER	83188
Aug. 18, 2009	NOTICE OF PSEUDO MARK MAILED	
Aug. 17, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 15, 2009	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 19, 2011

## Proceedings

### Summary

Number of Proceedings: 1

Type of Proceeding: Cancellation

Proceeding Number: [92057344](#)

Filing Date: Jun 14, 2013

Status: Pending

Status Date: Jun 14, 2013

Interlocutory Attorney: ANDREW P BAXLEY

**Defendant**

**Name:** Racemi, Inc.

**Correspondent Address:** LARY C JONES  
ALSTON & BIRD LLP  
101 S TRYON STREET, BANK OF AMERICA PLAZA SUITE 4000  
CHARLOTTE NC , 28280-4000  
UNITED STATES

**Correspondent e-mail:** [info@racemi.com](mailto:info@racemi.com) , [Larry.Jones@Alston.com](mailto:Larry.Jones@Alston.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CLOUD PATH	Cancellation Pending	<a href="#">85460848</a>	<a href="#">4174640</a>

**Plaintiff(s)**

**Name:** Cloudpath Networks, Inc.

**Correspondent Address:** STEPHEN GRUBER  
NEUGEBOREN O'DOWD PC  
1227 SPRUCE STREET, SUITE 200  
BOULDER CO , 80302  
UNITED STATES

**Correspondent e-mail:** [steve@neugeborenlaw.com](mailto:steve@neugeborenlaw.com) , [craig@neugeborenlaw.com](mailto:craig@neugeborenlaw.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
CLOUDPATH	Registered	<a href="#">77803433</a>	<a href="#">4045900</a>

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 14, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 18, 2013	Jul 28, 2013
3	PENDING, INSTITUTED	Jun 18, 2013	
4	ANSWER	Jul 29, 2013	
5	P MOT TO COMPEL DISCOVERY	Dec 03, 2013	
6	SUSP PEND DISP OF OUTSTNDNG MOT	Dec 09, 2013	
7	D OPP/RESP TO MOTION	Dec 20, 2013	
8	P REPLY IN SUPPORT OF MOTION	Jan 03, 2014	
9	PROCEEDINGS RESUMED	Feb 07, 2014	

**United States of America**  
United States Patent and Trademark Office

# CLOUDPATH

**Reg. No. 4,045,900**

CLOUDPATH NETWORKS, INC. (COLORADO CORPORATION)  
9975 WADSWORTH PKWY K2-234

**Registered Oct. 25, 2011**

WESTMINSTER, CO 80021

**Int. Cl.: 42**

FOR: PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

**SERVICE MARK**

FIRST USE 10-1-2008; IN COMMERCE 10-1-2008.

**PRINCIPAL REGISTER**

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

SN 77-803,433, FILED 8-12-2009.

RENEE SERVANCE, EXAMINING ATTORNEY



*David J. Kyffers*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

**First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

**Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, September 20, 2011 00:10 AM  
**To:** rob@colsonquinn.com  
**Subject:** Trademark Serial Number 77803433 : Official USPTO Notice of Acceptance of Statement of Use

---

## NOTICE OF ACCEPTANCE OF STATEMENT OF USE

**Serial Number:** 77-803,433  
**Mark:** CLOUDPATH(STANDARD CHARACTER MARK)  
**Owner:** Cloudpath Networks, Inc.  
**Reference Number:**

The USPTO has accepted the Statement of Use filed for the trademark application identified above. The mark will now register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of an application, go to <http://tarr.uspto.gov/>.

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	77803433	FILING DATE	08/12/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	09/20/2011		
PUB DATE	07/20/2010		
STATUS	819-SU - REGISTRATION REVIEW COMPLETE		
STATUS DATE	09/19/2011		
LITERAL MARK ELEMENT	CLOUDPATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUDPATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Cloudpath Networks, Inc.
ADDRESS	9975 Wadsworth Pkwy K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado

### GOODS AND SERVICES

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	042	FIRST USE DATE	10/01/2008	FIRST USE IN COMMERCE DATE	10/01/2008	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	CLOUD PATH

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/20/2011	SUNA	E	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	028
09/19/2011	REGV	O	LAW OFFICE REGISTRATION REVIEW COMPLETED	027
09/16/2011	ALIE	A	ASSIGNED TO LIE	026
09/09/2011	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	025
08/09/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	024
08/03/2011	IUAF	S	USE AMENDMENT FILED	023
08/03/2011	EISU	I	TEAS STATEMENT OF USE RECEIVED	022

03/16/2011	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	021
03/15/2011	EX1G	S	EXTENSION 1 GRANTED	020
03/11/2011	EXT1	S	EXTENSION 1 FILED	019
03/15/2011	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	018
03/11/2011	EEXT	I	TEAS EXTENSION RECEIVED	017
09/14/2010	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	016
07/20/2010	NPUB	E	NOTICE OF PUBLICATION E-MAILED	015
07/20/2010	PUBO	A	PUBLISHED FOR OPPOSITION	014
06/17/2010	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
06/14/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
05/25/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/25/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/25/2010	ALIE	A	ASSIGNED TO LIE	009
05/04/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
11/16/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
11/16/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
11/16/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
11/16/2009	DOCK	D	ASSIGNED TO EXAMINER	004
08/18/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
08/17/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/15/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

### CURRENT CORRESPONDENCE INFORMATION

ATTORNEY	Robert P. Quinn, Jr.
CORRESPONDENCE ADDRESS	ROBERT P. QUINN, JR. COLSON QUINN, LLC 4450 ARAPAHOE AVE STE 100 BOULDER, CO 80303-9102
DOMESTIC REPRESENTATIVE	NONE

### PRIOR OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Cloudpath Networks, Inc.
ADDRESS	K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado



# CLOUDPATH

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	77803433	FILING DATE	08/12/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	09/13/2011		
PUB DATE	07/20/2010		
STATUS	818-SU - STATEMENT OF USE ACCEPTED - APPROVED FOR REGISTRATION		
STATUS DATE	09/09/2011		
LITERAL MARK ELEMENT	CLOUDPATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUDPATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Cloudpath Networks, Inc.
ADDRESS	9975 Wadsworth Pkwy K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado

### GOODS AND SERVICES

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	042	FIRST USE DATE	10/01/2008	FIRST USE IN COMMERCE DATE	10/01/2008	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
PSEUDO MARK	CLOUD PATH

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
09/09/2011	CNPR	P	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	025
08/09/2011	SUPC	I	STATEMENT OF USE PROCESSING COMPLETE	024
08/03/2011	IUAF	S	USE AMENDMENT FILED	023
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DOMESTIC REPRESENTATIVE	NONE

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CITIZENSHIP	Colorado

# CLOUDPATH

**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77803433	FILING DATE	08/12/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	08/10/2011		
PUB DATE	07/20/2010		
STATUS	748-STATEMENT OF USE - TO EXAMINER		
STATUS DATE	08/09/2011		
LITERAL MARK ELEMENT	CLOUDPATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	YES	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUDPATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

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WPA2-Enterprise & 802.1X  
In  
Diverse Environments

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diverse and unmanaged environments.

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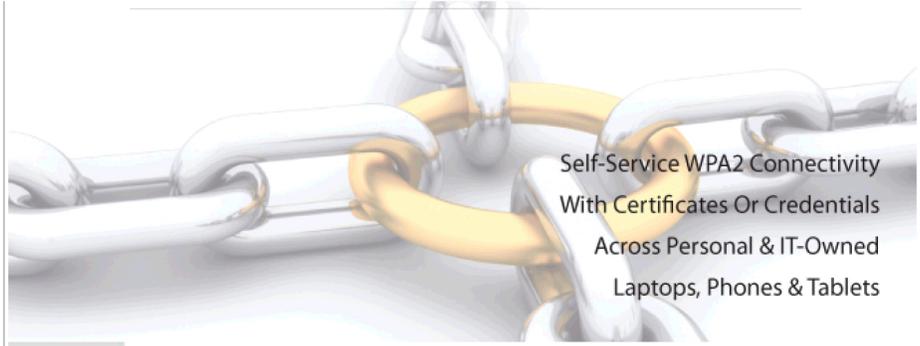
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With Certificates Or Credentials  
Across Personal & IT-Owned  
Laptops, Phones & Tablets

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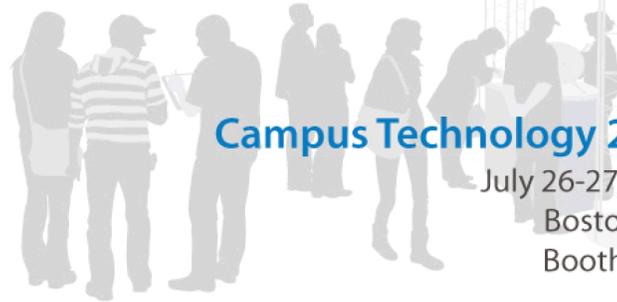


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July 26-27, 2011  
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**Cloudpath**

<http://www.cloudpath.net/> (2 of 3) [8/2/2011 4:23:07 PM]



**Self-Service WPA2  
For  
BYOD Environments**



**Follow A Proven,  
Sustainable Model**

Cloudpath services help diverse and unmanaged environments adopt standards-based security in a manner that is scalable and sustainable. With millions of users on four continents, Cloudpath increases user satisfaction and significantly reduces support costs associated with wireless security.

[Solutions Overview >>](#)

The XpressConnect Wizard makes WPA2-Enterprise wireless security foolproof for Bring Your Own Device (BYOD) networks. From laptops to phones to tablets, XpressConnect provides quick and easy provisioning for a wide array of user-owned devices.

[Product Overview >>](#)

From unmanaged student populations to gas platforms at sea, XpressConnect customers operate secure networks in some of the most challenging environments.

- Syracuse University
- University of Florida
- Eastern Kentucky University

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- Products
- Solutions
- Case Studies
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Automated Provisioning  
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WPA2-Enterprise & 802.1X  
In  
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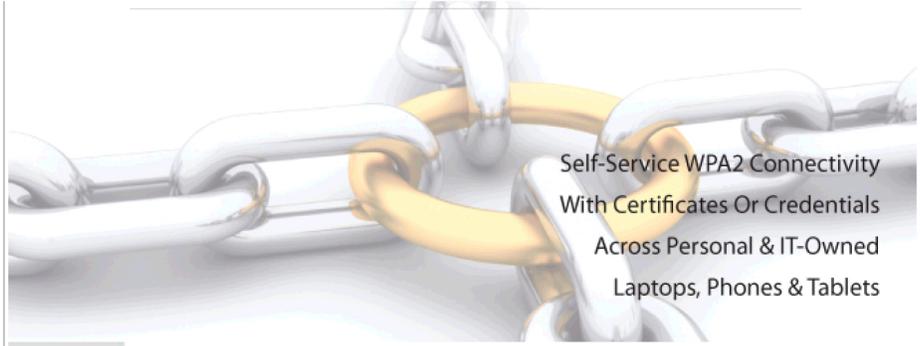
## XpressConnect Powers BYOD



Self-Service WPA2 Connectivity  
With Certificates Or Credentials  
Across Personal & IT-Owned  
Laptops, Phones & Tablets

Enterprise • K-12 • Higher Ed • Service Provider

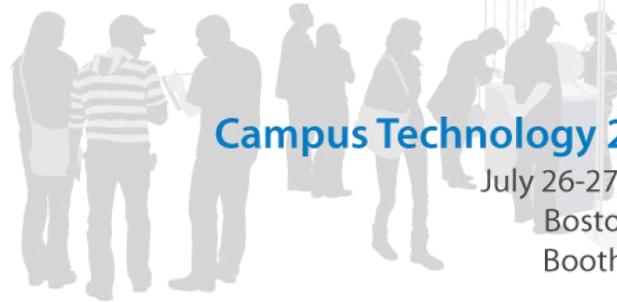
## XpressConnect Powers BYOD



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**Campus Technology 2011**

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Latest News : Thanks for visiting us at ISTE 2011 in Philadelphia June 26-29.



**Secured by Standards  
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**Cloudpath**

<http://www.cloudpath.net/> (2 of 3) [8/2/2011 4:23:07 PM]



**Self-Service WPA2  
For  
BYOD Environments**



**Follow A Proven,  
Sustainable Model**

# CloudPath v. Racemi CLD0000070

Cloudpath Networks - Simplifying WPA2 & 802.1X.

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- University of Florida
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Mac is a registered trademark of Apple Inc in the United States and other countries.  
Android is a registered trademark of Google Inc in the United States and other countries.  
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## Trademark/Service Mark Statement of Use (15 U.S.C. Section 1051(d))

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

Input Field	Entered
<b>SERIAL NUMBER</b>	77803433
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>EXTENSION OF USE</b>	NO
<b>MARK SECTION</b>	
<b>MARK</b>	CLOUDPATH
<b>MISCELLANEOUS STATEMENTS SECTION</b>	
<b>MISCELLANEOUS STATEMENT</b>	Free text not entered by the applicant.
<b>MISCELLANEOUS FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">MISC-7119615378-183039285 . Cloudpath Specimen 8-2011.pdf</a>
<b>CONVERTED PDF FILE(S) (3 pages)</b>	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\778\034\77803433\xml6\SOU0005.JPG</a>
	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\778\034\77803433\xml6\SOU0006.JPG</a>
	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\778\034\77803433\xml6\SOU0007.JPG</a>
<b>OWNER SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>CURRENT IDENTIFICATION</b>	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED
<b>FIRST USE</b>	

<b>ANYWHERE DATE</b>	10/01/2008
<b>FIRST USE IN COMMERCE DATE</b>	10/01/2008
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPN0-7119615378-183039285 . Cloudpath Specimen 8-2011.pdf</a>
<b>CONVERTED PDF FILE(S) (3 pages)</b>	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\778\034\77803433\xml6\SOU0002.JPG</a>
	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\778\034\77803433\xml6\SOU0003.JPG</a>
	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\778\034\77803433\xml6\SOU0004.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	web page
<b>REQUEST TO DIVIDE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES IN USE</b>	1
<b>SUBTOTAL AMOUNT [ALLEGATION OF USE FEE]</b>	100
<b>TOTAL AMOUNT</b>	100
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/Kevin Koster/
<b>SIGNATORY'S NAME</b>	Kevin Koster
<b>SIGNATORY'S POSITION</b>	President
<b>DATE SIGNED</b>	08/03/2011
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Wed Aug 03 11:09:49 EDT 2011
<b>TEAS STAMP</b>	USPTO/SOU-71.196.153.78-2 0110803110949627055-77803 433-48022372434a78b6ef827 303c1d62cd51f-CC-8644-201 10802183039285297



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

To the Commissioner for Trademarks:

**MARK:** CLOUDPATH  
**SERIAL NUMBER:** 77803433

The applicant, Cloudpath Networks, Inc., having an address of  
9975 Wadsworth Pkwy K2-234  
Westminster, Colorado 80021  
United States

is submitting the following allegation of use information:

For International Class 042:

Current identification: PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED  
TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED  
TO AUTHORIZED USERS

The mark is in use in commerce on or in connection with all goods or services listed in the application or  
Notice of Allowance or as subsequently modified for this specific class

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in  
interest at least as early as 10/01/2008, and first used in commerce at least as early as 10/01/2008, 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) web page.

**Original PDF file:**

[SPN0-7119615378-183039285 . Cloudpath Specimen 8-2011.pdf](#)

**Converted PDF file(s)** (3 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

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

**MISCELLANEOUS STATEMENTS**

Free text not entered by the applicant.

**Original PDF file:**

[MISC-7119615378-183039285 . Cloudpath Specimen 8-2011.pdf](#)

**Converted PDF file(s)** (3 pages)

[Miscellaneous File1](#)

[Miscellaneous File2](#)

[Miscellaneous File3](#)

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

### **Declaration**

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 so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; 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.

Signature: /Kevin Koster/    Date Signed: 08/03/2011

Signatory's Name: Kevin Koster

Signatory's Position: President

RAM Sale Number: 8644

RAM Accounting Date: 08/03/2011

Serial Number: 77803433

Internet Transmission Date: Wed Aug 03 11:09:49 EDT 2011

TEAS Stamp: USPTO/SOU-71.196.153.78-2011080311094962

7055-77803433-48022372434a78b6ef827303c1

d62cd51f-CC-8644-20110802183039285297



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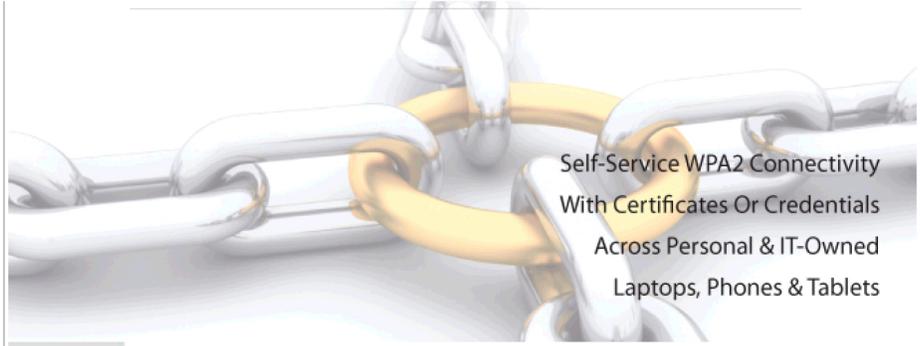
## XpressConnect Powers BYOD



Self-Service WPA2 Connectivity  
With Certificates Or Credentials  
Across Personal & IT-Owned  
Laptops, Phones & Tablets

Enterprise • K-12 • Higher Ed • Service Provider

## XpressConnect Powers BYOD



Self-Service WPA2 Connectivity  
With Certificates Or Credentials  
Across Personal & IT-Owned  
Laptops, Phones & Tablets

Visit Cloudpath At

# CAMPUS 2011 TECHNOLOGY

» 18TH ANNUAL EDUCATION TECHNOLOGY CONFERENCE



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July 26-27, 2011  
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**Cloudpath**

<http://www.cloudpath.net/> (2 of 3) [8/2/2011 4:23:07 PM]



**Self-Service WPA2  
For  
BYOD Environments**



**Follow A Proven,  
Sustainable Model**

# CloudPath v. Racemi CLD0000078

Cloudpath Networks - Simplifying WPA2 & 802.1X.

Cloudpath services help diverse and unmanaged environments adopt standards-based security in a manner that is scalable and sustainable. With millions of users on four continents, Cloudpath increases user satisfaction and significantly reduces support costs associated with wireless security.

[Solutions Overview >>](#)

The XpressConnect Wizard makes WPA2-Enterprise wireless security foolproof for Bring Your Own Device (BYOD) networks. From laptops to phones to tablets, XpressConnect provides quick and easy provisioning for a wide array of user-owned devices.

[Product Overview >>](#)

From unmanaged student populations to gas platforms at sea, XpressConnect customers operate secure networks in some of the most challenging environments.

- Syracuse University
- University of Florida
- Eastern Kentucky University

[Customer Stories >>](#)

[Contact Us](#)

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Android is a registered trademark of Google Inc in the United States and other countries.  
Legal Notice



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- [Case Studies](#)
- [Company](#)
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Quick. Easy. Secure.™

## XpressConnect NETWORK WIZARD

Automated Provisioning  
For  
WPA2-Enterprise & 802.1X  
In  
Diverse Environments

Give us 30 minutes and we will show you  
how easy standards-based security can be in  
diverse and unmanaged environments.

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[Request Info >>>](#)

iOS • Android • Windows • Mac • Ubuntu

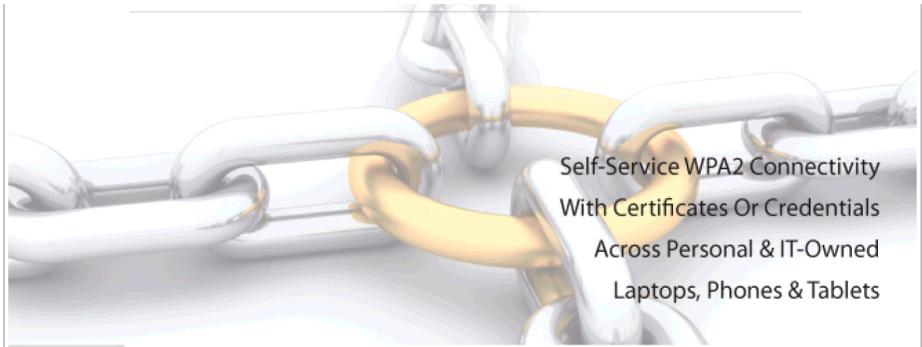
## XpressConnect Powers BYOD



Self-Service WPA2 Connectivity  
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Laptops, Phones & Tablets

Enterprise • K-12 • Higher Ed • Service Provider

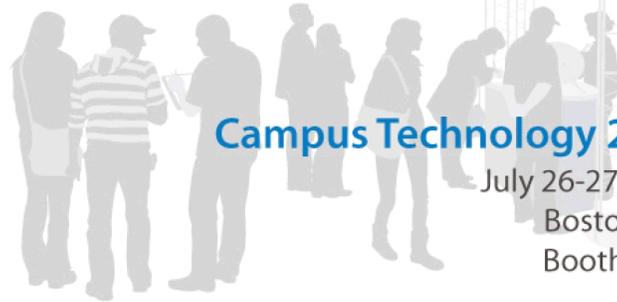
## XpressConnect Powers BYOD



Self-Service WPA2 Connectivity  
With Certificates Or Credentials  
Across Personal & IT-Owned  
Laptops, Phones & Tablets

Visit Cloudpath At

**CAMPUS 2011**  
**TECHNOLOGY**  
» 18TH ANNUAL EDUCATION TECHNOLOGY CONFERENCE



**Campus Technology 2011**

July 26-27, 2011  
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Booth #750

Latest News : Thanks for visiting us at ISTE 2011 in Philadelphia June 26-29.



**Secured by Standards  
Simplified by**

**Cloudpath**

<http://www.cloudpath.net/> (2 of 3) [8/2/2011 4:23:07 PM]



**Self-Service WPA2  
For  
BYOD Environments**



**Follow A Proven,  
Sustainable Model**

# CloudPath v. Racemi CLD0000081

Cloudpath Networks - Simplifying WPA2 & 802.1X.

Cloudpath services help diverse and unmanaged environments adopt standards-based security in a manner that is scalable and sustainable. With millions of users on four continents, Cloudpath increases user satisfaction and significantly reduces support costs associated with wireless security.

[Solutions Overview >>](#)

The XpressConnect Wizard makes WPA2-Enterprise wireless security foolproof for Bring Your Own Device (BYOD) networks. From laptops to phones to tablets, XpressConnect provides quick and easy provisioning for a wide array of user-owned devices.

[Product Overview >>](#)

From unmanaged student populations to gas platforms at sea, XpressConnect customers operate secure networks in some of the most challenging environments.

- Syracuse University
- University of Florida
- Eastern Kentucky University

[Customer Stories >>](#)

[Contact Us](#)

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Mac is a registered trademark of Apple Inc in the United States and other countries.  
Android is a registered trademark of Google Inc in the United States and other countries.  
Legal Notice

**FEE RECORD SHEET**

**Serial Number:** 77803433



**RAM Sale Number:** 8644

**Total Fees:** \$100

**RAM Accounting Date:** 20110803

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	20110803	\$100	1	\$100

**Transaction Date:** 20110803



**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, March 16, 2011 00:20 AM  
**To:** rob@colsonquinn.com  
**Subject:** Trademark Serial Number 77803433 : Official USPTO Notice of Approval of Extension Request

---

## NOTICE OF APPROVAL OF EXTENSION REQUEST

**Serial Number:** 77-803,433  
**Mark:** CLOUDPATH(STANDARD CHARACTER MARK)  
**Owner:** Cloudpath Networks, Inc.  
**Extension Request Number:** 1  
**Reference Number:**  
**Notice of Allowance Date:** Sep 14, 2010

The USPTO issued a Notice of Allowance on **Sep 14, 2010** for the trademark application identified above. Applicant's **FIRST** request for Extension of Time to File a Statement of Use has been **GRANTED**.

### PLEASE NOTE:

1. Applicant must continue to file extension requests every six (6) months calculated from the date the Notice of Allowance was issued until a Statement of Use is filed, or the USPTO will hold the application abandoned.
2. Applicant may only request a total of five (5) extensions of time.
3. Applicant may **NOT** file a Statement of Use more than thirty-six (36) months from the date the Notice of Allowance was issued.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of an application, go to <http://tarr.uspto.gov/>.

**Trademark Snap Shot ITU Unit Action**  
(Table presents the data on ITU Unit Action)

**OVERVIEW**

SERIAL NUMBER	77803433	FILING DATE	08/12/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	116

**PUB INFORMATION**

RUN DATE	03/16/2011		
PUB DATE	07/20/2010		
STATUS	730-FIRST EXTENSION - GRANTED		
STATUS DATE	03/15/2011		
LITERAL MARK ELEMENT	CLOUDPATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	YES	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUDPATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	20-OWNER AT PUBLICATION
NAME	Cloudpath Networks, Inc.
ADDRESS	9975 Wadsworth Pkwy K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado

**GOODS AND SERVICES**

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

**GOODS AND SERVICES CLASSIFICATION**

INTERNATIONAL CLASS	042	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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**MISCELLANEOUS INFORMATION/STATEMENTS**

CHANGE IN REGISTRATION	NO
PSEUDO MARK	CLOUD PATH

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/16/2011	EXRA	E	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	021
03/15/2011	EX1G	S	EXTENSION 1 GRANTED	020
03/11/2011	EXT1	S	EXTENSION 1 FILED	019
03/15/2011	AITU	A	CASE ASSIGNED TO INTENT TO USE PARALEGAL	018
03/11/2011	EEXT	I	TEAS EXTENSION RECEIVED	017
09/14/2010	NOAM	E	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	016
07/20/2010	NPUB	E	NOTICE OF PUBLICATION E-MAILED	015

07/20/2010	PUBO	A	PUBLISHED FOR OPPOSITION	014
06/17/2010	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
06/14/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
05/25/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/25/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/25/2010	ALIE	A	ASSIGNED TO LIE	009
05/04/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
11/16/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
11/16/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
11/16/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
11/16/2009	DOCK	D	ASSIGNED TO EXAMINER	004
08/18/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
08/17/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/15/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Robert P. Quinn, Jr.
CORRESPONDENCE ADDRESS	ROBERT P. QUINN, JR. COLSON QUINN, LLC 4450 ARAPAHOE AVE STE 100 BOULDER, CO 80303-9102
DOMESTIC REPRESENTATIVE	NONE

**PRIOR OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Cloudpath Networks, Inc.
ADDRESS	K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado

# CLOUDPATH

## SOU Extension Request (15 U.S.C. Section 1051(d))

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

Input Field	Entered
<b>SERIAL NUMBER</b>	77803433
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 116
<b>MARK SECTION</b>	
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Cloudpath Networks, Inc.
<b>STREET</b>	K2-234
<b>CITY</b>	Westminster
<b>STATE</b>	Colorado
<b>ZIP/POSTAL CODE</b>	80021
<b>COUNTRY</b>	United States
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Cloudpath Networks, Inc.
<b>STREET</b>	9975 Wadsworth Pkwy K2-234
<b>CITY</b>	Westminster
<b>STATE</b>	Colorado
<b>ZIP/POSTAL CODE</b>	80021
<b>COUNTRY</b>	United States
<b>GOODS AND/OR SERVICES SECTION</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>CURRENT IDENTIFICATION</b>	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS
<b>GOODS OR SERVICES</b>	KEEP ALL LISTED

<b>EXTENSION SECTION</b>	
<b>EXTENSION NUMBER</b>	1
<b>ALLOWANCE MAIL DATE</b>	09/14/2010
<b>STATEMENT OF USE</b>	NO
<b>PAYMENT SECTION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>SUBTOTAL AMOUNT</b>	150
<b>TOTAL AMOUNT</b>	150
<b>SIGNATURE SECTION</b>	
<b>SIGNATURE</b>	/Kevin Koster/
<b>SIGNATORY'S NAME</b>	Kevin Koster
<b>SIGNATORY'S POSITION</b>	President
<b>DATE SIGNED</b>	03/09/2011
<b>FILING INFORMATION</b>	
<b>SUBMIT DATE</b>	Fri Mar 11 11:14:28 EST 2011
<b>TEAS STAMP</b>	USPTO/ESU-71.56.219.158-2 0110311111428883960-77803 433-480791dff487cc2a7cae6 9b5b5334e3a-CC-10174-2011 0309174526949019

---

**SOU Extension Request  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK:** CLOUDPATH  
**SERIAL NUMBER:** 77803433

The applicant, Cloudpath Networks, Inc., having an address of  
9975 Wadsworth Pkwy K2-234  
Westminster, Colorado 80021  
United States

requests a six-month extension of time to file the Statement of Use under 37 C.F.R. Section 2.89 in this application. The Notice of Allowance mailing date was 09/14/2010.

For International Class 042:

Current identification: PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

The applicant has a continued bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with all of the goods and/or services listed in the Notice of Allowance or as subsequently modified for this specific class.

This is the first extension request.

A fee payment in the amount of \$150 will be submitted with the form, representing payment for 1 class.

**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 may jeopardize the validity of the form or any resulting registration, declares that he/she is properly authorized to execute this form on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered; 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.

Signature: /Kevin Koster/ Date Signed: 03/09/2011  
Signatory's Name: Kevin Koster

Signatory's Position: President

RAM Sale Number: 10174

RAM Accounting Date: 03/11/2011

Serial Number: 77803433

Internet Transmission Date: Fri Mar 11 11:14:28 EST 2011

TEAS Stamp: USPTO/ESU-71.56.219.158-2011031111142888

3960-77803433-480791dff487cc2a7cae69b5b5

334e3a-CC-10174-20110309174526949019

**TEAS ROUTING SHEET**

**To: INTENT TO USE UNIT**

**Work Loc: INTENT TO USE SECTION**

**Doc Type: Extension Request for SOU**



**Serial Number: 77803433**



**Mark: CLOUDPATH**

**Mail Date: 2011/03/11**



**Examiner Number: 83188**



**Examiner Name:  
SERVANCE, RENEE L**

**LIE Number: 74193**



**LIE Name:  
REESE, KENNETH W**

**L.O. Assigned: LAW OFFICE 116**

**Special Instruction(s):**

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Extension Request for SOU	7004	20110311	\$150	1	\$150

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, September 14, 2010 00:05 AM  
**To:** rob@colsonquinn.com  
**Subject:** Trademark Serial Number 77803433: Official USPTO Notice of Allowance

---

## NOTICE OF ALLOWANCE (NOA)

ISSUE DATE: Sep 14, 2010

**Serial Number:** 77-803,433  
**Mark:** CLOUDPATH(STANDARD CHARACTER MARK)  
**Attorney Reference Number:**

**No opposition was filed for this published application. The issue date of this NOA establishes the due date for the filing of a Statement of Use (SOU) or a Request for Extension of Time to file a Statement of Use (Extension Request). WARNING: An SOU that meets all legal requirements must be filed before a registration certificate can issue. Please read below for important information regarding the applicant's pending six (6) month deadline.**

**SIX (6)-MONTH DEADLINE: Applicant has six (6) MONTHS from the NOA issue date to file either:**

- An SOU, if the applicant is using the mark in commerce (required even if the applicant was using the mark at the time of filing the application, if use basis was not specified originally); **OR**
- An Extension Request, if the applicant is not yet using the mark in commerce. If an Extension Request is filed, a new request must be filed every six (6) months until the SOU is filed. The applicant may file a total of five (5) extension requests. **WARNING:** An SOU may **not** be filed more than thirty-six (36) months from when the NOA issued. The deadline for filing is always calculated from the issue date of the NOA.

**How to file SOU and/or Extension Request:**

Use the Trademark Electronic Application System (TEAS). Do **NOT** reply to this e-mail, as e-mailed filings will **NOT** be processed. Both the SOU and Extension Request have many legal requirements, including fees and verified statements; therefore, please use the USPTO forms available online at <http://www.uspto.gov/teas/index.html> (under the "INTENT-TO-USE (ITU) FORMS" category) to avoid the possible omission of required information. If you have questions about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

For information on how to (1) divide an application; (2) delete goods/services (or entire class) with a Section 1(b) basis; or (3) change filing basis, see [http://www.uspto.gov/trademarks/basics/MoreInfo\\_SOU\\_EXT.jsp](http://www.uspto.gov/trademarks/basics/MoreInfo_SOU_EXT.jsp).

**FAILURE TO FILE A REQUIRED DOCUMENT OUTLINED ABOVE DURING THE APPROPRIATE TIME PERIOD WILL RESULT IN THE ABANDONMENT OF THIS APPLICATION.**

### REVIEW APPLICATION INFORMATION FOR ACCURACY

If you believe this NOA should not have issued or correction of the information shown below is needed, you must submit a request to the Intent-to-Use Unit. Please use the "Post-Publication Amendment" form under the "POST-PUBLICATION/POST NOTICE OF ALLOWANCE (NOA) FORMS" category, available at <http://www.uspto.gov/teas/index.html>. Do **NOT** reply to this e-mail, as e-mailed filings will NOT be processed.

**Serial Number:** 77-803,433  
**Mark:** CLOUDPATH(STANDARD CHARACTER MARK)  
**Attorney Reference Number:**  
**Owner:** Cloudpath Networks, Inc.  
K2-234

9975 Wadsworth Pkwy  
Westminster , COLORADO 80021

**Correspondence Address:**

ROBERT P. QUINN, JR.  
COLSON QUINN, LLC  
4450 ARAPAHOE AVE STE 100  
BOULDER, CO 80303-9102

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

042 - PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF  
COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS -- FIRST USE  
DATE: NONE; -- USE IN COMMERCE DATE: NONE

**ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED.**

---

**Fraudulent statements may result in registration being cancelled:** Applicants must ensure that statements made in filings to the USPTO are accurate, as inaccuracies may result in the cancellation of any issued trademark registration. The lack of a bona fide intention to use the mark with ALL goods and/or services listed in an application or the lack of actual use on all goods and/or services for which use is claimed could jeopardize the validity of the registration, possibly resulting in its cancellation.

**Additional information:** For information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 1-800-786-9199.

**Checking status:** To check the status of an application, go to <http://tarr.uspto.gov>. Please check the status of any application at least every three (3) months after the application filing date.

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, July 20, 2010 00:23 AM  
**To:** rob@colsonquinn.com  
**Subject:** Official USPTO Notice of Publication: Serial Number 77803433

---

## NOTICE OF PUBLICATION

**Serial Number:** 77-803,433  
**Mark:** CLOUDPATH(STANDARD CHARACTER MARK)  
**International Class(es):** 042  
**Applicant:** Cloudpath Networks, Inc.  
**Attorney Reference Number:**

The mark identified above has been published in the *Trademark Official Gazette* (OG) on Jul 20, 2010. Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then within twelve (12) weeks of the publication date a notice of allowance (NOA) should issue. (Note: The applicant must file a Statement of Use or Extension Request within six (6) months after the NOA issues.)

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the OG for accuracy (see steps, *below*). If any information is incorrect, the applicant should immediately email the requested correction to **TMPPostPubQuery@uspto.gov**. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

1. Click on the following link or paste the URL into an internet browser:  
[http://www.uspto.gov/web/trademarks/tmog/20100720\\_OG.pdf#page=1](http://www.uspto.gov/web/trademarks/tmog/20100720_OG.pdf#page=1)
2. Wait for the total OG to download completely (as indicated on bottom of OG page).
3. At the top/side of the displayed page, click wherever the "binoculars" icon appears.
4. Enter in the "search" box the name of the applicant (for individual: last name, first name) or the serial number in this exact format (with hyphen and comma): 77-803,433, e.g.
5. View the retrieved result(s). If multiple results appear in the "results" box, click directly on each "search term" shown in the box to access all separate appearances in the OG.

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	77803433	FILING DATE	08/12/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	111

**PUB INFORMATION**

RUN DATE	06/18/2010		
PUB DATE	07/20/2010		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	06/17/2010		
LITERAL MARK ELEMENT	CLOUDPATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	YES	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUDPATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Cloudpath Networks, Inc.
ADDRESS	K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado

**GOODS AND SERVICES**

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

**GOODS AND SERVICES CLASSIFICATION**

INTERNATIONAL CLASS	042	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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**MISCELLANEOUS INFORMATION/STATEMENTS**

CHANGE IN REGISTRATION	NO
PSEUDO MARK	CLOUD PATH

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/17/2010	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	013
06/14/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
05/25/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/25/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/25/2010	ALIE	A	ASSIGNED TO LIE	009
05/04/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
11/16/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
11/16/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006

11/16/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
11/16/2009	DOCK	D	ASSIGNED TO EXAMINER	004
08/18/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
08/17/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/15/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Robert P. Quinn, Jr.
CORRESPONDENCE ADDRESS	ROBERT P. QUINN, JR. COLSON QUINN, LLC 4450 ARAPAHOE AVE STE 100 BOULDER, CO 80303-9102
DOMESTIC REPRESENTATIVE	NONE

# CLOUDPATH

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	77803433	FILING DATE	08/12/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	111

**PUB INFORMATION**

RUN DATE	06/15/2010		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	06/14/2010		
LITERAL MARK ELEMENT	CLOUDPATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	YES	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUDPATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Cloudpath Networks, Inc.
ADDRESS	K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado

**GOODS AND SERVICES**

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

**GOODS AND SERVICES CLASSIFICATION**

INTERNATIONAL CLASS	042	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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**MISCELLANEOUS INFORMATION/STATEMENTS**

CHANGE IN REGISTRATION	NO
PSEUDO MARK	CLOUD PATH

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
06/14/2010	CNSA	P	APPROVED FOR PUB - PRINCIPAL REGISTER	012
05/25/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/25/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/25/2010	ALIE	A	ASSIGNED TO LIE	009
05/04/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
11/16/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
11/16/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
11/16/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005

11/16/2009	DOCK	D	ASSIGNED TO EXAMINER	004
08/18/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
08/17/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/15/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Robert P. Quinn, Jr.
CORRESPONDENCE ADDRESS	ROBERT P. QUINN, JR. COLSON QUINN, LLC 4450 ARAPAHOE AVE STE 100 BOULDER, CO 80303-9102
DOMESTIC REPRESENTATIVE	NONE

# CLOUDPATH

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	77803433	FILING DATE	08/12/2009
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	SERVANCE, RENEE L	L.O. ASSIGNED	111

**PUB INFORMATION**

RUN DATE	05/26/2010		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	05/25/2010		
LITERAL MARK ELEMENT	CLOUDPATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	NO	1 (a)	NO
1 (b)	NO	1 (b)	YES	1 (b)	YES
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUDPATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Cloudpath Networks, Inc.
ADDRESS	K2-234 9975 Wadsworth Pkwy Westminster, CO 80021
ENTITY	03-CORPORATION
CITIZENSHIP	Colorado

**GOODS AND SERVICES**

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

**GOODS AND SERVICES CLASSIFICATION**

INTERNATIONAL CLASS	042	FIRST USE DATE	NONE	FIRST USE IN COMMERCE DATE	NONE	CLASS STATUS	6-ACTIVE
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**MISCELLANEOUS INFORMATION/STATEMENTS**

CHANGE IN REGISTRATION	NO
PSEUDO MARK	CLOUD PATH

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
05/25/2010	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	011
05/25/2010	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	010
05/25/2010	ALIE	A	ASSIGNED TO LIE	009
05/04/2010	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	008
11/16/2009	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	007
11/16/2009	GNRT	F	NON-FINAL ACTION E-MAILED	006
11/16/2009	CNRT	R	NON-FINAL ACTION WRITTEN	005
11/16/2009	DOCK	D	ASSIGNED TO EXAMINER	004

08/18/2009	MPMK	O	NOTICE OF PSEUDO MARK MAILED	003
08/17/2009	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
08/15/2009	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	Robert P. Quinn, Jr.
CORRESPONDENCE ADDRESS	ROBERT P. QUINN, JR. COLSON QUINN, LLC 4450 ARAPAHOE AVE STE 100 BOULDER, CO 80303-9102
DOMESTIC REPRESENTATIVE	NONE

# CLOUDPATH

## Response to Office Action

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

Input Field	Entered
<b>SERIAL NUMBER</b>	77803433
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 111
<b>MARK SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>DESCRIPTION</b>	
COMPUTER SECURITY SERVICE, NAMELY, PROVIDING AUTOMATED SUPPORT SERVICES FOR SECURE COMPUTER NETWORKS	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 02/05/2007
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 02/05/2007
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>TRACKED TEXT DESCRIPTION</b>	
<del>COMPUTER SECURITY SERVICE, NAMELY, PROVIDING AUTOMATED SUPPORT SERVICES FOR SECURE COMPUTER NETWORKS;</del> <u>PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS</u>	
<b>FINAL DESCRIPTION</b>	
PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS	
<b>FILING BASIS</b>	Section 1(b)
<b>SIGNATURE SECTION</b>	
<b>DECLARATION SIGNATURE</b>	/Kevin Koster/
<b>SIGNATORY'S NAME</b>	Kevin Koster
<b>SIGNATORY'S POSITION</b>	President

DATE SIGNED	05/03/2010
RESPONSE SIGNATURE	/Robert P. Quinn, Jr./
SIGNATORY'S NAME	Robert P. Quinn, Jr.
SIGNATORY'S POSITION	Attorney of record, Colorado bar member
DATE SIGNED	05/04/2010
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue May 04 12:00:01 EDT 2010
TEAS STAMP	USPTO/ROA-71.196.137.240- 20100504120001893471-7780 3433-460c962436ebe7083431 cd1ebfeefdf7b9c-N/A-N/A-2 0100503173123879247

PTO Form 1957 (Rev 9/2005)  
OMB No. 0651-0050 (Exp. 04/30/2011)

## Response to Office Action To the Commissioner for Trademarks:

Application serial no. **77803433** has been amended as follows:

### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 042 for COMPUTER SECURITY SERVICE, NAMELY, PROVIDING AUTOMATED SUPPORT SERVICES FOR SECURE COMPUTER NETWORKS

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/05/2007 and first used in commerce at least as early as 02/05/2007, and is now in use in such commerce.

### Proposed:

**Tracked Text Description:** ~~COMPUTER SECURITY SERVICE, NAMELY, PROVIDING AUTOMATED SUPPORT SERVICES FOR SECURE COMPUTER NETWORKS;~~ PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

Class 042 for PROVIDING ACCESS TO ONLINE SOFTWARE FOR USE IN AUTOMATED TROUBLE SHOOTING OF COMPUTER SOFTWARE PROBLEMS WITH ACCESS RESTRICTED TO AUTHORIZED USERS

Deleted Filing Basis: 1(a)

**Filing Basis: Section 1(b), 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 as of the filing date of the application. (15 U.S.C. Section 1051(b)).

**SIGNATURE(S)**

**Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had 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 as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 244. 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 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; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Kevin Koster/ Date: 05/03/2010

Signatory's Name: Kevin Koster

Signatory's Position: President

**Response Signature**

Signature: /Robert P. Quinn, Jr./ Date: 05/04/2010

Signatory's Name: Robert P. Quinn, Jr.

Signatory's Position: Attorney of record, Colorado bar member

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

applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 77803433

Internet Transmission Date: Tue May 04 12:00:01 EDT 2010

TEAS Stamp: USPTO/ROA-71.196.137.240-201005041200018

93471-77803433-460c962436ebe7083431cd1eb

feefdf7b9c-N/A-N/A-20100503173123879247

# NOTE TO THE FILE

SERIAL NUMBER: 77803433

DATE: 11/16/2009

NAME: rservance

## NOTE:

### Searched:

- Google
- Lexis/Nexis
- OneLook
- Wikipedia
- Acronym Finder
- Other: Netlingo.com; whatis.com

### Discussed ID with:

- Senior Atty
- Managing Atty
  
- Protest evidence reviewed

### Checked:

- Geographic significance
- Surname
- Translation
- ID with ID/CLASS mailbox

### Discussed Geo. Sig. with:

- Senior Atty
- Managing Atty

### Discussed file with

#### Attorney/Applicant via:

- |  |   |
|--|---|
| <input type="checkbox"/> phone                             | <input type="checkbox"/> Left message with Attorney/Applicant                         |
| <input type="checkbox"/> email                             |   |
| <input type="checkbox"/> Requested Law Library search for: | <input type="checkbox"/> Issued Examiner's Amendment and entered changes in TRADEUPS  |
| <input type="checkbox"/> <b>PRINT</b>                      | <input type="checkbox"/> Added design code in TRADEUPS                                |
| <input type="checkbox"/> <b>DO NOT PRINT</b>               |   |
| <input type="checkbox"/> Description of the mark           | <input type="checkbox"/> Re-imaged standard character drawing                         |
| <input type="checkbox"/> Translation statement             |   |
| <input type="checkbox"/> Negative translation statement    | <input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID |
| <input type="checkbox"/> Consent of living individual      |   |
| <input type="checkbox"/> Changed TRADEUPS to:              |   |
| <input type="checkbox"/> OTHER:                            |   |

**To:** Cloudpath Networks, Inc. ([rob@colsonquinn.com](mailto:rob@colsonquinn.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 77803433 - CLOUDPATH - N/A  
**Sent:** 11/16/2009 8:13:27 PM  
**Sent As:** ECOM111@USPTO.GOV  
**Attachments:** [Attachment - 1](#)  
[Attachment - 2](#)  
[Attachment - 3](#)

## UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 77/803433

**MARK:** CLOUDPATH

**\*77803433\***

**CORRESPONDENT ADDRESS:**

ROBERT P. QUINN, JR.  
COLSON QUINN, LLC  
4450 ARAPAHOE AVE STE 100  
BOULDER, CO 80303-9102

**RESPOND TO THIS ACTION:**

<http://www.uspto.gov/teas/eTEASpageD.htm>

**GENERAL TRADEMARK INFORMATION:**

<http://www.uspto.gov/main/trademarks.htm>

**APPLICANT:** Cloudpath Networks, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET**

**NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

rob@colsonquinn.com

### OFFICE ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

**ISSUE/MAILING DATE: 11/16/2009**

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 OF OFFICE'S DATABASE OF MARKS**

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

### **FAILURE TO FUNCTION AS A MARK -- TRADE NAME**

Registration is refused because the applied-for mark, as used on the specimen of record, is used only as a trade name to identify applicant's business; it does not function as a service mark to identify and distinguish applicant's services from those of others and to indicate the source of applicant's services. Trademark Act Sections 1, 2, 3 and 45, 15 U.S.C. §§1051-1053, 1127; *see In re Walker Process Equip. Inc.*, 233 F.2d 329, 110 USPQ 41 (C.C.P.A. 1956); TMEP §§904.07(b), 1301.02(a). Although a designation may function as both a trade name and a service mark, the Trademark Act does not provide for registration of matter that functions solely as a trade name. *In re Univar Corp.*, 20 USPQ2d 1865, 1866-67 (TTAB 1991); TMEP §1202.01.

The determination as to whether a trade name also functions as a service mark is based on the manner in which the applied-for mark is used on the specimen or any other evidence of use, as well as the probable impact of such use on purchasers. *See In re Univar Corp.*, 20 USPQ2d at 1867; *In re The Signal Cos.*, 228 USPQ 956, 957 (TTAB 1986); TMEP §1202.01. In this case, the specimen shows the applied-for mark used appears at the top and bottom of the specimen, which is a webpage. The section discussing applicant's computer services associates the mark "XPRESSCONNECT" with the recited services. It appears that rather than a stand-alone service, applicant actually provides access to its software which functions to carry out the services. *See* attached website discussing the use of the software "XPRESSCONNECT" to provide computer technical support. Furthermore, the specimen makes it clear that the name of the software that provides the services is "XPRESSCONNECT" and "CLOUDPATH" is the partial tradename for applicant's business, which according to the two attached webpages is "CLOUDPATH NETWORKS." The lack of association with "CLOUDPATH" and the recited services results from the placement of "CLOUDPATH" as a header of the webpage and the strong association with "XPRESSCONNECT" with the recited services. Thus, the mark fails to function as a service mark and instead functions as a business name.

Additionally, the mark on the specimen disagrees with the mark on the drawing. In this case, the specimen displays the mark as "CLOUDPATH NETWORKS"; and the drawing shows the mark as "CLOUDPATH." The attached website from the *About* page clearly establishes the mark as "CLOUDPATH NETWORKS."

An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each class of goods and/or services. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a). The mark on the drawing must be a substantially exact representation of the mark on the specimen. 37 C.F.R. §2.51(a); TMEP §807.12(a); *see* 37 C.F.R. §2.72(a)(1).

The drawing of the mark can be amended only if the amendment does not materially alter the mark as originally filed. 37 C.F.R. §2.72(a)(2); TMEP §§807.12(a), 807.14 *et seq.* However, amending the mark in the drawing to conform to the mark on the specimen would be a material alteration in this case because the mark on the specimen creates a different commercial impression from the mark on the drawing. Specifically, "NETWORKS," while descriptive of the services, is not a generic term as applied to the services. Therefore, a second search would be performed with the addition of the term "NETWORKS."

Applicant may respond to this refusal by submitting the following:

(1) A substitute specimen showing proper service mark use for the services specified in the application and in the form of the mark on the drawing TMEP §807.12(a).; and

(2) The following statement, verified with an affidavit or signed declaration under 37 C.F.R. §§2.20, 2.33: “**The substitute specimen was in use in commerce at least as early as the filing date of the application.**” 37 C.F.R. §2.59(a); TMEP §904.05. If submitting a substitute specimen requires an amendment to the dates of use, applicant must also verify the amended dates. 37 C.F.R. §2.71(c); TMEP §904.05.

Examples of specimens for services are signs, photographs, brochures, website printouts or advertisements that show the mark used in the sale or advertising of the services. *See* TMEP §§1301.04 *et seq.*

If applicant cannot satisfy the above requirements, applicant may amend the application from a use in commerce basis under Trademark Act Section 1(a) to an intent to use basis under Section 1(b), and the refusal will be withdrawn. *See* TMEP §806.03(c). However, if applicant amends the basis to Section 1(b), registration will not be granted until applicant later amends the application back to use in commerce by filing an acceptable allegation of use with a proper specimen. *See* 15 U.S.C. §1051(c), (d); 37 C.F.R. §§2.76, 2.88; TMEP §1103. If the same specimen is submitted with an allegation of use, the same refusal will issue.

To amend to Section 1(b), applicant must submit the following statement, verified with an affidavit or a signed declaration under 37 C.F.R. §§2.20, 2.33: “**Applicant has had a bona fide intention to use the mark in commerce on or in connection with the goods or services listed in the application as of the filing date of the application.**” 37 C.F.R. §2.34(a)(2); TMEP §806.01(b); *see* 15 U.S.C. §1051(b); 37 C.F.R. §2.35(b)(1).

Applicant should note the following additional ground for refusal.

### SPECIMEN

The specimen is not acceptable because it does not show the applied-for mark used in connection with any of the services specified in the application. An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each class of goods and/or services. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

In this case, the specimen clearly supports the provision of access to software, while applicant’s identification of services indicates the direct provision of computer services.

Therefore, applicant must submit the following:

(1) A substitute specimen showing the mark in use in commerce advertising or promoting the services specified in the application; and

(2) The following statement, verified with an affidavit or signed declaration under 37 C.F.R. §§2.20, 2.33: “**The substitute specimen was in use in commerce at least as early as the filing date of the application.**” 37 C.F.R. §2.59(a); TMEP §904.05. If submitting a substitute specimen requires an amendment to the dates of use, applicant must also verify the

amended dates. 37 C.F.R. §2.71(c); TMEP §904.05; and

(3) Adopt one of the suggested amended identifications of services.

Pending receipt of a proper response, registration is refused because the specimen does not show the applied-for mark in use in commerce as a trademark and/or service mark for the identified goods and/or services. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

As stated in the discussion regarding the mismatch between the drawing and the specimen, applicant may also amend the filing basis to intent to use.

If applicant responds to the refusals above, applicant must also amend the identification of services as discussed below.

### **IDENTIFICATION OF SERVICES**

The wording “computer security service, namely, providing automated support services” in the identification of services is indefinite and must be clarified because it is too broad and could include services in other international classes. *See* TMEP §§1402.01, 1402.03. Applicant must state the common commercial name for “automated support services.”

Applicant may substitute the following wording, if accurate:

**In Class 042:**            *Providing access to software online used for automated scanning, detecting, quarantining and eliminating viruses, worms, trojans, spyware, adware, malware and unauthorized data and programs on computers and electronic devices.*

Alternatively, applicant may adopt the following wording, if accurate:

**In Class 042:**            *Providing access to online software for use in automated trouble shooting of computer software problems with access restricted to authorized users*

**If applicant adopts either proposed amendment, the specimen refusal citing lack of support of the stated services will be WITHDRAWN. The failure to function refusal and mismatch refusal will remain, however.**

### **Advisories**

Identifications of goods and/or services can be amended only to clarify or limit the goods and/or services; adding to or broadening the scope of the goods and/or services is not permitted. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*, 1402.07. Therefore, applicant may not amend the identification to include goods and/or services that are not within the scope of the goods and/or services set forth in the present identification.

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.

/rservance/  
Renee Servance  
Trademark Attorney  
Law Office 111  
Phone: 571-272-6596 Fax: 571-273-6596

**RESPOND TO THIS ACTION:** Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For *technical* assistance with the form, please e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

**STATUS CHECK:** Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.



Overview

Key Benefits

Customers

How it Works

SecureW2 Integration

Flexible Deployment

Videos

Supported Settings

**XpressConnect** combines the low-cost and ubiquity of the built-in 802.1X supplicants with the managability and ease-of-use traditionally associated with expensive third-party supplicants. This hybrid approach reduces patch Tuesday surprises and eliminates the heavy footprint of third-party supplicants. In situations where the built-in supplicant doesn't fit your needs exactly, XpressConnect has the ability to augment it to provide the features you need, all in a minimally invasive manner.

**Secure, as simple as insecure.** With XpressConnect, increased security no longer translates into end-user frustration and IT support overhead. XpressConnect has the unique ability to configure wireless profiles, 802.1X supplicant information, and other security-related settings on the fly from a browser for most Windows™ and Mac™ devices. XpressConnect also guides the user through the association and authentication process, ensuring authorized users are connected painlessly everytime.

**Automated wireless configuration.** Every network owns a 15 page document specifying how to configure a machine for wireless network access. Configuring network access is tedious, and history shows that most users will instead visit the support desk. Using an open SSID, a CD, a USB flash drive, or GPO, XpressConnect automatically configures each device for secure wireless access in about one minute. This includes establishing the wireless profile, resolving third-party wireless utility conflicts, configuring the 802.1X supplicant, automatically attaching to the secure network, and guiding the user through the 802.1X authentication. XpressConnect can even configure each machine for the best security supported by the NIC, reducing the classic security versus supportability conflict.

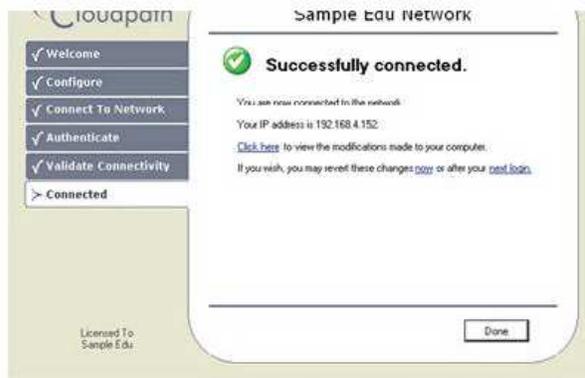


[Request Demo](#)

[Get Datasheet](#)



**Wired 802.1X, too.** With 802.1X made so simple, why not use it on your wired ports, too? XpressConnect's ability to configure the built-in Windows™, built-in Mac™, SecureW2™, and OpenSEA™ (XpressConnect)



SecureW2™, and OpenSEA™ (XSupplicant) 802.1X supplicants eliminates the configuration blues that have historically plagued 802.1X deployments.

**Support beyond the rollout.** If you are planning a security rollout, you are likely consumed with planning for the rollout. Now is also the time to plan for the long-term support of the secure network. Ask yourself how will new users access the network in the future. If an existing user is suddenly unable to access the secure network, what should he do? Finally, when you are ready to increase security another notch (i.e. WPA to WPA2), will this be another complete rollout? XpressConnect

provides a self-service model for supporting users of the secure network at any time and for any reason. With XpressConnect in place, incremental security changes can also be made on the fly without the need for another rollout event. Whether it is the initial rollout, a misconfigured machine, an incorrect password, or a change to the network's security requirements, the user's first step is accessing XpressConnect rather than contacting the support desk.

**Instantly undone.** Your support desk will appreciate XpressConnect's ability to configure machines in a self-service manner. Your users will appreciate XpressConnect's ability to revert all changes with a single click. Guests leave your network knowing their machines have been restored to their original configuration.

**Deploy by noon.** Using the web-based Cloudpath Administrative Console, XpressConnect is customized online to meet the needs of your network. Once configured, simply download a compressed TAR file and unzip it on a web server, CD or USB drive. Choose your deployment model based on how your users will access XpressConnect. Are you currently using gateways with web-based login? If so, just drop XpressConnect into the gateway's web server and add a link to the web-based login page. No gateways? No problem. Place XpressConnect on a support web server and distribute the URL instead of the How-To-Configure novel.

With XpressConnect, users access the network quickly and securely, with less intervention by IT. It is secure made simple™. For more information on how XpressConnect can simplify your 802.1X environment, [contact us](#) today.



### Company Overview

Founded in 2006 on the principle that secure could be made simple, Cloudpath Networks is a privately-held developer of solutions for secure networks. Positioned at the intersection of networks and clients, we are focused on eliminating the support burden typically associated with secure networks, particularly 802.1X. Our goal is to make *secure as simple as insecure*; simple for network administrators to deploy and simple for end-users to access.

Our cornerstone product, the XpressConnect Network Wizard, effortlessly transitions and supports users of secure networks. It has the ability to automatically provision wireless SSIDs and configure 802.1X supplicants, as well the ability to identify and resolve security and network problems. With its automated configuration capabilities and flexible deployment options, XpressConnect ensures that access to secure networks is as simple as insecure networks. For more information on XpressConnect, see the [XpressConnect page](#).

### Contact Information

General Inquiries: [info@cloudpath.net](mailto:info@cloudpath.net) or via the [online form](#)

Support: [support@cloudpath.net](mailto:support@cloudpath.net)

Phone: +1 303.495.3374

Fax: +1 760.462.4569

Physical: 9975 Wadsworth Pkwy K2-234  
Westminster, CO 80021  
USA

**To:** Cloudpath Networks, Inc. ([rob@colsonquinn.com](mailto:rob@colsonquinn.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 77803433 - CLOUDPATH - N/A  
**Sent:** 11/16/2009 8:13:30 PM  
**Sent As:** ECOM111@USPTO.GOV  
**Attachments:**

## IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION

Your trademark application (Serial No. 77803433) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office action”) on **11/16/2009** to which you must respond (*unless the Office letter specifically states that no response is required*). Please follow these steps:

1. **Read** the Office letter by clicking on this [link](#) [http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial\\_number=77803433&doc\\_type=OOA&](http://tmportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77803433&doc_type=OOA&) OR go to <http://tmportal.uspto.gov/external/portal/tow> and enter your serial number to access the Office letter. If you have difficulty accessing the Office letter, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

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

2. **Contact** the examining attorney who reviewed your application if you have any questions about the content of the Office letter (contact information appears at the end thereof).

3. **Respond** within 6 months, calculated from **11/16/2009** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System (TEAS) [Response to Office Action form](#). If you have difficulty using TEAS, contact [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

### **ALERT:**

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

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.

\*\*\* User:rservance \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1978	N/A	0	0	0:02	*{"ck"}lo{"uw"}d*[bi,ti]
02	5206	N/A	0	0	0:01	*path*[bi,ti]
03	1	0	1	1	0:01	1 and 2 not dead[lid]
04	821	N/A	0	0	0:03	1 and "042"[cc]
05	322	0	322	291	0:02	1 and ("a" "b" "200" "042" "009")[ic] not dead[lid]
06	2789	N/A	0	0	0:02	2 and "042"[cc]
07	733	N/A	0	0	0:03	2 and ("a" "b" "200" "042" "009")[ic] not dead[lid]

Session started 11/16/2009 7:51:05 PM

Session finished 11/16/2009 7:55:42 PM

Total search duration 0 minutes 14 seconds

Session duration 4 minutes 37 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 77803433

**From:** TMDesignCodeComments  
**Sent:** Tuesday, August 18, 2009 00:17 AM  
**To:** rob@colsonquinn.com  
**Subject:** Notice of Pseudo Mark for Serial Number: 77803433

**ATTORNEY REFERENCE  
NUMBER:**

---

The USPTO may assign pseudo marks, as appropriate, to new applications to assist in searching the USPTO database for conflicting marks. They have no legal significance and will not appear on the registration certificate.

A PSEUDO MARK may be assigned to marks that include words, numbers, compound words, symbols, or acronyms that can have alternative spellings or meanings. For example, if the mark comprises the words 'YOU ARE' surrounded by a design of a box, the pseudo mark field in the USPTO database would display the mark as 'YOU ARE SQUARE'. A mark filed as 'URGR8' would receive a pseudo mark of 'YOU ARE GREAT'.

Response to this notice is not required; however, to suggest additions or changes to the pseudo mark assigned to your mark, please e-mail [TMDesignCodeComments@USPTO.GOV](mailto:TMDesignCodeComments@USPTO.GOV). You **must** reference your application serial number within your request. The USPTO will review the proposal and update the record, if appropriate. For questions, please call 1-800-786-9199 to speak to a Customer Service representative.

The USPTO will not send any further response to your e-mail. Check TESS in approximately two weeks to see if the requested changes have been entered. Requests deemed unnecessary or inappropriate will not be entered.

**Pseudo marks assigned to the referenced serial number are listed below.**

# Trademark/Service Mark Application, Principal Register

Serial Number: 77803433

Filing Date: 08/12/2009

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	77803433
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">CLOUDPATH</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	CLOUDPATH
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font, style, size, or color.
<b>REGISTER</b>	Principal
<b>APPLICANT INFORMATION</b>	
<b>*OWNER OF MARK</b>	Cloudpath Networks, Inc.
<b>INTERNAL ADDRESS</b>	K2-234
<b>*STREET</b>	9975 Wadsworth Pkwy
<b>*CITY</b>	Westminster
<b>*STATE (Required for U.S. applicants)</b>	Colorado
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	80021

<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	corporation
<b>STATE/COUNTRY OF INCORPORATION</b>	Colorado
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>* IDENTIFICATION</b>	COMPUTER SECURITY SERVICE, NAMELY, PROVIDING AUTOMATED SUPPORT SERVICES FOR SECURE COMPUTER NETWORKS
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 02/05/2007
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 02/05/2007
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">spec-24815281-130608807_._Cloudpath_specimen.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT7\IMAGEOUT7\778\034\77803433\xml1\APP0003.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	Web page
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	Robert P. Quinn, Jr.
<b>FIRM NAME</b>	Colson Quinn, LLC
<b>INTERNAL ADDRESS</b>	Suite 100
<b>STREET</b>	4450 Arapahoe Ave.
<b>CITY</b>	Boulder
<b>STATE</b>	Colorado
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	80303
<b>PHONE</b>	303-415-2557
<b>FAX</b>	303-447-0970

<b>EMAIL ADDRESS</b>	rob@colsonquinn.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Robert P. Quinn, Jr.
<b>FIRM NAME</b>	Colson Quinn, LLC
<b>INTERNAL ADDRESS</b>	Suite 100
<b>STREET</b>	4450 Arapahoe Ave.
<b>CITY</b>	Boulder
<b>STATE</b>	Colorado
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	80303
<b>PHONE</b>	303-415-2557
<b>FAX</b>	303-447-0970
<b>EMAIL ADDRESS</b>	rob@colsonquinn.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/Kevin Koster/
<b>SIGNATORY'S NAME</b>	Kevin Koster
<b>SIGNATORY'S POSITION</b>	President
<b>DATE SIGNED</b>	08/12/2009



## Trademark/Service Mark Application, Principal Register

**Serial Number: 77803433**

**Filing Date: 08/12/2009**

### To the Commissioner for Trademarks:

**MARK:** CLOUDPATH (Standard Characters, see [mark](#))

The literal element of the mark consists of CLOUDPATH.

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

The applicant, Cloudpath Networks, Inc., a corporation of Colorado, having an address of  
K2-234,  
9975 Wadsworth Pkwy  
Westminster, Colorado 80021  
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 042: COMPUTER SECURITY SERVICE, NAMELY, PROVIDING  
AUTOMATED SUPPORT SERVICES FOR SECURE COMPUTER NETWORKS

In International Class 042, the mark was first used at least as early as 02/05/2007, and first used in commerce at least as early as 02/05/2007, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Web page.

### Original PDF file:

[spec-24815281-130608807 . Cloudpath specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

The applicant's current Attorney Information:

Robert P. Quinn, Jr. of Colson Quinn, LLC

Suite 100  
4450 Arapahoe Ave.  
Boulder, Colorado 80303  
United States

The applicant's current Correspondence Information:

Robert P. Quinn, Jr.

Colson Quinn, LLC  
Suite 100  
4450 Arapahoe Ave.  
Boulder, Colorado 80303  
303-415-2557(phone)  
303-447-0970(fax)  
rob@colsonquinn.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 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.

Signature: /Kevin Koster/ Date Signed: 08/12/2009

Signatory's Name: Kevin Koster

Signatory's Position: President

RAM Sale Number: 6860

RAM Accounting Date: 08/13/2009

Serial Number: 77803433

Internet Transmission Date: Wed Aug 12 20:12:09 EDT 2009

TEAS Stamp: USPTO/BAS-24.8.152.81-200908122012093447

48-77803433-400535d8363838ef1fdd45383c95

c4ce28b-CC-6860-20090812130608807534

# CLOUDPATH

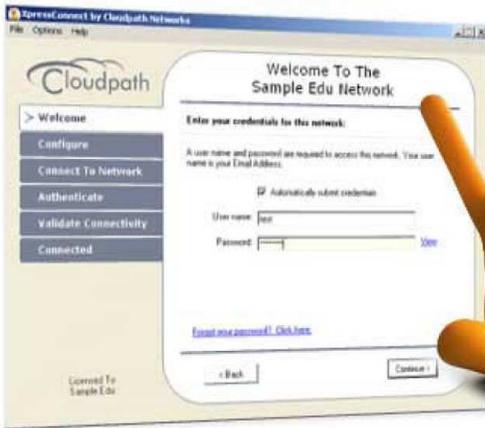


[Request Demo](#)

### Supporting WPA2 & 802.1X Is Simple...

Give us 30 minutes and we will show you how XpressConnect can dramatically lower the costs related to your WPA, WPA2, or 802.1X network while improving the user experience. Whether wired or wireless, PEAP or TTLS, WPA or WPA2, managed or unmanaged, XpressConnect ensures that users access the secure network quickly & effortlessly.

[Got Questions?](#)



WPA-Enterprise    802.1X    Wired

Wireless    WPA2-Enterprise

**Simplified**    PEAP/MSCHAPv2

**Support.**    SecureW2

NAP

The XpressConnect™ Wizard redefines how users are supported on secure networks. XpressConnect is a lightweight, dissolving wizard, customized by the network administrator, which automates the configuration process, resolves software conflicts, and assists the user in accessing the secure network. From wired to wireless, pre-shared keys to 802.1X, WPA to WPA2, Windows™ to Mac™, managed users to unmanaged users, XpressConnect provides automated, self-service support that dramatically lowers support costs.

Once deployed in the network, users gain access to the secure network in a self-service manner, markedly reducing the time required to connect and the number of support desk calls related to secure wireless and 802.1X. The end result is a secure network where both the users and network administrators are happy.

An industry-first solution, XpressConnect is setting the standard for scalable, sustainable support of secure networks. Let us show you how simple secure can be.

[Learn More...](#)

# CLOUDPATH

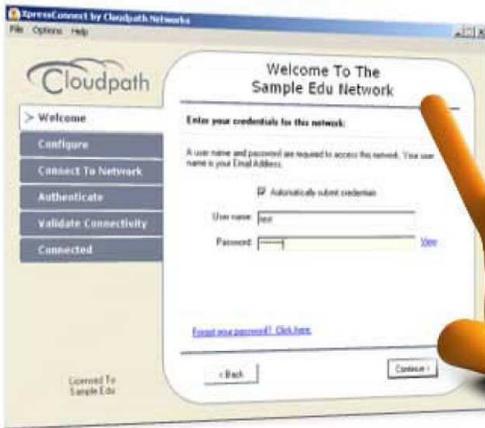


[Request Demo](#)

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[Got Questions?](#)



WPA-Enterprise    802.1X    Wired  
Wireless    WPA2-Enterprise  
**Simplified Support.**    PEAP/MSCHAPv2  
SecureW2  
NAP

The XpressConnect™ Wizard redefines how users are supported on secure networks. XpressConnect is a lightweight, dissolving wizard, customized by the network administrator, which automates the configuration process, resolves software conflicts, and assists the user in accessing the secure network. From wired to wireless, pre-shared keys to 802.1X, WPA to WPA2, Windows™ to Mac™, managed users to unmanaged users, XpressConnect provides automated, self-service support that dramatically lowers support costs.

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An industry-first solution, XpressConnect is setting the standard for scalable, sustainable support of secure networks. Let us show you how simple secure can be.

[Learn More...](#)



http://www.cloudpath.net/

Go

93 captures  
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2012 30 2013 2014

Close X  
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Products Industries Careers Company Login



INTEROP Update

Learn how XpressConnect ES powered secure WiFi for the InteropNet at Interop Las Vegas.

Enterprise

Higher Education

K-12

Hotspot

Secure Wi-Fi With Set-It-And-Forget-It Simplicity.

# XpressConnect Brings WPA2 To All.



- Student & Faculty BYOD
- Automated Onboarding
- Eliminate PSKs

[Learn More...](#)



ISTE: Thanks for visiting us at ISTE 2013.

Interop New York: XpressConnect ES has once again been selected to

### Secure Wi-Fi By Default

Secure Wi-Fi is for everyone. The award-winning XpressConnect ES enables more users and devices to use the secure WPA2 wireless network while ensuring each device receives the appropriate policy, eliminating the need for pre-shared keys and web logins.

### Self-Service Device Onboarding

XpressConnect provides self-service, automated configuration of Wi-Fi, wired 802.1X, certificates, web proxies, and more. With a six year track record of deploying WPA2 into higher education,

### Fairfax County PS Case Study

Technology is now woven into every student's life. If we didn't embrace BYOD, we would be ignoring huge educational opportunities.

Neal Shelton  
Network Engineering Supervisor

### Sevenoaks School Case Study

"The students no longer needed to

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Mark: CLOUD PATH

# Cloud Path

**US Serial Number:** 85460848      **Application Filing Date:** Oct. 31, 2011  
**US Registration Number:** 4174640      **Registration Date:** Jul. 17, 2012  
**Register:** Principal  
**Mark Type:** Service Mark  
**Status:** A cancellation proceeding is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.  
**Status Date:** Jun. 18, 2013  
**Publication Date:** May 01, 2012

## Mark Information

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

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

**International Class(es):** 042 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 23, 2011

**Use in Commerce:** Aug. 23, 2011

## Basis Information (Case Level)

<b>Filed Use:</b> Yes	<b>Currently Use:</b> Yes	<b>Amended Use:</b> No
<b>Filed ITU:</b> No	<b>Currently ITU:</b> No	<b>Amended ITU:</b> No
<b>Filed 44D:</b> No	<b>Currently 44D:</b> No	<b>Amended 44D:</b> No
<b>Filed 44E:</b> No	<b>Currently 44E:</b> No	<b>Amended 44E:</b> No
<b>Filed 66A:</b> No	<b>Currently 66A:</b> No	
<b>Filed No Basis:</b> No	<b>Currently No Basis:</b> No	

## Current Owner(s) Information

**Owner Name:** Racemi, Inc.  
**Owner Address:** #360  
360 Interstate North Parkway SE  
Atlanta, GEORGIA 30339  
UNITED STATES  
**Legal Entity Type:** CORPORATION      **State or Country Where Organized:** DELAWARE

## Attorney/Correspondence Information

**Attorney of Record - None  
Correspondent**

**Correspondent Name/Address:** LARY C JONES  
ALSTON & BIRD LLP  
101 S TRYON STREET

BANK OF AMERICA PLAZA SUITE 4000  
CHARLOTTE, NORTH CAROLINA 28280-4000  
UNITED STATES

Phone: 404-892-5850

Fax: 770-874-2881

Correspondent e-mail: [info@racemi.com](mailto:info@racemi.com)

Correspondent e-mail Yes  
Authorized:

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Jun. 18, 2013	CANCELLATION INSTITUTED NO. 999999	57344
Jul. 17, 2012	REGISTERED-PRINCIPAL REGISTER	
May 01, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 01, 2012	PUBLISHED FOR OPPOSITION	
Apr. 11, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 24, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Mar. 24, 2012	ASSIGNED TO LIE	70138
Mar. 07, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 06, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 06, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 06, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 17, 2012	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2012	NON-FINAL ACTION E-MAILED	6325
Feb. 17, 2012	NON-FINAL ACTION WRITTEN	81095
Feb. 16, 2012	ASSIGNED TO EXAMINER	81095
Nov. 03, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 17, 2012

## Assignment Abstract Of Title Information

**Summary**

Total Assignments: 1

Registrant: Racemi, Inc.

**Assignment 1 of 1**

Conveyance: SECURITY INTEREST

Reel/Frame: [5028/0205](#)

Pages: 10

Date Recorded: May 15, 2013

Supporting Documents: [assignment-tm-5028-0205.pdf](#)

**Assignor**

Name: [RACEMI, INC.](#)

Execution Date: May 15, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

**Assignee**

Name: [SILICON VALLEY BANK](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 3003 TASMAN DRIVE  
SANTA CLARA, CALIFORNIA 95054

**Correspondent**

Correspondent Name: DIANA SANCHEZ BENTZ, LEGAL SPECIALIST

Correspondent Address: VLP LAW GROUP LLP  
235 VICTORIA DRIVE  
GILROY, CA 95020

Domestic Representative - Not Found

## Proceedings

### Summary

Number of Proceedings: 1

### Type of Proceeding: Cancellation

Proceeding Number: [92057344](#)

Filing Date: Jun 14, 2013

Status: Pending

Status Date: Jun 14, 2013

Interlocutory Attorney: ANDREW P BAXLEY

### Defendant

Name: Racemi, Inc.

Correspondent Address: LARY C JONES  
ALSTON & BIRD LLP  
101 S TRYON STREET, BANK OF AMERICA PLAZA SUITE 4000  
CHARLOTTE NC , 28280-4000  
UNITED STATES

Correspondent e-mail: [info@racemi.com](mailto:info@racemi.com) , [Larry.Jones@Alston.com](mailto:Larry.Jones@Alston.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
CLOUD PATH	Cancellation Pending	<a href="#">85460848</a>	<a href="#">4174640</a>

### Plaintiff(s)

Name: Cloudpath Networks, Inc.

Correspondent Address: STEPHEN GRUBER  
NEUGEBOREN O'DOWD PC  
1227 SPRUCE STREET, SUITE 200  
BOULDER CO , 80302  
UNITED STATES

Correspondent e-mail: [steve@neugeborenlaw.com](mailto:steve@neugeborenlaw.com) , [craig@neugeborenlaw.com](mailto:craig@neugeborenlaw.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
CLOUDPATH	Registered	<a href="#">77803433</a>	<a href="#">4045900</a>

### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jun 14, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jun 18, 2013	Jul 28, 2013
3	PENDING, INSTITUTED	Jun 18, 2013	
4	ANSWER	Jul 29, 2013	
5	P MOT TO COMPEL DISCOVERY	Dec 03, 2013	
6	SUSP PEND DISP OF OUTSTNDNG MOT	Dec 09, 2013	
7	D OPP/RESP TO MOTION	Dec 20, 2013	
8	P REPLY IN SUPPORT OF MOTION	Jan 03, 2014	
9	PROCEEDINGS RESUMED	Feb 07, 2014	

**United States of America**  
United States Patent and Trademark Office

# Cloud Path

**Reg. No. 4,174,640**

**Registered July 17, 2012**

**Int. Cl.: 42**

**SERVICE MARK**

**PRINCIPAL REGISTER**

RACEMI, INC. (DELAWARE CORPORATION)  
#360  
360 INTERSTATE NORTH PARKWAY SE  
ATLANTA, GA 30339

FOR: SOFTWARE AS A SERVICE (SAAS) SERVICES FEATURING A HOSTED COMPUTER SOFTWARE APPLICATION FOR MIGRATING COMPUTER OPERATING SYSTEMS, APPLICATIONS, AND DATA BETWEEN CUSTOMER DATA CENTERS AND PUBLIC CLOUD PROVIDERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 8-23-2011; IN COMMERCE 8-23-2011.

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

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CLOUD", APART FROM THE MARK AS SHOWN.

SER. NO. 85-460,848, FILED 10-31-2011.

ALAIN LAPTER, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***  
**What and When to File:**

**First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

**Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***  
**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Tuesday, May 1, 2012 00:38 AM  
**To:** info@racemi.com  
**Subject:** Official USPTO Notification: OG Publication Confirmation for Serial Number 85460848

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## OFFICIAL GAZETTE PUBLICATION CONFIRMATION

**Serial Number:** 85-460,848  
**Mark:** CLOUD PATH(STANDARD CHARACTER MARK)  
**International Class(es):** 042  
**Applicant:** Racemi, Inc.  
**Docket/Reference Number:**

The mark identified above has been published in the *Trademark Official Gazette* (OG) on May 01, 2012. Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then within twelve (12) weeks of the publication date a certificate of registration should issue.

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the OG for accuracy (see steps, *below*). If any information is incorrect, the applicant should immediately email the requested correction to **TMPPostPubQuery@uspto.gov**. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

1. Click on the following link or paste the URL into an internet browser:  
[http://www.uspto.gov/web/trademarks/tmog/20120501\\_OG.pdf#page=1](http://www.uspto.gov/web/trademarks/tmog/20120501_OG.pdf#page=1)
2. Wait for the total OG to download completely (as indicated on bottom of OG page).
3. At the top/side of the displayed page, click wherever the "binoculars" icon appears.
4. Enter in the "search" box the name of the applicant (for individual: last name, first name) or the serial number in this exact format (with hyphen and comma): 85-460,848, e.g.
5. View the retrieved result(s). If multiple results appear in the "results" box, click directly on each "search term" shown in the box to access all separate appearances in the OG.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85460848>.

NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

Apr 11, 2012

**NOTICE OF PUBLICATION**

- |                                     |   |
|-------------------------------------|---|
| 1. Serial No.:<br>85-460,848        | 2. Mark:<br>CLOUD PATH<br>(STANDARD CHARACTER MARK) |
| 3. International Class(es):<br>42   |   |
| 4. Publication Date:<br>May 1, 2012 | 5. Applicant:<br>Racemi, Inc.                       |

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

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents  
U.S. Government Printing Office  
PO Box 371954  
Pittsburgh, PA 15250-7954  
Phone: 202-512-1800

By direction of the Commissioner.

---

**Email Address(es):**

info@racemi.com

---

**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Wednesday, April 11, 2012 03:38 AM  
**To:** info@racemi.com  
**Subject:** Official USPTO Notification: Issuance of Notice of Publication for Serial Number 85460848

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### NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 85460848) is scheduled to publish in the *Official Gazette* on May 1, 2012 . To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=85460848>. If you have difficulty accessing the Notice of Publication, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**PLEASE NOTE:**

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact [TMPostPubQuery@uspto.gov](mailto:TMPostPubQuery@uspto.gov).

**Trademark Snap Shot Publication & Issue Review Stylesheet**  
(Table presents the data on Publication & Issue Review Complete)

**OVERVIEW**

SERIAL NUMBER	85460848	FILING DATE	10/31/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	LAPTER, ALAIN J	L.O. ASSIGNED	108

**PUB INFORMATION**

RUN DATE	03/27/2012		
PUB DATE	05/01/2012		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	03/24/2012		
LITERAL MARK ELEMENT	CLOUD PATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUD PATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Racemi, Inc.
ADDRESS	#360 360 Interstate North Parkway SE Atlanta, GA 30339
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	042	FIRST USE DATE	08/23/2011	FIRST USE IN COMMERCE DATE	08/23/2011	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"CLOUD"

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/24/2012	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED	011
03/24/2012	ALIE	A	ASSIGNED TO LIE	010
03/07/2012	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	009
03/06/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	008
03/06/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	007
03/06/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	006
02/17/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
02/17/2012	GNRT	F	NON-FINAL ACTION E-MAILED	004

02/17/2012	CNRT	R	NON-FINAL ACTION WRITTEN	003
02/16/2012	DOCK	D	ASSIGNED TO EXAMINER	002
11/03/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	001

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	RACEMI, INC. 360 INTERSTATE NORTH PKWY SE STE 360 ATLANTA, GA 30339-2204
DOMESTIC REPRESENTATIVE	NONE

# Cloud Path

**Trademark Snap Shot Publication Stylesheet**  
(Table presents the data on Publication Approval)

**OVERVIEW**

SERIAL NUMBER	85460848	FILING DATE	10/31/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	LAPTER, ALAIN J	L.O. ASSIGNED	108

**PUB INFORMATION**

RUN DATE	03/08/2012		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	03/07/2012		
LITERAL MARK ELEMENT	CLOUD PATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUD PATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

### CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Racemi, Inc.
ADDRESS	#360 360 Interstate North Parkway SE Atlanta, GA 30339
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

### GOODS AND SERVICES

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

### GOODS AND SERVICES CLASSIFICATION

INTERNATIONAL CLASS	042	FIRST USE DATE	08/23/2011	FIRST USE IN COMMERCE DATE	08/23/2011	CLASS STATUS	6-ACTIVE
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### MISCELLANEOUS INFORMATION/STATEMENTS

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"CLOUD"

### PROSECUTION HISTORY

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/07/2012	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	009
03/06/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	008
03/06/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	007
03/06/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	006
02/17/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
02/17/2012	GNRT	F	NON-FINAL ACTION E-MAILED	004
02/17/2012	CNRT	R	NON-FINAL ACTION WRITTEN	003
02/16/2012	DOCK	D	ASSIGNED TO EXAMINER	002

11/03/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	001
<b>CURRENT CORRESPONDENCE INFORMATION</b>				
ATTORNEY			NONE	
CORRESPONDENCE ADDRESS			RACEMI, INC. RACEMI, INC. 360 INTERSTATE NORTH PKWY SE STE 360 ATLANTA, GA 30339-2204	
DOMESTIC REPRESENTATIVE			NONE	

# Cloud Path

**Trademark Snap Shot Amendment & Mail Processing Stylesheet**  
(Table presents the data on Amendment & Mail Processing Complete)

**OVERVIEW**

SERIAL NUMBER	85460848	FILING DATE	10/31/2011
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	LAPTER, ALAIN J	L.O. ASSIGNED	108

**PUB INFORMATION**

RUN DATE	03/07/2012		
PUB DATE	N/A		
STATUS	661-RESPONSE AFTER NON-FINAL-ACTION-ENTERED		
STATUS DATE	03/06/2012		
LITERAL MARK ELEMENT	CLOUD PATH		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

**FILING BASIS**

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

**MARK DATA**

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	CLOUD PATH

MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

**CURRENT OWNER INFORMATION**

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Racemi, Inc.
ADDRESS	#360 360 Interstate North Parkway SE Atlanta, GA 30339
ENTITY	03-CORPORATION
CITIZENSHIP	Delaware

**GOODS AND SERVICES**

INTERNATIONAL CLASS	042
DESCRIPTION TEXT	Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

**GOODS AND SERVICES CLASSIFICATION**

INTERNATIONAL CLASS	042	FIRST USE DATE	08/23/2011	FIRST USE IN COMMERCE DATE	08/23/2011	CLASS STATUS	6-ACTIVE
---------------------	-----	----------------	------------	----------------------------	------------	--------------	----------

**MISCELLANEOUS INFORMATION/STATEMENTS**

CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"CLOUD"

**PROSECUTION HISTORY**

DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
03/06/2012	TEME	I	TEAS/EMAIL CORRESPONDENCE ENTERED	008
03/06/2012	CRFA	I	CORRESPONDENCE RECEIVED IN LAW OFFICE	007
03/06/2012	TROA	I	TEAS RESPONSE TO OFFICE ACTION RECEIVED	006
02/17/2012	GNRN	O	NOTIFICATION OF NON-FINAL ACTION E-MAILED	005
02/17/2012	GNRT	F	NON-FINAL ACTION E-MAILED	004
02/17/2012	CNRT	R	NON-FINAL ACTION WRITTEN	003
02/16/2012	DOCK	D	ASSIGNED TO EXAMINER	002
11/03/2011	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	001

IN TRAM

**CURRENT CORRESPONDENCE INFORMATION**

ATTORNEY	NONE
CORRESPONDENCE ADDRESS	RACEMI, INC. RACEMI, INC. 360 INTERSTATE NORTH PKWY SE STE 360 ATLANTA, GA 30339-2204
DOMESTIC REPRESENTATIVE	NONE

# Cloud Path

## Response to Office Action

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

Input Field	Entered
<b>SERIAL NUMBER</b>	85460848
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 108
<b>MARK SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>DESCRIPTION</b>	
Providing a hosted application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 08/23/2011
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 08/23/2011
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
<b>INTERNATIONAL CLASS</b>	042
<b>TRACKED TEXT DESCRIPTION</b>	
<del>Providing a hosted application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers;</del> <a href="#">Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers</a>	
<b>FINAL DESCRIPTION</b>	
Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers	
<b>FILING BASIS</b>	Section 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 08/23/2011
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 08/23/2011
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/James Strayer/

<b>SIGNATORY'S NAME</b>	James Strayer
<b>SIGNATORY'S POSITION</b>	VP Product Management and Marketing
<b>SIGNATORY'S PHONE NUMBER</b>	801-368-2543
<b>DATE SIGNED</b>	03/06/2012
<b>AUTHORIZED SIGNATORY</b>	YES
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Tue Mar 06 12:39:01 EST 2012
<b>TEAS STAMP</b>	USPTO/ROA-75.162.140.33-2 0120306123901601389-85460 848-490ce31a1637de690a928 3ddd718868e62d-N/A-N/A-20 120306123014227976

PTO Form 1957 (Rev 9/2005)  
OMB No. 0651-0050 (Exp. 05/31/2014)

## Response to Office Action To the Commissioner for Trademarks:

Application serial no. **85460848** has been amended as follows:

### CLASSIFICATION AND LISTING OF GOODS/SERVICES

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

**Current:** Class 042 for Providing a hosted application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

Original Filing Basis:

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 08/23/2011 and first used in commerce at least as early as 08/23/2011, and is now in use in such commerce.

### Proposed:

**Tracked Text Description:** ~~Providing a hosted application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers;~~ [Software as a service \(SAAS\) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers](#)

Class 042 for Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public

cloud providers

**Filing Basis: Section 1(a), Use in Commerce:** The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 08/23/2011 and first used in commerce at least as early as 08/23/2011, and is now in use in such commerce.

**SIGNATURE(S)**

**Response Signature**

Signature: /James Strayer/ Date: 03/06/2012

Signatory's Name: James Strayer

Signatory's Position: VP Product Management and Marketing

Signatory's Phone Number: 801-368-2543

The signatory has confirmed that he/she is not represented by either an authorized attorney or Canadian attorney/agent, and that he/she is either (1) the applicant or (2) a person(s) with legal authority to bind the applicant; and if an authorized U.S. attorney or Canadian attorney/agent previously represented him/her in this matter, either he/she has filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of his/her prior representative to withdraw.

Serial Number: 85460848

Internet Transmission Date: Tue Mar 06 12:39:01 EST 2012

TEAS Stamp: USPTO/ROA-75.162.140.33-2012030612390160

1389-85460848-490ce31a1637de690a9283ddd7

18868e62d-N/A-N/A-20120306123014227976

**To:** Racemi, Inc. ([info@racemi.com](mailto:info@racemi.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85460848 - CLOUD PATH - N/A  
**Sent:** 2/17/2012 8:40:29 AM  
**Sent As:** ECOM108@USPTO.GOV  
**Attachments:**

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

**APPLICATION SERIAL NO.** 85460848

**MARK:** CLOUD PATH

**\*85460848\***

**CORRESPONDENT ADDRESS:**

RACEMI, INC.  
RACEMI, INC.  
360 INTERSTATE NORTH PKWY SE STE 360  
ATLANTA, GA 30339-2204

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** Racemi, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET**

**NO:**

N/A

**CORRESPONDENT E-MAIL ADDRESS:**

info@racemi.com

**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:** **2/17/2012**

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.

**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).

**Although no similar registered or pending mark has been found that would bar registration, applicant must satisfy the following requirements.**

### **IDENTIFICATION OF SERVICES**

The wording in the identification of services is indefinite and must be clarified to identify the specific types hosting services offered. *See* TMEP §1402.01.

Applicant may substitute the following wording, if accurate:

Note – Amended wording is underlined.

International Class 42 – Application service provider (ASP) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

And/Or

International Class 42 – Software as a service (SAAS) services featuring a hosted computer software application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

An applicant may amend an identification of goods and services only to clarify or limit the goods and services; adding to or broadening the scope of the goods and/or 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/netatml/tidm.html>. *See* TMEP §1402.04.

### **ADDITIONAL INFORMATION**

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 §§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.

### **Telephone Response Suggested**

Applicant is encouraged to telephone the assigned trademark examining attorney to resolve the issues raised in this Office action.

/Alain J. Lapter/  
Trademark Attorney  
Law Office 108  
Phone - 571-272-3162  
Email - alain.lapter@uspto.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](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](mailto: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>.

**To:** Racemi, Inc. ([info@racemi.com](mailto:info@racemi.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85460848 - CLOUD PATH - N/A  
**Sent:** 2/17/2012 8:40:32 AM  
**Sent As:** ECOM108@USPTO.GOV  
**Attachments:**

## **IMPORTANT NOTICE REGARDING YOUR TRADEMARK APPLICATION**

**Your trademark application (Serial No. 85460848) has been reviewed. The examining attorney assigned by the United States Patent and Trademark Office (“USPTO”) has written a letter (an “Office Action”) on **2/17/2012** to which you must respond. Please follow these steps:**

**1. Read** the Office letter by clicking on this [link](#) **OR** go to <http://tportal.uspto.gov/external/portal/tow> and enter your serial number to [access](#) the Office letter.

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

**2. Respond** within 6 months, calculated from **2/17/2012** (*or sooner if specified in the Office letter*), using the Trademark Electronic Application System [Response to Office Action form](#). If you have difficulty using the USPTO website, contact [TDR@uspto.gov](mailto:TDR@uspto.gov).

**3. Contact** the examining attorney who reviewed your application with any questions about the content of the office letter:

/Alain J. Lapter/  
Trademark Attorney  
Law Office 108  
Phone - 571-272-3162  
Email - [alain.lapter@uspto.gov](mailto:alain.lapter@uspto.gov)

### **WARNING**

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

**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, please use the Trademark Electronic Application System [Response to Office Action form](#).**

\*\*\* User:alapter \*\*\*

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	3554	N/A	0	0	0:03	*{"ckqx"}lo{"uw"}d*[bi,ti]
02	21636	N/A	0	0	0:01	*pat*[bi,ti]
03	7	0	7	7	0:01	1 and 2
04	6013	N/A	0	0	0:01	*path*[bi,ti]
05	5090	N/A	0	0	0:04	4 and ("009" "042")[cc]
06	2299	N/A	0	0	0:02	4 and ("009" "042" a b 200)[ic]
07	803	N/A	0	0	0:02	4 and ("009" "042" a b 200)[ic] not dead[ld]
08	111	0	111	96	0:03	7 and (migrat\$ host\$ application\$ transfer\$)[gs]
09	5635	N/A	0	0	0:01	011506[DC]
10	21	N/A	0	0	P/0:01	2 and 9
11	21	11	10	10	P/0:01	2 and 9

Session started 2/17/2012 8:26:05 AM

Session finished 2/17/2012 8:33:54 AM

Total search duration 0 minutes 20 seconds

Session duration 7 minutes 49 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 85460848

# Trademark/Service Mark Application, Principal Register

Serial Number: 85460848

Filing Date: 10/31/2011

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85460848
<b>MARK INFORMATION</b>	
*MARK	<a href="#">Cloud Path</a>
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	Cloud Path
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
<b>APPLICANT INFORMATION</b>	
*OWNER OF MARK	Racemi, Inc.
INTERNAL ADDRESS	#360
*STREET	360 Interstate North Parkway SE
*CITY	Atlanta
*STATE (Required for U.S. applicants)	Georgia
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	30339
PHONE	404-892-5850
FAX	770-874-2881
EMAIL ADDRESS	info@racemi.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
<b>LEGAL ENTITY INFORMATION</b>	

<b>TYPE</b>	corporation
<b>STATE/COUNTRY OF INCORPORATION</b>	Delaware
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	
<b>*IDENTIFICATION</b>	Providing a hosted application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 08/23/2011
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 08/23/2011
<b>SPECIMEN FILE NAME(S)</b>	<a href="file:///TICRS/EXPORT11/IMAGEOUT/11/854/608/85460848/xml1/APP0003.JPG">\\TICRS\EXPORT11\IMAGEOUT 11\854\608\85460848\xml1\ APP0003.JPG</a>
	<a href="file:///TICRS/EXPORT11/IMAGEOUT/11/854/608/85460848/xml1/APP0004.JPG">\\TICRS\EXPORT11\IMAGEOUT 11\854\608\85460848\xml1\ APP0004.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	digital images of a marketing brochure currently used in commerce
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>DISCLAIMER</b>	No claim is made to the exclusive right to use 'Cloud' apart from the mark as shown.
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Racemi, Inc.
<b>FIRM NAME</b>	Racemi, Inc.
<b>INTERNAL ADDRESS</b>	#360
<b>STREET</b>	360 Interstate North Parkway SE
<b>CITY</b>	Atlanta
<b>STATE</b>	Georgia
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	30339
<b>PHONE</b>	404-892-5850
<b>FAX</b>	770-874-2881
<b>EMAIL ADDRESS</b>	info@racemi.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes

<b>FEE INFORMATION</b>	
<b>NUMBER OF CLASSES</b>	1
<b>FEE PER CLASS</b>	325
<b>*TOTAL FEE DUE</b>	325
<b>*TOTAL FEE PAID</b>	325
<b>SIGNATURE INFORMATION</b>	
<b>SIGNATURE</b>	/James Strayer/
<b>SIGNATORY'S NAME</b>	James Strayer
<b>SIGNATORY'S POSITION</b>	Vice President
<b>DATE SIGNED</b>	10/31/2011

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## Trademark/Service Mark Application, Principal Register

**Serial Number: 85460848**

**Filing Date: 10/31/2011**

### To the Commissioner for Trademarks:

**MARK:** Cloud Path (Standard Characters, see [mark](#))

The literal element of the mark consists of Cloud Path.

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

The applicant, Racemi, Inc., a corporation of Delaware, having an address of

#360,

360 Interstate North Parkway SE

Atlanta, Georgia 30339

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 \_\_\_\_\_: Providing a hosted application for migrating computer operating systems, applications, and data between customer data centers and public cloud providers

In International Class \_\_\_\_\_, the mark was first used at least as early as 08/23/2011, and first used in commerce at least as early as 08/23/2011, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) digital images of a marketing brochure currently used in commerce.

[Specimen File 1](#)

[Specimen File 2](#)

No claim is made to the exclusive right to use 'Cloud' apart from the mark as shown.

The applicant's current Correspondence Information:

Racemi, Inc.

Racemi, Inc.

#360

360 Interstate North Parkway SE

Atlanta, Georgia 30339

404-892-5850(phone)

770-874-2881(fax)

info@racemi.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 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.

Signature: /James Strayer/ Date Signed: 10/31/2011

Signatory's Name: James Strayer

Signatory's Position: Vice President

RAM Sale Number: 5398

RAM Accounting Date: 11/01/2011

Serial Number: 85460848

Internet Transmission Date: Mon Oct 31 18:34:15 EDT 2011

TEAS Stamp: USPTO/BAS-173.227.92.2-20111031183415707

879-85460848-4806f3a1063c6dded70fd4bc9bf

e461cd8c-DA-5398-20111028144704079927

# Cloud Path



## Racemi Cloud Path



### Cloud Path At-a-Glance

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Cloud Path automates the migration of existing servers making cloud migrations fast, reliable, and cost-effective. Whether you are moving physical or virtual servers to the cloud, Cloud Path simplifies the migration process for complex workloads.

#### ADVANTAGES

- Migrates workloads in minutes, not hours.
- Supports bi-directional physical and virtual server migrations.
- Minimizes risk of vendor lock-in.
- No infrastructure to buy or maintain
- Eliminates costly server rebuilds.
- Offers flexible licensing options.

---

"What is really notable about Racemi is it doesn't require any modifications of the workload itself to achieve this level of agility and portability."

— Dan Kusnetzky, ZDNet,  
May 9, 2011

### Cloud Migration Simplified

Racemi's Cloud Path Software As A Service offering makes cloud migrations for complex physical and virtual environments fast, reliable, and cost-effective. Cloud Path's image-based provisioning technology automates the entire cloud migration process while supporting a broad range of physical and virtual platforms including VMware, Xen, and Hyper-V.

#### Why is Cloud Path the Best Choice for Cloud Migration?

##### Fast

There are few good options out there for **migrating existing workloads to the cloud** and most of these methods are time-consuming, often requiring in-house or consulting personnel to rebuild servers from scratch. What makes Cloud Path different is that it automatically migrates **existing server configurations** making it faster and more cost-effective than other onboarding solutions.

With Cloud Path, you can easily move your workloads and migrate between dissimilar physical, virtual, and cloud platforms. There's no need to rebuild from scratch or use templates since **Cloud Path's automated migration process moves the entire server "stack" - operating system, applications, network, and storage configuration.**

##### Reliable

Cloud Connect migrates your existing application in its tested and proven Path rather than requiring you to rebuild servers or integrate additional technology. Its **image-based provisioning technology is time tested and industry proven, providing a reliable migration method that's less error prone than other methods with fewer points of failure.**

##### Cost-Effective

Cloud Path's migration technology **streamlines the migration process**, eliminating costly server rebuilds common with other cloud onboarding solutions. Racemi also understands businesses have different usage and pricing requirements, so **flexible licensing options** are available to fit a wide range of business needs.

## Racemi Cloud Path

### When Should I Use Cloud Path?

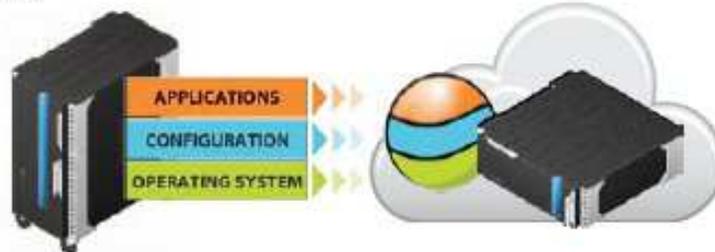
Consider Racemi Cloud Path if you need:

- **Fast and cost-effective migration** of simple or complex physical or virtual environments to the cloud.
- Freedom to easily move between cloud providers to **minimize risk of vendor lock-in**.
- Ability to **migrate existing applications to, from, and between cloud services** without modifying your workloads.
- **High-availability deployments across multiple availability zones or cloud providers** to protect from service outages and minimize risk to your business services.
- **Cost effective disaster recovery** to quickly and easily stand up servers in your local data center or another cloud provider.



### How Does Cloud Path Work?

Cloud Path captures OS, configuration, application files, and other information from a source server in an image and stores it in a library. These images can then be deployed to other local or cloud-based servers with your deployment "profile" applied. Profiles include information such as storage and network configurations, which can easily be modified by the user as necessary to address a wide range of environments and configurations. Cloud Path also applies any necessary drivers and virtual tools "in flight" to prepare the image for the target platform. This enables Cloud Path to quickly and easily migrate server images to dissimilar physical, virtual, and cloud platforms.



### Key Additional Features Include:

- Live Capture eliminates powering down servers during migrations
- Supports Any-to-Any migrations between supported physical, virtual, and cloud platforms.
- Integration with operating system volume managers for maximum image integrity
- Works over https to minimize implementation time and infrastructure requirements

### How Do I Learn More About Racemi Cloud Path?

To learn more about quickly and cost-effectively migrating to the cloud, visit  
[www.racemi.com](http://www.racemi.com) or email [info@racemi.com](mailto:info@racemi.com)



Watch our 3 minute video on how Cloud Path helps enterprises migrate to the cloud at  
<http://racemi.com/cloud.html>

# Cloud Path



## Racemi Cloud Path



### Cloud Path At-a-Glance

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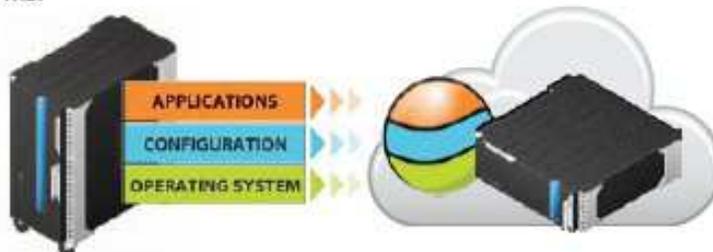
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### How Do I Learn More About Racemi Cloud Path?

To learn more about quickly and cost-effectively migrating to the cloud, visit  
[www.racemi.com](http://www.racemi.com) or email [info@racemi.com](mailto:info@racemi.com)



Watch our 3 minute video on how Cloud Path helps enterprises migrate to the cloud at  
<http://racemi.com/cloud.html>