

ESTTA Tracking number: **ESTTA611086**

Filing date: **06/20/2014**

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

**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Litera Corporation		
Entity	Corporation	Citizenship	New Jersey
Address	5000 Crossmill Road McLeansville, NC 27301 UNITED STATES		

Attorney information	Rebecca L. Cage Brooks Pierce McLendon Humphrey & Leonard, LLP PO Box 26000 Greensboro, NC 27420 UNITED STATES rcage@brookspierce.com, dsar@brookspierce.com Phone:336-373-8850		
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**Registration Subject to Cancellation**

Registration No	4381819	Registration date	08/13/2013
International Registration No.	NONE	International Registration Date	NONE
Registrant	XELES WORLDWIDE CORP Trident Chambers, P.O. Box 146 British Virgin Islands, VIRGIN ISLANDS, BRITISH		

**Goods/Services Subject to Cancellation**

<p>Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: Electronic notice boards; interfaces for computers; blank optical data media carriers; computer software for personal, handheld computers and mobile devices for creating, uploading, transmitting, receiving, editing, extracting, encrypting, decrypting, displaying, storage and organizing of text, graphic, and electronic content; computer game programs; downloadable computer programs for personal, handheld computers and mobile devices for educational and entertainment purposes, namely, computer games, software for teaching science, art, music, reading; record players; downloadable electronic publications, namely, newsletters, magazines, articles, blogs in the field of entertainment, photography, computer and video games, technology; downloadable computer programs for personal, handheld computers and mobile devices for creating, uploading, transmitting, receiving, editing, extracting, encrypting, decrypting, displaying, storage and organizing of text, graphics, images, and electronic publications; downloadable computer programs for personal, handheld computers and mobile devices, namely, operating systems programs, data synchronization programs, program tools for developing applications for personal and handheld computers; messaging software for paging messaging; database synchronization software; software for accessing, browsing and searching through online databases</p>
<p>Class 038. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: Electronic bulletin board services; information about telecommunication; providing internet chatrooms; providing user access to a global computer network; providing access to databases; providing telecommunications connections to a global</p>

computer network; electronic message sending; computer aided transmission of messages and images; sending of telegrams; transmission of telegrams; electronic mail; communications by fiber optic networks; communications by computer terminals

Class 041. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Publication of books; game services provided on-line from a computer network; providing on-line non-downloadable electronic publications, namely, magazines, newsletters, books in the field of entertainment, photography, computer and video games, technology; electronic desktop publishing; publication of electronic books and journals on-line; publication of texts, other than publicity texts; writing of texts, other than publicity texts

Class 042. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Recovery of computer data; graphic arts-designing; installation of computer software; consultancy in the field of computer hardware, namely, consulting services in the fields of selection, implementation and use of computer hardware; computer software consultancy; updating of computer software; maintenance of computersoftware; providing search engines for obtaining data on the internet; data conversion of computer programs and data, not physical conversion; providing of information in the field of computer software and web application by means of internet and other computer networks or electronic communication networks; computer system design; duplication of computer programs; computer software design; creating and maintaining web sites for others; computer programming

## Grounds for Cancellation

Abandonment	Trademark Act section 14
Priority and likelihood of confusion	Trademark Act section 2(d)

## Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	2751390	Application Date	12/31/2001
Registration Date	08/12/2003	Foreign Priority Date	NONE
Word Mark	LITERA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2003/01/29 First Use In Commerce: 2003/01/29 Computer software for collaborative documents [, digital signatures and special archiving and retrieval ]		

U.S. Registration No.	4055373	Application Date	01/27/2011
Registration Date	11/15/2011	Foreign Priority Date	NONE
Word Mark	LITÄ#RA IDS		

Design Mark	<h1>LITÉRA IDS</h1>		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2003/02/10 First Use In Commerce: 2003/02/10 COMPUTER SOFTWARE WHICH ALLOWS MULTIPLEUSERS TO COLLABORATE ON A SINGLE DOCUMENT, WHICH INSERTS DIGITAL SIGNATURES ANDWHICH ARCHIVES AND RETRIEVES DATA ACCORDING TO SPECIAL SEARCH CRITERIA DEFINED BY THE USER		

U.S. Registration No.	4332878	Application Date	05/03/2012
Registration Date	05/07/2013	Foreign Priority Date	NONE
Word Mark	LITÁ#RA GALAXY		
Design Mark	<h1>Litéra Galaxy</h1>		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2012/04/23 First Use In Commerce: 2012/10/31 Computer software for custody-controlled document collaboration and workflow management		

U.S. Registration No.	4379250	Application Date	11/29/2012
Registration Date	08/06/2013	Foreign Priority Date	NONE
Word Mark	LITÁ#RA SECURE FILE TRANSFER		

Design Mark	<h1>Litéra Secure File Transfer</h1>		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2012/09/25 First Use In Commerce: 2012/11/08 Computer software for securely sending encrypted emails and attachments, transferring large electronic files, and enabling advanced electronic signatures		

U.S. Registration No.	4383363	Application Date	12/04/2012
Registration Date	08/13/2013	Foreign Priority Date	NONE

Word Mark	LITÁ#RA SECURE WEB CONTENT		
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Design Mark	<h1>Litéra Secure Web Content</h1>		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2012/08/24 First Use In Commerce: 2012/10/09 Computer software for securely publishing documents to the Web and preventing the same content from being copied, downloaded, saved or printed		

U.S. Application No.	86006172	Application Date	07/10/2013
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	LITÁ#RA SYNC		
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2013/05/17 First Use In Commerce: 2013/07/03 Computer software for secure file synchronization

Attachments	85227622#TMSN.jpeg( bytes ) 85615393#TMSN.jpeg( bytes ) 85790374#TMSN.jpeg( bytes ) 85793750#TMSN.jpeg( bytes ) 86006172#TMSN.jpeg( bytes ) Literra_-_Petition_to_Cancel_LITTERA_BOX.pdf(116954 bytes ) Ex. A.pdf(254965 bytes ) Ex. B.pdf(3725733 bytes )
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### Certificate of Service

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

Signature	/RebeccaLCage/
Name	Rebecca L. Cage
Date	06/20/2014

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

In the matter of Trademark Registration No. 4381819

LITERA CORPORATION,	)	
	)	
Petitioner,	)	
	)	Cancellation No. _____
v.	)	
	)	Registration No. 4381819
XELES WORLDWIDE CORP.,	)	
	)	Issued: August 13, 2013
Registrant.	)	

PETITION FOR CANCELLATION

Petitioner, Litera Corporation (“Petitioner”), a New Jersey corporation, believes it has been or will be damaged by the existence of Registration No. 4381819 for LITTERA BOX (the “Xeles Registration”), and hereby petitions for the cancellation of the same, by and through counsel, pursuant to 15 U.S.C. §§ 1052(d) and 1064(1), (3).

The grounds for cancellation are as follows:

1. Petitioner is a corporation duly organized and existing under the laws of the state of New Jersey, with a principal place of business at 5000 Crossmill Road, McLeansville, North Carolina 27301.

2. The Xeles Registration challenged herein recites that Registrant Xeles Worldwide Corp. (“Registrant”) is a corporation organized under the laws of the Russian Federation with a business address of Trident Chambers, P.O. Box 146, Road Town, Tortola, British Virgin Islands.

3. Petitioner is now, and has been for many years, engaged in the business of creating, selling and licensing content and risk management software and technologies that allow customers to create, collaborate, compare, control and clean business documents to improve

productivity and mitigate risk. Petitioner’s goods and services are marketed, sold and licensed to a wide variety of businesses, organizations and professionals that are seeking to improve productivity, minimize risk associated with document content creation and transfer, and enhance collaboration among users and creators of business documents.

4. Since at least January 29, 2003, Petitioner has continually used the trademark LITERA in commerce in connection with, among other things, its computer software technologies in International Class 009.

5. Since at least February 10, 2003, Petitioner has continually used the trademark LITÉRA IDS in commerce in connection with, among other things, its computer software technologies in International Class 009.

6. In addition, Petitioner has adopted, used and registered a number of additional trademarks incorporating the term “LITÉRA” in connection with its computer software technologies, among other things.

7. In particular, Petitioner is the owner of the following trademark registrations (collectively with application Serial No. 86006172, “Petitioner’s Marks”):

<b>Trademark</b>	<b>Reg. No.</b>	<b>Registration Date</b>	<b>Goods</b>
<b>LITERA</b>	2751390	Aug. 12, 2003	Computer software for collaborative documents
<b>LITÉRA IDS</b>	4055373	Nov. 15, 2011	Computer software which allows multiple users to collaborate on a single document, which inserts digital signatures and which archives and retrieves data according to special search criteria defined by the user
<b>LITÉRA GALAXY</b>	4332878	May 7, 2013	Computer software for custody-controlled document collaboration and workflow management
<b>LITÉRA SECURE FILE TRANSFER</b>	4379250	May 21, 2013	Computer software for securely sending encrypted emails and attachments, transferring large electronic files, and enabling advanced

			electronic signatures
<b>LITÉRA SECURE WEB CONTENT</b>	4383363	May 28, 2013	Computer software for securely publishing documents to the Web and preventing the same content from being copied, downloaded, saved or printed

A true and accurate printout of the current status and title of the above registrations, as obtained through the on-line Trademark Status and Document Retrieval (TSDR) System of the USPTO are attached hereto as Exhibit A.

8. Petitioner’s rights to use the LITERA mark, Registration No. 2751390, for the services described therein are incontestable.

9. In addition to the above registrations, on July 10, 2013, Petitioner filed an application under section 1(a) of the Lanham Act, application Serial No. 86006172, for the trademark LITÉRA SYNC for “Computer software for secure file synchronization,” in International Class 009. A true and accurate printout of the current status and title of application Serial No. 86006172 is attached hereto as Exhibit B.

10. Petitioner has extensively advertised and promoted its computer software technologies under Petitioner’s Marks, and in particular under the term “LITERA” alone or in combination with other terms, throughout the United States for many years. Based on Petitioner’s continuous, exclusive and extensive use of the marks LITERA and LITÉRA IDS in connection with its goods and services since at least January 29, 2003, and its use of others of Petitioner’s Marks since then, Petitioner has developed substantial goodwill in connection with the marks LITERA and LITÉRA IDS and others of Petitioner’s Marks containing the term “LITÉRA” in connection with Petitioner’s computer software technologies and services.

11. By virtue of the substantially exclusive and continuous use of the LITERA and LITÉRA IDS marks, and others of Petitioner’s Marks, in connection with the goods described

herein, persons familiar with such goods have come to recognize Petitioner's LITERA and LITÉRA IDS marks, and other marks containing the term "LITÉRA", as an indication of a unique brand of computer software goods emanating from a single source.

12. For example, over 700 law firms (representing over 300,000 licenses) around the world use Petitioner's products, which have been and continue to be marketed, sold and licensed under Petitioner's LITERA mark and other Petitioner's Marks.

13. On May 22, 2012, Registrant filed an application under section 66(a) of the Lanham Act, seeking to register the mark LITTERA BOX (the "Registrant's Mark") in connection with the following:

- a. IC 009: Electronic notice boards; interfaces for computers; blank optical data media carriers; computer software for personal, handheld computers and mobile devices for creating, uploading, transmitting, receiving, editing, extracting, encrypting, decrypting, displaying, storage and organizing of text, graphic, and electronic content; computer game programs; downloadable computer programs for personal, handheld computers and mobile devices for educational and entertainment purposes, namely, computer games, software for teaching science, art, music, reading; record players; downloadable electronic publications, namely, newsletters, magazines, articles, blogs in the field of entertainment, photography, computer and video games, technology; downloadable computer programs for personal, handheld computers and mobile devices for creating, uploading, transmitting, receiving, editing, extracting, encrypting, decrypting, displaying, storage and organizing of text, graphics, images, and electronic publications; downloadable computer programs for personal, handheld computers and mobile devices, namely, operating systems programs, data synchronization programs, program tools for developing applications for personal and handheld computers; messaging software for paging messaging; database synchronization software; software for accessing, browsing and searching through online databases.
- b. IC 038: Electronic bulletin board services; information about telecommunication; providing internet chatrooms; providing user access to a global computer network; providing access to databases; providing telecommunications connections to a global computer network; electronic message sending; computer aided transmission of messages and images; sending of telegrams; transmission of telegrams; electronic mail; communications by fiber optic networks; communications by computer terminals.

- c. IC 041: Publication of books; game services provided on-line from a computer network; providing on-line non-downloadable electronic publications, namely, magazines, newsletters, books in the field of entertainment, photography, computer and video games, technology; electronic desktop publishing; publication of electronic books and journals on-line; publication of texts, other than publicity texts; writing of texts, other than publicity texts.
- d. IC 042: Recovery of computer data; graphic arts designing; installation of computer software; consultancy in the field of computer hardware, namely, consulting services in the fields of selection, implementation and use of computer hardware; computer software consultancy; updating of computer software; maintenance of computer software; providing search engines for obtaining data on the internet; data conversion of computer programs and data, not physical conversion; providing of information in the field of computer software and web application by means of internet and other computer networks or electronic communication networks; computer system design; duplication of computer programs; computer software design; creating and maintaining web sites for others; computer programming.

14. On August 13, 2013, Registration No. 4381819 was issued under Section 66(a) of the Lanham Act covering the Registrant's Mark.

LIKELIHOOD OF CONFUSION  
Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d)

15. The allegations of paragraphs 1 through 14 are re-alleged and incorporated herein by reference.

16. Petitioner adopted and used its LITERA and LITÉRA IDS marks and otherwise had rights to such marks prior to the filing date of Registrant's application and prior to Registrant's claimed priority date of December 1, 2011.

17. Registrant's Mark so resembles Petitioner's registered LITERA and LITÉRA IDS marks, which have been continuously used throughout the United States and not abandoned, as to be likely, when used on or in connection with Registrant's goods and services as identified in the Xeles Registration, to cause confusion, to cause mistake, and/or to deceive.

18. The mark registered in the Xeles Registration is therefore unregistrable under Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

19. The Trademark Office, through an examining attorney, has written that (i) the dominant portion of the Xeles Registration is “littera”, and (ii) that portion is phonetically equivalent to LITERA, which is Petitioner’s registered mark, and also the dominant portion of Petitioner’s LITÉRA IDS mark and other of Petitioner’s Marks.

20. According to the Registrant’s trademark filings and the application for Serial No. 86006172, the English translation of both “litera” and “littera” is “letter.”

21. On information and belief, the goods and services identified in the Xeles Registration are virtually identical to or appear to consumers to be closely related to the goods offered by Petitioner in connection with Petitioner’s Marks.

22. Consumers familiar with Petitioner’s Marks, and in particular the LITERA and LITÉRA IDS marks, who then encounter Registrant’s Mark and computer software goods and services, are likely to mistakenly believe that Registrant’s goods and services emanate from the same source as Petitioner’s under a family of “LITERA” or “LITTERA” trademarks.

23. Due to the substantial similarities between the Registrant’s Mark and Petitioner’s Marks described herein, the similarities and relatedness of the parties’ respective goods and services, and other factors, the mark registered in the Xeles Registration is likely to be confused with and mistaken for Petitioner’s Marks, so as to cause confusion and lead to deception as to source, sponsorship or affiliation, all in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

24. Petitioner also believes it has been and will continue to be damaged if the Xeles Registration is allowed to exist because the Registrant’s Mark stands as a bar to Petitioner’s

ability to federally register and protect its LITÉRA SYNC mark for the goods identified in paragraph 7.

25. The Xeles Registration should, therefore, be cancelled due to violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

ABANDONMENT  
15 U.S.C. §§ 1064(3), 1127

26. The allegations of paragraphs 1 through 25 are re-alleged and incorporated herein by reference.

27. Upon information and belief, Registrant has either never actively used the Registrant's Mark in question in the United States, or has permanently ceased all use of the Registrant's Mark in connection with the goods and services identified in the Xeles Registration with no intention to resume use of the mark.

28. Upon information and belief, Registrant has failed to use the Registrant's Mark for at least three consecutive years and has, therefore, abandoned the Registrant's Mark within the meaning of 15 U.S.C. § 1064(3) and 1127.

29. Petitioner has been damaged and will continue to be damaged if the Xeles Registration is permitted to remain on the Principal Register, including because the Registrant's Mark stands as a bar to Petitioner's ability to federally register and protect its LITÉRA SYNC mark for the goods identified in paragraph 7.

WHEREFORE, Petitioner respectfully requests that this Petition be sustained and that Registration No. 4381819 be cancelled.

Please recognize as attorneys for Petitioner in this proceeding, David W. Sar and Rebecca L. Cage, and the law firm of Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, PO Box 26000, Greensboro, North Carolina 27420.

Respectfully submitted, this the 20th day of June, 2014.

/RebeccaLCage/

David W. Sar

N.C. Bar No. 23533

Rebecca L. Cage

N.C. Bar No. 41144

BROOKS, PIERCE, MCLENDON,

HUMPHREY & LEONARD, L.L.P.

P.O. Box 26000

Greensboro, NC 27420-6000

Phone: (336) 373-8850

Fax: (336) 378-1001

Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Petition For Cancellation, including all exhibits thereto, has been served on the Registrant by depositing said copy in the U.S Mail via First Class Mail, Certified, postage prepaid, addressed to the Registrant's Domestic Representative as follows:

Alexander S. Lazouski  
Lazouski & Associates LLC  
26823 Saxony Way  
Suite 108  
Wesley Chapel, FLORIDA 33544

This the 20th day of June, 2014.

/RebeccaLCage/ \_\_\_\_\_  
David W. Sar  
N.C. Bar No. 23533  
Rebecca L. Cage  
N.C. Bar No. 41144  
BROOKS, PIERCE, MCLENDON,  
HUMPHREY & LEONARD, L.L.P.  
P.O. Box 26000  
Greensboro, NC 27420-6000  
Phone: (336) 373-8850  
Fax: (336) 378-1001

Attorneys for Petitioner

# EXHIBIT A



Address: \_\_\_\_\_

Authorized:

**Correspondent**

**Correspondent Name/Address:** Stuart C. Gauffreau  
Litera Corp.  
5000 Crossmill Road  
McLeansville, NORTH CAROLINA 27301  
UNITED STATES

**Phone:** 336-375-2991

**Fax:** 336-375-2921

**Correspondent e-mail:** [sgauffreau@litera.com](mailto:sgauffreau@litera.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Aug. 22, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 22, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Aug. 22, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Aug. 06, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	69471
Aug. 22, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Aug. 06, 2013	TEAS SECTION 8 & 9 RECEIVED	
May 21, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
May 04, 2009	ASSIGNED TO PARALEGAL	69471
May 01, 2009	TEAS SECTION 8 & 15 RECEIVED	
Nov. 20, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 20, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 24, 2008	CASE FILE IN TICRS	
Feb. 07, 2007	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 21, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 27, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 28, 2005	FAX RECEIVED	
Aug. 12, 2003	REGISTERED-PRINCIPAL REGISTER	
Jun. 20, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 11, 2003	STATEMENT OF USE PROCESSING COMPLETE	
May 09, 2003	USE AMENDMENT FILED	
May 09, 2003	PAPER RECEIVED	
Nov. 12, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 20, 2002	PUBLISHED FOR OPPOSITION	
Jul. 31, 2002	NOTICE OF PUBLICATION	
Jun. 07, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 20, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 20, 2002	PAPER RECEIVED	
Apr. 16, 2002	NON-FINAL ACTION E-MAILED	
Apr. 10, 2002	ASSIGNED TO EXAMINER	76734

## Maintenance Filings or Post Registration Information

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Aug. 12, 2013

## TM Staff and Location Information

TM Staff Information - None

**File Location**

**Current Location:** GENERIC WEB UPDATE

**Date in Location:** Aug. 22, 2013

**Int. Cl.: 9**

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

**Reg. No. 2,751,390**

**United States Patent and Trademark Office**

**Registered Aug. 12, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**

**LITERA**

LITERA CORP. (NEW JERSEY CORPORATION)  
5000 CROSSMILL ROAD  
MCLEANSVILLE, NC 27301

FIRST USE 1-29-2003; IN COMMERCE 1-29-2003.

FOR: COMPUTER SOFTWARE FOR COLLABORATIVE DOCUMENTS, DIGITAL SIGNATURES AND SPECIAL ARCHIVING AND RETRIEVAL, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

SN 78-100,418, FILED 12-31-2001.

GINA HAYES, EXAMINING ATTORNEY

Side - 1



**NOTICE OF ACCEPTANCE AND  
ACKNOWLEDGEMENT OF §§8 & 15  
DECLARATION  
MAILING DATE: May 21, 2009**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force.

For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

**REG NUMBER: 2751390**  
**MARK: LITERA**  
**OWNER: Litera Corp.**

Side - 2

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS  
MAIL  
U.S POSTAGE  
PAID

Carlos R. Villamar  
Roberts Mlotkowski Safran & Cole P.C.  
7918 Jones Branch Drive, Suite 500  
McLean, VA 22102

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**From:** TMOfficialNotices@USPTO.GOV  
**Sent:** Thursday, August 22, 2013 11:01 PM  
**To:** sgauffreau@litera.com  
**Subject:** Trademark RN 2751390: Official Notice of Acceptance and Renewal under Sections 8 and 9 of the Trademark Act

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**Serial Number:** 78100418  
**Registration Number:** 2751390  
**Registration Date:** Aug 12, 2003  
**Mark:** LITERA  
**Owner:** Litera Corp.

Aug 22, 2013

### **NOTICE OF ACCEPTANCE UNDER SECTION 8**

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

### **NOTICE OF REGISTRATION RENEWAL UNDER SECTION 9**

The renewal application filed for the above-identified registration meets the requirements of Section 9 of the Trademark Act, 15 U.S.C. §1059. **The registration is renewed.**

**The registration will remain in force for the class(es) listed below for the remainder of the ten-year period, calculated from the registration date, unless canceled by an order of the Commissioner for Trademarks or a Federal Court.**

**Class(es):**  
009

TRADEMARK SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

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### **REQUIREMENTS FOR MAINTAINING REGISTRATION IN SUCCESSIVE TEN-YEAR PERIODS**

**WARNING: Your registration will be canceled if you do not file the documents below during the specified time 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. See 15 U.S.C. §§1058, 1059.

#### **Grace Period Filings**

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

**\*\*\*The USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE**

**REGISTRANT SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.\*\***

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=78100418>.  
NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

Generated on: This page was generated by TSDR on 2014-06-18 12:11:59 EDT

Mark: LITÉRA IDS

LITÉRA IDS

US Serial Number: 85227622  
Application Filing Date: Jan. 27, 2011  
US Registration Number: 4055373  
Registration Date: Nov. 15, 2011  
Register: Principal  
Mark Type: Trademark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: Nov. 15, 2011  
Publication Date: Aug. 30, 2011

## Mark Information

Mark Literal Elements: LITÉRA IDS  
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  
Translation: The English translation of "LITERA" in the mark is letter or "literature".

## Related Properties Information

Claimed Ownership of US Registrations: 2751390

## Goods and Services

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

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

For: COMPUTER SOFTWARE WHICH ALLOWS MULTIPLE USERS TO COLLABORATE ON A SINGLE DOCUMENT, WHICH INSERTS DIGITAL SIGNATURES AND WHICH ARCHIVES AND RETRIEVES DATA ACCORDING TO SPECIAL SEARCH CRITERIA DEFINED BY THE USER

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 10, 2003

Use in Commerce: Feb. 10, 2003

## Basis Information (Case Level)

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

## Current Owner(s) Information

Owner Name: Litera Corp.  
Owner Address: 5000 Crossmill Road  
McLeansville, NORTH CAROLINA 27301  
UNITED STATES  
Legal Entity Type: CORPORATION  
State or Country Where Organized: NORTH CAROLINA

## Attorney/Correspondence Information

Attorney of Record

**Attorney Name:** Michael J. Mlotkowski  
**Attorney Primary Email Address:** [mlochkowski@rmsclaw.com](mailto:mlochkowski@rmsclaw.com)

**Docket Number:** 14435.14

**Attorney Email Authorized:** No

**Correspondent**

**Correspondent Name/Address:** MICHAEL J. MLOTKOWSKI  
ROBERTS MLOTKOWSKI SAFRAN & COLE P.C.  
7918 JONES BRANCH DR STE 500  
MC LEAN, VIRGINIA 22102-3366  
UNITED STATES

**Phone:** (703) 584-3275

**Fax:** (703) 848-2981

**Correspondent e-mail:** [mlochkowski@rmsclaw.com](mailto:mlochkowski@rmsclaw.com)

**Correspondent e-mail Authorized:** Yes

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Nov. 15, 2011	REGISTERED-PRINCIPAL REGISTER	
Aug. 30, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 30, 2011	PUBLISHED FOR OPPOSITION	
Jul. 22, 2011	LAW OFFICE PUBLICATION REVIEW COMPLETED	66121
Jul. 15, 2011	ASSIGNED TO LIE	66121
Jun. 21, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 11, 2011	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
May 11, 2011	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
May 11, 2011	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 26, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 26, 2011	NON-FINAL ACTION E-MAILED	6325
Apr. 26, 2011	NON-FINAL ACTION WRITTEN	85335
Apr. 26, 2011	ASSIGNED TO EXAMINER	85335
Jan. 31, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 31, 2011	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Nov. 15, 2011

United States of America  
United States Patent and Trademark Office

# LITÉRA IDS

**Reg. No. 4,055,373**

LITERA CORP. (NORTH CAROLINA CORPORATION)  
5000 CROSSMILL ROAD  
MCLEANSVILLE, NC 27301

**Registered Nov. 15, 2011**

**Int. Cl.: 9**

FOR: COMPUTER SOFTWARE WHICH ALLOWS MULTIPLE USERS TO COLLABORATE ON A SINGLE DOCUMENT, WHICH INSERTS DIGITAL SIGNATURES AND WHICH ARCHIVES AND RETRIEVES DATA ACCORDING TO SPECIAL SEARCH CRITERIA DEFINED BY THE USER, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK**

**PRINCIPAL REGISTER**

FIRST USE 2-10-2003; IN COMMERCE 2-10-2003.

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

OWNER OF U.S. REG. NO. 2,751,390.

THE ENGLISH TRANSLATION OF "LITERA" IN THE MARK IS LETTER OR "LITERATURE".

SER. NO. 85-227,622, FILED 1-27-2011.

HELENE LIWINSKI, EXAMINING ATTORNEY



*David J. Kyfos*

Director of the United States Patent and Trademark Office

Generated on: This page was generated by TSDR on 2014-06-18 12:16:02 EDT

Mark: LITÉRA GALAXY

Litéra Galaxy

US Serial Number: 85615393      Application Filing Date: May 03, 2012  
US Registration Number: 4332878      Registration Date: May 07, 2013  
Register: Principal  
Mark Type: Trademark  
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.  
Status Date: May 07, 2013  
Publication Date: Oct. 02, 2012      Notice of Allowance Date: Nov. 27, 2012

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## Mark Information

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Mark Literal Elements: LITÉRA GALAXY  
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  
Translation: The English translation of "Litéra" in the mark is "letter or literature".

---

## Related Properties Information

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Claimed Ownership of US Registrations: 2751390, 4055373

---

## Goods and Services

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

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

For: Computer software for custody-controlled document collaboration and workflow management  
International Class(es): 009 - Primary Class      U.S Class(es): 021, 023, 026, 036, 038  
Class Status: ACTIVE  
Basis: 1(a)  
First Use: Apr. 23, 2012      Use in Commerce: Oct. 31, 2012

---

## Basis Information (Case Level)

---

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

---

## Current Owner(s) Information

---

Owner Name: Litéra Corp.  
Owner Address: 5000 Crossmill Road  
McLeansville, NORTH CAROLINA 27301  
UNITED STATES  
Legal Entity Type: CORPORATION      State or Country Where Organized: NORTH CAROLINA

---

## Attorney/Correspondence Information

---

---

### Attorney of Record

Attorney Name: Stuart C. Gauffreau

Attorney Primary Email [sgauffreau@litera.com](mailto:sgauffreau@litera.com)  
Address:

Attorney Email No  
Authorized:

**Correspondent**

**Correspondent Name/Address:** STUART C. GAUFFREAU  
LITÉRA CORP.  
5000 CROSSMILL RD  
MC LEANSVILLE, NORTH CAROLINA 27301-9710  
UNITED STATES

**Phone:** 336-375-2991

**Correspondent e-mail:** [sgauffreau@litera.com](mailto:sgauffreau@litera.com)

**Correspondent e-mail Yes  
Authorized:**

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
May 07, 2013	REGISTERED-PRINCIPAL REGISTER	
Apr. 02, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 01, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Mar. 28, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 21, 2013	STATEMENT OF USE PROCESSING COMPLETE	65362
Feb. 06, 2013	USE AMENDMENT FILED	65362
Feb. 21, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Feb. 06, 2013	TEAS STATEMENT OF USE RECEIVED	
Nov. 27, 2012	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 02, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 02, 2012	PUBLISHED FOR OPPOSITION	
Sep. 12, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 30, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Aug. 30, 2012	ASSIGNED TO LIE	73797
Aug. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 28, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 28, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 28, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 28, 2012	EXAMINERS AMENDMENT -WRITTEN	75516
Aug. 24, 2012	ASSIGNED TO EXAMINER	75516
Jun. 04, 2012	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	77976
May 31, 2012	ASSIGNED TO LIE	77976
May 17, 2012	TEAS VOLUNTARY AMENDMENT RECEIVED	
May 09, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 07, 2012	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Apr. 01, 2013

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

# Litéra Galaxy

**Reg. No. 4,332,878**

LITÉRA CORP. (NORTH CAROLINA CORPORATION)  
5000 CROSSMILL ROAD  
MCLEANSVILLE, NC 27301

**Registered May 7, 2013**

**Int. Cl.: 9**

FOR: COMPUTER SOFTWARE FOR CUSTODY-CONTROLLED DOCUMENT COLLABORATION AND WORKFLOW MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK**

FIRST USE 4-23-2012; IN COMMERCE 10-31-2012.

**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 2,751,390 AND 4,055,373.

THE ENGLISH TRANSLATION OF "LITÉRA" IN THE MARK IS "LETTER OR LITERATURE".

SN 85-615,393, FILED 5-3-2012.

JEFF DEFORD, EXAMINING ATTORNEY



*Sean Street Lee*

Acting Director of the United States Patent and Trademark Office

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Mark: LITÉRA SECURE FILE TRANSFER

Litéra Secure File Transfer

**US Serial Number:** 85790374  
**Application Filing Date:** Nov. 29, 2012  
**US Registration Number:** 4379250  
**Registration Date:** Aug. 06, 2013  
**Register:** Principal  
**Mark Type:** Trademark  
**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.  
**Status Date:** Aug. 06, 2013  
**Publication Date:** May 21, 2013

---

## Mark Information

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**Mark Literal Elements:** LITÉRA SECURE FILE TRANSFER  
**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:** "SECURE FILE TRANSFER"  
**Translation:** The English translation of "Litéra" in the mark is "letter" or "literature".

---

## Related Properties Information

---

**Claimed Ownership of US Registrations:** 2751390, 4055373

---

## Goods and Services

---

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

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

**For:** Computer software for securely sending encrypted emails and attachments, transferring large electronic files, and enabling advanced electronic signatures

**International Class(es):** 009 - Primary Class

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 25, 2012

**Use in Commerce:** Nov. 08, 2012

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## 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:** Litéra Corp.  
**Owner Address:** 5000 Crossmill Road  
McLeansville, NORTH CAROLINA 27301  
UNITED STATES  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** NEW JERSEY

---

## Attorney/Correspondence Information

---

**Attorney of Record****Attorney Name:** Stuart C. Gauffreau**Attorney Primary Email Address:** [sgauffreau@litera.com](mailto:sgauffreau@litera.com)**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** STUART C. GAUFFREAU  
LITÉRA CORP.  
5000 CROSSMILL RD  
MC LEANSVILLE, NORTH CAROLINA 27301-9710  
UNITED STATES**Phone:** 336-375-2991**Fax:** 336-375-2921**Correspondent e-mail:** [sgauffreau@litera.com](mailto:sgauffreau@litera.com)**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Aug. 06, 2013	REGISTERED-PRINCIPAL REGISTER	
May 21, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 21, 2013	PUBLISHED FOR OPPOSITION	
May 01, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 12, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Apr. 11, 2013	ASSIGNED TO LIE	70997
Mar. 21, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 20, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 20, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 20, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 20, 2013	EXAMINERS AMENDMENT -WRITTEN	81096
Mar. 20, 2013	ASSIGNED TO EXAMINER	81096
Dec. 07, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 03, 2012	NEW APPLICATION ENTERED IN TRAM	

**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Aug. 06, 2013

# United States of America

United States Patent and Trademark Office

## Litéra Secure File Transfer

**Reg. No. 4,379,250**

**Registered Aug. 6, 2013**

**Int. Cl.: 9**

**TRADEMARK**

**PRINCIPAL REGISTER**

LITÉRA CORP. (NEW JERSEY CORPORATION)  
5000 CROSSMILL ROAD  
MCLEANSVILLE, NC 27301

FOR: COMPUTER SOFTWARE FOR SECURELY SENDING ENCRYPTED EMAILS AND ATTACHMENTS, TRANSFERRING LARGE ELECTRONIC FILES, AND ENABLING ADVANCED ELECTRONIC SIGNATURES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-25-2012; IN COMMERCE 11-8-2012.

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

OWNER OF U.S. REG. NOS. 2,751,390 AND 4,055,373.

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

THE ENGLISH TRANSLATION OF "LITÉRA" IN THE MARK IS "LETTER" OR "LITERATURE".

SER. NO. 85-790,374, FILED 11-29-2012.

MATTHEW MCDOWELL, EXAMINING ATTORNEY



*Sean Street Lee*

Acting Director of the United States Patent and Trademark Office

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Mark: LITÉRA SECURE WEB CONTENT

Litéra Secure Web Content

**US Serial Number:** 85793750  
**Application Filing Date:** Dec. 04, 2012  
**US Registration Number:** 4383363  
**Registration Date:** Aug. 13, 2013  
**Register:** Principal  
**Mark Type:** Trademark  
**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.  
**Status Date:** Aug. 13, 2013  
**Publication Date:** May 28, 2013

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## Mark Information

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**Mark Literal Elements:** LITÉRA SECURE WEB CONTENT  
**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:** "SECURE WEB CONTENT"  
**Translation:** The English translation of "Litéra" in the mark is "letter" or "literature".

---

## Related Properties Information

---

**Claimed Ownership of US Registrations:** 2751390, 4055373

---

## Goods and Services

---

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

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

**For:** Computer software for securely publishing documents to the Web and preventing the same content from being copied, downloaded, saved or printed

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

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Aug. 24, 2012  
**Use in Commerce:** Oct. 09, 2012

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## 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:** Litéra Corp.  
**Owner Address:** 5000 Crossmill Road  
McLeansville, NORTH CAROLINA 27301  
UNITED STATES  
**Legal Entity Type:** CORPORATION  
**State or Country Where Organized:** NEW JERSEY

---

## Attorney/Correspondence Information

---

**Attorney of Record****Attorney Name:** Stuart C. Gauffreau**Attorney Primary Email Address:** [sgauffreau@litera.com](mailto:sgauffreau@litera.com)**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** STUART C. GAUFFREAU  
LITÉRA CORP.  
5000 CROSSMILL RD  
MC LEANSVILLE, NORTH CAROLINA 27301-9710  
UNITED STATES**Phone:** 336-375-2991**Correspondent e-mail:** [sgauffreau@litera.com](mailto:sgauffreau@litera.com)**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Aug. 13, 2013	REGISTERED-PRINCIPAL REGISTER	
May 28, 2013	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
May 28, 2013	PUBLISHED FOR OPPOSITION	
May 08, 2013	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Apr. 19, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Apr. 12, 2013	ASSIGNED TO LIE	70884
Mar. 21, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 20, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Mar. 20, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Mar. 20, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 20, 2013	EXAMINERS AMENDMENT -WRITTEN	81096
Mar. 20, 2013	ASSIGNED TO EXAMINER	81096
Dec. 13, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Dec. 07, 2012	NEW APPLICATION ENTERED IN TRAM	

**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Aug. 13, 2013

# United States of America

United States Patent and Trademark Office

## Litéra Secure Web Content

**Reg. No. 4,383,363**

LITÉRA CORP. (NEW JERSEY CORPORATION)  
5000 CROSSMILL ROAD  
MCLEANSVILLE, NC 27301

**Registered Aug. 13, 2013**

**Int. Cl.: 9**

FOR: COMPUTER SOFTWARE FOR SECURELY PUBLISHING DOCUMENTS TO THE WEB AND PREVENTING THE SAME CONTENT FROM BEING COPIED, DOWNLOADED, SAVED OR PRINTED, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK**

FIRST USE 8-24-2012; IN COMMERCE 10-9-2012.

**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 2,751,390 AND 4,055,373.

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

THE ENGLISH TRANSLATION OF "LITÉRA" IN THE MARK IS "LETTER" OR "LITERATURE".

SER. NO. 85-793,750, FILED 12-4-2012.

MATTHEW MCDOWELL, EXAMINING ATTORNEY



*Sean Street Lee*

Acting Director of the United States Patent and Trademark Office

# EXHIBIT B

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Mark: LITÉRA SYNC

# Litéra Sync

US Serial Number: 86006172

Application Filing Date: Jul. 10, 2013

Register: Principal

Mark Type: Trademark

**Status:** A final Office action refusing registration has been sent (issued) because the applicant neither satisfied nor overcame all requirements and/or refusals previously raised. The applicant may respond by filing (1) a request for reconsideration; and/or (2) an appeal to the Trademark Trial and Appeal Board. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: May 14, 2014

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## Mark Information

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Mark Literal Elements: LITÉRA SYNC

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: "SYNC"

Translation: The English translation of Litéra in the mark is letter or literature.

---

## Related Properties Information

---

Claimed Ownership of US Registrations: 2751390, 4055373, 4332878 and others

---

## Goods and Services

---

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

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

For: Computer software for secure file synchronization

International Class(es): 009 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: May 17, 2013

Use in Commerce: Jul. 03, 2013

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## Basis Information (Case Level)

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Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

---

## Current Owner(s) Information

---

Owner Name: Litéra Corp.

Owner Address: 5000 Crossmill Road  
McLeansville, NORTH CAROLINA 27301  
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW JERSEY

---

## Attorney/Correspondence Information

---

Attorney of Record

Attorney Name: David W. Sar

Attorney Primary Email [dsar@brookspierce.com](mailto:dsar@brookspierce.com)  
Address:

Attorney Email Yes  
Authorized:

#### Correspondent

**Correspondent Name/Address:** David W. Sar  
Brooks, Pierce, McLendon, Humphrey & Leonard, L.L.  
P.O. Box 26000  
Greensboro, NORTH CAROLINA 27420  
UNITED STATES

Phone: 336-373-8850

Fax: 336-232-9075

Correspondent e-mail: [dsar@brookspierce.com](mailto:dsar@brookspierce.com)

Correspondent e-mail Yes  
Authorized:

#### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
May 14, 2014	NOTIFICATION OF FINAL REFUSAL EMAILED	
May 14, 2014	FINAL REFUSAL E-MAILED	
May 14, 2014	FINAL REFUSAL WRITTEN	83172
Apr. 04, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Apr. 04, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Apr. 04, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 03, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Apr. 03, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Oct. 28, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 28, 2013	NON-FINAL ACTION E-MAILED	6325
Oct. 28, 2013	NON-FINAL ACTION WRITTEN	83172
Oct. 23, 2013	ASSIGNED TO EXAMINER	83172
Jul. 18, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 13, 2013	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

#### TM Staff Information

TM Attorney: LEE, YAT SYE I

Law Office Assigned: LAW OFFICE 107

#### File Location

Current Location: TMEG LAW OFFICE 107 - EXAMINING  
ATTORNEY ASSIGNED

Date in Location: May 14, 2014

# Trademark/Service Mark Application, Principal Register

Serial Number: 86006172

Filing Date: 07/10/2013

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	86006172
<b>MARK INFORMATION</b>	
<b>*MARK</b>	<a href="#">Litéra Sync</a>
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>LITERAL ELEMENT</b>	Litéra Sync
<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>	Litéra Corp.
<b>*STREET</b>	5000 Crossmill Road
<b>*CITY</b>	McLeansville
<b>*STATE (Required for U.S. applicants)</b>	North Carolina
<b>*COUNTRY</b>	United States
<b>*ZIP/POSTAL CODE (Required for U.S. applicants only)</b>	27301
<b>PHONE</b>	336-375-2991
<b>FAX</b>	336-375-2921

<b>WEBSITE ADDRESS</b>	www.litera.com
<b>LEGAL ENTITY INFORMATION</b>	
<b>TYPE</b>	corporation
<b>STATE/COUNTRY OF INCORPORATION</b>	New Jersey
<b>GOODS AND/OR SERVICES AND BASIS INFORMATION</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>* IDENTIFICATION</b>	Computer software for secure file synchronization
<b>FILING BASIS</b>	SECTION 1(a)
<b>FIRST USE ANYWHERE DATE</b>	At least as early as 05/17/2013
<b>FIRST USE IN COMMERCE DATE</b>	At least as early as 07/03/2013
<b>SPECIMEN FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE0-976721810-102607327 . Litera_Sync_specimen_1.pdf</a>
<b>CONVERTED PDF FILE(S) (1 page)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\061\86006172\xml1\APP0003.JPG</a>
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE0-976721810-102607327 . Litera_Sync_specimen_2.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\061\86006172\xml1\APP0004.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\061\86006172\xml1\APP0005.JPG</a>
<b>ORIGINAL PDF FILE</b>	<a href="#">SPE0-976721810-102607327 . Litera_Sync_specimen_3.pdf</a>
<b>CONVERTED PDF FILE(S) (2 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\061\86006172\xml1\APP0006.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\860\061\86006172\xml1\APP0007.JPG</a>
<b>SPECIMEN DESCRIPTION</b>	Packaging for the goods; Web page displaying use of the mark associated with the goods; and Data sheet available from web page displaying use of mark associated with the goods
<b>ADDITIONAL STATEMENTS SECTION</b>	

<b>DISCLAIMER</b>	No claim is made to the exclusive right to use Sync apart from the mark as shown.
<b>TRANSLATION</b>	The English translation of Litéra in the mark is letter or literature.
<b>ATTORNEY INFORMATION</b>	
<b>NAME</b>	Stuart C. Gauffreau
<b>FIRM NAME</b>	Litéra Corp.
<b>STREET</b>	5000 Crossmill Road
<b>CITY</b>	McLeansville
<b>STATE</b>	North Carolina
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	27301
<b>PHONE</b>	336-375-2991
<b>EMAIL ADDRESS</b>	sgauffreau@litera.com
<b>AUTHORIZED TO COMMUNICATE VIA EMAIL</b>	Yes
<b>CORRESPONDENCE INFORMATION</b>	
<b>NAME</b>	Stuart C. Gauffreau
<b>FIRM NAME</b>	Litéra Corp.
<b>STREET</b>	5000 Crossmill Road
<b>CITY</b>	McLeansville
<b>STATE</b>	North Carolina
<b>COUNTRY</b>	United States
<b>ZIP/POSTAL CODE</b>	27301
<b>PHONE</b>	336-375-2991
<b>EMAIL ADDRESS</b>	sgauffreau@litera.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>	/Stuart C. Gauffreau/
<b>SIGNATORY'S NAME</b>	Stuart C. Gauffreau
<b>SIGNATORY'S POSITION</b>	General Counsel, Secretary, and Treasurer
<b>DATE SIGNED</b>	07/10/2013

---

## Trademark/Service Mark Application, Principal Register

**Serial Number: 86006172**

**Filing Date: 07/10/2013**

### To the Commissioner for Trademarks:

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

The literal element of the mark consists of Litéra Sync.

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

The applicant, Litéra Corp., a corporation of New Jersey, having an address of

5000 Crossmill Road

McLeansville, North Carolina 27301

United States

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

International Class 009: Computer software for secure file synchronization

In International Class 009, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 05/17/2013, and first used in commerce at least as early as 07/03/2013, and is now in use in such commerce. The applicant is submitting one(or more) 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) Packaging for the goods; Web page displaying use of the mark associated with the goods; and Data sheet available from web page displaying use of mark associated with the goods.

**Original PDF file:**

[SPE0-976721810-102607327 . Litera Sync specimen 1.pdf](#)

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

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**Original PDF file:**

[SPE0-976721810-102607327 . Litera Sync specimen 2.pdf](#)

**Converted PDF file(s)** (2 pages)

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[Specimen File2](#)

**Original PDF file:**

[SPE0-976721810-102607327 . Litera Sync specimen 3.pdf](#)

**Converted PDF file(s)** (2 pages)

[Specimen File1](#)

[Specimen File2](#)

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

The English translation of Litéra in the mark is letter or literature.

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

The applicant's current Attorney Information:

Stuart C. Gauffreau of Litéra Corp.  
5000 Crossmill Road  
McLeansville, North Carolina 27301  
United States

The applicant's current Correspondence Information:

Stuart C. Gauffreau  
Litéra Corp.  
5000 Crossmill Road  
McLeansville, North Carolina 27301  
336-375-2991(phone)  
sgauffreau@litera.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.

### **Declaration Signature**

Signature: /Stuart C. Gauffreau/ Date: 07/10/2013  
Signatory's Name: Stuart C. Gauffreau  
Signatory's Position: General Counsel, Secretary, and Treasurer  
RAM Sale Number: 86006172  
RAM Accounting Date: 07/10/2013

Serial Number: 86006172

Internet Transmission Date: Wed Jul 10 10:42:10 EDT 2013

TEAS Stamp: USPTO/BAS-97.67.218.10-20130710104210771

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07-20130710102607327259

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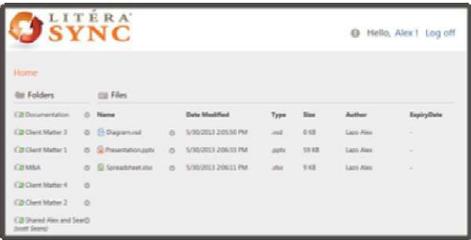
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- Broadcast1Source

## Litéra Sync

**SEAMLESS AND SECURE FILE SYNCHRONIZATION**

Litéra Sync allows users to share digital content with anyone, anywhere, anytime. With no training, professionals can easily give and revoke access, control permissions to view-only or edit, and set up bi-directional file/folder synchronization from the desktop, SharePoint or DMS.



Because Litéra Sync is self-serve, users don't have to wait for anyone to set up a complicated FTP or extranet. Litéra Sync allows users to no longer guess which files they might need to access remotely and manually send them to their other device or file share. Fully integrated with all the other systems they use, Litéra Sync allows users to find recipient e-mail addresses, clean metadata, or send a secure e-mail without opening other tools.

Litéra Sync makes file synchronization easier than even the simplest consumer-grade tools, while giving you enterprise-grade security, full custody control and peace of mind.

Video   Features   Integration   Requirements

Litéra Sync Website



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## Litéra® Sync

### SEAMLESS AND SECURE FILE SYNCHRONIZATION

Whether they are working late hours on their home PC, at a client with their laptop, on a commuter train reviewing a presentation on their iPad, or sending e-mails with attachments from their mobile device while dashing through the airport, today's users want to have access to all their documents just as easily as they do when they are plugged in at the office. When they need to continuously collaborate on a matter internally or with external parties, they also want everyone to be able to similarly access the same set of synchronized files and folders.

Litéra Sync allows users to share digital content with anyone, anywhere, anytime. With no training, they can easily give and revoke access, control permissions to view-only or edit, and set up bi-directional file/folder synchronization from their desktop, SharePoint or DMS.

Users love that Litéra Sync is "self-serve" so they don't have to wait for anyone to set up a complicated FTP or extranet. Its incredibly simple interface is as easy to use as those consumer-grade sites you banned (and they still use), and user adoption is typically instantaneous. Litéra Sync naturally saves users more time because they no longer have to guess which files they might need to access remotely and manually send them to their other device or file share. Fully integrated with all the other systems they use, they also can find recipient e-mail addresses, clean metadata, or send a secure e-mail without opening other tools.

Litéra Sync makes file synchronization easier than even the simplest consumer-grade tools, while giving you enterprise-grade security, full custody control and peace of mind.



*Litéra Sync works directly from Windows Explorer, allowing users to create and share new or existing content.*



## Quick Facts

- On-premise hosting option increases your control for storage, back-up and e-discovery (Private and public cloud hosting also available)
- Encryption technology meets the most stringent international standards, mitigating cyber threats
- "Self-serve" means no dependency on IT to set up and federate an extranet or FTP
- Simple interface requires no training
- Accessible from Windows Explorer, your DMS, or from web interface. (Client app available but not required)
- Works with all mobile devices
- Works offline
- Simple administration tools make Litéra Sync easy to deploy, configure and maintain
- Central policy management and Active Directory integration reduces risk of unauthorized tool use and uncontrolled files
- Integrates with Litéra's large file transfer, metadata removal, rights management, secure portal and other tools for a seamless user experience



#### CLIENT SYSTEM REQUIREMENTS

- .NET Framework 4.0 or above
- 30 MB disk space free

#### SERVER SYSTEM REQUIREMENTS

- .NET Framework 4.0
- Windows Server 2008 R2

#### INTEGRATION

- IBM FileNet
- Autonomy WorkSite
- OpenText eDOCS and DM
- Microsoft® SharePoint
- WORLDGX®
- Active Directory



#### ABOUT LITÉRA®

Litéra offers a comprehensive suite of document creation, comparison, collaboration, cleaning and control software that provides users with unsurpassed content confidence enabling them to manage their documents and data with a degree of control not available through any other solution on the market. Its patented productivity applications meet the critical content management needs of today's business professionals, including some of the world's leading law firms and major corporations.



## Features

### EASE OF USE

Users can share and revoke access to files and folders, at a moment's notice or by date, without waiting for IT to set up and federate an extranet or FTP. Intuitive interface and features like drag-and-drop add efficiency.

### ACCESS

Users can access Litéra Sync from their Windows Explorer, DMS, web, or optional client interface to support the workflow that best suits them. Works offline, so users have access to files even when they are not on the internet.

### MULTIPLE HOSTING OPTIONS

On-premise hosting option increases your control by allowing you to back-up, execute e-Discovery, and centralize control. Hosting Litéra Sync on-prem allows unlimited storage on your hardware without exorbitant fees, and leverages your security infrastructure and investment. It also reduces client and insurance company concerns about cyber-surveillance and attacks. (Private and public cloud hosting options also available).

### SECURITY

All files are protected with Secure Socket Layer (SSL) and AES 256 bit encryption in transit or at rest, even in the cloud. Share files and set access permissions to shared content on a per user basis. Meet the most stringent international standards, mitigate cyber threats and ensure sensitive content stays in the right hands. Multi-factor authentication option available.

### MOBILE SUPPORT

Access to files from any mobile device, keeping vital information accessible at all times. Mobile apps for iPhone, iPad, Android, Windows Phone, and BlackBerry keep files synched and close at hand.

### UNLIMITED FILE SIZE

Share any size file, in any format, eliminating the need for costly and time consuming data transfer methods.

### VERSION HISTORY

Track the full version history of files with the ability to restore any previous version of the file.

### PRIVATE-LABELLED

Ability to add your company's logo, colors and "look and feel" makes e-mail alerts and web interface instantly recognizable as yours. This increases user confidence in legitimacy, presents your organization professionally and supports corporate branding.

### SIMPLE ADMINISTRATION

Administrative tools make Litéra Sync easy to deploy, configure and maintain, helping you to manage central policy efficiently.

### INTEGRATES WITH YOUR OTHER LITÉRA PRODUCTS

Integrates with Litéra's large file transfer, metadata removal, rights management, secure portal and other tools for a seamless user experience.

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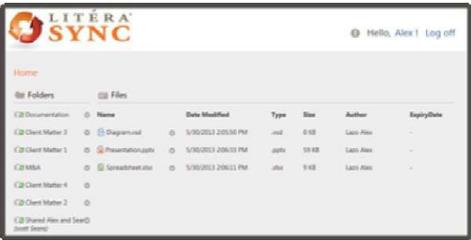
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