

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Trademark Trial and Appeal Board

TO THE COMMISSIONER FOR TRADEMARKS

TRADEMARKS/SERVICEMARK INFORMATION

Mark : MARQUEE  
Serial Number : 86135035

APPLICANT INFORMATION

Name : Roof Deck Entertainment LLC  
Street : 888 Seventh Avenue  
City : New York  
State : New York  
Country : United States  
Zip/Postal Code : 10106

STATEMENT OF CONSENT TO REGISTRATION

LIVE! Holdings LLC ("LIVE!"), having received Notice of the above referenced application seeking concurrent use registration with LIVE!'s preexisting U.S. Registration No. 3,857,629 for the mark THE MARQUEE, states pursuant to 37 C.F.R. §2.99(d)(1):

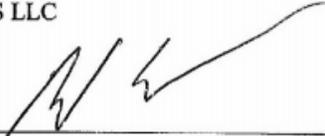
LIVE! Consents to the aforesaid concurrent use application, which states that the federal registration would be limited to the States of Nevada and New York (Applicant's Territories). LIVE! accordingly agrees that its existing U.S. Registration No. 3,857,629 should be amended and limited to exclude Applicant's Territories.

LIVE! gives this consent on the grounds that LIVE! and Applicant have previously entered into a confidential Agreement by which each of the parties has agreed to accept limitations to its use of their respective marks, and that the marks will be for their respective goods and services as filed and that the parties will avoid confusion by using somewhat different marks and using them in different territories or in overlapping territories, for different services. The confidential Agreement further provides that the parties agree that there has not been, is not now, and is not likely to be in the future any likelihood of confusion between the aforesaid respective marks of the parties for their services as geographically limited.

The Agreement further provides that the parties will make reasonable efforts to prevent, eliminate and minimize any present or future confusion or likelihood of confusion which may

arise out of their uses of the word MARQUEE as provided in this Agreement, including any instances of actual confusion of which they become aware, by redirecting the inquirer or any misdirected mail, telephone inquiries or communications to the Applicant or LIVE! venue, as the recipient reasonably believes was intended for that party. The parties also agreed to make reasonable efforts to inform their respective officers, agents and employees in writing of the requirements of this paragraph. Finally, the parties agreed to use reasonable efforts to not use the logos or tag lines of the other parties and otherwise not to act to create an association between the respective parties or their respective businesses.

LIVE! HOLDINGS LLC

Dated: 2/24, 2014 Signature: 

Name and Title: Debo Cordish / VP  
(Printed)

CONTACT INFORMATION

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