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

Application Serial No.	85088139
Applicant	Relativity Media, LLC

Notice of Appeal

Notice is hereby given that Relativity Media, LLC appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 85088139.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 009.

All goods and services in the class are appealed, namely: Audio recordings featuring music; Compact discs featuring music; Computer game software; Computer programs for video and computer games; Computer software featuring musical sound recordings and musical video recordings; Computer software that provides web-based access to applications and services through a web operating system or portal interface; Digital music downloadable from the Internet; Downloadable films and television programs featuring action, adventure, competition, family, fashion, lifestyles, mystery, news, film noir, comedy, drama, westerns, war, dance, crime, historical, biographical, suspense, thriller, fantasy, horror, music, sports, musicals, romance, reality, science fiction, educational, documentary, mockumentary and animation topics and themes provided via a video-on-demand service; Downloadable MP3 files and MP3 recordings featuring movies, shows, games and music; Downloadable multimedia file containing artwork, text, audio, video, games, and Internet Web links relating to sports, pop culture, television, news, fashion, culture, entertainment, media, the arts, comedy, history, music and lifestyles; Downloadable musical sound recordings; Downloadable ring tones for mobile phones; Downloadable video recordings featuring movies, shows, games and music; Downloadable movies, shows, multimedia, audio, video, games and music via the internet and wireless devices; Electronic game programs; Electronic game software; Game software; Interactive multimedia computer game program; Interactive video game programs; Musical sound recordings; Musical video recordings; Video and computer game programs; Video game cartridges and discs; Video game software; Virtual reality game software; Cinematographic films featuring action, adventure, competition, family, fashion, lifestyles, mystery, news, film noir, comedy, drama, westerns, war, dance, crime, historical, biographical, suspense, thriller, fantasy, horror, music, sports, musicals, romance, reality, science fiction, educational, documentary, mockumentary and animation topics and themes; Digital media, namely, CDs, DVDs, high definition digital discs, and downloadable files featuring movies, shows, games and music; DVDs featuring movies, shows, games and music; Motion picture films featuring action, adventure, competition, family, fashion, lifestyles, mystery, news, film noir, comedy, drama, westerns, war, dance, crime, historical, biographical, suspense, thriller, fantasy, horror, music, sports, musicals, romance, reality, science fiction, educational, documentary, mockumentary and animation topics and themes; Pre-recorded CDs, video tapes, laser disks and DVDs featuring movies, shows, games and music; Pre-recorded digital media featuring movies, shows, games and music; Pre-recorded electronic media featuring movies, shows, games and music; Video discs featuring movies, shows, games and music; Video recordings featuring movies, shows, games and music

- Class 041.

All goods and services in the class are appealed, namely: Animation production services; Audio recording and production; Cinema studios; Cinematographic adaptation and editing; Digital video, audio, and multimedia publishing services; Direction of making radio or television programs; Distribution of motion picture films; Distribution of television programming to cable television systems; Editing of radio and television programmes; Editing or recording of sounds and images; Entertainment services, namely, multimedia production services; Entertainment services, namely, production of computer-generated imagery for use in motion pictures; Entertainment services, namely, providing a web site featuring non-downloadable musical performances, musical videos, related film clips, photographs, and other multimedia materials in the field of sports, pop culture, television, news, fashion, culture, entertainment,

media, the arts, comedy, history, music and lifestyles; Film and video production; Film distribution; Film editing; Film studios; Media production services, namely, video and film production; Motion picture film production; Motion picture song production; Multimedia entertainment services in the nature of recording, production and post-production services in the fields of music, video, and films; Music production services; Operating of film studios; Post-production editing services in the field of music, videos and films; Production and distribution of motion pictures; Production and distribution of television shows and movies; Production of cable television programs; Production of films; Production of radio or television programs; Production of sound recordings; Production of video and computer game software; Production of visual effects for videos, DVDs, television and for internet web sites; Providing audio or video studios; Providing facilities for producing video, cinema and photography productions. Provision of non-downloadable films and television programmes via a video-on-demand service; Cinema theaters; Distribution of radio programs for others; Distribution of television programs for others; Entertainment and education services in the nature of a series of short shows featuring action, adventure, competition, family, fashion, lifestyles, mystery, news, film noir, comedy, drama, westerns, war, dance, crime, historical, biographical, suspense, thriller, fantasy, horror, music, sports, musicals, romance, reality, science fiction, educational, documentary, mockumentary and animation topics and themes distributed to mobile handsets, which may include video, text, photos, illustrations or hypertext; Entertainment and educational services, namely, providing advice and information for music, video and film concept and script development; Entertainment in the nature of an on-going special variety, news, music or comedy show in the fields of action, adventure, competition, family, fashion, lifestyles, mystery, news, film noir, comedy, drama, westerns, war, dance, crime, historical, biographical, suspense, thriller, fantasy, horror, music, sports, musicals, romance, reality, science fiction, educational, documentary, mockumentary and animation topics and themes broadcast over television, satellite, audio, and video media; Entertainment services, namely, production of special effects including model-making services, computer-generated imagery and computer-generated graphics for the production of motion pictures, videos, and movie trailers; Entertainment services, namely, providing a radio program in the fields of sports, pop culture, television, news, fashion, culture, entertainment, media, the arts, comedy, history, music and lifestyles via a global computer network. Entertainment services, namely, providing a television program in the fields of action, adventure, competition, family, fashion, lifestyles, mystery, news, film noir, comedy, drama, westerns, war, dance, crime, historical, biographical, suspense, thriller, fantasy, horror, music, sports, musicals, romance, reality, science fiction, educational, documentary, mockumentary and animation topics and themes via a global computer network; Entertainment services, namely, providing a web site featuring non-downloadable musical performances, musical videos, related film clips, photographs, and other multimedia materials featuring sports, pop culture, television, news, fashion, culture, entertainment, media, the arts, comedy, history, music and lifestyles; Entertainment services, namely, providing a web site featuring non-downloadable user-generated videos on a wide variety of topics and subjects; Entertainment services, namely, providing an on-line computer game; Entertainment services, namely, providing on-line computer games; Entertainment services, namely, providing podcasts in the fields of sports, pop culture, television, news, fashion, culture, entertainment, media, the arts, comedy, history, music and lifestyles; Entertainment services, namely, providing nondownloadable prerecorded music, information in the field of music, and commentary and articles about music, all on-line via a global computer network; Entertainment services, namely, providing webcasts in the fields of sports, pop culture, television, news, fashion, culture, entertainment, media, the arts, comedy, history, music and lifestyles; Film and video production consulting services; Information relating to entertainment and education, provided on-line from a computer database or the internet; Motion picture theaters; Movie theaters; Multimedia entertainment software production services; Multimedia publishing of books, magazines, journals, software, games, music, and electronic publications; Production and distribution of radio programs; Production of DVDs, videotapes and television programs featuring a wide variety of themes, namely, action, adventure, competition, family, fashion, lifestyles, mystery, news, film noir, comedy, drama, westerns, war, dance, crime, historical, biographical, suspense, thriller, fantasy, horror, music, sports, musicals, romance, reality, science fiction, educational, documentary, mockumentary and animation topics and themes; Production of radio programs; Production of sound recordings; Production of television programs; Providing a computer game that may be accessed network-wide by network users; Providing a web site where users can post ratings, reviews and recommendations on events and activities in the field of entertainment and education; Providing an Internet news portal featuring links to news stories and articles in the field of current events; Providing current event news and information via a global computer network; Providing information in the field of entertainment, featuring animation rendered by means of a global computer network; Providing information on-line relating to computer games and computer enhancements for games; Providing information, news and commentary in the field of entertainment; Provision of non-downloadable films and television programmes via a video-on-demand service; Radio entertainment production; Record

production; Recording studio services; Recording studios; Scriptwriting services; Sound recording studios;
Special effects animation services for film and video; Video editing; Video production services

Respectfully submitted,
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