

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	85088139
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 114
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<p>Applicant respectfully submits that the wording "documentary, mockumentary and animation" do not refer to the format of the film or program, but a type or category of film or program, similar to if a film or program is categorized as an "action film" or an "action show." The fact that documentaries, mockumentaries and animated films or programs may incorporate similar artistic elements in the style in which such films or programs are produced should not diminish the fact that documentaries, mockumentaries and animated films are categories similar to categories such as action, comedy, romance, etc., all of which may similarly incorporate similar artistic elements within each genre.</p> <p>Moreover, the description identifies "documentary, mockumentary and animation topics and themes." Thus, Applicant's films or shows may be, as an example, a documentary film itself or a film about documentaries. In both cases, the film features a documentary topic or theme.</p> <p>Furthermore, Applicant respectfully submits that no further specification of "documentary, mockumentary and animation" should be required. As noted previously, documentary, mockumentary and animation are categories similar to comedy, action or romance. The nature of a documentary film or program is to delve deeper into various types of subject matter in a non-fictional and non-scripted manner. Similarly, mockumentary films or programs are a category of films or programs that are fictional in nature but replicate the style of documentaries. Animated films are films that involve animation. Requiring Applicant to further define the subject matter of Applicant's documentary, mockumentary and animated films or programs is similar to requesting further specification as to the various fields or subject matter of Applicant's action films or programs. Applicant's description of providing the format (e.g. television programs) and the categories of subject matter (e.g., documentary, mockumentary and animated films) are sufficiently definite and thus Applicant respectfully submits that its description should be approved as is.</p> <p>In addition, with respect to the wording "other multimedia materials," Applicant respectfully submits that the ID manual only requires that Applicant specify the subject matter of the multimedia materials and does not required that Applicant specify the nature or type of multimedia materials. <u>See</u> Exhibit A.</p>	
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	

<b>ORIGINAL PDF FILE</b>	<a href="#">evi_691745820-193630678_. Exhibit A.pdf</a>
<b>CONVERTED PDF FILE(S)</b> (1 page)	<a href="#">\\TICRS\EXPORT11\IMAGEOUT11\850\881\85088139\xml8\RFR0002.JPG</a>
<b>DESCRIPTION OF EVIDENCE FILE</b>	EXHIBIT A - Pages from ID Manual
<b>GOODS AND/OR SERVICES SECTION (009)(current)</b>	
<b>INTERNATIONAL CLASS</b>	009
<b>DESCRIPTION</b>	
<p>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</p>	
<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (009)(proposed)</b>	
<b>INTERNATIONAL CLASS</b>	009

## TRACKED TEXT DESCRIPTION

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 films and television programs featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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 movies and shows in the field of action, adventure, competitions, namely, sports, culinary and dance competitions, 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, downloadable multimedia files, audio and video recordings all featuring music, downloadable electronic games and music via the internet and wireless devices in MP3 format; 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;~~ Electronic game programs; ~~Downloadable movies, shows, multimedia, audio, video, games and music via the internet and wireless devices;~~ 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, competitions, namely, sports, culinary and dance competitions, 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 and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~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;~~ Motion picture films featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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~~; Pre-recorded CDs, video tapes, laser disks and DVDs featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~DVDs featuring movies, shows, games and music~~; Pre-recorded digital media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, 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 electronic media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~Pre-recorded CDs, video tapes, laser disks and DVDs featuring movies, shows, games and music~~; Video discs featuring featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~Pre-recorded digital media featuring movies, shows, games and music~~; Video recordings featuring featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, 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~~

#### FINAL DESCRIPTION

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, competitions, namely, sports, culinary and dance competitions, 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 movies and shows in the field of action, adventure, competitions, namely, sports, culinary and dance competitions, 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, downloadable multimedia files, audio and video recordings all featuring music, downloadable electronic games and

music via the internet and wireless devices in MP3 format; 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; 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, competitions, namely, sports, culinary and dance competitions, 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 and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Motion picture films featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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 and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Pre-recorded digital media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Pre-recorded electronic media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Video discs featuring featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Video recordings featuring featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music

<b>FILING BASIS</b>	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (041)(current)</b>	
<b>INTERNATIONAL CLASS</b>	041



## DESCRIPTION

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

<b>FILING BASIS</b>	Section 1(b)
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**GOODS AND/OR SERVICES SECTION (041)(proposed)**

<b>INTERNATIONAL CLASS</b>	041
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**TRACKED TEXT DESCRIPTION**

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 education services in the nature of a series of short shows featuring action, adventure, , competitions, namely, sports, culinary and dance competitions, 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 in the nature of an on-going special variety, news, music or comedy show in the fields of action, adventure, competitions, namely, sports, culinary and dance competitions, 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 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, competitions, namely, sports, culinary and dance competitions, 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 DVDs, videotapes and television programs featuring a wide variety of themes, namely, action, adventure, competitions, namely, sports, culinary and dance competitions, 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

#### **FINAL DESCRIPTION**

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, , competitions, namely, sports, culinary and dance competitions, 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, competitions, namely, sports, culinary and dance competitions, 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, competitions, namely, sports, culinary and dance competitions, 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, competitions, namely, sports, culinary and dance competitions, 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

<b>FILING BASIS</b>	Section 1(b)
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**SIGNATURE SECTION**

<b>RESPONSE SIGNATURE</b>	/ch/
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<b>SIGNATORY'S NAME</b>	Cristiana Huynh
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<b>SIGNATORY'S POSITION</b>	Attorney of record, Illinois bar member
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<b>DATE SIGNED</b>	10/04/2011
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<b>AUTHORIZED SIGNATORY</b>	YES
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<b>CONCURRENT APPEAL NOTICE FILED</b>	YES
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**FILING INFORMATION SECTION**

<b>SUBMIT DATE</b>	Tue Oct 04 19:43:39 EDT 2011
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<b>TEAS STAMP</b>	USPTO/RFR-69.174.58.20-20 111004194339790197-850881 39-480c37f896867bdc63ce7 e191d1014c096-N/A-N/A-201 11004193630678031
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**Request for Reconsideration after Final Action  
To the Commissioner for Trademarks:**

Application serial no. **85088139** has been amended as follows:

**ARGUMENT(S)**

**In response to the substantive refusal(s), please note the following:**

Applicant respectfully submits that the wording "documentary, mockumentary and animation" do not refer to the format of the film or program, but a type or category of film or program, similar to if a film or program is categorized as an "action film" or an "action show." The fact that documentaries, mockumentaries and animated films or programs may incorporate similar artistic elements in the style in which such films or programs are produced should not diminish the fact that documentaries, mockumentaries and animated films are categories similar to categories such as action, comedy, romance, etc., all of which may similarly incorporate similar artistic elements within each genre.

Moreover, the description identifies "documentary, mockumentary and animation topics and themes." Thus, Applicant's films or shows may be, as an example, a documentary film itself or a film about documentaries. In both cases, the film features a documentary topic or theme.

Furthermore, Applicant respectfully submits that no further specification of "documentary, mockumentary and animation" should be required. As noted previously, documentary, mockumentary and animation are categories similar to comedy, action or romance. The nature of a documentary film or program is to delve deeper into various types of subject matter in a non-fictional and non-scripted manner. Similarly, mockumentary films or programs are a category of films or programs that are fictional in nature but replicate the style of documentaries. Animated films are films that involve animation. Requiring Applicant to further define the subject matter of Applicant's documentary, mockumentary and animated films or programs is similar to requesting further specification as to the various fields or subject matter of Applicant's action films or programs. Applicant's description of providing the format (e.g. television programs) and the categories of subject matter (e.g., documentary, mockumentary and animated films) are sufficiently definite and thus Applicant respectfully submits that its description should be approved as is.

In addition, with respect to the wording "other multimedia materials," Applicant respectfully submits that the ID manual only requires that Applicant specify the subject matter of the multimedia materials and does not require that Applicant specify the nature or type of multimedia materials. See Exhibit A.

## **EVIDENCE**

Evidence in the nature of EXHIBIT A - Pages from ID Manual has been attached.

### **Original PDF file:**

[evi\\_691745820-193630678 . Exhibit A.pdf](#)

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

[Evidence-1](#)

## **CLASSIFICATION AND LISTING OF GOODS/SERVICES**

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

**Current:** Class 009 for 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

Original Filing Basis:

**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)).

**Proposed:**

**Tracked Text Description:** 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 films and television programs featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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 movies and shows in the field of action, adventure, competitions, namely, sports, culinary and dance competitions, 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, downloadable multimedia files, audio and video recordings all featuring music, downloadable electronic games and music via the internet and wireless devices in MP3 format; 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~~; Electronic game programs; ~~Downloadable movies, shows, multimedia, audio, video, games and music via the internet and wireless devices~~; 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, competitions, namely, sports, culinary and dance competitions, 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 and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~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~~; Motion picture films featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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~~; Pre-recorded CDs, video tapes, laser disks and DVDs featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~DVDs featuring movies, shows, games and music~~; Pre-recorded digital media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, 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 electronic media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~Pre-recorded CDs, video tapes, laser disks and DVDs featuring movies, shows, games and music~~; Video discs featuring featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; ~~Pre-recorded digital media featuring movies, shows, games and music~~; Video recordings featuring featuring movies and television shows featuring action, adventure,

competitions, namely, sports, culinary and dance competitions, 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, 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 009 for 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, competitions, namely, sports, culinary and dance competitions, 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 movies and shows in the field of action, adventure, competitions, namely, sports, culinary and dance competitions, 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, downloadable multimedia files, audio and video recordings all featuring music, downloadable electronic games and music via the internet and wireless devices in MP3 format; 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; 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, competitions, namely, sports, culinary and dance competitions, 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 and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Motion picture films featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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 and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Pre-recorded digital media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Pre-recorded electronic media featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Video discs featuring featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music; Video recordings featuring featuring movies and television shows featuring action, adventure, competitions, namely, sports, culinary and dance competitions, 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, games and music

**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)).

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

**Current:** Class 041 for 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

Original Filing Basis:

**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)).

**Proposed:**

**Tracked Text Description:** 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 education services in the nature of a series of short shows featuring action, adventure, , competitions, namely, sports, culinary and dance competitions, 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 in the nature of an on-going special variety, news, music or comedy show in the fields of action, adventure, competitions, namely, sports, culinary and dance competitions, 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 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, competitions, namely, sports, culinary and dance competitions, 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 DVDs, videotapes and television programs featuring a wide variety of themes, namely, action, adventure, competitions, namely, sports, culinary and dance competitions, 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

Class 041 for 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

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**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)**

### **Request for Reconsideration Signature**

Signature: /ch/ Date: 10/04/2011

Signatory's Name: Cristiana Huynh

Signatory's Position: Attorney of record, Illinois 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.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 85088139

Internet Transmission Date: Tue Oct 04 19:43:39 EDT 2011

TEAS Stamp: USPTO/RFR-69.174.58.20-20111004194339790

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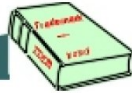


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# Trademark ID Manual



**Refine Search:**

Documents: 1 - 2 of 2

Hit No.	Class	Description	Status	Effective Date	Type	Note	Trilateral
1	009	Downloadable audio files, multimedia files, text files, e-mails, written documents, audio material, video material and games featuring information in the form of downloadable short educational/training communications in the field of human resource development for the promotion of employee retention, career growth and increased productivity for employees and employers	A	01 Mar 07	G	N	
2	041	Entertainment services, namely, providing a web site featuring non-downloadable musical performances, musical videos, related film clips, photographs, and other multimedia materials featuring {indicate subject matter of the multimedia materials}[the subject matter of the "multimedia materials" must be a Class 41 subject matter to keep the ID in Class 41]	M	07 Jan 10	S	Y	

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