

Exhibit D

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Apple Unveils iPhone 4S With Voice-Recognition Features

By [SAM GROBART](#)

| October 4, 2011, 12:17 pm [146](#)



Nick BiltonTimothy D. Cook

talks about Apple's retail stores on stage.

Tech journalists descended upon [Apple's](#) headquarters in Cupertino, Calif., on Tuesday for some iPhone-related announcements. Our updates from the event are below, with the most recent at the top.

[2:38 P.M.](#) /Tim Cook Wraps It Up

Tim Cook is back on stage. He's reviewing everything we've heard today. Now he's pivoting from the devices to the company. "Only Apple could make such hardware and services..."

"I am so incredibly proud of this company and all of the teams that worked so hard to bring all the amazing things you've seen to reality."

My colleague Jenna Wortham adds: Apple is getting into the snail-mail business — one that start-ups like [Postagram](#), which lets people send real postcards created from pictures taken on their iPhones, have tried to corral. Or is Apple setting its sights on Hallmark?

[1:19 P.M.](#) /On to the iPad



Mr. Cook is talking about how pilots are using the iPad to replace 40-pound flight plans, which he claims makes the planes more fuel efficient. And that, technically, is true. But come on.

Three out of four tablets sold are iPads, Mr. Cook says. There have been more than 250 million iOS devices sold.

“Today we take this to the next level.”

[1:16 P.M.](#) /Talking About iPhone

“Next up is iPhone — this could be a reason why the room is so full today.” More stats supporting Apple’s dominance. Ninety-three percent of Fortune 500 companies are testing or deploying the iPhone, Mr. Cook says. He’s smooth, totally on his game.

In spite of all this success, Mr. Cook says, the iPhone has only 5 percent of the worldwide handset market. “We believe all handsets will become smartphones,” he says.

There have been rumors about Apple releasing a cheaper iPhone for other markets, but previous-generation iPhones are sold at a fairly steep discount, so it’s unclear how a purpose-built device would be useful.

[1:13 P.M.](#) /On to the iPod

Mr. Cook is now talking about the iPod. They're showing an image of the original iPod, which now seems so old and foreign. Who buys the iPod Classic anymore? There have been rumors that it may go away.

Apple has sold more than 300 million iPods, 45 million in the year that ended in June.

iTunes has more than 20 million songs for sale. It is the No. 1 music store in the world, with 16 billion songs downloaded, Mr. Cook says.

[1:09 P.M.](#) /Some Product Updates

We're now getting news about other Apple product lines, like Lion, the Mac operating system. This is the rhetorical equivalent of putting the milk in the back of the supermarket: We're all here for iPhone news, but first you have to walk past all this other stuff.

Mr. Cook is talking about how Lion was adopted at a rate 10 times faster than Windows 7. (Which is nice for Apple, but let's not forget there are still boatloads more Windows users out there.) Apple is approaching 60 million Mac users and has 23 percent of the PC market, Mr. Cook says. "We have a lot to go," he says, referring to the other 77 percent.

[1:02 P.M.](#) /Tim Cook Kicks It Off

Tim Cook has taken the stage: "I love Apple. I consider it the privilege of a lifetime."

"This room has quite a history at Apple. Just 10 years ago, we launched the original iPod here. And just one year ago, we launched the MacBook Air. Today we will remind you of the innovations of this company."

Mr. Cook, who is wearing dark jeans and a navy Oxford shirt with a black t-shirt underneath, is now talking about the retail stores. New shops are in China — Shanghai and other cities. Shanghai is their largest store in Asia, and 100,000 people came over opening weekend. By comparison, the Los Angeles store had 100,000 people in a month. Now we're seeing images of the Hong Kong store. And a video about the company's retail arm. Apple now has 357 stores in 11 countries.

[12:57 P.M.](#) /Gearing Up for Announcements

Apple Brings Great New Features & More Affordable Pricing to iPod touch & iPod nano

CUPERTINO, California—October 4, 2011—Apple® today announced great new features and more affordable pricing for both iPod touch® and iPod nano®. iPod touch will be available in new black and white models starting at just \$199, including Apple's new iOS 5 and iCloud® services. The new iPod nano is available today starting at just \$129 and features a redesigned user interface, 16 new digital clock faces and improved built-in fitness features.

"iPod has revolutionized the way we listen to music and with over 320 million sold is the world's most popular music player," said Philip Schiller, Apple's senior vice president of Worldwide Product Marketing. "iPod touch, now available in both black and white, is the best selling iPod ever, and with iOS 5 and iCloud it is better than ever."

The new iPod touch includes iOS 5, the world's most advanced mobile operating system, which includes over 200 new features including iMessage™, Game Center, Notifications and Wi-Fi Syncing to iTunes®. iMessage brings the functionality of iPhone® messaging to your iPod touch, so you can easily send text messages, photos, videos and contact information to an individual or group on other iOS 5 devices. It also allows you to easily maintain one conversation across all your iOS devices—for free—with notifications, read receipts and typing indication.* Game Center enhancements include the ability to add photos to your profile, purchase new games from within the Game Center app, and even easier ways to find friends and new games.

iPod touch also works with iCloud, Apple's breakthrough set of free cloud services, including iTunes in the Cloud, Photo Stream and Documents in the Cloud, that work seamlessly with your iPhone, iPad®, iPod touch, Mac® or PC to automatically and wirelessly store your content and push it to your devices. When content changes on one device, all your other devices are updated automatically and wirelessly.

iPod nano now features larger icons for even easier navigation of its intuitive Multi-Touch™ user interface, and you can choose from 16 new digital clock faces, ranging from classic analog looks to your favorite Disney characters including Mickey Mouse and Minnie Mouse. iPod nano now tracks your runs and walks right out of the box with no accessory required, making it even easier to get your fitness program up and running. iPod nano can track the time, pace and distance of your run, the calories you burn, and the number of steps you walk. iPod nano encourages you with motivational real-time voice feedback during your run, available in seven languages, while listening to your favorite music or FM radio station. You can also easily upload workouts to the Nike+ website to set goals, track your progress and challenge friends. The ultra portable iPod nano is available in seven colors including silver, graphite, blue, green, orange, pink and (PRODUCT) RED.

With the App Store™ on iPod touch, users have access to the world's largest and best collection of over 500,000 apps, including over 100,000 game and entertainment titles. Customers also have the iTunes Store® at their fingertips, giving them instant access to the world's largest catalog of over 20 million songs, 85,000 TV shows and 14,000 movies to purchase and download directly to their iPod touch.

iPod is the world's most popular family of music players. Apple's holiday lineup includes iPod shuffle® for just \$49; iPod nano with Multi-Touch starting at just \$129; iPod touch available in black or white, including iOS 5 and iCloud, starting at just \$199; and iPod classic® in a 160GB model for \$249.

Pricing & Availability

iPod nano is available today for a suggested price of \$129 (US) for the 8GB model and \$149

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(US) for the 16GB model. Both models are available in silver, graphite, blue, green, orange and pink through the Apple Store® (www.apple.com), Apple's retail stores and Apple Authorized Resellers. The 8GB and 16GB iPod nano (PRODUCT) RED is available through the Apple Store (www.apple.com) and Apple's retail stores. iPod nano requires a Mac with a USB 2.0 port, Mac OS® X v10.5.8 or later and iTunes 10 or later; or a Windows PC with a USB 2.0 port and Windows Vista or Windows XP Home or Professional (Service Pack 3) or later and iTunes 10 or later.

iPod touch with iOS 5 and iCloud will be available October 12 in black and white for a suggested price of \$199 (US) for the 8GB model, \$299 (US) for the 32GB model and \$399 (US) for the 64GB model through the Apple Store (www.apple.com), Apple's retail stores and Apple Authorized Resellers. iPod touch requires a Mac with a USB 2.0 port, Mac OS X v10.5.8 or later and iTunes 10 or later; or a Windows PC with a USB 2.0 port and Windows Vista or Windows XP Home or Professional (Service Pack 3) or later and iTunes 10.5 or later. iOS 5 will also be available as a free software update for iPod touch (third and fourth generations) customers allowing them to experience the amazing new features including iMessage, Game Center, Notifications and Wi-Fi Syncing to iTunes.

*iMessage requires Wi-Fi.

Apple designs Macs, the best personal computers in the world, along with OS X, iLife, iWork and professional software. Apple leads the digital music revolution with its iPods and iTunes online store. Apple has reinvented the mobile phone with its revolutionary iPhone and App Store, and has recently introduced iPad 2 which is defining the future of mobile media and computing devices.

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Apple Media Helpline (408) 974-2042 media.help@apple.com

iTunes Store Top Music Retailer in the US

CUPERTINO, California—April 3, 2008—Apple® today announced that the iTunes® Store (www.itunes.com) surpassed Wal-Mart to become the number one music retailer in the US, based on the latest data from the NPD Group*. With over 50 million customers, iTunes has sold over four billion songs and features the world's largest music catalog of over six million songs.

"We launched iTunes less than five years ago, and it has now become the number one music retailer in the world," said Eddy Cue, Apple's vice president of iTunes. "We are thrilled, and would like to thank all of our customers for helping us reach this incredible milestone."

*Based on data from market research firm the NPD Group's MusicWatch survey that captures consumer reported past week unit purchases and counts one CD representing 12 tracks, excluding wireless transactions. The iTunes Store became the largest music retailer in the US based on the amount of music sold during January and February 2008.

Apple ignited the personal computer revolution in the 1970s with the Apple II and reinvented the personal computer in the 1980s with the Macintosh. Today, Apple continues to lead the industry in innovation with its award-winning computers, OS X operating system and iLife and professional applications. Apple is also spearheading the digital media revolution with its iPod portable music and video players and iTunes online store, and has entered the mobile phone market with its revolutionary iPhone.

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NOTE TO EDITORS: For additional information visit Apple's [PR website](#), or call Apple's Media Helpline at (408) 974-2042.

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Exhibit E

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,828,093

Registered Mar. 30, 2004

**SERVICE MARK
PRINCIPAL REGISTER**

ITUNES MUSIC STORE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT, NAMELY, MUSICAL AND AUDIOVISUAL WORKS AND RELATED MERCHANDISE, PROVIDED VIA THE INTERNET AND OTHER COMPUTER AND ELECTRONIC COMMUNICATION NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 3134641, FILED 4-16-2003.

OWNER OF U.S. REG. NO. 2,653,465.

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

SEC. 2(F) "ITUNES".

SER. NO. 78-250,344, FILED 5-15-2003.

HOWARD SMIGA, EXAMINING ATTORNEY



United States Patent and Trademark Office

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Typed Drawing

Word Mark ITUNES MUSIC STORE
Goods and Services IC 035. US 100 101 102. G & S: Retail store services in the field of entertainment, namely, musical and audiovisual works and [related merchandise,] provided via the internet and other computer and electronic communication networks. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428
Mark Drawing Code (1) TYPED DRAWING
Serial Number 78250344
Filing Date May 15, 2003
Current Filing Basis 1A
Original Filing Basis 1A;44D
Published for Opposition January 6, 2004
Registration Number **2828093**
International Registration Number 0862797
Registration Date March 30, 2004
Owner (REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

(LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Lisa G. Widup
Priority Date April 16, 2003
Prior Registrations 2653465
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Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Affidavit Text SECT 8 (6-YR).
Live/Dead Indicator LIVE
Distinctiveness
Limitation Statement "ITUNES"

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Int. Cl.: 38

Prior U.S. Cls.: 100, 101 and 104

United States Patent and Trademark Office

Reg. No. 3,048,602

Registered Jan. 24, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

ITUNES MUSIC STORE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: TELECOMMUNICATION SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF STREAMED AND DOWNLOADABLE AUDIO AND VIDEO FILES VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS; PROVIDING ON-LINE CHAT ROOMS, BULLETIN BOARDS AND COMMUNITY FORUMS FOR THE TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING ENTERTAINMENT, MUSIC, CONCERTS, VIDEOS, RADIO, TELEVISION, FILM, NEWS, SPORTS, GAMES AND CULTURAL EVENTS; WEB CASTING SERVICES; DELIVERY OF MESSAGES BY ELECTRONIC TRANSMISSION; PROVISION OF CONNECTIVITY SERVICES AND ACCESS TO ELECTRONIC COMMUNICATIONS NETWORKS, FOR TRANSMISSION OR RECEPTION OF AUDIO, VIDEO OR MULTIMEDIA CONTENT; TELECOMMUNICATION SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF STREAMED AND DOWNLOADABLE AUDIO AND VIDEO FILES VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS; PROVIDING ON-LINE CHAT ROOMS, BULLETIN BOARDS AND COMMUNITY FORUMS FOR THE TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CON-

CERNING ENTERTAINMENT, MUSIC, CONCERTS, VIDEOS, RADIO, TELEVISION, FILM, NEWS, SPORTS, GAMES AND CULTURAL EVENTS; WEB CASTING SERVICES; DELIVERY OF MESSAGES BY ELECTRONIC TRANSMISSION; PROVISION OF CONNECTIVITY SERVICES AND ACCESS TO ELECTRONIC COMMUNICATIONS NETWORKS, FOR TRANSMISSION OR RECEPTION OF AUDIO, VIDEO OR MULTIMEDIA CONTENT, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 3134641, FILED 4-16-2003.

OWNER OF U.S. REG. NO. 2,653,465.

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

SEC. 2(F) AS TO ITUNES.

SER. NO. 78-314,810, FILED 10-16-2003.

JOHN GARTNER, EXAMINING ATTORNEY



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Typed Drawing

Word Mark	ITUNES MUSIC STORE
Goods and Services	IC 038. US 100 101 104. G & S: Telecommunication services, namely, electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; providing on-line chat rooms, bulletin boards and community forums for the transmission of messages among computer users concerning entertainment, music, concerts, videos, radio, television, film, news, sports, games and cultural events; web casting services; delivery of messages by electronic transmission; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video or multimedia content; Telecommunication services, namely, electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; providing on-line chat rooms, bulletin boards and community forums for the transmission of messages among computer users concerning entertainment, music, concerts, videos, radio, television, film, news, sports, games and cultural events; web casting services; delivery of messages by electronic transmission; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video or multimedia content. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78314810
Filing Date	October 16, 2003
Current Filing Basis	1A
Original Filing Basis	1B;44D
Published for Opposition	November 1, 2005
Registration Number	3048602
International Registration	0862797

Number
Registration Date January 24, 2006
Owner (REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
(LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Thomas R. La Perle
Priority Date April 16, 2003
Prior Registrations 2653465
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MUSIC STORE" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
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Int. Cls.: 41 and 42

Prior U.S. Cls.: 100, 101, and 107

United States Patent and Trademark Office

Reg. No. 2,993,227

Registered Sep. 6, 2005

**SERVICE MARK
PRINCIPAL REGISTER**

ITUNES MUSIC STORE

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: PROVIDING ON-LINE FACILITIES, VIA A GLOBAL COMPUTER NETWORK, TO ENABLE USERS TO PROGRAM AUDIO, VIDEO, TEXT AND OTHER MULTIMEDIA CONTENT, INCLUDING MUSIC, CONCERTS, VIDEOS, RADIO, TELEVISION, NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED PROGRAMS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

FOR: PROVIDING SEARCH ENGINES FOR OBTAINING DATA VIA COMMUNICATIONS NETWORKS; PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON A GLOBAL COMPUTER NETWORK; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO ENABLE USERS TO PROGRAM AUDIO, VIDEO, TEXT AND OTHER MULTIMEDIA CONTENT, INCLUDING MUSIC, CONCERTS, VIDEOS, RADIO, TELEVISION, NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED PRO-

GRAMS; INTERNET SERVICES, NAMELY, CREATING INDEXES OF INFORMATION, SITES AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NETWORKS FOR OTHERS; SEARCHING, BROWSING AND RETRIEVING INFORMATION, SITES, AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NETWORKS FOR OTHERS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 3134641, FILED 4-16-2003, DATED 0-0-0000.

OWNER OF U.S. REG. NO. 2,653,465.

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SN 78-314,800, FILED 10-16-2003.

DOMINIC J. FERRAIUOLO, EXAMINING ATTORNEY



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Typed Drawing

Word Mark	ITUNES MUSIC STORE
Goods and Services	IC 041. US 100 101 107. G & S: providing on-line facilities, via a global computer network, to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428
	IC 042. US 100 101. G & S: providing search engines for obtaining data via communications networks; providing search engines for obtaining data on a global computer network; providing temporary use of on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs; internet services, namely, creating indexes of information, sites and other resources available on global computer networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks for others. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	78314800
Filing Date	October 16, 2003
Current Filing Basis	1A
Original Filing Basis	1B;44D
Published for Opposition	September 14, 2004
Registration Number	2993227
International Registration Number	0862797

Registration Date September 6, 2005

Owner (REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

(LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Thomas R. La Perle

Priority Date April 16, 2003

Prior Registrations 2653465

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Register PRINCIPAL

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Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

United States Patent and Trademark Office

Reg. No. 3,100,480

Registered June 6, 2006

TRADEMARK
PRINCIPAL REGISTER

ITUNES

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: GIFT CARDS, PRINTED GIFT CERTIFICATES; NON-MAGNETICALLY ENCODED PREPAID PURCHASE CARDS FOR ALLOWING USERS TO TRANSFER FINANCIAL VALUE ONLINE VIA RETAIL COMPUTER NETWORKS; NON-MAGNETICALLY ENCODED PREPAID PURCHASE CARDS FOR THE ONLINE PURCHASE OF NEWS, SPORTS AND ENTERTAINMENT CONTENT VIA THE INTERNET, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

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

OWNER OF U.S. REG. NOS. 2,653,465, 2,828,093, AND 2,993,227.

SEC. 2(F).

SER. NO. 78-621,804, FILED 5-3-2005.

BARBARA A. GOLD, EXAMINING ATTORNEY



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Word Mark	ITUNES
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: Gift cards, printed gift certificates; non-magnetically encoded prepaid purchase cards for allowing users to transfer financial value on-line via retail computer networks; non-magnetically encoded prepaid purchase cards for the online purchase of news, sports and entertainment content via the Internet. FIRST USE: 20040229. FIRST USE IN COMMERCE: 20040229
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78621804
Filing Date	May 3, 2005
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 14, 2006
Registration Number	3100480
International Registration Number	0868936
Registration Date	June 6, 2006
Owner	(REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino

CALIFORNIA 95014

(LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP
CUPERTINO CALIFORNIA 95014

Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Lisa G.Widup
Prior Registrations	2653465;2828093;2993227
Type of Mark Register	TRADEMARK PRINCIPAL-2(F)
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

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Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,213,164

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER

ITUNES

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)

1 INFINITE LOOP

CUPERTINO, CA 95014

FOR: RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT FEATURING PRE-RECORDED AUDIO AND AUDIOVISUAL WORKS AND RELATED MERCHANDISE, PROVIDED VIA THE INTERNET AND OTHER COMPUTER AND ELECTRONIC COMMUNICATION NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

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

PRIORITY CLAIMED UNDER SEC. 44(D) ON ERPN CMNTY TM OFC APPLICATION NO. 4730636, FILED 11-2-2005.

OWNER OF U.S. REG. NOS. 2,653,465, 2,993,227 AND OTHERS.

SEC. 2(F).

SER. NO. 78-874,759, FILED 5-2-2006.

ERNEST SHOSHO, EXAMINING ATTORNEY



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[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

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[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
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ITUNES

Word Mark	ITUNES
Goods and Services	IC 035. US 100 101 102. G & S: Retail store services in the field of entertainment featuring pre-recorded audio and audiovisual works and related merchandise, provided via the internet and other computer and electronic communication networks. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78874759
Filing Date	May 2, 2006
Current Filing Basis	1A
Original Filing Basis	1A;44D
Published for Opposition	December 12, 2006
Registration Number	3213164
International Registration Number	0887428

Registration Date February 27, 2007
Owner (REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Thomas R. La Perle
Priority Date November 2, 2005
Prior Registrations 2653465;2828093;2993227;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)
Live/Dead Indicator LIVE

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[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

Int. Cls.: 35, 38, and 42

Prior U.S. Cls.: 100, 101, 102, and 104

United States Patent and Trademark Office

Reg. No. 3,423,716

Registered May 6, 2008

SERVICE MARK
PRINCIPAL REGISTER

ITUNES STORE

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT, NAMELY, MOVIES, MUSICAL AND AUDIOVISUAL WORKS AND RELATED MERCHANDISE, PROVIDED VIA THE INTERNET AND OTHER COMPUTER AND ELECTRONIC COMMUNICATION NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-12-2006; IN COMMERCE 9-12-2006.

FOR: TELECOMMUNICATION SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF STREAMED AND DOWNLOADABLE AUDIO AND VIDEO FILES AND MOVIES VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS; ELECTRONIC TRANSMISSION OF MOVIES, MUSIC AND VIDEO INFORMATION VIA AN INTERNET-BASED DATABASE; PROVIDING ON-LINE CHAT ROOMS, BULLETIN BOARDS AND COMMUNITY FORUMS FOR THE TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING ENTERTAINMENT, MUSIC, CONCERTS, VIDEOS, RADIO, TELEVISION, FILM, NEWS, SPORTS, GAMES AND CULTURAL EVENTS; WEB CASTING SERVICES; PROVISION OF CONNECTIVITY SERVICES AND ACCESS TO ELECTRONIC COMMUNICATIONS NETWORKS, FOR TRANSMISSION OR RECEPTION OF AUDIO, VIDEO, MOVIES AND/OR MULTIMEDIA CONTENT, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 9-12-2006; IN COMMERCE 9-12-2006.

FOR: PROVIDING SEARCH ENGINES FOR OBTAINING DATA VIA COMMUNICATIONS NETWORKS; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO EN-

ABLE USERS TO PROGRAM AUDIO, VIDEO, MOVIES, TEXT AND OTHER MULTIMEDIA CONTENT; INTERNET SERVICES, NAMELY, CREATING INDEXES OF INFORMATION, SITES AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NETWORKS FOR OTHERS; SEARCHING, BROWSING AND RETRIEVING INFORMATION, SITES, AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NETWORKS AND OTHER COMMUNICATION NETWORKS FOR OTHERS; PROVIDING ON-LINE FACILITIES, VIA A GLOBAL COMPUTER NETWORK, TO ENABLE USERS TO PROGRAM AUDIO, VIDEO, MOVIES, TEXT AND OTHER MULTIMEDIA CONTENT, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 9-12-2006; IN COMMERCE 9-12-2006.

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

PRIORITY CLAIMED UNDER SEC. 44(D) ON CANADA APPLICATION NO. 1311676, FILED 8-3-2006.

OWNER OF U.S. REG. NOS. 2,653,465, 2,993,227, AND OTHERS.

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

SEC. 2(F) AS TO "ITUNES".

SN 77-097,285, FILED 2-1-2007.

DANIEL CAPSHAW, EXAMINING ATTORNEY



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[NEXT DOC](#)
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[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAD Status](#)
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ITUNES STORE

Word Mark ITUNES STORE

Goods and Services IC 035. US 100 101 102. G & S: Retail store services in the field of entertainment, namely, movies, musical and audiovisual works and related merchandise, provided via the internet and other computer and electronic communication networks. FIRST USE: 20060912. FIRST USE IN COMMERCE: 20060912

IC 038. US 100 101 104. G & S: Telecommunication services, namely, electronic transmission of streamed and downloadable audio and video files and movies via computer and other communications networks; electronic transmission of movies, music and video information via an internet-based database; providing on-line chat rooms, bulletin boards and community forums for the transmission of messages among computer users concerning entertainment, music, concerts, videos, radio, television, film, news, sports, games and cultural events; web casting services; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video, movies and/or multimedia content. FIRST USE: 20060912. FIRST USE IN COMMERCE: 20060912

IC 042. US 100 101. G & S: Providing search engines for obtaining data via communications networks; providing temporary use of on-line non-downloadable software to enable users to program audio, video, movies, text and other multimedia content; internet services, namely, creating indexes of information, sites and other resources available on global computer networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks and other communication networks for others; providing on-line facilities, via a global computer network, to enable users to program audio, video, movies, text and other multimedia content. FIRST USE: 20060912. FIRST USE IN COMMERCE: 20060912

Standard

Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code LETS-1 | A single letter, multiples of a single letter or in combination with a design
Serial Number 77097285
Filing Date February 1, 2007
Current Filing Basis 1A
Original Filing Basis 1B;44D
Published for Opposition October 9, 2007
Registration Number **3423716**
International Registration Number 0920653
Registration Date May 6, 2008
Owner (REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record Lisa G. Widup
Priority Date August 3, 2006
Prior Registrations 2653465;2828093;2993227;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness Limitation Statement as to "ITUNES"

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Int. Cl.: 9

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

United States Patent and Trademark Office

Reg. No. 3,398,242

Registered Mar. 18, 2008

TRADEMARK
PRINCIPAL REGISTER

ITUNES

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: COMPUTER SOFTWARE FOR USE IN AUTHORIZING, DOWNLOADING, TRANSMITTING, RECEIVING, EDITING, EXTRACTING, ENCODING, DECODING, PLAYING, STORING AND ORGANIZING TEXT, DATA, IMAGES, AUDIO FILES, VIDEO FILES AND ELECTRONIC GAMES; COMPUTER SOFTWARE FOR PERSONAL INFORMATION MANAGEMENT; COMPUTER SOFTWARE FOR USE IN RECORDING, ORGANIZING, TRANSMITTING, MANIPULATING, AND REVIEWING TEXT, DATA, AUDIO FILES, VIDEO FILES AND ELECTRONIC GAMES IN CONNECTION WITH COMPUTERS, TELEVISION SET-TOP BOXES, MUSIC PLAYERS, VIDEO PLAYERS, MEDIA PLAYERS, CELLULAR PHONES, AND PORTABLE AND HANDHELD DIGITAL ELECTRONIC DEVICES; COMPUTER SOFTWARE FOR ACCESSING, BROWSING AND SEARCHING ONLINE DATABASES; COMPUTER SOFTWARE TO ENABLE USERS TO PROGRAM AND DISTRIBUTE AUDIO, VIDEO, TEXT AND OTHER MULTIMEDIA CONTENT, INCLUDING MUSIC, CONCERTS, VIDEOS, RADIO,

TELEVISION, NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED AND EDUCATIONAL PROGRAMS VIA COMMUNICATIONS NETWORKS; COMPUTER SOFTWARE FOR IDENTIFYING, LOCATING, GROUPING, DISTRIBUTING, AND MANAGING DATA AND LINKS BETWEEN COMPUTER SERVERS AND USERS CONNECTED TO ELECTRONIC COMMUNICATIONS NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-9-2001; IN COMMERCE 1-9-2001.

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

OWNER OF U.S. REG. NOS. 2,653,465, 2,828,093, AND 2,993,227.

SEC. 2(F).

SER. NO. 77-236,568, FILED 7-23-2007.

APRIL ROACH, EXAMINING ATTORNEY



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ITUNES

Word Mark ITUNES

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer software for use in authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, video files and electronic games; computer software for personal information management; computer software for use in recording, organizing, transmitting, manipulating, and reviewing text, data, audio files, video files and electronic games in connection with computers, television set-top boxes, music players, video players, media players, cellular phones, and portable and handheld digital electronic devices; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related and educational programs via communications networks; computer software for identifying, locating, grouping, distributing, and managing data and links between computer servers and users connected to electronic communications networks. FIRST USE: 20010109. FIRST USE IN COMMERCE: 20010109

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Search Facility Classification Code LETS-1 | A single letter, multiples of a single letter or in combination with a design

Serial Number 77236568

Filing Date July 23, 2007
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition January 1, 2008
Registration Number **3398242**
International Registration Number 0943547
Registration Date March 18, 2008
Owner (REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record Lisa G. Widup
Prior Registrations 2653465;2828093;2993227
Type of Mark TRADEMARK
Register PRINCIPAL-2(F)
Live/Dead Indicator LIVE

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Int. Cls.: 38, 41, and 42

Prior U.S. Cls.: 100, 101, 104, and 107

Reg. No. 3,532,063

United States Patent and Trademark Office

Registered Nov. 11, 2008

SERVICE MARK
PRINCIPAL REGISTER

ITUNES

APPLE INC. (CALIFORNIA CORPORATION)

1 INFINITE LOOP

CUPERTINO, CA 95014

FOR: COMMUNICATION BY COMPUTER; PROVISION OF TELECOMMUNICATIONS CONNECTIONS TO COMPUTER DATABASES AND THE INTERNET; TRANSMISSION OF DATA AND OF INFORMATION VIA ELECTRONIC COMMUNICATIONS NETWORKS; BROADCASTING AND TRANSMISSION OF RADIO AND TELEVISION PROGRAMS; AUDIO BROADCASTING OF SPOKEN WORD, MUSIC, CONCERTS, AND RADIO PROGRAMS; BROADCASTING PRE-RECORDED VIDEOS FEATURING MUSIC, TELEVISION PROGRAMS, MOTION PICTURES, NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED PROGRAMS VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS; WEB CASTING SERVICES; ELECTRONIC TRANSMISSION OF STREAMED AND DOWNLOADABLE AUDIO AND VIDEO FILES VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS; ELECTRONIC TRANSMISSION OF MOVIES, MUSIC AND VIDEO INFORMATION VIA AN INTERNET-BASED DATABASE; PROVIDING ON-LINE BULLETIN BOARDS AND COMMUNITY FORUMS FOR THE TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING ENTERTAINMENT, MUSIC, VIDEOS, MOTION PICTURES, RADIO, TELEVISION, AND GAMES; PROVIDING TELECOMMUNICATIONS CONNECTIONS TO A GLOBAL COMPUTER NETWORK, NAMELY, PROVISION OF CONNECTIVITY SERVICES AND ACCESS TO ELECTRONIC COMMUNICATIONS NETWORKS, FOR TRANSMISSION OR RECEPTION OF AUDIO, VIDEO, MOVIES AND/OR MULTIMEDIA CONTENT, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

FOR: ENTERTAINMENT SERVICES, NAMELY, PROVIDING A WEB SITE AND DATABASE FEATURING MUSIC, VIDEOS, TELEVISION PROGRAMS, MOTION PICTURES, CURRENT EVENT AND ENTERTAINMENT NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED PROGRAMS; ARRANGING AND CONDUCTING OF EDUCATIONAL AND ENTERTAINMENT EXHIBITIONS, WORKSHOPS, AND SEMINARS IN THE FIELD OF MUSIC, VIDEOS, TELEVISION PROGRAMS, MOTION PICTURES, NEWS, SPORTS, GAMES, CULTURAL EVENTS, AND ENTERTAINMENT-RELATED PROGRAMS; EDUCATIONAL SERVICES IN THE NATURE OF CLASSES AND TRAINING SERVICES OFFERED OVER COMPUTER NETWORKS IN THE FIELDS OF UNIVERSITY-LEVEL SUBJECTS AND TOPICS OF GENERAL INTEREST, NAMELY, ENTERTAINMENT, MUSIC, CONCERTS, VIDEOS, MOTION PICTURES, RADIO, TELEVISION, NEWS, SPORTS, GAMES AND CULTURAL EVENTS, AND COMPUTER HARDWARE AND SOFTWARE APPLICATIONS; PROVIDING ELECTRONIC PUBLICATIONS FOR BROWSING OVER COMPUTER NETWORKS, NAMELY, BOOKS, PAMPHLETS, BROCHURES, AND NEWSLETTERS ON THE SUBJECTS OF EDUCATION, ENTERTAINMENT, COMPUTER HARDWARE AND SOFTWARE APPLICATIONS, AND A WIDE RANGE OF TOPICS OF GENERAL INTEREST, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

FOR: PROVIDING SEARCH ENGINES FOR OBTAINING DATA VIA COMMUNICATIONS NETWORKS; INTERNET SERVICES, NAMELY, CREATING INDEXES OF INFORMATION, SITES AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NETWORKS FOR OTHERS; SEARCHING, BROWSING AND RETRIEVING INFORMATION, SITES, AND OTHER RESOURCES AVAILABLE ON GLOBAL COMPUTER NET-

WORKS AND OTHER COMMUNICATION NETWORKS FOR OTHERS; PROVIDING ON-LINE FACILITIES, VIA A GLOBAL COMPUTER NETWORK, TO ENABLE USERS TO PROGRAM AUDIO, VIDEO, MOVIES, TEXT AND OTHER MULTIMEDIA CONTENT, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 4-28-2003; IN COMMERCE 4-28-2003.

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

OWNER OF U.S. REG. NOS. 2,653,465, 2,993,227, AND 3,048,602.

SEC. 2(F).

SN 77-277,633, FILED 9-12-2007.

APRIL ROACH, EXAMINING ATTORNEY



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[TARR Status](#)
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[TDR](#)
[TTAD Status](#)
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ITUNES

Word Mark
Goods and Services

ITUNES

IC 038. US 100 101 104. G & S: Communication by computer; provision of telecommunications connections to computer databases and the Internet; transmission of data and of information via electronic communications networks; broadcasting and transmission of radio and television programs; audio broadcasting of spoken word, music, concerts, and radio programs; broadcasting pre-recorded videos featuring music, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs via computer and other communications networks; web casting services; electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; electronic transmission of movies, music and video information via an Internet-based database; providing on-line bulletin boards and community forums for the transmission of messages among computer users concerning entertainment, music, videos, motion pictures, radio, television, and games; providing telecommunications connections to a global computer network, namely, provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video, movies and/or multimedia content. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428

IC 041. US 100 101 107. G & S: Entertainment services, namely, providing a web site and database featuring music, videos, television programs, motion pictures, current event and entertainment news, sports, games, cultural events, and entertainment-related programs; arranging and conducting of educational and entertainment exhibitions, workshops, and seminars in the field of music, videos, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs; educational services in the nature of classes and training services offered over computer networks in the fields of university-level subjects and topics of general interest, namely, entertainment, music, concerts, videos, motion pictures, radio, television, news, sports, games and cultural events, and computer hardware and software applications; providing

electronic publications for browsing over computer networks, namely, books, pamphlets, brochures, and newsletters on the subjects of education, entertainment, computer hardware and software applications, and a wide range of topics of general interest. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428

IC 042. US 100 101. G & S: Providing search engines for obtaining data via communications networks; internet services, namely, creating indexes of information, sites and other resources available on global computer networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks and other communication networks for others; providing on-line facilities, via a global computer network, to enable users to program audio, video, movies, text and other multimedia content. FIRST USE: 20030428. FIRST USE IN COMMERCE: 20030428

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark

Search Facility Classification Code LETS-1 | A single letter, multiples of a single letter or in combination with a design

Serial Number 77277633

Filing Date September 12, 2007

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition March 4, 2008

Registration Number **3532063**

International Registration Number 0948219

Registration Date November 11, 2008

Owner (REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

Attorney of Record Lisa G. Widup

Prior Registrations 2653465;2993227;3048602

Type of Mark SERVICE MARK

Register PRINCIPAL-2(F)

Live/Dead Indicator LIVE

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[BROWSE DICT](#)
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[HELP](#)
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[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

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Int. Cl.: 9

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

United States Patent and Trademark Office

Reg. No. 2,653,465

Registered Nov. 26, 2002

**TRADEMARK
PRINCIPAL REGISTER**

ITUNES

APPLE COMPUTER, INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

PRIORITY CLAIMED UNDER SEC. 44(D) ON
UNITED KINGDOM APPLICATION NO. 2249936,
FILED 10-24-2000.

FOR: COMPUTER SOFTWARE FOR USE IN
AUTHORING, DOWNLOADING, TRANSMITTING,
RECEIVING, EDITING, EXTRACTING, ENCOD-
ING, DECODING, PLAYING, STORING AND OR-
GANIZING AUDIO DATA, IN CLASS 9 (U.S. CLS. 21,
23, 26, 36 AND 38).

SEC. 2(F).

SER. NO. 76-193,469, FILED 1-9-2001.

FIRST USE 1-9-2001; IN COMMERCE 1-9-2001.

BRIAN NEVILLE, EXAMINING ATTORNEY



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Record 1 out of 1

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Typed Drawing

Word Mark	ITUNES
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Computer software for use in authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing audio data. FIRST USE: 20010109. FIRST USE IN COMMERCE: 20010109
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76193469
Filing Date	January 9, 2001
Current Filing Basis	1A
Original Filing Basis	1A;44D
Published for Opposition	September 3, 2002
Registration Number	2653465
International Registration Number	0839057
Registration Date	November 26, 2002
Owner	(REGISTRANT) Apple Computer, Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014 (LAST LISTED OWNER) APPLE INC. CORPORATION CALIFORNIA 1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Lisa G. Widup
Priority Date	October 24, 2000
Type of Mark	TRADEMARK
Register	PRINCIPAL-2(F)

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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Int. Cls.: 35 and 38

Prior U.S. Cls.: 100, 101, 102, and 104

United States Patent and Trademark Office

Reg. No. 3,616,913

Registered May 5, 2009

**SERVICE MARK
PRINCIPAL REGISTER**

ITUNES PLUS

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT, NAMELY, AUDIO, AUDIO-VISUAL, MUSIC, MULTIMEDIA AND VIDEO CONTENT PROVIDED VIA THE INTERNET AND OTHER COMPUTER AND ELECTRONIC COMMUNICATION NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-30-2007; IN COMMERCE 5-30-2007.

FOR: TELECOMMUNICATION SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF STREAMED AND DOWNLOADABLE AUDIO AND VIDEO FILES VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS; PROVISION OF CONNECTIVITY SERVICES AND ACCESS TO ELECTRONIC COMMUNICATIONS NETWORKS, FOR TRANSMISSION OR RECEPTION OF AUDIO

AND VIDEO CONTENT, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 5-30-2007; IN COMMERCE 5-30-2007.

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

PRIORITY CLAIMED UNDER SEC. 44(D) ON TRINIDAD/TOBAGO APPLICATION NO. 38485, FILED 5-21-2007.

OWNER OF U.S. REG. NOS. 2,653,465, 3,213,164, AND OTHERS.

SEC. 2(F) AS TO "ITUNES".

SN 77-332,126, FILED 11-16-2007.

CHERYL CLAYTON, EXAMINING ATTORNEY



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Record 1 out of 1

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
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ITUNES PLUS

Word Mark	ITUNES PLUS
Goods and Services	IC 035. US 100 101 102. G & S: Retail store services in the field of entertainment, namely, audio, audiovisual, music, multimedia and video content provided via the internet and other computer and electronic communication networks. FIRST USE: 20070530. FIRST USE IN COMMERCE: 20070530
	IC 038. US 100 101 104. G & S: Telecommunication services, namely, electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio and video content. FIRST USE: 20070530. FIRST USE IN COMMERCE: 20070530
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	LETS-1 A single letter, multiples of a single letter or in combination with a design
Serial Number	77332126
Filing Date	November 16, 2007
Current Filing Basis	1A
Original Filing Basis	44D
Published for	August 26, 2008

Opposition

Registration Number 3616913
Registration Date May 5, 2009
Owner (REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record Lisa G. Widup
Priority Date May 21, 2007
Prior Registrations 2653465;2993227;3213164;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness Limitation Statement as to "ITUNES"

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Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

United States Patent and Trademark Office

Reg. No. 3,511,416

Registered Oct. 7, 2008

SERVICE MARK
PRINCIPAL REGISTER

ITUNES STORE

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: ENTERTAINMENT SERVICES, NAMELY, PROVIDING PRERECORDED AUDIO AND AUDIO-VISUAL CONTENT, INFORMATION AND COMMENTARY IN THE FIELDS OF MUSIC, CONCERTS, VIDEOS, MOVIES, TELEVISION, BOOKS, NEWS, SPORTS, GAMES AND CULTURAL EVENTS ALL ON-LINE VIA A GLOBAL COMPUTER NETWORK, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-12-2006; IN COMMERCE 9-12-2006.

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

OWNER OF U.S. REG. NOS. 2,653,465, 2,828,093, AND 2,993,227.

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

SEC. 2(F) AS TO "ITUNES".

SER. NO. 77-386,751, FILED 2-1-2008.

MARILYN IZZI, EXAMINING ATTORNEY



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Record 1 out of 1

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ITUNES STORE

Word Mark	ITUNES STORE
Goods and Services	IC 041. US 100 101 107. G & S: Entertainment services, namely, providing prerecorded audio and audiovisual content, information and commentary in the fields of music, concerts, videos, movies, television, books, news, sports, games and cultural events all on-line via a global computer network. FIRST USE: 20060912. FIRST USE IN COMMERCE: 20060912
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77386751
Filing Date	February 1, 2008
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	July 22, 2008
Registration Number	3511416
Registration Date	October 7, 2008
Owner	(REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record	Lisa G. Widup
Prior Registrations	2653465;2828093;2993227
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STORE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK

Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness
Limitation as to "ITUNES"
Statement

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#)

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THE ITUNES DOWNLOAD

Reg. No. 3,825,950

APPLE INC. (CALIFORNIA CORPORATION)

Registered July 27, 2010

1 INFINITE LOOP
CUPERTINO, CA 95014

Int. Cls.: 38 and 41

FOR: BROADCASTING OR TRANSMISSION OF RADIO PROGRAMS; TELECOMMUNICATION SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF DOWNLOADABLE DIGITAL AUDIO FILES VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

SERVICE MARK

PRINCIPAL REGISTER

FIRST USE 8-13-2008; IN COMMERCE 8-16-2008.

FOR: ENTERTAINMENT SERVICES, NAMELY, PRODUCTION, EDITING AND DISTRIBUTION OF RADIO PROGRAMS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 8-13-2008; IN COMMERCE 8-16-2008.

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

SEC. 2(F) AS TO "ITUNES".

PRIORITY CLAIMED UNDER SEC. 44(D) ON TRINIDAD/TOBAGO APPLICATION NO. 40036, FILED 7-10-2008.

OWNER OF U.S. REG. NOS. 2,653,465, 3,532,063, AND OTHERS.

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

SN 77-644,244, FILED 1-6-2009.

JERI J. FICKES, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office



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[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
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THE ITUNES DOWNLOAD

Word Mark	THE ITUNES DOWNLOAD
Goods and Services	IC 038. US 100 101 104. G & S: Broadcasting or transmission of radio programs; telecommunication services, namely, electronic transmission of downloadable digital audio files via computer and other communications networks. FIRST USE: 20080813. FIRST USE IN COMMERCE: 20080816
	IC 041. US 100 101 107. G & S: Entertainment services, namely, production, editing and distribution of radio programs. FIRST USE: 20080813. FIRST USE IN COMMERCE: 20080816
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Trademark Search Facility Classification Code	LETS-1 A single letter, multiples of a single letter or in combination with a design SHAPES-MISC Miscellaneous shaped designs
Serial Number	77644244
Filing Date	January 6, 2009
Current Filing Basis	1A
Original Filing Basis	1B;44D
Published for Opposition	December 15, 2009
Registration Number	3825950
International Registration Number	0996628
Registration Date	July 27, 2010
Owner	(REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record	Lisa G. Widup

Priority Date July 10, 2008
Prior Registrations 2653465;3423716;3532063;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DOWNLOAD" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness Limitation Statement as to "ITUNES"

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ITUNES LIVE

Reg. No. 4,018,000

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

Registered Aug. 30, 2011

Int. Cls.: 35 and 41

FOR: ONLINE RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT FEATURING PRERECORDED MUSICAL, AUDIO AND AUDIOVISUAL CONTENT, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

SERVICE MARK

FIRST USE 6-0-2005; IN COMMERCE 6-0-2005.

PRINCIPAL REGISTER

FOR: ENTERTAINMENT SERVICES, NAMELY, ARRANGING AND CONDUCTING OF CONCERTS AND LIVE MUSICAL PERFORMANCES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 6-0-2005; IN COMMERCE 6-0-2005.

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

OWNER OF U.S. REG. NOS. 3,213,164, 3,532,063 AND OTHERS.

SEC. 2(F).

SER. NO. 85-030,139, FILED 5-4-2010.

WILLIAM P. SHANAHAN, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

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Record 1 out of 1

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ITUNES LIVE

Word Mark ITUNES LIVE

Goods and Services IC 035. US 100 101 102. G & S: Online retail store services in the field of entertainment featuring prerecorded musical, audio and audiovisual content. FIRST USE: 20050600. FIRST USE IN COMMERCE: 20050600

IC 041. US 100 101 107. G & S: Entertainment services, namely, arranging and conducting of concerts and live musical performances. FIRST USE: 20050600. FIRST USE IN COMMERCE: 20050600

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85030139

Filing Date May 4, 2010

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition June 14, 2011

Registration Number 4018000

International Registration Number 1039263

Registration Date August 30, 2011

Owner (REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

Attorney of Record Lisa G. Widup

Prior Registrations 3213164;3398242;3532063;AND OTHERS
Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)
Live/Dead Indicator LIVE

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United States of America

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Reg. No. 4,018,001

Registered Aug. 30, 2011

Int. Cls.: 35 and 41

SERVICE MARK

PRINCIPAL REGISTER

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: ONLINE RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT FEATURING PRERECORDED MUSICAL, AUDIO AND AUDIOVISUAL CONTENT, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-0-2008; IN COMMERCE 1-0-2008.

FOR: ENTERTAINMENT SERVICES, NAMELY, ARRANGING AND CONDUCTING OF CONCERTS AND LIVE MUSICAL PERFORMANCES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 1-0-2008; IN COMMERCE 1-0-2008.

OWNER OF U.S. REG. NOS. 3,213,164, 3,532,063 AND OTHERS.

THE MARK CONSISTS OF THE STYLIZED WORDS "ITUNES" AND "LIVE" WITH THE WORD "LIVE" APPEARING IN SPRAY PAINT TYPE LETTERS ON A RECTANGULAR BOARD/SIGN.

SEC. 2(F) AS TO "ITUNES LIVE".

SER. NO. 85-030,144, FILED 5-4-2010.

WILLIAM P. SHANAHAN, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office



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Record 1 out of 1

[TARR Status](#) | [ASSIGN Status](#) | [TDR](#) | [TTAB Status](#) (*Use the "Back" button of the Internet Browser to return to TESS*)



Word Mark	ITUNES LIVE
Goods and Services	IC 035. US 100 101 102. G & S: Online retail store services in the field of entertainment featuring prerecorded musical, audio and audiovisual content. FIRST USE: 20080100. FIRST USE IN COMMERCE: 20080100
	IC 041. US 100 101 107. G & S: Entertainment services, namely, arranging and conducting of concerts and live musical performances. FIRST USE: 20080100. FIRST USE IN COMMERCE: 20080100
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.02 - Plain single line rectangles; Rectangles (single line)
Serial Number	85030144
Filing Date	May 4, 2010
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	June 14, 2011
Registration Number	4018001
International Registration Number	1039713
Registration Date	August 30, 2011
Owner	(REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record	Lisa G. Widup
Prior Registrations	3213164;3398242;3532063;AND OTHERS
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the stylized words

"ITUNES" and "LIVE" with the word "LIVE" appearing in spray paint type letters on a rectangular board/sign.

Type of Mark SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness
Limitation Statement as to "ITUNES LIVE"

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United States Patent and Trademark Office

ITUNES U

Reg. No. 4,047,650

Registered Nov. 1, 2011

Int. Cls.: 9 and 35

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: DOWNLOADABLE PRERECORDED AUDIO AND AUDIOVISUAL CONTENT, INFORMATION AND COMMENTARY IN THE NATURE OF CLASSES, LECTURES AND PODCASTS IN THE FIELDS OF K-12 EDUCATION AND UNIVERSITY-LEVEL SUBJECTS AND TOPICS OF GENERAL INTEREST, NAMELY, BUSINESS, ENGINEERING, FINE ARTS, HEALTH, NUTRITION, MEDICINE, HISTORY, HUMANITIES, LANGUAGE, LITERATURE, MATHEMATICS, SCIENCE, SOCIAL SCIENCE, SOCIETY AND CULTURE, TEACHING AND EDUCATION; DOWNLOADABLE PUBLICATIONS IN THE NATURE OF BOOKS AND MAGAZINES IN THE FIELDS OF K-12 EDUCATION AND UNIVERSITY-LEVEL SUBJECTS AND TOPICS OF GENERAL INTEREST, NAMELY, BUSINESS, ENGINEERING, FINE ARTS, HEALTH, NUTRITION, MEDICINE, HISTORY, HUMANITIES, LANGUAGE, LITERATURE, MATHEMATICS, SCIENCE, SOCIAL SCIENCE, SOCIETY AND CULTURE, TEACHING AND EDUCATION, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 10-0-2005; IN COMMERCE 1-27-2006.

FOR: ONLINE RETAIL STORE SERVICES FEATURING PRE-RECORDED AUDIO AND AUDIOVISUAL CONTENT IN THE NATURE OF INFORMATION AND COMMENTARY IN THE FIELDS OF K-12 EDUCATION AND UNIVERSITY-LEVEL SUBJECTS AND TOPICS OF GENERAL INTEREST, NAMELY, BUSINESS, ENGINEERING, FINE ARTS, HEALTH, NUTRITION, MEDICINE, HISTORY, HUMANITIES, LANGUAGE, LITERATURE, MATHEMATICS, SCIENCE, SOCIAL SCIENCE, SOCIETY AND CULTURE, TEACHING AND EDUCATION, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-0-2005; IN COMMERCE 1-27-2006.

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

OWNER OF U.S. REG. NOS. 2,653,465, 3,532,063 AND OTHERS.

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



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 4,047,650 SER. NO. 85-002,469, FILED 3-30-2010.

MARTHA FROMM, EXAMINING ATTORNEY



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ITUNES U

Word Mark ITUNES U

Goods and Services IC 009. US 021 023 026 036 038. G & S: Downloadable prerecorded audio and audiovisual content, information and commentary in the nature of classes, lectures and podcasts in the fields of K-12 education and university-level subjects and topics of general interest, namely, business, engineering, fine arts, health, nutrition, medicine, history, humanities, language, literature, mathematics, science, social science, society and culture, teaching and education; downloadable publications in the nature of books and magazines in the fields of K-12 education and university-level subjects and topics of general interest, namely, business, engineering, fine arts, health, nutrition, medicine, history, humanities, language, literature, mathematics, science, social science, society and culture, teaching and education. FIRST USE: 20051000. FIRST USE IN COMMERCE: 20060127

IC 035. US 100 101 102. G & S: Online retail store services featuring pre-recorded audio and audiovisual content in the nature of information and commentary in the fields of K-12 education and university-level subjects and topics of general interest, namely, business, engineering, fine arts, health, nutrition, medicine, history, humanities, language, literature, mathematics, science, social science, society and culture, teaching and education. FIRST USE: 20051000. FIRST USE IN COMMERCE: 20060127

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85002469

Filing Date March 30, 2010

Current Filing Basis 1A

Original Filing

Basis 1A
Published for Opposition August 16, 2011
Registration Number 4047650
International Registration Number 1036452; 1054830
Registration Date November 1, 2011
Owner (REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record Lisa G. Widup
Prior Registrations 2653465;3213164;3532063;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "U" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

ITUNES EXTRAS

Reg. No. 3,945,361

Registered Apr. 12, 2011

**Int. Cls.: 9, 35, 38, 41,
and 42**

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

APPLE INC. (CALIFORNIA CORPORATION)
1 INFINITE LOOP
CUPERTINO, CA 95014

FOR: COMPUTER SOFTWARE FOR USE IN AUTHORING, EDITING, AND ENCODING TEXT, DATA, IMAGES, AND VIDEO FILES; COMPUTER SOFTWARE TO ENABLE USERS TO PROGRAM AND DISTRIBUTE VIDEO AND OTHER MULTIMEDIA CONTENT VIA COMMUNICATIONS NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 11-26-2009; IN COMMERCE 11-26-2009.

FOR: RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT, NAMELY, AUDIOVISUAL, MULTIMEDIA AND VIDEO CONTENT PROVIDED VIA THE INTERNET AND OTHER COMPUTER AND ELECTRONIC COMMUNICATION NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-9-2009; IN COMMERCE 9-9-2009.

FOR: ELECTRONIC TRANSMISSION OF DOWNLOADABLE VIDEO CONTENT VIA COMPUTER AND OTHER COMMUNICATIONS NETWORKS; PROVISION OF CONNECTIVITY SERVICES AND ACCESS TO ELECTRONIC COMMUNICATIONS NETWORKS, FOR TRANSMISSION OR RECEPTION OF VIDEO, MOVIES AND/OR MULTIMEDIA CONTENT, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 9-9-2009; IN COMMERCE 9-9-2009.

FOR: ENTERTAINMENT SERVICES, NAMELY, PROVIDING PRERECORDED AUDIOVISUAL CONTENT AND COMMENTARY ON-LINE IN THE FIELDS OF MOVIES AND ENTERTAINMENT-RELATED PROGRAMS VIA A GLOBAL COMPUTER NETWORK; PROVIDING A WEB SITE AND DATABASE FEATURING MOVIES, MOTION PICTURES, AND ENTERTAINMENT-RELATED PROGRAMS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-9-2009; IN COMMERCE 9-9-2009.

FOR: PROVIDING ON-LINE FACILITIES, VIA A GLOBAL COMPUTER NETWORK, TO ENABLE USERS TO PROGRAM VIDEO, MOVIES, AND OTHER MULTIMEDIA CONTENT, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 11-26-2009; IN COMMERCE 11-26-2009.

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



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 3,945,361 SEC. 2(F) AS TO "ITUNES".

PRIORITY CLAIMED UNDER SEC. 44(D) ON JAMAICA APPLICATION NO. 54328, FILED 8-19-2009.

OWNER OF U.S. REG. NOS. 2,653,465, 3,398,242, AND 3,532,063.

SN 77-860,851, FILED 10-29-2009.

DAVID MURRAY, EXAMINING ATTORNEY



United States Patent and Trademark Office

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ITUNES EXTRAS

Word Mark Goods and Services

ITUNES EXTRAS

IC 009. US 021 023 026 036 038. G & S: Computer software for use in authoring, editing, and encoding text, data, images, and video files; computer software to enable users to program and distribute video and other multimedia content via communications networks. FIRST USE: 20091126. FIRST USE IN COMMERCE: 20091126

IC 035. US 100 101 102. G & S: Retail store services in the field of entertainment, namely, audiovisual, multimedia and video content provided via the Internet and other computer and electronic communication networks. FIRST USE: 20090909. FIRST USE IN COMMERCE: 20090909

IC 038. US 100 101 104. G & S: Electronic transmission of downloadable video content via computer and other communications networks; provision of connectivity services and access to electronic communications networks, for transmission or reception of video, movies and/or multimedia content. FIRST USE: 20090909. FIRST USE IN COMMERCE: 20090909

IC 041. US 100 101 107. G & S: Entertainment services, namely, providing prerecorded audiovisual content and commentary on-line in the fields of movies and entertainment-related programs via a global computer network; providing a web site and database featuring movies, motion pictures, and entertainment-related programs. FIRST USE: 20090909. FIRST USE IN COMMERCE: 20090909

IC 042. US 100 101. G & S: Providing on-line facilities, via a global computer network, to enable users to program video, movies, and other multimedia content. FIRST USE: 20091126. FIRST USE IN COMMERCE: 20091126

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77860851
Filing Date October 29, 2009
Current Filing Basis 1A
Original Filing Basis 1B;44D
Published for Opposition June 15, 2010
Registration Number **3945361**
International Registration Number 1032868
Registration Date April 12, 2011
Owner (REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014
Attorney of Record Lisa G. Widup
Priority Date August 19, 2009
Prior Registrations 2653465;3398242;3532063
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL-2(F)-IN PART
Live/Dead Indicator LIVE
Distinctiveness Limitation Statement as to "ITUNES"

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United States of America

United States Patent and Trademark Office

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Reg. No. 3,708,189 APPLE INC. (CALIFORNIA CORPORATION)
Registered Nov. 10, 2009 1 INFINITE LOOP
CUPERTINO, CA 95014

Int. Cl.: 35 FOR: ONLINE RETAIL STORE SERVICES IN THE FIELD OF ENTERTAINMENT, NAMELY, PRERECORDED MUSICAL, AUDIO AND AUDIOVISUAL WORKS PROVIDED ONLINE AND VIA ELECTRONIC COMMUNICATIONS NETWORKS; ONLINE RETAIL STORE SERVICES IN THE NATURE OF SUBSCRIPTIONS TO AUDIO, VIDEO, AND MULTIMEDIA CONTENT PROVIDED ONLINE AND VIA ELECTRONIC COMMUNICATIONS NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

SERVICE MARK
PRINCIPAL REGISTER

FIRST USE 2-24-2009; IN COMMERCE 2-24-2009.

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

PRIORITY CLAIMED UNDER SEC. 44(D) ON TRINIDAD/TOBAGO APPLICATION NO. 40408, FILED 10-24-2008.

OWNER OF U.S. REG. NOS. 2,828,093, 3,213,164, AND 3,423,716.

SER. NO. 77-703,755, FILED 3-31-2009.

DAVID MURRAY, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office



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ITUNES PASS

Word Mark	ITUNES PASS
Goods and Services	IC 035. US 100 101 102. G & S: Online retail store services in the field of entertainment, namely, prerecorded musical, audio and audiovisual works provided online and via electronic communications networks; Online retail store services in the nature of subscriptions to audio, video, and multimedia content provided online and via electronic communications networks. FIRST USE: 20090224. FIRST USE IN COMMERCE: 20090224
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77703755
Filing Date	March 31, 2009
Current Filing Basis	1A
Original Filing Basis	1A;44D
Published for Opposition	August 25, 2009
Registration Number	3708189
International Registration Number	1000907
Registration Date	November 10, 2009
Owner	(REGISTRANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA

95014
Attorney of Record Lisa G. Widup
Priority Date October 24, 2008
Prior Registrations 2828093;3213164;3423716
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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ITUNES

Word Mark ITUNES

Goods and Services

IC 009. US 021 023 026 036 038. G & S: Apparatus for recording, transmission or reproduction of sounds or images; recording discs, namely, blank computer discs, blank optical discs, blank record disks, blank CDROMs, blank CDs, blank DVDs, and blank high definition digital discs; pre-recorded CDROMs, CDs, DVDs, and high definition digital discs featuring computer software, computer programs, audio, audiovisual, musical, multimedia and video works; apparatus and instruments for transmitting, receiving, or recording sound or images; downloadable audio and video recordings featuring music, comedy, drama, action, adventure or animation; automatic vending machines and mechanisms for coin operated apparatus; computers, computer terminals, computer peripherals; computer hardware; computer networking hardware; telephone-based information retrieval software and hardware; blank chips, discs and tapes for recording computer programs and software; solid state memory storage drives; electronic communication and telecommunications equipment, apparatus and instruments, namely, microphones, cables, transmitters, modems, computer network adapters, switches, routers and hubs, computer hardware for telecommunications, telecommunications base station equipment for cellular and fixed networking and communications applications; computer and electronic game software; computer software and computer hardware apparatus with multimedia and interactive functions; blank magnetic data carriers; computer and television monitors, video displays, keyboards, computer cables, videophones, computer disk drives; computer memory hardware; blank computer storage media; solid-state data storage drives; user manuals in electronically readable, machine readable or computer readable form for use with, and sold as a unit with, all the aforementioned goods; blank computer hard drives; pre-recorded vinyl records, audio tapes, audio-video tapes, audio video cassettes, audio video discs. audio tapes, sold together with booklets, sound and video recordings featuring audio, audiovisual, musical, multimedia and video works; mouse pads; computer stands specially designed for holding a computer, printer and accessories; computer disk holders; batteries; rechargeable batteries; battery chargers; chargers for electric batteries; headphones; stereo headphones; in-ear headphones; stereo speakers; audio speakers; audio speakers for home; computer and television monitor speakers; speakers for computers; personal stereo speakers; radio receivers, amplifiers, sound recording and reproducing apparatus, electric phonographs, record players, high fidelity stereos, tape recorders and sound and video reproducing apparatus, loudspeakers, multiple audio speaker units, microphones; digital audio and video players

with multimedia and interactive functions; parts, fittings, and testing apparatus for all the aforementioned goods; audio cassette recorders and players, video cassette recorders and players, compact disc players, digital versatile disc recorders and players, digital audio tape recorders and players; radios; audio, video, and digital mixers; radio transmitters; audio equipment for cars, namely, stereos, speakers, amplifiers, equalizers, crossovers and speaker housings; global positioning systems; navigation apparatus for vehicles (on board computers); cameras; video cameras; bags and cases adapted or shaped to contain cameras or video cameras; telephones; cordless telephones; mobile telephones and parts therefor; mobile telephone covers; mobile telephone cases; mobile telephone cases made of leather or imitations of leather; mobile telephone covers made of cloth or textile materials; portable and handheld digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, audio, image and video files, and computer software for operating the foregoing. digital music and video players; hand held computers, personal digital assistants, electronic organizers, electronic notepads; bags and cases adapted or shaped to contain digital music or video players, hand held computers, personal digital assistants, electronic organizers and electronic notepads; specialty holders, straps, armbands, lanyards and clips for attachment to portable and handheld digital electronic devices for recording, organizing, transmitting, manipulating, and reviewing text, data, audio, image and video files; pre-recorded computer programs for personal information management, database management software, character recognition software, telephony management software, electronic mail and messaging software, paging software, mobile telephone software; database synchronization software, computer programs for accessing, browsing and searching online databases, computer software for use in connection with online music subscription service, software that enables users to play and program music and entertainment-related audio, video, text and multi-media content, software featuring musical sound recordings, entertainment-related audio, video, text and multi-media content, computer software and firmware for operating system programs, data synchronization programs, and application development tool programs for personal and handheld computers; electronic handheld devices for the wireless receipt, storage or transmission of data and messages; software for the redirection of messages, Internet e-mail, or other data to one or more electronic handheld devices from a data store on or associated with a personal computer or a server; software for the synchronization of data between a remote station or device and a fixed or remote station or device; sound effect apparatus and instruments (computer software); electronic tone generators (computer software); computer desktop utility software. screen saver software; software for data encryption; software for analyzing and recovering data; software for computer system backup, data processing, data storage, file management and database management; software for telecommunication and communication via local or global communications networks, namely local computer networks, the Internet, intranets, extranets, television, mobile communication, cellular and satellite networks; software for creating and delivering electronic greeting cards, messages and electronic mail; software for access to communications networks including the Internet; electronic tone generators for use with musical instruments; instructional manuals relating to the foregoing recorded on computer media

IC 011. US 013 021 023 031 034. G & S: Lighting fixtures; lights for music stands; computer controlled lighting fixtures

IC 014. US 002 027 028 050. G & S: Jewelry; horological and chronometric instruments; clocks; watches; lapel pins; key rings of precious metal; cases for clocks, watches or jewels

IC 015. US 002 021 036. G & S: Musical instruments; electric and electronic musical instruments; electronic pianos, electronic musical keyboards; electric or electronic percussion instruments; music and sound synthesizers; sound effect pedals for musical instruments; musical instruments controlled by computer software; electronically operated musical apparatus; musical instruments controlled by computer; carrying bags for musical instruments; cases for musical instruments

IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed matter, namely, books, magazines, newsletters, periodicals, brochures, booklets, pamphlets, manuals, journals, catalogs and leaflets in the fields of music, videos, television programs, motion pictures, current event and entertainment news, sports, games, cultural events, computers, computer software, computer hardware, consumer electronics, multimedia products, interactive products and online services, technology, digital technology, gadgets, on-line retailing, multimedia apparatus and instruments, music instruction, telecommunications, mobile phones, and handheld and mobile digital electronic devices; photographs; stationery; adhesives for stationery or household purposes; typewriters; plastic bags for packaging; greeting cards; telephone and address books, agendas, diaries, calendars, posters, mounted and unmounted photographs, printed patterns for T-shirts and sweatshirts, decals and bumper stickers

IC 018. US 001 002 003 022 041. G & S: Leather and imitations of leather, and goods made of these materials and not included in other classes, namely, leather keychains, bags, cases, wallets, and boxes; trunks and travelling bags; umbrellas; athletic bags; beach bags; school bags; shoe bags; waist bags; backpacks; fanny packs; waist packs; wallets; purses

IC 020. US 002 013 022 025 032 050. G & S: Furniture; furniture-type carts for computers; chairs for computer workstations; computer cabinets; computer desks; computer furniture; computer workstations; comprising tables and support platforms for computers, computer monitors and computer peripherals; plastic and non-metal key rings

IC 021. US 002 013 023 029 030 033 040 050. G & S: Beverage glassware, porcelain mugs and earthenware mugs; cups; mugs; drinking glasses

IC 025. US 022 039. G & S: Footwear; headwear; clothing for men, women and children, namely, shirts, t-shirts, sweatshirts, jogging suits, trousers, jeans, pants, shorts, tank tops, rainwear, blouses, sweaters, jackets, coats, robes, raincoats, ties, belts, hats, caps, sun visors, sleepwear, shoes, sneakers

IC 028. US 022 023 038 050. G & S: Games, namely, action skill games, electronic games other than those adapted for use with an external display screen or monitor, arcade games, board games, card games, coin-operated video games, exercise machines incorporating electronic and video game controllers, and game tables; toys, namely, children's multiple activity toys, collectable toy figures, musical toys, stuffed toys, toy music players; playing cards; hand-held units for playing electronic games; toy audio apparatus, namely, devices for creating audio sounds for use inside of toys; toy musical boxes; toy musical instruments; toy record players for playing tunes and cassettes; musical games; battery operated action toys; electronic action toys; electronic learning toys; computer controlled exercise equipment; electronic games other than those adapted for use with television receivers only; toy computers (not working)

IC 035. US 100 101 102. G & S: Advertising and marketing services; sales promotion services for third parties; conducting market research surveys; analysis of advertising response and market research; retail store services in the field of entertainment featuring movies, musical and audiovisual works, and music related electronic products, provided via the Internet and other electronic and global communications networks; retail store services featuring computer, electronic and entertainment products; retail store services featuring telecommunications apparatus, mobile phones, handheld and mobile digital electronic devices for the sending and receiving of telephone calls, faxes, electronic mail, video, instant messaging, music, audiovisual and other multimedia works, and other digital data, accessories, peripherals, and carrying cases for such devices; retail store services provided via global communications networks featuring computer, electronic and entertainment products; retail store services provided by global communications networks featuring mobile phones, handheld mobile digital electronic devices, music related electronic products and other consumer electronics, computer software, accessories, peripherals, and carrying cases for such devices; product demonstrations provided in-store and via global communications networks; providing information pertaining to purchasing computer hardware and software; online music subscription services, namely, providing downloadable pre-recorded music and video for a fee or pre-paid subscription via the Internet or pre-bundled with computing devices information; arranging and conducting of commercial, trade and business conferences

IC 036. US 100 101 102. G & S: Financial and monetary affairs, namely, financial advice and consultancy services, consumer lending services, retail credit services, installment loans, lease-purchase financing and loans, and loan financing; computerized financial services, namely, providing information in the fields of investment and finance over computer networks and global communication networks

IC 037. US 100 103 106. G & S: Installation, maintenance and repair of computers; maintenance and repair of MP3 players, hand held computers, personal digital assistants, electronic organizers and electronic notepads; maintenance and repair of electronically operated musical apparatus; providing information regarding the repair and maintenance of computer hardware

IC 038. US 100 101 104. G & S: Telecommunication access services; communications by computer

terminals; electronic sending of data and documentation via the Internet or other databases; electronic transmission of data and news; providing access to electronic news services relating to the downloading of information and data from the Internet; providing access to web-sites featuring multimedia materials; providing access to web sites on the Internet; electronic delivery of digital music by telecommunications networks; providing wireless telecommunications via electronic communications networks; wireless digital messaging, paging services, and electronic mail services, namely services that enable a user to send or receive messages through a wireless data network; one-way and two-way paging services; telegram transmission services and telephone communication services; broadcasting and transmission of radio and television programs; provision of telecommunications access and online communications links to computer databases and the Internet; electronic transmission of streamed and downloadable audio and video files via computer and other communications networks; web casting services; delivery of messages by electronic transmission; providing electronic telecommunications connections and access to electronic communications networks, for transmission or reception of audio, video or multimedia content; provision of telecommunications connections to electronic communication networks, for transmission or reception of audio, video or multimedia content; providing access to digital music web sites on the Internet; providing access to MP3 web sites on the Internet; provision of telecommunications connections to the Internet or computer databases; providing user access to the Internet, namely internet service provider services; electronic mail services. electronic transmission of information, namely web pages, computer programs and any other data; video broadcasting, broadcasting prerecorded videos featuring music and entertainment, television programs, motion pictures, news, sports, games, cultural events, and entertainment-related programs of all kinds, via a global computer network, computer and other communications networks; streaming of video content via a global computer network; subscription audio broadcasting via a global computer network; audio broadcasting; audio broadcasting of spoken word, music, concerts, and radio programs; streaming of audio content via a global computer network; electronic transmission of audio and video files via communications networks; communication services, namely, matching users for the transfer of music, video and audio recordings via global communication networks; providing on-line bulletin boards for the transmission of messages among computer users concerning entertainment, music, concerts, videos, radio, television, film, news, sports, games and cultural events; rental and leasing of communication apparatus and electronic mail-boxes; electronic communications consultancy; transmission of data and of information by electronic means, computer, cable, radio, teleprinter, teletypewriter, electronic mail, telecopier, television, microwave, laser beam, communications satellite or electronic communication means; transmission of data by audio-visual apparatus controlled by data processing apparatus or computers; provision of access time to web-sites featuring multimedia materials; providing access to databases and directories via communications networks for obtaining data in the fields of music, video, film, books, television, games and sports. providing users with access time to electronic communications networks with means of identifying, locating, grouping, distributing, and managing data and links to third-party computer servers, computer processors and computer users

IC 039. US 100 105. G & S: Electronic storage of data and digital content; computerized data storage services; computerized data storage services for digital text, data, image, audio, and video works; data storage of electronic music

IC 041. US 100 101 107. G & S: Education services in the nature of classes, training and instruction in the fields of music, videos, television programs, motion pictures, current events and entertainment news, sports, games, cultural events, K-12 education, university-level subjects, topics of general interest, computers, computer software, computer hardware and software applications, multimedia products, interactive products and online services, telecommunications apparatus, mobile phones, handheld and mobile digital electronic devices, and distributing course materials therewith; providing podcasts in the fields of K-12 education, university-level subjects, topics of general interest, computers, computer software, computer hardware and software applications, multimedia products, interactive products and online services, telecommunications apparatus, mobile phones, handheld and mobile digital electronic devices; entertainment services, namely, live dance, theatrical, and musical performances, providing information and online reviews in the fields of entertainment, current events, sports, games, and cultural events; providing podcasts in the fields of entertainment, current events, sports, games, and cultural events, providing non-downloadable ringtones, pre-recorded music, video and graphics presented to mobile communications devices via a global computer network and wireless networks, providing an ongoing radio program in the fields of entertainment, current events, sports, games, and cultural events, providing an ongoing series featuring entertainment, current events, sports, games, and cultural events provided via the internet; sporting and cultural activities, namely, organizing community sporting and cultural events, provision of

information relating to community sporting and cultural activities; publishing of electronic publications. providing on-line electronic publications in the nature of books, magazines, newsletters, periodicals, brochures, booklets, pamphlets, manuals, journals, catalogs and leaflets in the fields of music, videos, television programs, motion pictures, current event and entertainment news, sports, games, cultural events, computers, computer software, computer hardware, consumer electronics, multimedia products, interactive products and online services, technology, digital technology, gadgets, on-line retailing, multimedia apparatus and instruments, music instruction, telecommunications, mobile phones, handheld and mobile digital electronic devices; computer assisted education and training services in the fields of music, videos, television programs, motion pictures, current events, sports, games, computers, computer software, computer hardware, consumer electronics, multimedia products, interactive products and online services, technology, digital technology, gadgets, multimedia apparatus and instruments, telecommunications, mobile phones, handheld and mobile digital electronic devices; education services, namely conducting online exhibitions and displays and interactive exhibits in the fields of computers, computer software, computer peripherals, portable and electronic devices, online services, high technology, communications, information technology, information services, music, entertainment and publishing; production of radio, television and Internet programs about and from the foregoing exhibitions; editing of audio-tapes; editing of cine-films; editing of video-tapes; editing of written text; film editing; digital imaging services; streaming of digital music provided on MP3 web sites on the Internet; streaming of digital music provided over the Internet. organizing and conducting educational and entertainment exhibitions, workshops, seminars, training, conferences and video conferences in the fields of music, videos, television programs, motion pictures, books, current event and entertainment news, sports, games, cultural events, computers, computer software, computer hardware, consumer electronics, multimedia products, interactive products and online services, technology, digital technology, gadgets, on-line retailing, multimedia apparatus and instruments, music instruction, telecommunications, mobile phones, handheld and mobile digital electronic devices; publication of printed matter and of instructional and teaching materials; entertainment, namely conducting contests, competitions, quizzes and lotteries; conducting contests, competitions, games, quizzes and lotteries provided by means of the Internet or on-line from a computer database or network; electronic publishing services, namely, publication of text and graphic works of others on CD, DVD and online featuring music, videos, television programs, motion pictures, current event and entertainment news, sports, games, cultural events, and a wide range of topics of general interest, computers, computer software, computer hardware, consumer electronics, multimedia products, interactive products and online services, technology, digital technology, gadgets, on-line retailing, multimedia apparatus and instruments, music instruction, telecommunications, mobile phones, handheld and mobile digital electronic devices; electronic games services provided by means of the Internet; providing computer databases in the fields of music, video, film, books, television, games and sports

IC 042. US 100 101. G & S: Design and development of computer hardware and software; computer hardware and software consulting services; rental of computer hardware and software apparatus and equipment; multimedia and audio-visual software consulting services; computer programming; consultation services for developing computer systems, databases and applications; graphic design for the compilation of web pages on the Internet; providing a web site that features information on computer technology and programming; hosting the web-sites of others; providing search engines for obtaining data via communications networks; application service provider (ASP) services featuring software for use in connection with online music subscription service, software that enables users to play and program music and entertainment-related audio, video, text and multimedia content, and software featuring musical sound recordings, entertainment-related audio, video, text and multimedia content; providing temporary use of on-line non-downloadable software to enable users to program audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs; computer services, namely, hosting on-line facilities, via a global computer network, to enable users to program the scheduling of audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related programs as they will be aired; providing search engines for obtaining data on a global computer network; creating indexes of information, sites and other resources available on global computer networks for others. computer services, namely, creating indexes and databases that organize the content of information provided over a global computer network according to user preference; creating indexes of information, sites and other resources available on global computer networks for others; computer security services, namely, assisting users of computer hardware, computer software, computer networks and computer systems in protecting computer data

IC 043. US 100 101. G & S: Providing of food and drink; Serving food and drinks

IC 045. US 100 101. G & S: Personal and social services rendered by others to meet the needs of individuals, namely, computer dating services, online social networking and introduction services; online social networking services, namely, facilitating social interaction among individuals, social introductions, and for finding persons with particular hobbies, interests and backgrounds; security services for the protection of property, namely, monitoring of computerized data for security purposes

**Standard
Characters
Claimed**

**Mark
Drawing
Code**

(4) STANDARD CHARACTER MARK

**Serial
Number**

77594583

Filing Date

October 16, 2008

**Current
Filing Basis**

1B

**Original
Filing Basis**

44D

Owner

(APPLICANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

**Attorney of
Record**

Lisa G. Widup

Priority Date

April 17, 2008

**Prior
Registrations**

2653465;3213164;3532063;AND OTHERS

Type of Mark

TRADEMARK. SERVICE MARK

Register

PRINCIPAL-2(F)

**Live/Dead
Indicator**

LIVE

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ITUNES MATCH

Word Mark
Goods and Services

ITUNES MATCH

IC 009. US 021 023 026 036 038. G & S: Computer software for use in authoring, identifying, downloading, synchronizing, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, video files and electronic games; computer software for personal information management; computer software for use in recording, organizing, transmitting, manipulating, and reviewing text, data, audio files, video files and electronic games in connection with computers, television set-top boxes, music players, video players, media players, cellular phones, and portable and handheld digital electronic devices; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content, including music, concerts, videos, radio, television, news, sports, games, cultural events, and entertainment-related and educational programs via communications networks; computer software for identifying, locating, grouping, distributing, and managing data and links between computer servers and users connected to electronic communications networks; computer software that generates customized recommendations of music, videos, television programs, motion pictures, electronic games and software applications and customized music playlists based on user preferences determined from an analysis of the user's existing media library

IC 038. US 100 101 104. G & S: Telecommunication services, namely, transmission of data and of information via electronic communications networks; electronic transmission of streamed and downloadable audio and video files and movies via computer and other communications networks; electronic transmission of movies, music and video information via an internet-based database; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video, movies and/or multimedia content

IC 041. US 100 101 107. G & S: Entertainment services, namely, providing a web site and database featuring music, videos, television programs, motion pictures, current event and entertainment news, sports, games, cultural events, and entertainment-related programs

IC 042. US 100 101. G & S: Computer services, namely providing non-downloadable software for identifying, synchronizing, transmitting, downloading, and storing text, data, images, audio files, video files and electronic games; providing search engines for obtaining data via communications networks; providing temporary use of on-line non-downloadable software to enable users to program audio, video, movies, text and other multimedia content; internet services, namely, creating indexes of information, sites and other resources available on global computer networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks and other communication networks for others

**Standard
Characters
Claimed**

**Mark Drawing
Code** (4) STANDARD CHARACTER MARK

Serial Number 85487574

Filing Date December 5, 2011

**Current Filing
Basis** 1B;44D

**Original Filing
Basis** 1B;44D

Owner (APPLICANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

**Attorney of
Record** Lisa G. Widup

Priority Date June 6, 2011

**Prior
Registrations** 2653465;3398242;3532063

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL-2(F)-IN PART

**Live/Dead
Indicator** LIVE

**Distinctiveness
Limitation
Statement** As to ITUNES

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Record 1 out of 1

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ITUNES LP

Word Mark Goods and Services

ITUNES LP

IC 009. US 021 023 026 036 038. G & S: Computer software for use in authoring, downloading, transmitting, receiving, editing, extracting, encoding, decoding, playing, storing and organizing text, data, images, audio files, video files and electronic games; computer software for accessing, browsing and searching online databases; computer software to enable users to program and distribute audio, video, text and other multimedia content via communications networks; downloadable electronic publications in the nature of books or magazines in the field of entertainment

IC 035. US 100 101 102. G & S: Retail store services in the field of entertainment, namely, audio, audiovisual, music, multimedia and video content and related merchandise, provided via the internet and other computer and electronic communication networks

IC 038. US 100 101 104. G & S: Provision of telecommunications connections to computer databases and the Internet; transmission of data and of information via electronic communications networks; broadcasting and transmission of radio and television programs; audio broadcasting of spoken word, music, concerts, and radio programs; broadcasting pre-recorded audio and video content via computer and other communications networks; web casting services; electronic transmission of streamed and downloadable audio and video content via computer and other communications networks; providing on-line chat rooms, bulletin boards and community forums for the transmission of messages among computer users in the field of entertainment; provision of connectivity services and access to electronic communications networks, for transmission or reception of audio, video, movies and/or multimedia content

IC 041. US 100 101 107. G & S: Entertainment services, namely, providing prerecorded audio and audiovisual content, information and commentary in the field of music on-line via a global computer network; providing a web site and database featuring music, videos, television programs, motion pictures, current event and entertainment news, sports, games, cultural events, and entertainment-related programs; providing online publications and non-downloadable electronic publications in the

nature of books and magazines in the field of music

IC 042. US 100 101. G & S: Design and development of computer hardware and software; providing on-line facilities, via a global computer network, to enable users to program audio, video, movies, text and other multimedia content; providing a website featuring non-downloadable software tools for editing of digital content and entertainment content; providing search engines for obtaining data via communications networks; internet services, namely, creating indexes of information, sites and other resources available on global computer networks for others; searching, browsing and retrieving information, sites, and other resources available on global computer networks and other communication networks for others

**Standard
Characters
Claimed**

**Mark Drawing
Code** (4) STANDARD CHARACTER MARK

Serial Number 77860835

Filing Date October 29, 2009

**Current Filing
Basis** 1B

**Original Filing
Basis** 1B;44D

**International
Registration
Number** 1033353

Owner (APPLICANT) Apple Inc. CORPORATION CALIFORNIA 1 Infinite Loop Cupertino CALIFORNIA 95014

**Attorney of
Record** Lisa G. Widup

Priority Date August 26, 2009

**Prior
Registrations** 2653465;3398242;3532063;AND OTHERS

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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