

Trademark/Service Mark Application, Principal Register

Serial Number: 90426532

Filing Date: 12/29/2020

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	90426532
MARK INFORMATION	
*MARK	XBOX SERIES XS
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	XBOX SERIES XS
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Microsoft Corporation
*MAILING ADDRESS	One Microsoft Way
*CITY	Redmond
*STATE (Required for U.S. applicants)	Washington
*COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	98052-6399
*EMAIL ADDRESS	XXXX
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY OF INCORPORATION	Washington
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	009
*IDENTIFICATION	Apparatus and instruments for recording, transmitting, reproducing or processing sound, images or data; recorded and downloadable media, computer software, blank digital or analogue recording and storage media; computers and computer peripheral devices; recorded video game programs; downloadable video game software
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	LS/M/2020/00209

FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Lesotho
FOREIGN FILING DATE	07/20/2020
INTENT TO PERFECT 44(d)	At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.
INTERNATIONAL CLASS	028
*IDENTIFICATION	Games, toys and playthings; video game apparatus; video games consoles; video game consoles for use with an external display screen or monitor; controllers for game consoles; game controllers in the nature of keyboards for computer games; video game interactive remote control units
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	LS/M/2020/00209
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Lesotho
FOREIGN FILING DATE	07/20/2020
INTENT TO PERFECT 44(d)	At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.
INTERNATIONAL CLASS	041
*IDENTIFICATION	Education; providing of training; entertainment; sporting and cultural activities; providing online non-downloadable game software; providing temporary use of non-downloadable game software
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	LS/M/2020/00209
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Lesotho
FOREIGN FILING DATE	07/20/2020
INTENT TO PERFECT 44(d)	At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.
ATTORNEY INFORMATION	
NAME	April Besl
ATTORNEY DOCKET NUMBER	128291-TBD
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX

U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Dinsmore & Shohl LLP
STREET	255 E. Fifth St, Suite 1900
CITY	Cincinnati
STATE	Ohio
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	45202
PHONE	513-977-8200
FAX	513-977-8141
EMAIL ADDRESS	april.besl@dinsmore.com
OTHER APPOINTED ATTORNEY	Karen Kreider Gaunt, Luke Curran, Sara Suleiman, Govinda M. Davis, Leanthony D. Edwards, Ashley J. Earle, Tarah K. Remy, Michael Frey, Stephanie L. Crigler
CORRESPONDENCE INFORMATION	
NAME	April Besl
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	april.besl@dinsmore.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	DSMSTrademarks@Dinsmore.com; erick.rivera@dinsmore.com; luke.curran@dinsmore.com
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Standard
NUMBER OF CLASSES	3
APPLICATION FOR REGISTRATION PER CLASS	275
*TOTAL FEES DUE	825
*TOTAL FEES PAID	825
SIGNATURE INFORMATION	
SIGNATURE	/april l besl/
SIGNATORY'S NAME	April Besl
SIGNATORY'S POSITION	Attorney of record, Ohio Bar member
SIGNATORY'S PHONE NUMBER	513-977-8527
DATE SIGNED	12/29/2020

Trademark/Service Mark Application, Principal Register

Serial Number: 90426532

Filing Date: 12/29/2020

To the Commissioner for Trademarks:

MARK: XBOX SERIES XS (Standard Characters, see [mark](#))

The literal element of the mark consists of XBOX SERIES XS. The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, Microsoft Corporation, a corporation of Washington, having an address of

One Microsoft Way
Redmond, Washington 98052-6399
United States
XXXX

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

International Class 009: Apparatus and instruments for recording, transmitting, reproducing or processing sound, images or data; recorded and downloadable media, computer software, blank digital or analogue recording and storage media; computers and computer peripheral devices; recorded video game programs; downloadable video game software

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Lesotho application number LS/M/2020/00209, filed 07/20/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.

International Class 028: Games, toys and playthings; video game apparatus; video games consoles; video game consoles for use with an external display screen or monitor; controllers for game consoles; game controllers in the nature of keyboards for computer games; video game interactive remote control units

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Lesotho application number LS/M/2020/00209, filed 07/20/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.

International Class 041: Education; providing of training; entertainment; sporting and cultural activities; providing online non-downloadable game software; providing temporary use of non-downloadable game software

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Lesotho application number LS/M/2020/00209, filed 07/20/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant has another basis for registration (Section 1(a) or Section 1(b)) and does NOT intend to rely on Section 44(e) as the basis for registration, but is only asserting a valid claim of priority. The application should not be suspended to await the submission of the foreign registration.

The owner's/holder's proposed attorney information: April Besl. Other appointed attorneys are Karen Kreider Gaunt, Luke Curran, Sara Suleiman, Govinda M. Davis, Leanthony D. Edwards, Ashley J. Earle, Tarah K. Remy, Michael Frey, Stephanie L. Crigler. April Besl of Dinsmore & Shohl LLP, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at
255 E. Fifth St, Suite 1900
Cincinnati, Ohio 45202
United States
513-977-8200(phone)
513-977-8141(fax)
april.besl@dinsmore.com

The docket/reference number is 128291-TBD.

April Besl submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current Correspondence Information:

April Besl

PRIMARY EMAIL FOR CORRESPONDENCE: april.besl@dinsmore.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): DSMSTrademarks@Dinsmore.com; erick.rivera@dinsmore.com; luke.curran@dinsmore.com

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the applicant owner/holder and the applicant owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$825 has been submitted with the application, representing payment for 3 class(es).

Declaration

Basis:

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce and was in use in commerce as of the filing date of the application on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application and was used on or in connection with the goods/services in the application as of the application filing date; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

And/Or

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
- To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /april l besl/ Date: 12/29/2020

Signatory's Name: April Besl

Signatory's Position: Attorney of record, Ohio Bar member

Payment Sale Number: 90426532

Payment Accounting Date: 12/29/2020

Serial Number: 90426532

Internet Transmission Date: Tue Dec 29 18:09:18 ET 2020

TEAS Stamp: USPTO/BAS-XX.XXX.XX.XX-20201229180918953

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XBOX SERIES XS