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Mark: FLYOVER

US Serial Number: 78044791

Application Filing Date: Jan. 24, 2001

Register: Principal

Mark Type: Trademark, Service Mark

Status: Abandoned because the applicant failed to respond or filed a late response to an Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Mar. 16, 2004

Publication Date: Jul. 09, 2002

Notice of Allowance Date: Oct. 01, 2002

Date Abandoned: Feb. 02, 2004

Mark Information

Mark Literal Elements: FLYOVER

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (...) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: COMPUTER PROGRAMS AND COMPUTERS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND TOPOLOGICALLY PRESENTED INFORMATION AND INSTRUCTIONAL MANUALS SOLD AS A UNIT

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b)

First Use: Mar. 22, 2000

Use in Commerce: Mar. 22, 2000

For: COMPUTER CONSULTING SERVICES, NAMELY COMPUTER SYSTEM DESIGN, INTEGRATION AND DEPLOYMENT, IN THE FIELD OF COMPUTER BASED CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND TOPOLOGICALLY PRESENTED INFORMATION

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b)

First Use: Mar. 22, 2000

Use in Commerce: Mar. 22, 2000

Basis Information (Case Level)

Filed Use: Yes

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: Yes

Amended ITU: Yes

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: FlyOver Technologies, Inc.

Exhibit 2056
Bradium Technologies LLC - patent owner
Microsoft Corporation - petitioner
IPR2016-00448

Owner Address: 3862 Panda Place
San Jose, CALIFORNIA 95117
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Gerald B. Rosenberg

Docket Number: FLVT6000

Correspondent

Correspondent Name/Address: TAL BAHAR
FLYOVER TECHNOLOGIES INC
1456 FOWLER LN
LOS ALTOS, CALIFORNIA 49024
UNITED STATES

Phone: 011 972 54 725 899

Fax: 011 972 3 5474547

Correspondent e-mail: nuritl@2flyover.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 16, 2004	ABANDONMENT - FAILURE TO RESPOND OR LATE RESPONSE	
Jul. 30, 2003	FINAL REFUSAL E-MAILED	
Jul. 20, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 24, 2003	CASE FILE IN TICRS	
Jul. 21, 2003	EMAIL RECEIVED	
Feb. 27, 2003	NON-FINAL ACTION E-MAILED	
Feb. 26, 2003	ASSIGNED TO EXAMINER	76625
Feb. 25, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Jan. 13, 2003	USE AMENDMENT FILED	
Jan. 14, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 13, 2003	TEAS STATEMENT OF USE RECEIVED	
Jan. 12, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 12, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 01, 2002	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 09, 2002	PUBLISHED FOR OPPOSITION	
Jun. 19, 2002	NOTICE OF PUBLICATION	
Mar. 04, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 26, 2001	SEC. 1(A) CLAIM DELETED	76625
Feb. 28, 2002	ASSIGNED TO EXAMINER	76625
Dec. 26, 2001	Sec. 1(B) CLAIM ADDED	70138
Dec. 26, 2001	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 21, 2001	NON-FINAL ACTION MAILED	
Jun. 12, 2001	ASSIGNED TO EXAMINER	74665

TM Staff and Location Information

TM Staff Information

TM Attorney: SUAREZ, MARIA VICTORIA

Law Office Assigned: LAW OFFICE 102

File Location

Current Location: FILE REPOSITORY (FRANCONIA)

Date in Location: Mar. 19, 2004

DOCUMENT INFORMATION	
TRADEMARK/SERVICEMARK APPLICATION	
VERSION 1.22	
APPLICANT INFORMATION	
NAME	FlyOver Technologies, Inc.
STREET	3862 Panda Place
CITY	San Jose
STATE	CA
COUNTRY	USA
ZIP/POSTAL CODE	95117
TELEPHONE NUMBER	408-615-8411
FAX NUMBER	408-615-8489
APPLICANT ENTITY INFORMATION	
CORPORATION: STATE/COUNTRY OF INCORPORATION	Delaware
TRADEMARK/SERVICEMARK INFORMATION	
MARK	FLYOVER
TYPED FORM	Yes
BASIS FOR FILING AND GOODS/SERVICES INFORMATION	
USE IN COMMERCE: SECTION 1(a)	Yes
INTERNATIONAL CLASS NUMBER	009
LISTING OF GOODS AND/OR SERVICES	COMPUTER PROGRAMS AND NETWORKED PRESENTATION SYSTEMS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND OTHER TOPOLOGICALLY PRESENTED INFORMATION INCLUDING USER DOCUMENTATION AND OTHER MATERIAL SOLD WITH THE COMPUTER PROGRAMS AND SYSTEMS, IN INTERNATIONAL CLASS 009.
FIRST USE	06/30/2000

78044791

ANYWHERE DATE	
FIRST USE IN COMMERCE DATE	06/30/2000
BASIS FOR FILING AND GOODS/SERVICES INFORMATION	
USE IN COMMERCE: SECTION 1(a)	Yes
INTERNATIONAL CLASS NUMBER	042
LISTING OF GOODS AND/OR SERVICES	COMPUTER SERVICES, INCLUDING THE OPERATION AND TRAINING FOR THE OPERATION OF SYSTEMS AND SOFTWARE, FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND OTHER TOPOLOGICALLY PRESENTED INFORMATION, IN INTERNATIONAL CLASS 42.
FIRST USE ANYWHERE DATE	06/30/2000
FIRST USE IN COMMERCE DATE	06/30/2000
ATTORNEY INFORMATION	
NAME	Gerald B. Rosenberg
STREET	285 Hamilton Avenue
CITY	Palo Alto
STATE	CA
COUNTRY	USA
ZIP/POSTAL CODE	94301
E-MAIL ADDRESS	gbr@newtechlaw.com
FIRM NAME	NewTechLaw
TELEPHONE NUMBER	650-325-2100
FAX NUMBER	650-325-2107
ATTORNEY DOCKET NUMBER	FLVT6000
FEE INFORMATION	

78044791

TOTAL FEES PAID	650
NUMBER OF CLASSES PAID	2
NUMBER OF CLASSES	2
DEPOSIT ACCOUNT INFORMATION	
DEPOSIT ACCOUNT NUMBER	500890
NAME OF PERSON AUTHORIZING ACCOUNT ACTIVITY	Gerald B. Rosenberg
COMPANY/FIRM NAME	NewTechLaw
LAW OFFICE INFORMATION	
E-MAIL ADDRESS FOR CORRESPONDENCE	gbr@newtechlaw.com
SIGNATURE AND OTHER INFORMATION	
SIGNATURE	/Gerald B. Rosenberg/
DATE	01/24/2001
NAME	Gerald B. Rosenberg
TITLE	Partner, NewTechLaw
MAILING ADDRESS	
LINE	Gerald B. Rosenberg
LINE	NewTechLaw
LINE	285 Hamilton Avenue
LINE	Suite 520
LINE	Palo Alto CA 94301
SERIAL NUMBER INFORMATION	
SERIAL NUMBER	78/044791
INTERNET TRANSMISSION DATE	Wednesday, 01-24-2001 20:01:36 EST

78044791

01/29/2001 7:51 AM

TEAS STAMP	USPTO-216102162250-20010124200118855-78/044791-1229be90235b39bf14d21650c69805c76ab-DA-500890-20010124200118855
E-MAIL ADDRESS FOR ACKNOWLEDGMENT	gbr@newtechlaw.com

<SERIAL NUMBER> 78044791
<FILING DATE> 01/24/2001

<DOCUMENT INFORMATION>
<TRADEMARK/SERVICEMARK APPLICATION>
<VERSION 1.22>

<APPLICANT INFORMATION>

<NAME> FlyOver Technologies, Inc.
<STREET> 3862 Panda Place
<CITY> San Jose
<STATE> CA
<COUNTRY> USA
<ZIP/POSTAL CODE> 95117
<TELEPHONE NUMBER> 408-615-8411
<FAX NUMBER> 408-615-8489

<APPLICANT ENTITY INFORMATION>

<CORPORATION: STATE/COUNTRY OF INCORPORATION> Delaware

<TRADEMARK/SERVICEMARK INFORMATION>

<MARK> FLYOVER
<TYPED FORM> Yes

* Applicant requests registration of the above-identified trademark/service mark 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). *

<BASIS FOR FILING AND GOODS/SERVICES INFORMATION>

<USE IN COMMERCE: SECTION 1(a)> Yes

* Applicant is using or is using through a related company the mark in commerce on or in connection with the below-identified goods/services. (15 U.S.C. Section 1051(a), as amended.). Applicant attaches one SPECIMEN for each class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services. *

<INTERNATIONAL CLASS NUMBER> 009

<LISTING OF GOODS AND/OR SERVICES> COMPUTER PROGRAMS AND NETWORKED PRESENTATION SYSTEMS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND OTHER TOPOLOGICALLY PRESENTED INFORMATION INCLUDING USER DOCUMENTATION AND OTHER MATERIAL SOLD WITH THE COMPUTER PROGRAMS AND SYSTEMS, IN INTERNATIONAL CLASS 009.

<FIRST USE ANYWHERE DATE> 06/30/2000

<FIRST USE IN COMMERCE DATE> 06/30/2000

<BASIS FOR FILING AND GOODS/SERVICES INFORMATION>**<USE IN COMMERCE: SECTION 1(a)>** Yes

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<INTERNATIONAL CLASS NUMBER> 042**<LISTING OF GOODS AND/OR SERVICES>** COMPUTER SERVICES, INCLUDING THE OPERATION AND TRAINING FOR THE OPERATION OF SYSTEMS AND SOFTWARE, FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND OTHER TOPOLOGICALLY PRESENTED INFORMATION, IN INTERNATIONAL CLASS 42.**<FIRST USE ANYWHERE DATE>** 06/30/2000**<FIRST USE IN COMMERCE DATE>** 06/30/2000**<ATTORNEY INFORMATION>**

<NAME>	Gerald B. Rosenberg
<STREET>	285 Hamilton Avenue
Suite 520	
<CITY>	Palo Alto
<STATE>	CA
<COUNTRY>	USA
<ZIP/POSTAL CODE>	94301
<E-MAIL ADDRESS>	gbr@newtechlaw.com
<FIRM NAME>	NewTechLaw
<TELEPHONE NUMBER>	650-325-2100
<FAX NUMBER>	650-325-2107
<ATTORNEY DOCKET NUMBER>	FLVT6000

<FEE INFORMATION>**<TOTAL FEES PAID>** 650**<NUMBER OF CLASSES PAID>** 2**<NUMBER OF CLASSES>** 2**<DEPOSIT ACCOUNT INFORMATION>****<DEPOSIT ACCOUNT NUMBER>** 500890

* The U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to the deposit account listed above. *

<NAME OF PERSON AUTHORIZING ACCOUNT ACTIVITY> Gerald B. Rosenberg**<COMPANY/FIRM NAME>** NewTechLaw**<LAW OFFICE INFORMATION>**

* The USPTO is authorized to communicate with the applicant's attorney at the below

78044791

e-mail address *

<E-MAIL ADDRESS FOR CORRESPONDENCE> gbr@newtechlaw.com

<SIGNATURE AND OTHER INFORMATION>

* PTO-Application Declaration: The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true. *

<SIGNATURE> /Gerald B. Rosenberg/
<DATE> 01/24/2001
<NAME> Gerald B. Rosenberg
<TITLE> Partner, NewTechLaw

<MAILING ADDRESS>

<LINE> Gerald B. Rosenberg
<LINE> NewTechLaw
<LINE> 285 Hamilton Avenue
<LINE> Suite 520
<LINE> Palo Alto CA 94301

<SERIAL NUMBER INFORMATION>

<SERIAL NUMBER> 78/044791
<INTERNET TRANSMISSION DATE> Wednesday, 01-24-2001 20:01:36 EST
<TEAS STAMP>
USPTO-216102162250-20010124200118855-78/044791-
1229be90235b39bf14d21650c69805c76ab-DA-500890-20010124200118855
E-MAIL ADDRESS FOR ACKNOWLEDGMENT> gbr@newtechlaw.com

78044791

<SERIAL NUMBER> 78044791
<FILING DATE> 01/24/2001

<DEPOSIT ACCOUNT INFORMATION>

<DEPOSIT ACCOUNT NUMBER> 500890

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<NAME OF PERSON AUTHORIZING ACCOUNT ACTIVITY> Gerald B. Rosenberg
<COMPANY/FIRM NAME> NewTechLaw

<LAW OFFICE INFORMATION>

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<SIGNATURE>

/Gerald B. Rosenberg/

<DATE>

01/24/2001

<NAME>

Gerald B. Rosenberg

<TITLE>

Partner, NewTechLaw

Internet Transmission Date:

2001/01/24

Filing Date:

2001/01/24

Serial Number:

78044791

78044791

TRADEMARK APPLICATION

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

TOTAL FEES DUE: \$650

DEPOSIT ACCOUNT NUMBER: 500890



NO OCR

01242001

01-24-2001

Drawing Page

Serial Number:

78044791

Applicant:

FlyOver Technologies, Inc.
3862 Panda Place
San Jose CA USA 95117

78044791

Date of First Use:

06/30/2000

Date of First Use in Commerce:

06/30/2000

Goods and Services:

COMPUTER PROGRAMS AND NETWORKED PRESENTATION SYSTEMS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND OTHER TOPOLOGICALLY PRESENTED INFORMATION INCLUDING USER DOCUMENTATION AND OTHER MATERIAL SOLD WITH THE COMPUTER PROGRAMS AND SYSTEMS, IN INTERNATIONAL CLASS 009.

Date of First Use:

06/30/2000

Date of First Use in Commerce:

06/30/2000

Goods and Services:

COMPUTER SERVICES, INCLUDING THE OPERATION AND TRAINING FOR THE OPERATION OF SYSTEMS AND SOFTWARE, FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND OTHER TOPOLOGICALLY PRESENTED INFORMATION, IN INTERNATIONAL CLASS 42.

Mark:

FLYOVER

PUBLISHED
07/09/02



NO OCR

01242001

01-24-2001

Drawing Page

Serial Number:

78044791

Applicant:

FlyOver Technologies, Inc.
3862 Panda Place
San Jose CA USA 95117



Date of First Use:

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Mark:

FLYOVER



NO OCR



01-24-2001

Internet Transmission Date:

2001/01/24

Serial Number:

78044791

Filing Date:

2001/01/24



TRADEMARK APPLICATION

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

TOTAL FEES DUE: \$650

DEPOSIT ACCOUNT NUMBER: 500890



NO OCR



01-24-2001

<SERIAL NUMBER> 78044791

<FILING DATE> 01/24/2001

<DEPOSIT ACCOUNT INFORMATION>

<DEPOSIT ACCOUNT NUMBER> 500890

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<NAME OF PERSON AUTHORIZING ACCOUNT ACTIVITY> Gerald B. Rosenberg

<COMPANY/FIRM NAME> NewTechLaw

<LAW OFFICE INFORMATION>

* The USPTO is authorized to communicate with the applicant's attorney at the below e-mail address *

<E-MAIL ADDRESS FOR CORRESPONDENCE> gbr@newtechlaw.com

<SIGNATURE AND OTHER INFORMATION>

* PTO-Application Declaration: The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

*

<SIGNATURE>

/Gerald B. Rosenberg/

<DATE>

01/24/2001

<NAME>

Gerald B. Rosenberg

<TITLE>

Partner, NewTechLaw

<SERIAL NUMBER> 78044791
<FILING DATE> 01/24/2001

<DOCUMENT INFORMATION>
<TRADEMARK/SERVICEMARK APPLICATION>
<VERSION 1.22>

<APPLICANT INFORMATION>
<NAME> FlyOver Technologies, Inc.
<STREET> 3862 Panda Place
<CITY> San Jose
<STATE> CA
<COUNTRY> USA
<ZIP/POSTAL CODE> 95117
<TELEPHONE NUMBER> 408-615-8411
<FAX NUMBER> 408-615-8489

<APPLICANT ENTITY INFORMATION>
<CORPORATION: STATE/COUNTRY OF INCORPORATION> Delaware

<TRADEMARK/SERVICEMARK INFORMATION>
<MARK> FLYOVER
<TYPED FORM> Yes
* Applicant requests registration of the above-identified trademark/service mark 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). *

<BASIS FOR FILING AND GOODS/SERVICES INFORMATION>
<USE IN COMMERCE: SECTION 1(a)> Yes
* Applicant is using or is using through a related company the mark in commerce on or in connection with the below-identified goods/services. (15 U.S.C. Section 1051(a), as amended.). Applicant attaches one SPECIMEN for each class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services. *
<INTERNATIONAL CLASS NUMBER> 009
<LISTING OF GOODS AND/OR SERVICES> COMPUTER PROGRAMS AND NETWORKED PRESENTATION SYSTEMS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND OTHER TOPOLOGICALLY PRESENTED INFORMATION INCLUDING USER DOCUMENTATION AND OTHER MATERIAL SOLD WITH THE COMPUTER PROGRAMS AND SYSTEMS, IN INTERNATIONAL CLASS 009.

<FIRST USE ANYWHERE DATE> 06/30/2000
<FIRST USE IN COMMERCE DATE> 06/30/2000

<BASIS FOR FILING AND GOODS/SERVICES INFORMATION>

<USE IN COMMERCE: SECTION 1(a)> Yes

* Applicant is using or is using through a related company the mark in commerce on or in connection with the below-identified goods/services. (15 U.S.C. Section 1051(a), as amended.). Applicant attaches one SPECIMEN for each class showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services. *

<INTERNATIONAL CLASS NUMBER> 042

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<FIRST USE ANYWHERE DATE> 06/30/2000
<FIRST USE IN COMMERCE DATE> 06/30/2000

<ATTORNEY INFORMATION>

<NAME> Gerald B. Rosenberg
<STREET> 285 Hamilton Avenue
Suite 520
<CITY> Palo Alto
<STATE> CA
<COUNTRY> USA
<ZIP/POSTAL CODE> 94301
<E-MAIL ADDRESS> gbr@newtechlaw.com
<FIRM NAME> NewTechLaw
<TELEPHONE NUMBER> 650-325-2100
<FAX NUMBER> 650-325-2107
<ATTORNEY DOCKET NUMBER> FLVT6000

<FEE INFORMATION>

<TOTAL FEES PAID> 650
<NUMBER OF CLASSES PAID> 2
<NUMBER OF CLASSES> 2

<DEPOSIT ACCOUNT INFORMATION>

<DEPOSIT ACCOUNT NUMBER> 500890

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<NAME OF PERSON AUTHORIZING ACCOUNT ACTIVITY> Gerald B. Rosenberg
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<LAW OFFICE INFORMATION>

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*

<SIGNATURE> /Gerald B. Rosenberg/
<DATE> 01/24/2001
<NAME> Gerald B. Rosenberg
<TITLE> Partner, NewTechLaw

<MAILING ADDRESS>

<LINE> Gerald B. Rosenberg
<LINE> NewTechLaw
<LINE> 285 Hamilton Avenue
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<LINE> Palo Alto CA 94301

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1229be90235b39bf14d21650c69805c76ab-DA-500890-20010124200118855

E-MAIL ADDRESS FOR ACKNOWLEDGMENT> gbr@newtechlaw.com

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Serial Number:

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Mark:

FLYOVER



NO OCR



01-24-2001

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

SERIAL NO. 78/044791 FlyOver Technologies, Inc.		APPLICANT		PAPER NO.
MARK FLYOVER		ACTION NO. 01		
ADDRESS Gerald B. Rosenberg NewTechLaw 285 Hamilton Avenue Suite 520 Palo Alto CA 94301		MAILING DATE 06/21/01		ADDRESS: Assistant Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513 If no fees are enclosed, the address should include the words "Box Responses - No Fee."
FORM PTO-1525 (5-90)		REF. NO. FLVT6000		
U.S. DEPT. OF COMM. & TM OFFICE		Please provide in all correspondence: 1. Filing Date, serial number, mark and Applicant's name. 2. Mailing date of this Office action. 3. Examining Attorney's name and Law Office number. 4. Your telephone number and ZIP code.		

A PROPER RESPONSE TO THIS OFFICE ACTION MUST BE RECEIVED WITHIN 6 MONTHS FROM THE DATE OF THIS ACTION IN ORDER TO AVOID ABANDONMENT. For your convenience and to ensure proper handling of your response, a label has been enclosed. Please attach it to the upper right corner of your response. If the label is not enclosed, print or type the Trademark Law Office No., Serial No., and Mark in the upper right corner of your response.

RE: Serial Number: 78/044791

The assigned examining attorney has reviewed the referenced application and determined the following.

SEARCH RESULTS

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. Section 1052(d). TMEP section 1105.01.

INFORMALITIES

Before the application can be considered further, the following informal issues must be addressed.

I. Identification of Goods/Services

The wording "including user documentation and other material sold with the computer programs and systems" in the identification of goods is unacceptable as indefinite. The applicant may amend this wording to "and instructional manuals sold as a unit," if accurate. TMEP section 804.

The wording "networked presentation systems" in the identification of goods is too broad because it could include items classified in other classes. The applicant must amend the identification to list each item by its common commercial name. TMEP sections 804 and 804.03.

In the identification, the applicant must use the common commercial names for the goods, be as complete and specific as possible and avoid the use of indefinite words and phrases. If the applicant chooses to use indefinite terms, such as "accessories," "components," "devices," "equipment," "materials," "parts," "systems" and "products," then those words must be followed by the word "namely" and the goods listed by their common commercial names. TMEP sections 804 and 804.08(c).

The wording "computer services. . . the operation" in the recitation of services is unacceptable as indefinite because it does not clearly define the service. The applicant must amend the recitation to specify the common commercial name of the services. If there is no common commercial name for the services, the applicant must describe the services and indicate their nature. TMEP section 1301.05. If the applicant has access to the world wide web, it is strongly recommended that it review the Office's searchable database of the Manual of Acceptable Identifications of Goods and Services. The address for this is: <http://www.uspto.gov/cgi-bin/goods-services.pl>

The wording "including training" in the recitation of services is unacceptable as indefinite. The applicant may amend this wording to "Computer education training services," if accurate. TMEP section 1301.05. See Classification below.

In the identification, the applicant should use the common commercial designation for the services, be as complete and specific as possible and avoid the use of indefinite words and phrases. The applicant may not include broad wording such as "services in connection with..." or "such as" or "including" or "and like services" or "systems" or "products" or "concepts" or "not limited to...." TMEP sections 804.08(c) and 1301.05.

Please note that, while an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. Section 2.71(a); TMEP section 804.09. Therefore, the applicant may not amend to include any services that are not within the scope of the services recited in the present identification.

II. Request for Information.

The nature of the service is not clear from the present record. In order to allow proper identification and classification of the goods and services in connection with which the applicant uses the mark, the applicant must submit samples of advertisements or promotional materials. If such materials are not available, the applicant must submit a photograph of the goods and services

and describe their nature, purpose and channels of trade. 37 C.F.R. Section 2.61(b); TMEP sections 1103.04 and 1105.02.

III. *Classification of the Goods/Services.*

The goods and services are not all classified correctly. The applicant must amend the application to classify the goods and services as follows:

- Class 9: computer programs etc.
- Class 41: computer education training services in the field of creating, etc.
- Class 42: computer services, namely [specify the service]

37 C.F.R. Sections 2.33(a)(1)(vi) and 2.85; TMEP sections 805 and 1401. The decision as to the proper classification of goods or services is a purely administrative matter which is within the sole discretion of the Patent and Trademark Office. *In re Tee-Pak, Inc.*, 164 USPQ 88 (TTAB 1969).

IV. *Multiple Class Application Issues.*

A. Fees.

The application identifies goods and services that may be classified in several international classes. Therefore, the applicant must either: (1) restrict the application to the number of classes covered by the fee already paid, or (2) pay the required fee for each additional class. 37 C.F.R. Section 2.86(a)(2); TMEP sections 810.01 and 1113.01.

Effective January 10, 2000, the fee for filing a trademark application is \$325 for each class. This applies to classes added to pending applications as well as to new applications filed on or after that date. 37 C.F.R. Section 2.6(a)(1).

B. Specimen.

If the applicant adds any classes, the applicant must submit a specimen showing use of the mark in each new class. 37 C.F.R. Section 2.86(a)(3); TMEP section 1113.01. The applicant must verify that the new specimen was in use in commerce on or before the application filing date with an affidavit or a declaration under 37 C.F.R. Section 2.20. 37 C.F.R. Section 2.59(a). If, however, the new specimen is of the same type as those already of record, the applicant need not verify the date of use. The statement supporting use of the substitute specimen must read as follows:

The substitute specimen was in use in commerce at least as early as the filing date of the application.

The applicant must sign this statement either in affidavit form or with a declaration under 37 C.F.R. Section 2.20.

C. Dates of Use.

The applicant must amend the application to include dates of first use and use in commerce for each class. 37 C.F.R. Section 2.86(b); TMEP section 1113.01. If the dates differ from those

already of record, the applicant must verify the amendment with an affidavit or a declaration under 37 C.F.R. Section 2.20. 37 C.F.R. Section 2.71(c).

D. Proper Listing by Numerical Class.

The applicant must list the goods and services by international class number in ascending numerical order. TMEP sections 202.01(b) and 1113.01.

V. *Specimen*

Applicant has asserted a 1(a) basis however has failed to submit specimens. To base the application on the applicant's use of the mark in commerce the applicant must submit the following:

- (1) A statement that the mark is in use in commerce and was in use in commerce on or in connection with the goods or services listed in the application on the application filing date;
- (2) The date of the applicant's first use of the mark anywhere on or in connection with the goods or services;
- (3) The date of the applicant's first use of the mark in commerce as a trademark or service mark; and
- (4) **One specimen for each class, showing how the applicant actually uses the mark in commerce. If the specimens are not filed with the initial application, applicant must submit a statement that the specimens were in use in commerce at least as early as the application filing date.**

These items must be verified by the applicant, i.e., supported either by an affidavit or by a declaration under 37 C.F.R. Sections 2.20 and 2.33. Trademark Act Section 1(a), 15 U.S.C. Section 1051(a); 37 C.F.R. Sections 2.34(a)(1) and 2.59(a).

If the applicant cannot comply with the requirement for a specimen of use for the Section 1(a) basis asserted, the applicant may substitute a different basis for filing if the applicant can meet the requirements for the new basis.

In this case, the applicant may wish to amend the application to assert a Section 1(b) basis.

To base the application on a bona fide intention to use the mark in commerce, the applicant must submit the following statement:

The applicant has had a bona fide intention to use the mark in commerce on or in connection with the goods or services listed in the application since the filing date of the application.

This statement must be must be verified, i.e., supported either by an affidavit or by a declaration under 37 C.F.R. Sections 2.20 and 2.33. Trademark Act Section 1(b), 15 U.S.C. Section 1051(b); 37 C.F.R. Section 2.34(a)(2)(i). The following is a properly worded declaration under 37 C.F.R.

Section 2.20. At the end of the response, the applicant should insert the declaration signed by someone authorized to sign under 37 C.F.R. Section 2.33(a).

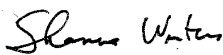
The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

(Signature)

(Print or Type Name and Position)

(Date)

Please note: If applicant amends to a 1(b) an Amendment to Allege Use or Statement of Use will need to filed at a later date with a specimen and the \$100 fee per class.



Shanna Winters
Trademark Attorney
US Patent and Trademark Office
Law Office 102
703-308-9102 x.205

Law Office: 102
Serial No: 78/044,791
Mark: FLYOVER

102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application
Applicant: FlyOver Technologies, Inc.
Serial No.: 78/044,791
Filed: January 24, 2001
Mark: FLYOVER
Class(es): 009, 042

TRADEMARK APPLICATION

Law Office: 102
Trademark Attorney: Shanna Winters

JA



12-26-2001

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Trademarks, Arlington, Virginia 22202-3513, on December 19, 2001.

Gerald B Rosenberg
Gerald B. Rosenberg, Reg. No. 30,320
Signature Date: December 19, 2001

RESPONSE TRANSMITTAL LETTER

BOX RESPONSES
NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

Transmitted with this communication in connection with the above-identified application and the following:

- A Response to an Examiner's Office Action.
- Specimen(s) of Mark.
- A Power of Attorney by Applicant.

T.M.E.O.
LAW OFFICE 102
2001 DEC 31 P 11:51

DD

The fee associated with this communication has been calculated as shown below:

- No fee is required with this communication.
- A fee of \$ 0.00 for dividing the present application to add _ new applications, under §2.6(a)(19).

The total fee required with this communication is \$.00 and is to be paid as follows:

- Please charge Deposit Account No. 50-0890 in the amount of \$.00. A duplicate copy of this authorization is enclosed.
- A check in the amount of \$.00 is enclosed.
- The Commissioner is hereby authorized to charge underpayment of any fees, associated with this communication or credit any overpayment to Deposit Account No. 50-0890. A duplicate copy of this authorization is enclosed.

Please direct all correspondence concerning the above-identified application to the following address:

Please address all correspondence to:
Gerald B. Rosenberg, Esq.
NewTechLaw
285 Hamilton Avenue, Suite 520
Palo Alto, California 94301

Please direct all telephone calls to:
Gerald B. Rosenberg
Telephone: 650.325.2100
Facsimile: 650.325.2107
E-Mail: gbr@newtechlaw.com



Respectfully submitted,

Date: December 19, 2001

By: Gerald B. Rosenberg
Gerald B. Rosenberg
Reg. No. 30,320

285 Hamilton Avenue, Suite 520
Palo Alto, California 94301
Telephone: 650-325-2100

Attorney Docket No.: FLVT6000
gbr/flvt/6000.009.xmittal.wpd

Page 2

Law Office: 102
Serial No: 78/044,791
Mark: FLYOVER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application
Applicant: FlyOver Technologies, Inc.
Serial No.: 78/044,791
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Class(es): 009, 042

TRADEMARK APPLICATION

Law Office: 102
Trademark Attorney: Shanna Winters

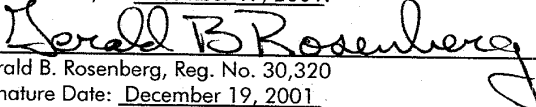


CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

12-26-2001

U.S. Patent & TMO/TM Mail Rpt Dt. #70

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Gerald B. Rosenberg, Reg. No. 30,320
Signature Date: December 19, 2001

RESPONSE TRANSMITTAL LETTER

BOX RESPONSES
NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

Transmitted with this communication in connection with the above-identified application are the following:

- A Response to an Examiner's Office Action.
- Specimen(s) of Mark.
- A Power of Attorney by Applicant.

Attorney Docket No.: FLVT6000
gbr/flvt/6000.009.xmittal.wpd

Page 1

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NewTechLaw
285 Hamilton Avenue, Suite 520
Palo Alto, California 94301

Please direct all telephone calls to:
Gerald B. Rosenberg
Telephone: 650.325.2100
Facsimile: 650.325.2107
E-Mail: gbr@newtechlaw.com



Respectfully submitted,

Date: December 19, 2001

By: Gerald B. Rosenberg
Gerald B. Rosenberg
Reg. No. 30,320

285 Hamilton Avenue, Suite 520
Palo Alto, California 94301
Telephone: 650-325-2100

Attorney Docket No.: FLVT6000
gbr/flvt/6000.009.xmittal.wpd

Page 2

TRADEMARK LAW OFFICE 102

Serial Number: 78/044791

Mark: FLYOVER

Please Place on Upper Right Corner
of Response to Office Action ONLY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

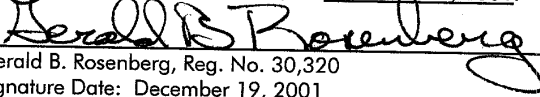
In re Application
Applicant: FlyOver Technologies, Inc.
Serial No.: 78/044,791
Filed: January 24, 2001
Mark: FLYOVER
Class(es): 009, 042

TRADEMARK APPLICATION

Law Office: 102
Trademark Attorney: Shanna Winters

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I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive Arlington, Virginia 22202-3513, on December 19, 2001.


Gerald B. Rosenberg, Reg. No. 30,320
Signature Date: December 19, 2001

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 2.62

BOX RESPONSES
NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

This RESPONSE is in reply to the Office Action mailed June 21, 2001.

AMENDMENTS

Please amend the above-identified application as follows:

Identification of Goods:

Please delete the identification of goods contained in the Application and substitute with the following identification of goods:

Attorney Docket No.: FLVT6000
gbr/flvt/6000.008.resp1.wpd

Page 1

[COMPUTER PROGRAMS AND COMPUTERS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND TOPOLOGICALLY PRESENTED INFORMATION AND INSTRUCTIONAL MANUALS SOLD AS A UNIT,] IN INTERNATIONAL CLASS 009.

[COMPUTER CONSULTING SERVICES, NAMELY COMPUTER SYSTEM DESIGN, INTEGRATION AND DEPLOYMENT, IN THE FIELD OF COMPUTER BASED CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND TOPOLOGICALLY PRESENTED INFORMATION] IN INTERNATIONAL CLASS 42.

REMARKS

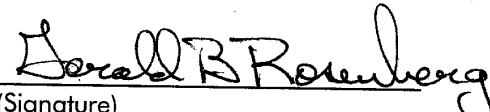
The above Amendments and these Remarks are in reply to the Office action mailed June 21, 2001:

1. The Examining Attorney has objected to the identification of goods as indefinite and has required that the Applicant modify the identification of goods. The substitute identification of goods addresses the issues raised by the Examining Attorney and incorporates the amendments suggested by the Examining Attorney.
2. The Examining Attorney has requested materials which describe the nature of the goods on which Applicant has asserted a bona fide intent to use the mark. Applicant encloses herewith an informational presentation/brochure which describes Applicant's goods to be used with the mark and, *inter alia*, the nature of the services covered by the mark.
3. Applicant's amendments to the statement of goods and services now properly falls within the class 009 and 042 classifications of the application as filed.
4. Applicant acknowledges the Examining Attorney's indication that a search of the office records has found no similar registration or pending mark which would bar registration of the subject application.

5. Applicant requests that the present application be amended to assert a basis for Trademark under Section 1(b). In support of this amendment, Applicant submits the following statement:

The applicant has a bona fide intension to use the mark in commerce on or in connection with the goods or service listed in the application since the filing date of the application.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.


(Signature)
Gerald B. Rosenberg, Attorney for Applicant
(Name and Position)

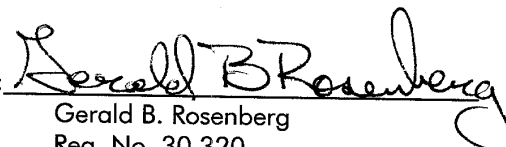
December 19, 2001
(Date)

In view of the above Amendments and Remarks, reconsideration and/or reexamination of the Application is requested.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0890 for any matter in connection with this response.

Respectfully submitted,

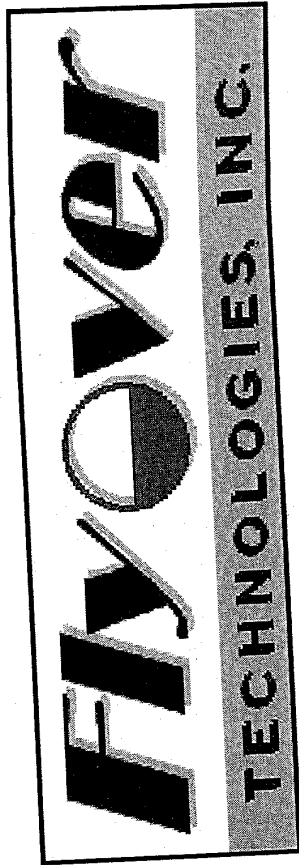
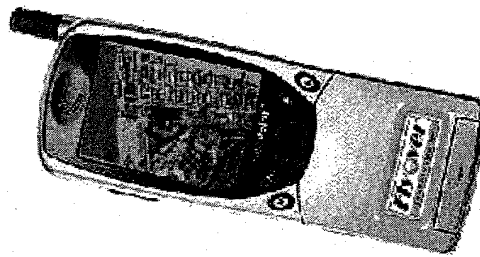
Date: December 19, 2001

By: 
Gerald B. Rosenberg
Reg. No. 30,320

285 Hamilton Avenue, Suite 520
Palo Alto, California 94301
Telephone: 650-325-2100

Attorney Docket No.: FLVT6000
gbr/flvt/6000.008.resp1.wpd

Page 3



**see it
from
the
top!**

**Isaac Levanon
Chairman & CEO**

isaac1@2flyover.com

Flowed Wireless Internet Growth Is Expected To Explode As Mobile Converges With Fixed Internet



Internet

Over 1 billion wireless devices in 2003, with more than 50% of these devices being Internet enabled

More than 300% growth in wireless data subscribers predicted between 2000 and 2003

Operators in the most advanced markets, e.g. Sonera, Netcom and DoCoMo, are already generating approximately 10% of revenues from data services

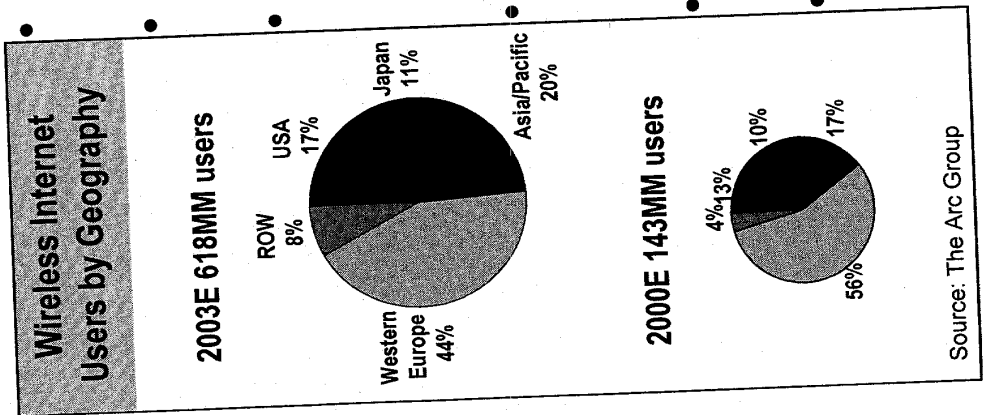
By 2005, it is expected that 75% of wireless subscribers will regularly use data services, accounting for 26% of wireless revenues

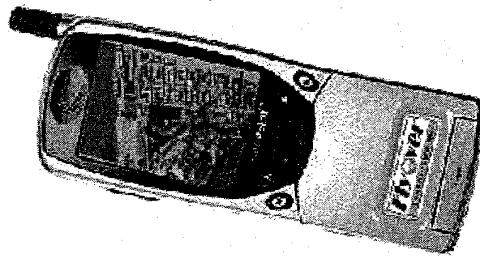
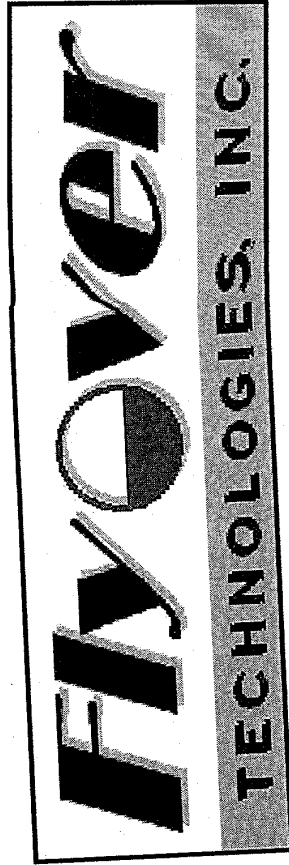
Usage forecasts show Time-Sensitive Information and Location As Critical Applications

Source: Nikkei Market Access

Revenues from location-based wireless services in North America will explode to \$3.9 billion by 2004 - more than one-hundred fold

Source: The Strategis Group





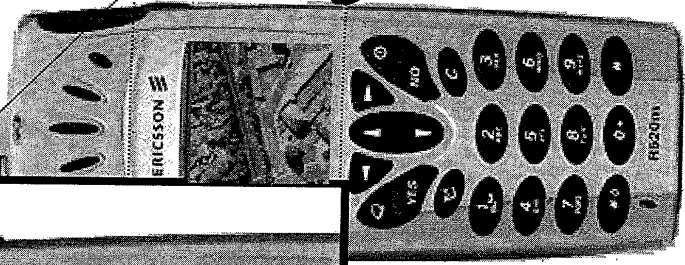
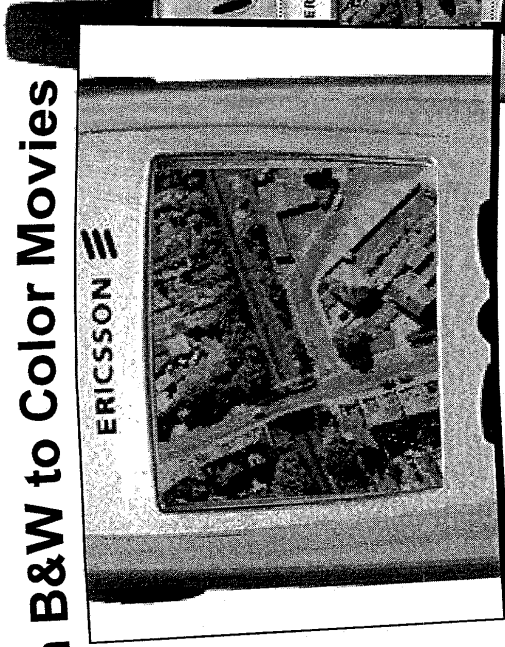
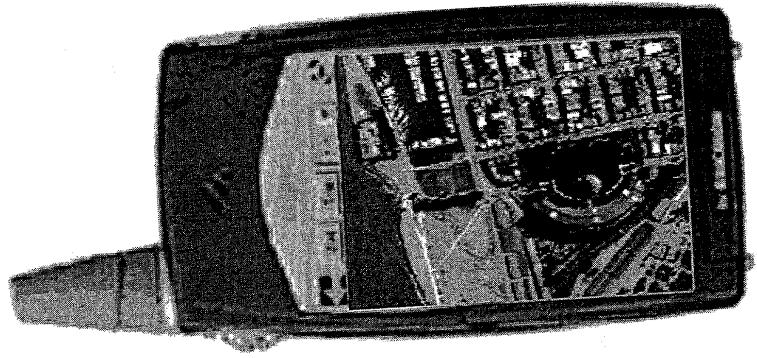
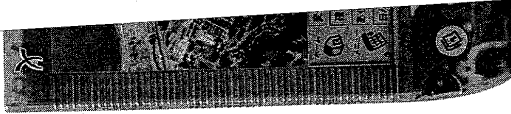
**see it
from
the
top!**

**The leading location
based solution
enabler utilizing
satellite imagery
over cellular**

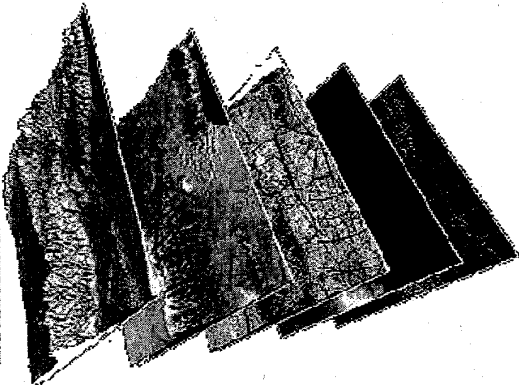


Inevitable Trend

- From B&W to Color TV
- From Monochrome to Color Monitor
- From Cartoons through B&W to Color Movies



So first to

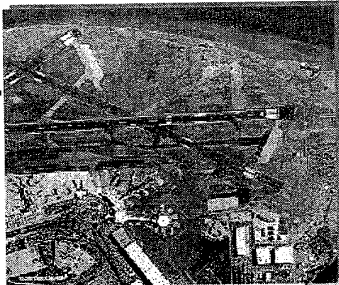


DTM, DEM and DSM

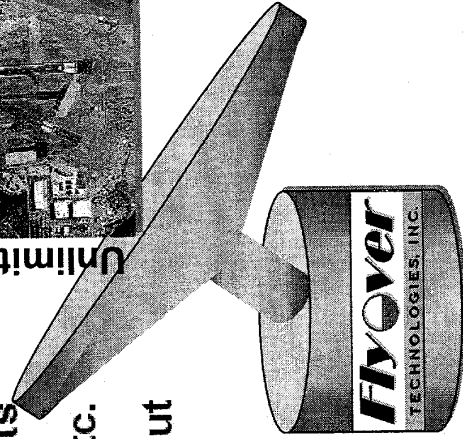
The FlyOver™

- Graphical layer for text
- 2D and 3D elements
- Cell ID, GPS, Etc.
- links out

Unlimited MB
Unlimited pixels

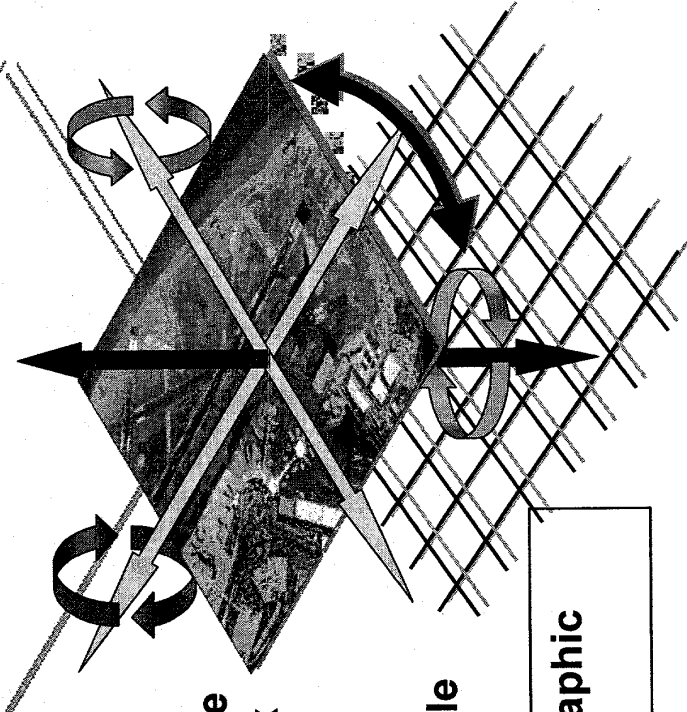


Unlimited pixels



- Perspective 3D with six degrees of freedom
- 2D in Mobile Terminals

Geographic Grid



• Wired or wireless bandwidth below 3Kb/s (No Competitor)

• Client's plug-in

• Sub - 100Kb - PC (No Competitor)

• Sub 40Kb in Mobile Terminal (No Competitor)

Long term vision

Visual Mining™

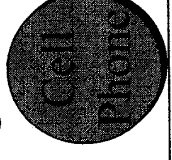
M & L – Commerce

- **“visually mined” from an
aerial / satellite color image
of the market with
continuous smooth panning
and zooming capabilities**



Anywhere, Anytime, any Device

- > Yellow Pages
- > Real Estate - MLS
- > Traffic Monitoring
- > Tourism
- > L411
- > E911 & E122
- > L-Token



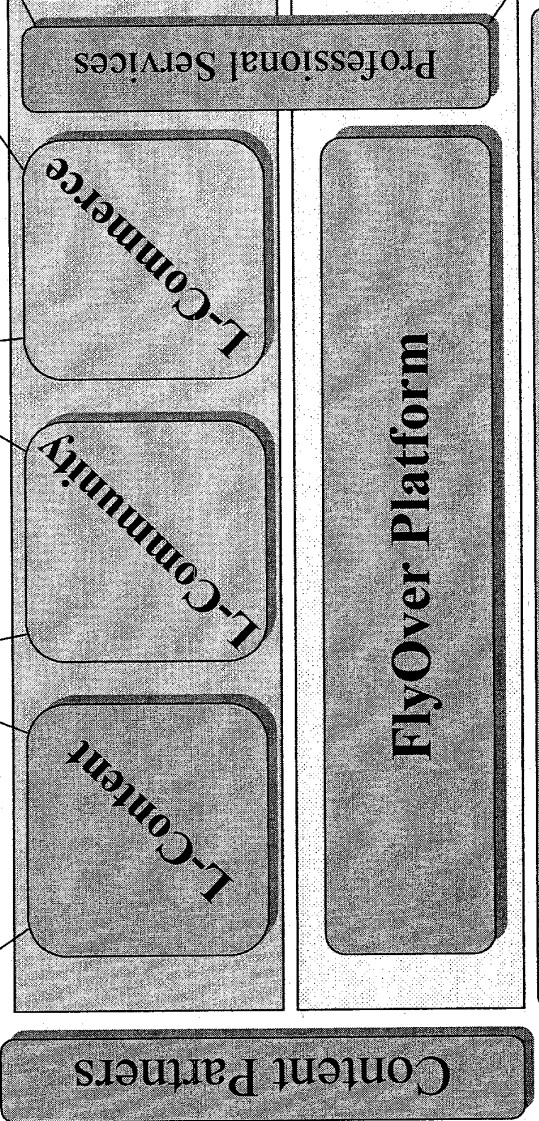
- > Friend Nearby
- > Child Find & Pet Tracking
- > Online gaming

- > Location-Sensitive
 - ❖ Billing
 - ❖ Commerce
 - ❖ Advertising

XYPOINT

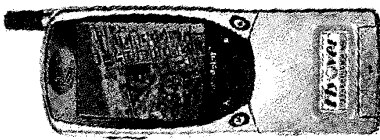
- XYPOINT has developed key partnerships with 12 of the top U.S. Wireless carriers
- 5 Million revenue generating subscribers

Operator Partners



- > Remote Data Sensing
 - ❖ Environmental
 - ❖ Hazards
 - ❖ Urban planning
 - ❖ Mineral Exploration
 - ❖ Real Estate
 - ❖ GIS and related Dbase
 - ❖ 2D & 3D visualization
- > Telematics
 - ❖ Fleet Tracking
- > GPS Navigation Systems

Benefits



End-Users

- Increase Efficiencies
- Increase User Experience
- Enrich User Service Providers

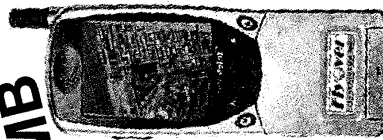
Operators and Services Enhancement

- Added Value Services per User
- Increase Revenue Loyalty
- Increase Customer Churn
- Reduction of Churn
- Differentiation

Business Model



- SNP Model (Vertical Markets)
 - ⚡ Image Hosting charges per MB
 - ⚡ Concurrent users surcharge
 - ⚡ ASP Model (Horizontal Markets per MB)
 - ⚡ Image processing
 - ⚡ Image Sharing
- Revenues
 - ⚡ Packet data transmission
 - ⚡ M & L-Commerce
 - ⚡ Rental fees



Team

- **Isaac Levanon - Over 20-year's experienced entrepreneur in the PC and related industries**
- **Alon Peled - Over 12-year's d-Base expert with worldwide project management**
- **Dan Lusky - Co-founder of DBS – acquired by L3 Communications Company. Investor Partner at Silicom Ventures**
- **Eli Sternheim - Ph.D. - Co-founder of interHDL - acquired by Avant. Investor Partner at Redwood Ventures and Silicom Ventures**
- **Gideon Sasson - President - Electronic Brokerage of Charles Schwab**
- **Ziv Dascalu - Managing Director of ExSeed Ventures. Co-founder of Abirnet – acquired by Memco & CA**

TRADEMARK EXAMINATION WORKSHEET

AMENDMENT STAGE NO CHANGE PUBLICATION/REGISTRATION STAGE

Name: Monique L. Watts L.O. _____ 102 Date 2/14/02 Serial No. 78/044791

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

Legal Instrument Examiner (LIE)

	Amended	Data Element	
Class Data	<input type="checkbox"/>	<input type="checkbox"/> Prime/International Class	<input checked="" type="checkbox"/> Goods and Services
	<input type="checkbox"/>	<input type="checkbox"/> First Use Date	<input type="checkbox"/> First Use in Commerce Date
	<input type="checkbox"/>	<input type="checkbox"/> In Another Form	<input type="checkbox"/> Certification
	<input checked="" type="checkbox"/>	1b	
Mark Data	<input type="checkbox"/>	<input type="checkbox"/> Word Mark	<input type="checkbox"/> Pseudo Mark
	<input type="checkbox"/>	<input type="checkbox"/> Mark Drawing Code	<input type="checkbox"/> Design Search Code
	<input type="checkbox"/>	<input type="checkbox"/> Scan Drawing	
Misc. Mark Data	<input type="checkbox"/>	<input type="checkbox"/> Mark Description	<input type="checkbox"/> Disclaimer
	<input type="checkbox"/>	<input type="checkbox"/> Lining/Stippling	<input type="checkbox"/> Name/Portrait/Consent
	<input type="checkbox"/>	<input type="checkbox"/> Translation	
Section 2(f)	<input type="checkbox"/>	<input type="checkbox"/> Section 2(f) Entire Mark	
	<input type="checkbox"/>	<input type="checkbox"/> Section 2(f) Limitation Statement	<input type="checkbox"/> Section 2(f) in Part
	<input type="checkbox"/>	<input type="checkbox"/> Amended Register	<input type="checkbox"/> Amended Register Date
Foreign Reg. Data	<input type="checkbox"/>	<input type="checkbox"/> Foreign Country	<input type="checkbox"/> 44(d)
	<input type="checkbox"/>	<input type="checkbox"/> Foreign Application Number	<input type="checkbox"/> Foreign Application Filing Date
	<input type="checkbox"/>	<input type="checkbox"/> Foreign Registration Number	<input type="checkbox"/> Foreign Registration Date
	<input type="checkbox"/>	<input type="checkbox"/> Foreign Registration Expiration Date	<input type="checkbox"/> Foreign Renewal Reg. Number
	<input type="checkbox"/>	<input type="checkbox"/> Foreign Reg. Renewal Expiration Date	<input type="checkbox"/> Foreign Renewal Reg. Date
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	<input type="checkbox"/>	<input type="checkbox"/> Address 1	<input type="checkbox"/> Address 2
	<input type="checkbox"/>	<input type="checkbox"/> City	<input type="checkbox"/> State
	<input type="checkbox"/>	<input type="checkbox"/> Zip Code	
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	<input type="checkbox"/>	<input type="checkbox"/> Entity Statement	<input type="checkbox"/> Composed of
	<input type="checkbox"/>	<input type="checkbox"/> Assignment(s)/Name Change	
Amd/Corr Restr.	<input type="checkbox"/>	<input type="checkbox"/> Concurrent Use	
Prior U.S. Reg.	<input type="checkbox"/>	<input type="checkbox"/> Prior Registration	
Correspondence	<input type="checkbox"/>	<input type="checkbox"/> Attorney	<input type="checkbox"/> Domestic Representative
	<input type="checkbox"/>	<input type="checkbox"/> Attorney Docket Number	
	<input type="checkbox"/>	<input type="checkbox"/> Correspondence Firm Name/Address	

I certify that all corrections have been entered in accordance with text editing guidelines.

Monique L. Watts
LIE

2/14/02
DATE

Other: _____

Feb 28, 2002

78044791

10:29 AM

TYPED DRAWING

Serial Number

78044791

Examining Attorney

WINTERS, SHANNA
LAW OFFICE 102

Filing Date

Jan 24, 2001

Original Filing Basis

1A

Current Filing Basis

1A; 1B

Amended Filing Basis

1B

Status of Application

RESPONSE AFTER NON-FINAL ACTION - ENTERED

Type of Mark

TRADEMARK; SERVICE MARK

Register

PRINCIPAL

Word Mark

FLYOVER

OTHER MARK DATA

Color Drawing Indicator

NO COLOR DRAWING

Mark Drawing Code

(1) TYPED DRAWING

OWNER DATA

PARTY TYPE 10 - ENTRY NUMBER 001 - COMPOSED FLAG FALSE

ASSIGNMENT RECORDED: NO

FlyOver Technologies, Inc.
DELAWARE
CORPORATION
3862 Panda Place

San Jose, CALIFORNIA 95117

GOODS AND SERVICES DATA

G & S: COMPUTER PROGRAMS AND COMPUTERS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND TOPOLOGICALLY MAPS AND TOPICALLY PRESENTED INFORMATION AND INSTRUCTIONAL MANUALS SOLD AS A UNIT. IC 009. US 021 023 026 036 038. First Use: Jun 30, 2000. First Use In Commerce: Jun 30, 2000

G & S: COMPUTER CONSULTING SERVICES, NAMELY COMPUTER SYSTEM DESIGN, INTEGRATION AND DEPLOYMENT, IN THE FIELD OF COMPUTER BASED CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL; TOPOGRAPHICAL MAPS AND TOPOGRAPHICALLY PRESENTED INFORMATION. IC 042. US 100 101. First Use: Jun 30, 2000. First Use In Commerce: Jun 30, 2000

OTHER DATA

FOREIGN REGISTRATION DATA

CORRESPONDENCE DATA

Attorney of Record

Gerald B. Rosenberg

Correspondence Address

Gerald B. Rosenberg
NewTechLaw
285 Hamilton Avenue
Suite 520
Palo Alto CA 94301

Automatic Last Update

NOT UPDATED

Attorney Docket Number

FLVT6000

TRADEMARK EXAMINATION WORKSHEET

AMENDMENT STAGE

NO CHANGE

PUBLICATION/REGISTRATION STAGE






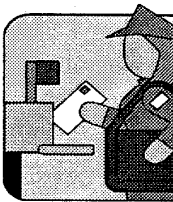

Name: Regina White

L.O. 102

Date April 12, 2002

Serial No. 7044791

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

Legal Instrument Examiner (LIE)		
	Amended	Data Element
Class Data 	<input type="checkbox"/>	Prime/International Class
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	<input type="checkbox"/>	Name/Portrait/Consent
	<input type="checkbox"/>	Translation
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	<input type="checkbox"/>	Section 2(f) Limitation Statement
Owner Data 	<input type="checkbox"/>	Section 2(f) in Part
	<input type="checkbox"/>	Amended Register
	<input type="checkbox"/>	Amended Register Date
	<input type="checkbox"/>	Foreign Country
	<input type="checkbox"/>	44(d)
	<input type="checkbox"/>	Foreign Application Number
	<input type="checkbox"/>	Foreign Application Filing Date
	<input type="checkbox"/>	Foreign Registration Number
<input type="checkbox"/>	Foreign Registration Date	
Amdt. / Corr. Prior U.S. Reg. Correspondence 	<input type="checkbox"/>	Foreign Registration Expiration Date
	<input type="checkbox"/>	Foreign Renewal Reg. Number
	<input type="checkbox"/>	Foreign Reg. Renewal Expiration Date
	<input type="checkbox"/>	Foreign Renewal Reg. Date
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<input type="checkbox"/>	Zip Code	
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<input type="checkbox"/>	Entity	
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<input type="checkbox"/>	Composed of	
<input type="checkbox"/>	Assignment(s)/Name Change	
<input type="checkbox"/>	Concurrent Use	
<input type="checkbox"/>	Prior Registration	
<input type="checkbox"/>	Attorney	
<input type="checkbox"/>	Domestic Representative	
<input type="checkbox"/>	Attorney Docket Number	
<input type="checkbox"/>	Correspondence Firm Name/Address	

I certify that all corrections have been entered in accordance with text editing guidelines.

LIE: Regina White: April 12, 2002

Other _____



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT COMMISSIONER FOR TRADEMARKS
2900 Crystal Drive
Arlington, Virginia 22202-3513

Jun 19, 2002

NOTICE OF PUBLICATION UNDER 12(a)

1. Serial No.:
78/044,791
2. Mark:
FLYOVER
3. International Class(es):
9, 42
4. Publication Date:
Jul 9, 2002
5. Applicant:
FlyOver Technologies, Inc.

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a notice of allowance pursuant to section 13(b) of the Statute.

Copies of the trademark portion of the Official Gazette containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: (202)512-1800

By direction of the Commissioner.

Gerald B. Rosenberg
NewTechLaw
285 Hamilton Avenue
Suite 520
Palo Alto CA 94301

TMP&I

U.S. Patent and Trademark Office (PTO)
NOTICE OF ALLOWANCE

(NOTE: If any data on this notice is incorrect, please submit a written request for correction of the NOA to: Assistant Commissioner for Trademarks, Box ITU, 2900 Crystal Drive, Arlington, VA 22202-3513. Please include the serial number of your application on ALL correspondence with the PTO. 15 U.S.C. 1063(b)(2))

ISSUE DATE OF NOA: Oct 1, 2002

Gerald B. Rosenberg
 NewTechLaw
 285 Hamilton Avenue
 Suite 520
 Palo Alto CA 94301

ATTORNEY
 REFERENCE NUMBER
 FLVT6000

**** IMPORTANT INFORMATION: 6 MONTH DEADLINE ****

To avoid ABANDONMENT of this application, either a "Statement of Use" (a.k.a. "Allegation of Use") or a "Request for Extension of Time to File a Statement of Use" (a.k.a. "Extension Request") and the appropriate fee(s) must be received in the PTO within six months of the issue date of this Notice Of Allowance (NOA) for those goods and/or services based on intent to use. Failure to do so will result in the ABANDONMENT of this application.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements, including fees. These requirements are explained in the PTO booklet "Basic Facts About Trademarks", which can be obtained upon request at (703)308-9000. In addition, there are printed forms contained in this booklet (for "Statements of Use" and "Extension Requests") for your use.

The following information should be reviewed for accuracy:

SERIAL NUMBER: 78/044791
 MARK: FLYOVER
 OWNER: FlyOver Technologies, Inc.
 3862 Panda Place
 San Jose, CALIFORNIA 95117

This application has the following bases, but not necessarily for all listed goods/services:
 Section 1(a): NO Section 1(b): YES Section 44(e): NO

GOODS/SERVICES BY INTERNATIONAL CLASS

- 009-COMPUTER PROGRAMS AND COMPUTERS PROVIDING FOR THE CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND TOPOLOGICALLY PRESENTED INFORMATION AND INSTRUCTIONAL MANUALS SOLD AS A UNIT
- 042-COMPUTER CONSULTING SERVICES, NAMELY COMPUTER SYSTEM DESIGN, INTEGRATION AND DEPLOYMENT, IN THE FIELD OF COMPUTER BASED CREATION, MODIFICATION, SELECTION, NAVIGATION, AND DISPLAY OF TWO DIMENSIONAL AND THREE DIMENSIONAL TOPOGRAPHICAL MAPS AND TOPOLOGICALLY PRESENTED INFORMATION

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

<SERIAL NUMBER> 78044791
 <MARK> FLYOVER
 <LAW OFFICE ASSIGNED> TMEG Law Office 102
 <CONTACT TYPE> Correspondent

<ORIGINAL ADDRESS> GERALD B. ROSENBERG
 NEWTECHLAW
 285 HAMILTON AVENUE
 SUITE 520
 PALO ALTO CA 94301
 US

<NEW ADDRESS>
 <CORRESPONDENT> Tal Bahar
 <ORGANIZATION> FlyOver Tehnologies Inc.
 <STREET ADDRESS> 1456 Fowler Lane
 <CTIY> Los Altos
 <STATE> CA
 <POSTAL CODE> 49024
 <PHONE> 011 972 54 725 899
 <FAX> 011 972 3 5474547
 <EMAIL> nuritl@2flyover.com
 <EMAIL AUTHORIZED> Y
 <SUBMIT DATE> Jan 12, 2003

<BOILERPLATE>
 <EMAIL> The USPTO is authorized to communicate with the applicant at the listed email address.

<SIGNATURE>
 <SIGNATURE-NAME> /1122/
 <SIGNATORY-DATE> 20030112
 <SIGNATORY-NAME> Nurit Levanon
 <SIGNATORY-POSITION> Duly authorized officer

<SERIAL NUMBER> 78044791
 <MARK> FLYOVER
 <LAW OFFICE ASSIGNED> TMEG Law Office 102
 <CONTACT TYPE> Correspondent

<ORIGINAL ADDRESS> GERALD B. ROSENBERG
 NEWTECHLAW
 285 HAMILTON AVENUE
 SUITE 520
 PALO ALTO CA 94301
 US

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 <CORRESPONDENT> Tal Bahar
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 <PHONE> 011 972 54 725 899
 <FAX> 011 972 3 5474547
 <EMAIL> nuritl@2flyover.com
 <EMAIL AUTHORIZED> Y
 <SUBMIT DATE> Jan 12, 2003

<BOILERPLATE>
 <EMAIL> The USPTO is authorized to communicate with the applicant at the listed email address.

<SIGNATURE>
 <SIGNATURE-NAME> /1122/
 <SIGNATORY-DATE> 20030112
 <SIGNATORY-NAME> Nurit Levanon
 <SIGNATORY-POSITION> Duly authorized officer

PTO/TM/1553 (Rev 4/2000)

OMB Control #0651-0009 (Exp. 08/31/2004)

~TRADEMARK/SERVICE MARK ALLEGATION OF USE~
(Statement of Use/Amendment to Allege Use)

* To the Commissioner for Trademarks *

<DOCUMENT INFORMATION>

<TRADEMARK/SERVICEMARK ALLEGATION OF USE>

<VERSION 1.24>

<TRADEMARK/SERVICEMARK INFORMATION>

<MARK> FLYOVER

<TYPED FORM> Yes

<SERIAL NUMBER> 78044791

<LAW OFFICE ASSIGNED> TMEG Law Office 102

<APPLICANT INFORMATION>

<NAME> FlyOver Technologies, Inc.

<STREET> 3862 Panda Place

<CITY> San Jose

<STATE> CA

<COUNTRY> US

<ZIP/POSTAL CODE> 95117

<E-MAIL ADDRESS> nuritl@2flyover.com

<AUTHORIZE E-MAIL COMMUNICATION> Yes

<NOTICE OF ALLOWANCE INFORMATION>

<NOTICE OF ALLOWANCE> YES

<GOODS AND SERVICES INFORMATION>

<ALL GOODS AND/OR SERVICES IN NOTICE OF ALLOWANCE> Yes

~ The applicant is using or is using through a related company the mark in commerce on or in connection with all the goods/services listed in the Application/Notice of Allowance. ~

<GOODS AND SERVICES INFORMATION>

<ALL GOODS AND/OR SERVICES IN NOTICE OF ALLOWANCE> Yes

~ The applicant is using or is using through a related company the mark in commerce on or in connection with all the goods/services listed in the Application/Notice of Allowance. ~

<FEE INFORMATION>

<TOTAL FEES PAID> 200

<NUMBER OF CLASSES> 2

<USE INFORMATION>

<INTERNATIONAL CLASS NUMBER> 009

<SPECIMEN> Yes

<SPECIMEN DESCRIPTION> product Packaging

<FIRST USE ANYWHERE DATE> 03/22/2000

<FIRST USE IN COMMERCE DATE> 03/22/2000

<INTERNATIONAL CLASS NUMBER> 042

<SPECIMEN> Yes

<SPECIMEN DESCRIPTION> Brochure

<FIRST USE ANYWHERE DATE> 03/22/2000

<FIRST USE IN COMMERCE DATE> 03/22/2000

<LAW OFFICE INFORMATION>

~ The USPTO is authorized to communicate with the applicant, attorney or representative at the below e-mail address ~

<E-MAIL ADDRESS FOR CORRESPONDENCE> nuritl@2flyover.com

<SIGNATURE AND OTHER INFORMATION>

~ Applicant requests registration of the above-identified trademark/service mark 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). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. ~

~ The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true. ~

<SIGNATURE> /1122/

<DATE> 01/13/2003

<NAME> Nurit Levanon

<TITLE> President

<RAM INFORMATION>

<RAM SALE NUMBER> 479

<RAM ACCOUNTING DATE> 01/13/2003

<INTERNET TRANSMISSION DATE> Mon Jan 13 06:00:35 EST 2003

<TEAS STAMP> USPTO/SOU-172.30.228.74-20030113060035494001-78044791-
200e0bed86f8bc593109355239245c69142-RAM-479-20030113055118840003

<E-MAIL ADDRESS FOR ACKNOWLEDGMENT> nuritl@2flyover.com

The information collected on this form allows the USPTO to determine whether a mark may be registered on the Principal or Supplemental register, and provides notice of an applicant's claim of ownership of the mark. Responses to the request for information are required to obtain the benefit of a registration on the Principal or Supplemental register. 15 U.S.C. §§1051 et seq. and 37 C.F.R. Part 2. All information collected will be made public. Gathering and providing the information will require an estimated 13 minutes (depending if the application is based on an intent to use the mark in commerce, use of the mark in commerce, or a foreign application or registration). Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington D.C. 20231. Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number.

**~TRADEMARK/SERVICE MARK ALLEGATION OF USE~
(Statement of Use/Amendment to Allege Use)**

The table below presents the data as entered.

Input Field	Entered
MARK	FLYOVER
TYPED FORM	Yes
SERIAL NUMBER	78044791
LAW OFFICE ASSIGNED	TMEG Law Office 102
NAME	FlyOver Technologies, Inc.
STREET	3862 Panda Place
CITY	San Jose
STATE	CA
COUNTRY	US
ZIP/POSTAL CODE	95117
E-MAIL ADDRESS	nuritl@2flyover.com
AUTHORIZE E-MAIL COMMUNICATION	Yes
NOTICE OF ALLOWANCE	YES
ALL GOODS AND/OR SERVICES IN NOTICE OF ALLOWANCE	Yes
ALL GOODS AND/OR SERVICES IN NOTICE OF ALLOWANCE	Yes
TOTAL FEES PAID	200
NUMBER OF CLASSES	2
INTERNATIONAL CLASS NUMBER	009
SPECIMEN	Yes
SPECIMEN DESCRIPTION	product Packaging
FIRST USE ANYWHERE DATE	03/22/2000

FIRST USE IN COMMERCE DATE 03/22/2000
INTERNATIONAL CLASS NUMBER 042
SPECIMEN Yes
SPECIMEN DESCRIPTION Brochure
FIRST USE ANYWHERE DATE 03/22/2000
FIRST USE IN COMMERCE DATE 03/22/2000
E-MAIL ADDRESS FOR CORRESPONDENCE nuritl@2flyover.com
SIGNATURE /1122/
DATE 01/13/2003
NAME Nurit Levanon
TITLE President
RAM SALE NUMBER 479
RAM ACCOUNTING DATE 01/13/2003
INTERNET TRANSMISSION DATE Mon Jan 13 06:00:35 EST 2003
TEAS STAMP USPTO/SOU-172.30.228.74-20030113060035494001-78044791-200e0bed86f8bc593109355239245c69142-RAM-479-20030113055118840003
E-MAIL ADDRESS FOR ACKNOWLEDGMENT nuritl@2flyover.com

[Go Back](#)

FEE RECORD SHEET

10.1.02

Serial Number: 78044791



RAM Sale Number: 479

Total Fees: \$200

RAM Accounting Date: 01/13/2003

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
Statement of Use (SOU)	7003	01/13/2003	\$100	2	\$200

FEE RECORD SHEET

Serial Number: 78044791



RAM Sale Number: 479

Total Fees: \$200

RAM Accounting Date: 01/13/2003

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Total Fee</u>
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PTO/TM/1553 (Rev 4/2000)

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<VERSION 1.24>

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<TYPED FORM> Yes

<SERIAL NUMBER> 78044791

<LAW OFFICE ASSIGNED> TMEG Law Office 102

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<CITY> San Jose

<STATE> CA

<COUNTRY> US

<ZIP/POSTAL CODE> 95117

<E-MAIL ADDRESS> nuritl@2flyover.com

<AUTHORIZE E-MAIL COMMUNICATION> Yes

<NOTICE OF ALLOWANCE INFORMATION>

<NOTICE OF ALLOWANCE> YES

<GOODS AND SERVICES INFORMATION>

<ALL GOODS AND/OR SERVICES IN NOTICE OF ALLOWANCE> Yes

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<TITLE> President

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SPECIMEN DESCRIPTION	product Packaging
FIRST USE ANYWHERE DATE	03/22/2000

FIRST USE IN COMMERCE DATE	03/22/2000
INTERNATIONAL CLASS NUMBER	042
SPECIMEN	Yes
SPECIMEN DESCRIPTION	Brochure
FIRST USE ANYWHERE DATE	03/22/2000
FIRST USE IN COMMERCE DATE	03/22/2000
E-MAIL ADDRESS FOR CORRESPONDENCE	nuritl@2flyover.com
SIGNATURE	/1122/
DATE	01/13/2003
NAME	Nurit Levanon
TITLE	President
RAM SALE NUMBER	479
RAM ACCOUNTING DATE	01/13/2003
INTERNET TRANSMISSION DATE	Mon Jan 13 06:00:35 EST 2003
TEAS STAMP	USPTO/SOU-172.30.228.74-20030113060035494001-78044791-200e0bed86f8bc593109355239245c69142-RAM-479-20030113055118840003
E-MAIL ADDRESS FOR ACKNOWLEDGMENT	nuritl@2flyover.com

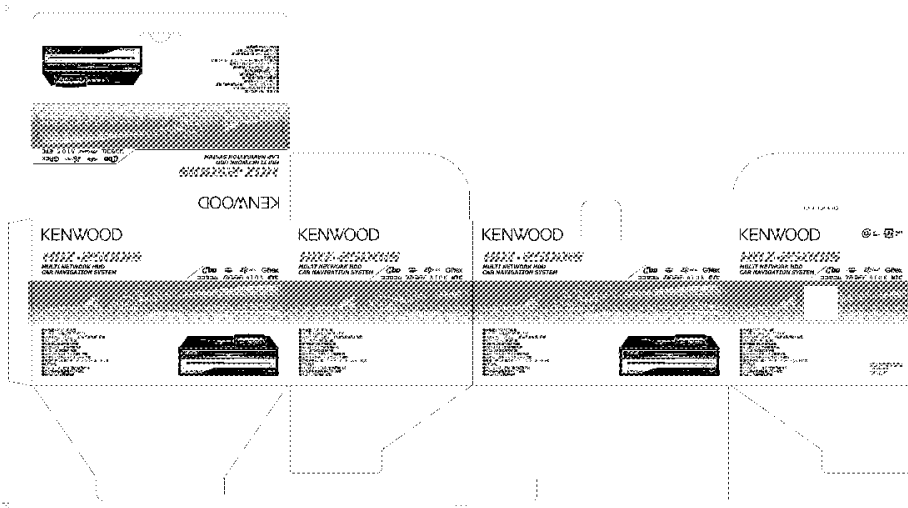
[Go Back](#)

SPECIMEN

Internet Transmission Date:
01132003

Serial Number:
78044791

Class Number:
009



SPECIMEN

Internet Transmission Date:
01132003

Serial Number:
78044791

Class Number:
042



SKY CRUISE VIEW

2004

VICS 72.57 港南小学校前 4.21 印

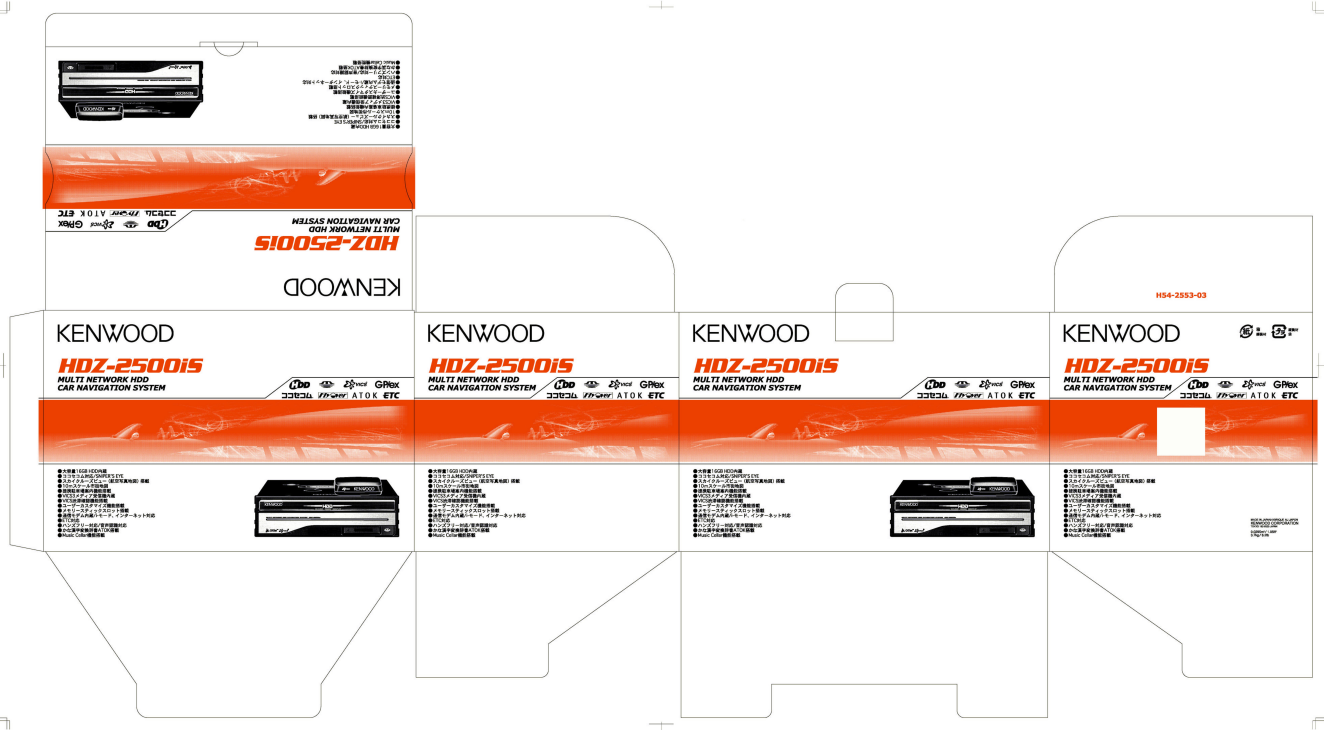
高速データアクセスと32,000色表示が
航空写真の高画質を実現

スカイクルーズビューとは、航空写真の座標データに基準座標を持ち、緯度・経度の情報に基づいて表示。HDDによる高速データアクセスと32,000色以上の画像表示によって航空写真ならではのリアルな高精細を実現します。さらにナビの座標データとリンクするため、過去の地図表示と同じ感覚で操作でき、案内ルートや経路位置の表示はもちろん、気象データやハイウェイネットワークなどの表示が可能。地図スケールやズームレベル、3D表示など、スケール感や表示エリアを違和感なく表示できます。

11/2001

11/2001

11/2001



スカイクルーズ・ビュー

SKY CRUISE VIEW



高速データアクセスと32,000色表示が 航空写真の高画質を実現。

スカイクルーズ・ビューとは、航空写真の画像データに基準座標を持たせ、緯度・経度の情報に基づいて表示。HDDによる高速データアクセスと32,000色もの画像表示によって航空写真ならではのリアルな高精細感を実現します。さらにナビの座標データとリンクするため、通常の地図表示と同じ感覚で使用でき、案内ルートや自車位置の表示はもちろん、交差点拡大図やハイウェイモードなどの表示が可能。地図スケールやスクロール、3D表示など、スケール感や表示エリアを違和感なく表示できます。



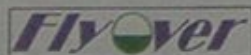
3D交差点拡大画面



3D表示画面



角度調整画面



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<SERIAL NUMBER> 78044791
 <MARK> FLYOVER
 <LAW OFFICE ASSIGNED> TMEG Law Office 102
 <CONTACT TYPE> Correspondent

<ORIGINAL ADDRESS> GERALD B. ROSENBERG
 NEWTECHLAW
 285 HAMILTON AVENUE
 SUITE 520
 PALO ALTO CA 94301
 US

<NEW ADDRESS>
 <CORRESPONDENT> Tal Bahar
 <ORGANIZATION> FlyOver Technologies Inc.
 <STREET ADDRESS> 1456 Fowler Lane
 <CTIY> Los Altos
 <STATE> CA
 <POSTAL CODE> 49024
 <PHONE> 011 972 54 725 899
 <FAX> 011 972 3 5474547
 <EMAIL> nuritl@2flyover.com
 <EMAIL AUTHORIZED> Y
 <SUBMIT DATE> Jan 14, 2003

<BOILERPLATE>
 <EMAIL> The USPTO is authorized to communicate with the applicant at the listed email address.

<SIGNATURE>
 <SIGNATURE-NAME> /1122/
 <SIGNATORY-DATE> 20030114
 <SIGNATORY-NAME> Nurit Levanon
 <SIGNATORY-POSITION> President

To: FlyOver Technologies, Inc. (nuritl@2flyover.com)
Subject: 78044791 - FLYOVER - FLVT6000
Sent: 2/27/03 10:19:19 AM
Sent As: ECom102

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/044791

APPLICANT: FlyOver Technologies, Inc.

CORRESPONDENT ADDRESS:

Tal Bahar
FlyOver Technologies Inc.
1456 Fowler Lane
Los Altos CA 49024

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
ecom102@uspto.gov

MARK: FLYOVER

CORRESPONDENT'S REFERENCE/DOCKET NO: FLVT6000

CORRESPONDENT EMAIL ADDRESS:

nuritl@2flyover.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

RE: Serial Number 78/044791

The assigned examining attorney has reviewed the statement of use filed on January 13, 2003 and has determined the following.

TRANSLATION OF NON-ENGLISH WORDING ON SPECIMEN

The applicant must submit an English translation of the non-English wording on the specimen for International Class 42. 37 C.F.R. §2.61(b); TMEP §904.10.

SPECIMEN DOES NOT SHOW USE OF MARK

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The statement supporting use of the substitute specimen must read as follows:

The substitute specimen was in use in commerce prior to the expiration of the time allowed to the applicant for filing a statement of use.

The applicant must sign this statement either in affidavit form or with a declaration under 37 C.F.R. §2.20; TMEP §§904.09 and 1109.09(b).

DECLARATION

The following is a properly worded declaration under 37 C.F.R. §2.20. At the end of your response, please insert the declaration signed by someone authorized to sign under 37 C.F.R. §2.33(a):

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Signature _____
Name and Position _____
Date _____

NOTE: For the signature above, use the same format as the electronic signature on the original e-TEAS application, e.g., /john doe/ or /jd/. 37 CFR §1.4(d)(1)(iii); TMEP §§304.08 and 804.05.

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

/MVS/
Maria-Victoria Suarez
Trademark Attorney
Law Office 102
(703) 308-9102, x196
Fax - (703) 872-9231
maria-victoria.suarez@uspto.gov

How to respond to this Office Action:

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via E-mail, visit <http://www.uspto.gov/web/trademarks/tmelecresp.htm> and follow the instructions.

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FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

To: FlyOver Technologies, Inc. (nuritl@2flyover.com)
Subject: 78044791 - FLYOVER - FLVT6000
Sent: 2/27/03 10:19:19 AM
Sent As: ECom102
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/044791

APPLICANT: FlyOver Technologies, Inc.

CORRESPONDENT ADDRESS:

Tal Bahar
FlyOver Technologies Inc.
1456 Fowler Lane
Los Altos CA 49024

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
ecom102@uspto.gov

MARK: FLYOVER

CORRESPONDENT'S REFERENCE/DOCKET NO : FLVT6000

CORRESPONDENT EMAIL ADDRESS:

nuritl@2flyover.com

Please provide in all correspondence:

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2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

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Serial Number 78/044791

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/MVS/
Maria-Victoria Suarez
Trademark Attorney
Law Office 102
(703) 308-9102, x196
Fax - (703) 872-9231
maria-victoria.suarez@uspto.gov

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FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

From: nuritl@2flyover.com
To: ECom102
CC:
Subject: RE: 78044791 - FLYOVER - FLVT6000
Date: 7/20/03 3:57:32 AM
Attachments: flayovre_TM.jpg
image001.jpg

Dear Ms. Suarez

In response to your office action dated February 27,2003 enclosed hereby is our reopens.

1. FILING DATE: January 24, 2001

SERIAL NO: 78/044791

MARK: FLYOVER

APPLICANT NAME: FlyOver Technologies, Inc. Corporation Delaware

2. DATE OF USPTO Action February 27, 2003

3. Examining Attorney : Maria-Victoria Suarez
Trademark Attorney

Law Office 102
(703) 308-9102, x196
Fax - (703) 872-9231
maria-victoria.suarez@uspto.gov

4. Our Phone number : +972-54-725-899;
Our Email address: nuritl@2flyover.com <mailto:nuritl@2flyover.com>

Re: Translation of none-English wording on specimen & specimen does not show use of mark

In regards to your office action below claiming use of English wording on specimen attached here by is a specimen wording in English as required.

In regard to your claim that specimen does not show use of the mark we hereby resubmit substitute specimen showing use of mark as shown in the good/service. The mark is shown on software supplied on a CD. See attached.

I here by verify with a declaration under 37 C.F.R. §2.20 that the substitute specimen was in use in commerce prior to the expiration of the time allowed to the applicant for filing a

statement of use.

DECLARATION

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Signature /1122/
Name and Position: Nurit Levanon -Director
Date July 20th 2003

-----Original Message-----
From: ecom102@USPTO.GOV [mailto:ecom102@USPTO.GOV]
Sent: Thursday, February 27, 2003 5:19 PM
To: nuritl@2flyover.com
Subject: 78044791 - FLYOVER - FLVT6000

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/044791

APPLICANT: FlyOver Technologies, Inc.

CORRESPONDENT ADDRESS:

Tal Bahar
FlyOver Technologies Inc.
1456 Fowler Lane
Los Altos CA 49024

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive

Serial No: 78044791

Page 3 of 8

Printed: 7/21/03 10:41:02 AM

Arlington, VA 22202-3513
ecom102@uspto.gov

MARK: FLYOVER

CORRESPONDENT'S REFERENCE/DOCKET NO: FLVT6000

CORRESPONDENT EMAIL ADDRESS:

nuritl@2flyover.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

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Serial Number 78/044791

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Signature _____
Name and Position _____
Date _____

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/MVS/
Maria-Victoria Suarez
Trademark Attorney
Law Office 102
(703) 308-9102, x196
Fax - (703) 872-9231
maria-victoria.suarez@uspto.gov

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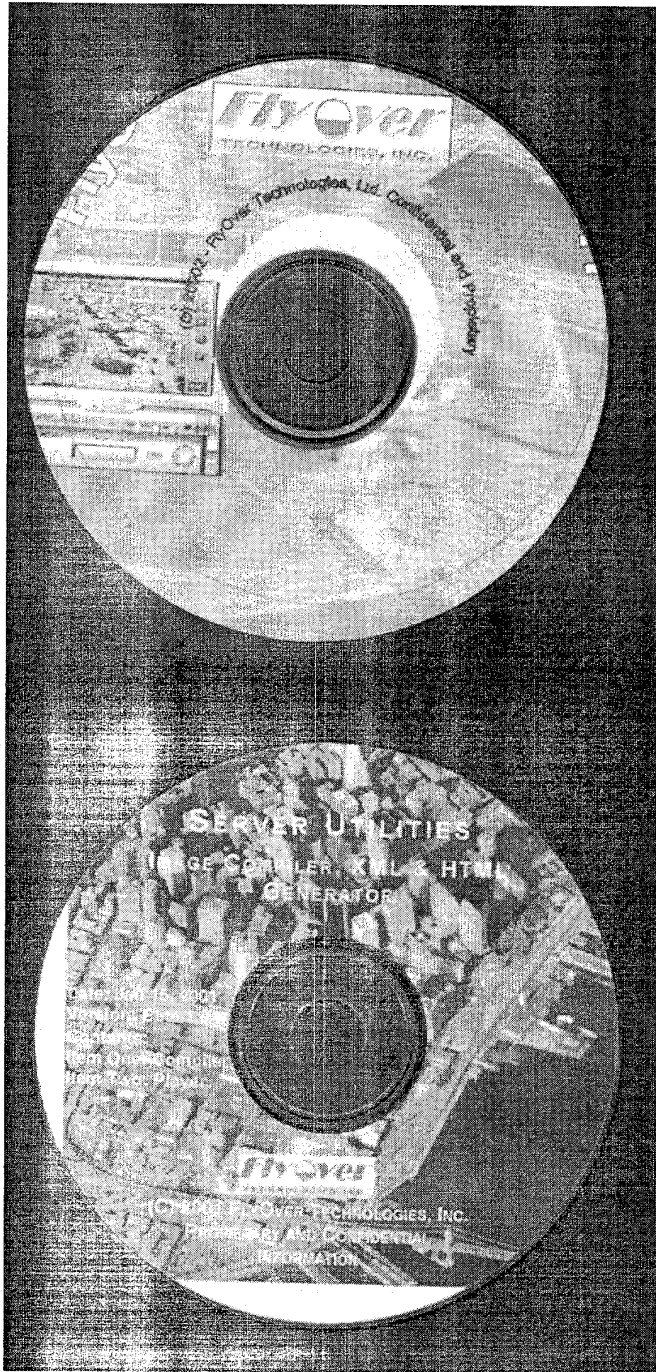
FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

Serial No: 78044791

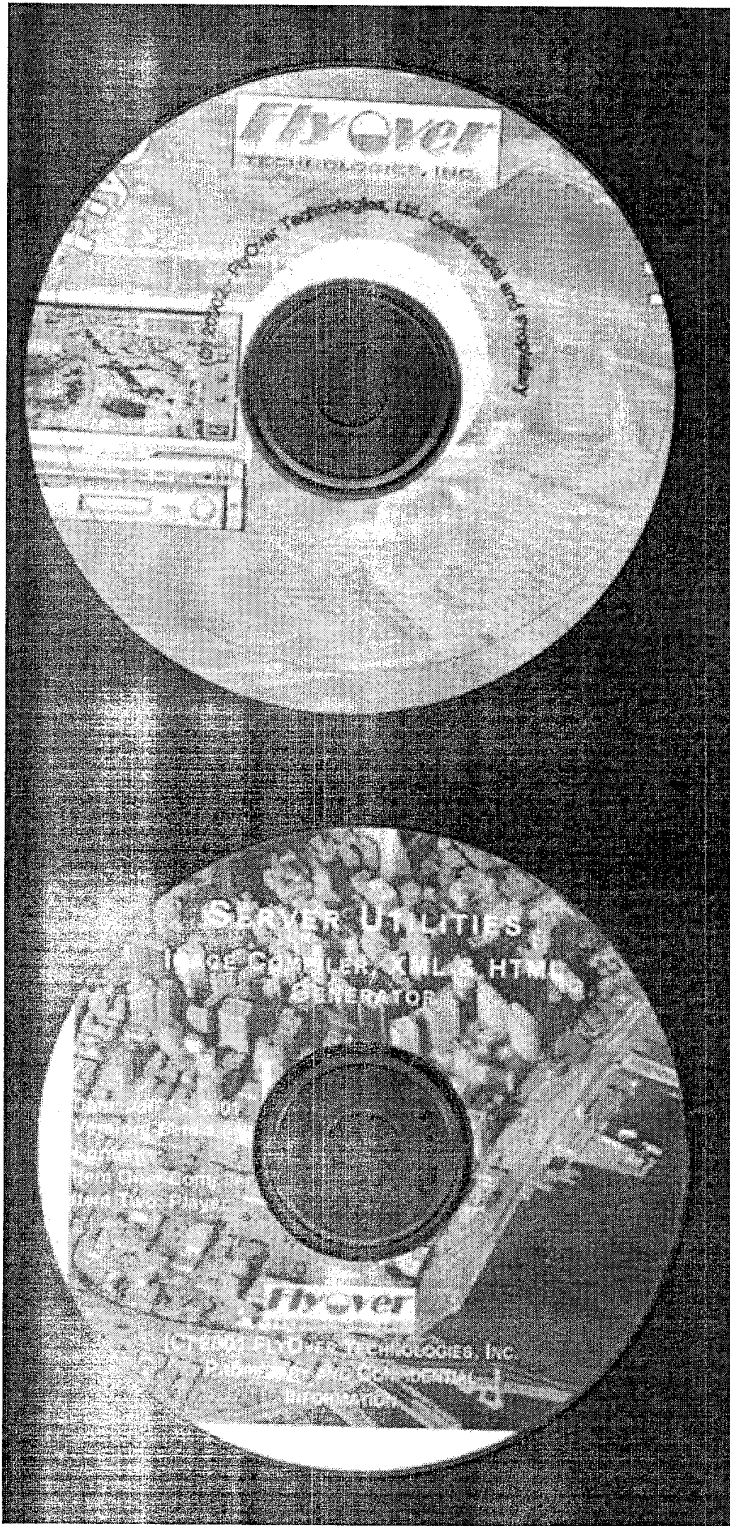
Page 6 of 8

Printed: 7/21/03 10:41:02 AM

Attachment: flayovre_TM.jpg



Attachment: image001.jpg



Serial No: 78044791

Page 8 of 8

Printed: 7/21/03 10:41:02 AM

From: nuritl@2flyover.com (nuritl@2flyover.com)
To: ECom102 (EX:/O=USPTO/OU=USPTO/CN=RECIPIENTS/CN=ECOM10251C2E22751C)
Subject: RE: 78044791 - FLYOVER - FLVT6000
Received: 7/20/03 3:57:32 AM
Attachments: [Attachment - 1](#)
[Attachment - 2](#)

Dear Ms. Suarez

In response to your office action dated February 27,2003 enclosed hereby is our reopens.

1. FILING DATE: January 24, 2001

SERIAL NO: 78/044791

MARK: FLYOVER

APPLICANT NAME: FlyOver Technologies, Inc. Corporation Delaware

2. DATE OF USPTO Action February 27, 2003

3. Examining Attorney : Maria-Victoria Suarez
Trademark Attorney

Law Office 102

(703) 308-9102, x196

Fax - (703) 872-9231

maria-victoria.suarez@uspto.gov

4. Our Phone number : +972-54-725-899;

Our Email address: nuritl@2flyover.com <<mailto:nuritl@2flyover.com>>

Re: Translation of none-English wording on specimen & specimen does not show use of mark

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Signature /1122/

Name and Position: Nurit Levanon -Director

Date July 20th 2003

-----Original Message-----

From: ecom102@USPTO.GOV [mailto:ecom102@USPTO.GOV]

Sent: Thursday, February 27, 2003 5:19 PM

To: nuritl@2flyover.com

Subject: 78044791 - FLYOVER - FLVT6000

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/044791

APPLICANT: FlyOver Technologies, Inc.

CORRESPONDENT ADDRESS:

Tal Bahar

FlyOver Technologies Inc.

1456 Fowler Lane

Los Altos CA 49024

RETURN ADDRESS:

Commissioner for Trademarks

2900 Crystal Drive

Arlington, VA 22202-3513

ecom102@uspto.gov

MARK: FLYOVER

CORRESPONDENT'S REFERENCE/DOCKET NO: FLVT6000

CORRESPONDENT EMAIL ADDRESS:

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/MVS/
Maria-Victoria Suarez
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FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.





SPECIMEN

Internet Transmission Date:
01132003

Class Number:
009

Serial Number:
78044791



SPECIMEN

Internet Transmission Date:
01132003

Class Number:
042

Serial Number:
78044791



スカイクルーズ・ビュー

SKY CRUISE VIEW



**高速データアクセスと32,000色表示が
航空写真の高画質を実現。**

スカイクルーズ・ビューとは、航空写真の画像データに基準座標を持たせ、緯度・経度の情報に基づいて表示。HDDによる高速データアクセスと32,000色もの画像表示によって航空写真ならではのリアルな高精細感を実現します。さらにナビの座標データとリンクするため、通常の地図表示と同じ感覚で使用でき、案内ルートや自転車位置の表示はもちろん、交差点拡大図やハイウェイモードなどの表示が可能、地図スケールやスクロール、3D表示など、スケール感や表示エリアを違和感なく表示できます。



3D交差点拡大画面



3D表示画面



角度調整画面

flyOver

*本製品は、国内外の著作権、商標、トレードマーク、特許に関する法律に基づいて開発されたFlyOver Technologiesは独自の技術を使用しています。『FlyOver』および『FlyOver』ロゴは、FlyOver Technologies社の登録商標です。

Trademark

78044791



NEW CASE DELIVERED

JUN 12 2001

PROSECUTION HISTORY

LAW OFFICE 102

Entry

Date

Initials

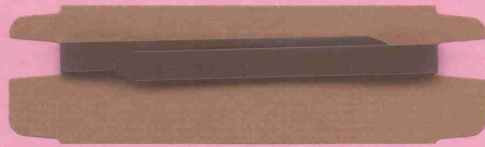
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1.	Entry	Date	Initials
2.	<i>Amelia</i>	MAR 8 2002	<i>HW</i>
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NOA
7/09/02

NOA
10-1-02

See inside of file for additional entries.



NOTES TO THE FILE AND APPROVALS

DATE	<i>(All Entries Should Be Dated and Initialed)</i>	INITIALS
	<i>see Copending for search statement 78044793</i>	<i>Stw</i>

Post Registration

Section 8 Accepted		Renewal Granted	
(Signature)	(Date)	(Initials)	(Date)

Section 15
Acknowledged
(Signature)

Cancelled - Section 8
(Date)

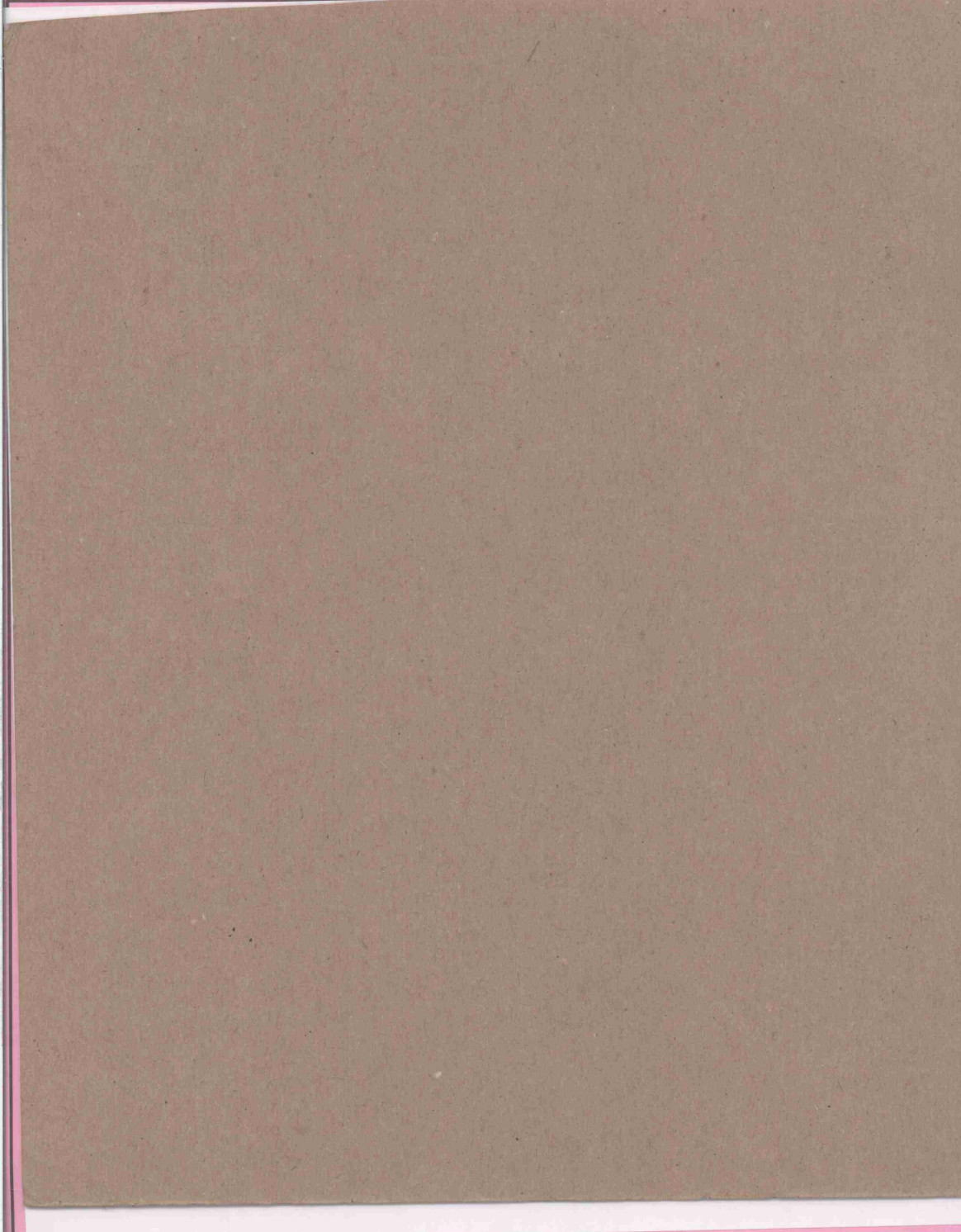
Expired - Section 9
(Date)

Rec
5/21/02
SB

Trademark

FORM PTO-102
5/99

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



Approved for Publication (Principal Register) (Signature/Date)

[Handwritten Signature] 3/1/02

Approved for Registration (Section 1(d)) (Signature/Date)

Approved for Registration (Supplemental Register) (Signature/Date)

PUBLISHED
07/09/02

NOA

Abandoned

(Date)

To: FlyOver Technologies, Inc. (nuritl@2flyover.com)
Subject: TRADEMARK APPLICATION NO. 78044791 - FLYOVER - FLVT6000
Sent: 7/30/03 10:27:30 AM
Sent As: ECom102
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/044791

APPLICANT: FlyOver Technologies, Inc.

CORRESPONDENT ADDRESS:
Tal Bahar
FlyOver Technologies Inc.
1456 Fowler Lane
Los Altos CA 49024

RETURN ADDRESS:
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514
ecom102@uspto.gov

MARK: FLYOVER

CORRESPONDENT'S REFERENCE/DOCKET NO : FLVT6000

CORRESPONDENT EMAIL ADDRESS:
nuritl@2flyover.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

OFFICE ACTION

TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.

Serial Number 78/044791

This letter responds to the applicant's communication filed on July 20, 2003.

The substitute specimen showing use of the mark for the goods in International Class 9 is acknowledged and accepted.

For the following reasons, the requirement for a translation of the non-English wording on the specimen originally submitted with the Statement of Use is maintained and made **FINAL**.

The applicant must submit an English translation of the non-English wording on the specimen for International Class 42. 37 C.F.R. §2.61(b); TMEP §904.10. The examining attorney requires this information to determine how the applicant is using the mark relative to the services listed in the Notice of Allowance.

OPTIONS

Please note that the only appropriate responses to a final action are (1) compliance with the outstanding requirements, if feasible, (2) filing of an appeal to the Trademark Trial and Appeal Board, or (3) filing of a petition to the Director if permitted by 37 C.F.R. §2.63(b). 37 C.F.R. §2.64(a); TMEP §715.01. Regarding petitions to the Director, see 37 C.F.R. §2.146 and TMEP Chapter 1700. If the applicant fails to respond within six months of the mailing date of this refusal, this Office will declare the application abandoned. 37 C.F.R. §2.65(a).

If the applicant has any questions or needs assistance in responding to this Office action, please telephone the assigned examining attorney.

/MVS/
Maria-Victoria Suarez
Trademark Attorney
Law Office 102
(703) 308-9102, x196
Fax - (703) 872-9231
maria-victoria.suarez@uspto.gov

How to respond to this Office Action:

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via E-mail, visit <http://www.uspto.gov/web/trademarks/tmelecresp.htm> and follow the instructions.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

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FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.

Commissioner for Trademarks
2900 Crystal Drive
Arlington , VA 22202-3514
www.uspto.gov

Mar 16, 2004

NOTICE OF ABANDONMENT

TM102

Tal Bahar
FlyOver Technologies Inc.
1456 Fowler Lane
Los Altos CA 49024

ATTORNEY
REFERENCE
NUMBER:
FLVT6000

SERIAL NUMBER: 78/044791
MARK: FLYOVER
APPLICANT: FlyOver Technologies, Inc.

THE ABOVE IDENTIFIED TRADEMARK APPLICATION WAS ABANDONED ON 02/02/2004 FOR THE FOLLOWING REASON:

NO RESPONSE TO THE OFFICE ACTION MAILED ON 07/30/2003 WAS RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO) WITHIN THE SIX-MONTH RESPONSE PERIOD. (15 U.S.C. 1062(b); TRADEMARK RULE 2.65(a)).

YOU CAN REQUEST REINSTATEMENT OF THE APPLICATION FOR NO FEE IF:

- * YOU HAVE PROOF THAT YOUR RESPONSE WAS RECEIVED IN THE USPTO ON OR BEFORE THE DUE DATE - SUCH AS A POSTCARD WITH A USPTO MAILROOM DATE STAMP; OR,
- * YOU MAILED OR FAXED THE RESPONSE ON OR BEFORE THE DUE DATE WITH A CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION, IN ACCORDANCE WITH USPTO RULE 2.197, 37 CFR SEC. 2.197.

YOU MUST SUBMIT A COPY OF THE PREVIOUSLY SUBMITTED TIMELY RESPONSE WITHIN 2 MONTHS OF THE DATE PRINTED AT THE TOP OF THIS NOTICE ALONG WITH ONE OF THE TYPES OF PROOF SET OUT ABOVE. YOU MAY FAX THIS INFORMATION TO (703) 746-3000.

IF YOU DO NOT HAVE THE PROOF NECESSARY FOR REINSTATEMENT, YOU CAN REQUEST REVIVAL OF THE APPLICATION, UNDER USPTO RULE 2.66, 37 CFR SEC. 2.66, BY:

- * FILING A "PETITION TO REVIVE" **WITHIN 2 MONTHS** OF THE DATE PRINTED AT THE TOP OF THIS NOTICE, INDICATING THAT THE REASON FOR THE DELAY IN RESPONDING BY THE DUE DATE WAS "UNINTENTIONAL";
- * PAYING THE PETITION FEE OF \$100, MADE PAYABLE TO THE COMMISSIONER OF TRADEMARKS; AND
- * INCLUDING A COPY OF THE RESPONSE TO THE OFFICE ACTION (IF YOU DID RECEIVE THE OFFICE ACTION - OTHERWISE, INCLUDE A STATEMENT THAT YOU DID NOT RECEIVE THE OFFICE ACTION.)

FOR FURTHER INFORMATION CALL (703) 308-9000