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Attorneys for HELIO LLC

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

HELIO LLC,

Plaintiff,

vs.

PALM INC.

Defendant.

Case No. C 06-7754 SBA

**DECLARATION OF KATHRYN M.  
WHEBLE IN SUPPORT OF PLAINTIFF  
HELIO LLC'S MOTION FOR  
PRELIMINARY INJUNCTION;**

**Date Filed: March 6, 2007**

1 I, Kathryn M. Wheble, declare as follows:

2 1. I am a member of the law firm Kirkpatrick & Lockhart Preston Gates Ellis LLP.

3 I make these statements based on my personal knowledge, except for those based on  
4 information and belief.

5 2. Helio has sought registration of DON'T CALL IT A PHONE and DON'T CALL  
6 US A PHONE COMPANY (collectively the "Marks") with the United States Patent and  
7 Trademark Office ("PTO").

8 3. On or about October 18, 2005 Helio filed with the PTO applications to register  
9 the Marks.

10 4. The following lists these applications identified by application serial number  
11 and by the goods and services covered by said application:

12 DON'T CALL IT A PHONE, Application serial number 78/735,805, for  
13 computer software programs for use in wireless communication devices for  
14 creation and delivery of voice, visual images, audio content, video content and  
15 data; computer software for the transmission of voice, visual images, audio  
16 content, video content and data; computer software for conducting  
17 commercial and financial transactions over electronic communications  
18 networks; computer software for providing access to advertising, news,  
19 information and entertainment over electronic communications networks;  
20 computer game software; word processing software, computer software for  
21 global mapping; computer search engine software; computer software utility  
22 programs which enhance computer operating system software.

23 DON'T CALL IT A PHONE, Application serial number 78/978,035, for  
24 consumer electronics devices, namely personal digital assistants (PDAs),  
25 telephones, headsets for telephones, computers and cameras.

26 DON'T CALL IT A PHONE, Application serial number 78/735,810, for  
27 communications services, namely transmission of voice, audio content, video  
28 content, visual images and data by telecommunications networks, wireless  
communication networks, global communications networks, information  
service networks and data networks; providing multiple user access to a  
global computer network; email services; text and numeric wireless digital  
messaging services; providing information in the field of electronic messages  
via the Internet; electronic commerce services, namely dissemination of  
advertising for others; electronic retail services in the field of software,  
consumer electronics and mobile telephones; financial information processing.

1 DON'T CALL IT A PHONE, Application serial number 78/735,812, for audio  
2 broadcasting and video broadcasting via telecommunications networks,  
3 wireless communications networks, global communications networks,  
4 information service networks and data networks for entertainment and  
5 education purposes.

6 DON'T CALL US A PHONE COMPANY, Application serial number  
7 78/735,814, for computer software programs for use in wireless  
8 communication devices for creation and delivery of voice, visual images,  
9 audio content, video content and data; computer software for the transmission  
10 of voice, visual images, audio content, video content and data; computer  
11 software for conducting commercial and financial transactions over electronic  
12 communications networks; computer software for providing access to  
13 advertising, news, information and entertainment over electronic  
14 communications networks; computer game software; word processing  
15 software, computer software for global mapping; computer search engine  
16 software; computer software utility programs which enhance computer  
17 operating system software; consumer electronics devices, namely personal  
18 digital assistants (PDAs), telephones, headsets for telephones, computers  
19 and cameras.

20 DON'T CALL US A PHONE COMPANY, Application serial number  
21 78/735,817, for email services; providing information in the field of electronic  
22 messages via the Internet; electronic commerce services, namely  
23 dissemination of advertising for others; electronic retail store services in the  
24 field of software, consumer electronics and mobile telephones; financial  
25 information processing.

26 DON'T CALL US A PHONE COMPANY, Application serial number  
27 78/735,819, for audio broadcasting and video broadcasting via  
28 telecommunications networks, wireless communications networks, global  
communications networks, information service networks and data networks for  
entertainment and education purposes.

DON'T CALL US A PHONE COMPANY, Application serial number  
78/978,001 for communication services, namely transmission of voice, audio  
content, video content, visual images and data by telecommunications  
networks, wireless communication networks, information service networks and  
data networks; text and numeric wireless digital messaging services.

Attached as Exhibits A and B are copies of records printed from the PTO website  
reflecting the status of the applications for the marks DON'T CALL IT A PHONE and DON'T  
CALL US A PHONE COMPANY, respectively.

1 5. The applications for the Marks have been reviewed by examiners at the PTO.  
2 The PTO examiners did not object to registration of the Marks on the ground that they are  
3 generic or merely descriptive of Helio's goods and services. The PTO examiners required  
4 no disclaimers of any portion of the Marks.

5 6. Application serial numbers 78/735,805 and 78/735,812 for DON'T CALL IT A  
6 PHONE have been "allowed."

7 7. Application serial number 78/735,810 for DON'T CALL IT A PHONE was  
8 approved for publication on February 14, 2007.

9 8. Application serial number 78/735,814 for DON'T CALL US A PHONE  
10 COMPANY was allowed on December 19, 2006.

11 9. Application serial number 78/735,817 for DON'T CALL US A PHONE  
12 COMPANY was approved for publication on February 5, 2007.

13 10. Application serial number 78/735,819 for DON'T CALL US A PHONE  
14 COMPANY was allowed on December 26, 2006.

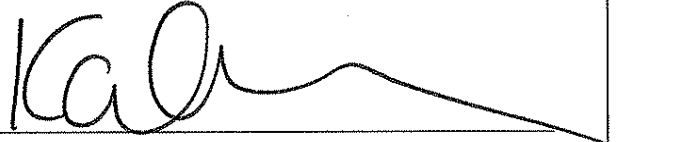
15 11. On December 18, 2006 an amendment to allege use was filed for DON'T  
16 CALL IT A PHONE, Application serial number 78/798,035, for consumer electronics  
17 devices, namely personal digital assistants (PDAs), telephones, headsets for telephones,  
18 computers and cameras reflecting a first use date of November 9, 2006. On February 16,  
19 2007 the amendment was accepted.

20 12. On December 18, 2006 an amendment to allege use was filed for DON'T  
21 CALL IT A PHONE, Application serial number 78/735,812, for audio broadcasting and video  
22 broadcasting via telecommunications networks, wireless communications networks, global  
23 communications networks for entertainment and education purposes reflecting a first use  
24 date of May 2, 2006.

25 13. On December 19, 2006 an amendment to allege use was filed for DON'T  
26 CALL US A PHONE COMPANY, Application serial number 78/978,001, for communications  
27 services, namely transmission of voice, audio content, video content, visual images, and  
28 data by telecommunications networks, wireless communications networks, global

1 communications networks; providing multiple user access to a global computer network; text  
2 and numeric wireless digital messaging services alleging a first use date of May 2, 2006.

3 I declare under penalty of perjury under the laws of the United States that the  
4 foregoing is true and correct. Executed at San Francisco, California, this 6 day of March,  
5 2007.

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KATHRYN M. WHEBLE

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# **EXHIBIT A**

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-03-05 19:07:13 ET

Serial Number: 78735805 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark

# DON'T CALL IT A PHONE

(words only): DON'T CALL IT A PHONE

Standard Character claim: Yes

Current Status: A request for the first extension of time to file a statement of use has been granted.

Date of Status: 2007-01-30

Filing Date: 2005-10-18

The Notice of Allowance Date is: 2006-12-12

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

Attorney Assigned:  
FISHER LA TONIA M Employee Location

Current Location: 710 -Divisional Unit

Date In Location: 2007-01-31

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## LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. HELIO LLC

Address:

HELIO LLC  
10960 WILSHIRE BLVD. SUITE 600  
LOS ANGELES, CA 90024  
United States  
**Legal Entity Type:** Ltd Liab Co  
**State or Country Where Organized:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 009

**Class Status:** Active

Computer software programs for use in wireless communication devices for creation and delivery of voice, visual images, audio content, video content and data; computer software for the transmission of voice, visual images, audio content, video content and data; computer software for conducting commercial and financial transactions over electronic communications networks; computer software for providing access to advertising, news, information and entertainment over electronic communications networks; computer game software; word processing software, computer software for global mapping; computer search engine software; computer software utility programs which enhance computer operating system software

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2007-01-31 - Divisional processing completed

2006-12-18 - Divisional request received

2007-01-30 - Extension 1 granted

2006-12-18 - Extension 1 filed

2007-01-09 - Petition To Director - Make Special - Denied

2006-12-27 - Petition To Director - Make Special - Received

2006-12-27 - PAPER RECEIVED

2006-12-18 - TEAS Extension Received



2006-12-18 - FAX RECEIVED  
2006-12-12 - Notice of allowance - mailed  
2006-09-19 - Published for opposition  
2006-08-30 - Notice of publication  
2006-08-08 - Law Office Publication Review Completed  
2006-08-07 - Assigned To LIE  
2006-07-22 - Approved for Pub - Principal Register (Initial exam)  
2006-07-03 - Teas/Email Correspondence Entered  
2006-06-26 - Communication received from applicant  
2006-06-26 - TEAS Response to Office Action Received  
2006-04-27 - Non-final action e-mailed  
2006-04-27 - Non-Final Action Written  
2006-04-20 - Assigned To Examiner  
2005-10-25 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Kathryn M. Wheble

**Correspondent**

KATHRYN M. WHEBLE  
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM  
4 EMBARCADERO CTR LBBY 10  
SAN FRANCISCO, CA 94111-4114  
Phone Number: (415) 249-1045  
Fax Number: (415) 249-1001

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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-03-05 19:07:36 ET

Serial Number: 78735810 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark

## DON'T CALL IT A PHONE

(words only): DON'T CALL IT A PHONE

Standard Character claim: Yes

Current Status: Final review prior to publication has been completed, application will be published for opposition.

Date of Status: 2007-02-01

Filing Date: 2005-10-18

The Information will be/was published in the Official Gazette on 2007-03-06

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

Attorney Assigned:  
FISHER LA TONIA M Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2007-02-01

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### LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. HELIO LLC

**Address:**

HELIO LLC  
10960 WILSHIRE BLVD. SUITE 600  
LOS ANGELES, CA 90024  
United States

**Legal Entity Type:** Ltd Liab Co

**State or Country Where Organized:** Delaware

**GOODS AND/OR SERVICES**

**International Class:** 035

**Class Status:** Active

Electronic commerce services, namely dissemination of advertising for others; electronic retail store services in the field of software, consumer electronics and mobile telephones

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**International Class:** 036

**Class Status:** Active

Financial information processing

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**International Class:** 038

**Class Status:** Active

Communications services, namely transmission of voice, audio content, video content, visual images and data by telecommunications networks, wireless communication networks, global communications networks, information service networks and data networks; providing multiple user access to a global computer network; email services; text and numeric wireless digital messaging services; providing information in the field of electronic messages via the Internet

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

**ADDITIONAL INFORMATION**

(NOT AVAILABLE)

**MADRID PROTOCOL INFORMATION**

(NOT AVAILABLE)

**PROSECUTION HISTORY**

2007-02-14 - Notice of publication

2007-01-23 - Law Office Publication Review Completed  
2007-01-18 - Approved for Pub - Principal Register (Initial exam)  
2007-01-18 - Examiner's Amendment Entered  
2007-01-18 - EXAMINERS AMENDMENT E-MAILED  
2007-01-18 - Examiners Amendment - Written  
2007-01-18 - NON-FINAL ACTION E-MAILED  
2007-01-18 - Non-Final Action Written  
2007-01-16 - Previous allowance count withdrawn  
2007-01-12 - Withdrawn From Pub - Og Review Query  
2006-12-14 - Law Office Publication Review Completed  
2006-12-13 - Assigned To LIE  
2006-11-28 - Approved for Pub - Principal Register (Initial exam)  
2006-11-07 - Teas/Email Correspondence Entered  
2006-10-19 - Communication received from applicant  
2006-10-19 - TEAS Response to Office Action Received  
2006-04-27 - Non-final action e-mailed  
2006-04-27 - Non-Final Action Written  
2006-04-20 - Assigned To Examiner  
2005-10-25 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Kathryn M. Wheble

**Correspondent**

KATHRYN M. WHEBLE  
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM  
4 EMBARCADERO CTR LBBY 10  
SAN FRANCISCO, CA 94111-4114  
Phone Number: (415) 249-1045  
Fax Number: (415) 249-1001

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2007-03-05 19:07:54 ET**

**Serial Number:** 78735812 Assignment Information

**Registration Number:** (NOT AVAILABLE)

**Mark**

## DON'T CALL IT A PHONE

**(words only):** DON'T CALL IT A PHONE

**Standard Character claim:** Yes

**Current Status:** A statement of use has been filed and the application and statement of use have been forwarded to the examining attorney for examination.

**Date of Status:** 2007-02-28

**Filing Date:** 2005-10-18

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 113

**Attorney Assigned:**  
FISHER LA TONIA M Employee Location

**Current Location:** M40 -TMO Law Office 113

**Date In Location:** 2007-02-28

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### LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. HELIO LLC

**Address:**  
HELIO LLC

10960 WILSHIRE BLVD. SUITE 600  
LOS ANGELES, CA 90024  
United States  
**Legal Entity Type:** Ltd Liab Co  
**State or Country Where Organized:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 038  
**Class Status:** Active  
Audio broadcasting and video broadcasting via telecommunications networks, wireless communications networks, global communications networks for entertainment and education purposes  
**Basis:** 1(b)  
**First Use Date:** 2006-05-02  
**First Use in Commerce Date:** 2006-05-02

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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- 2007-02-28 - Statement of use processing complete
- 2007-02-28 - Extension 1 granted
- 2006-12-18 - Extension 1 filed
- 2006-12-18 - Amendment to Use filed
- 2007-01-09 - Petition To Director - Make Special - Denied
- 2006-12-28 - Petition To Director - Make Special - Received
- 2006-12-28 - PAPER RECEIVED
- 2006-12-18 - TEAS Extension Received
- 2006-12-18 - TEAS Statement of Use Received
- 2006-12-12 - Notice of allowance - mailed
- 2006-09-19 - Published for opposition

2006-08-30 - Notice of publication  
2006-08-08 - Law Office Publication Review Completed  
2006-08-07 - Assigned To LIE  
2006-07-22 - Approved for Pub - Principal Register (Initial exam)  
2006-07-03 - Teas/Email Correspondence Entered  
2006-06-26 - Communication received from applicant  
2006-06-26 - TEAS Response to Office Action Received  
2006-04-27 - Non-final action e-mailed  
2006-04-27 - Non-Final Action Written  
2006-04-20 - Assigned To Examiner  
2005-10-25 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Kathryn M. Wheble

**Correspondent**

KATHRYN M. WHEBLE  
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM  
4 EMBARCADERO CTR LBBY 10  
SAN FRANCISCO, CA 94111-4114  
Phone Number: (415) 249-1045  
Fax Number: (415) 249-1001

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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-03-06 14:00:20 ET

Serial Number: 78978035 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark

# DON'T CALL IT A PHONE

(words only): DON'T CALL IT A PHONE

Standard Character claim: Yes

**Current Status:** The examining attorney has accepted the Statement of Use and the application will register in due course.

**Date of Status:** 2007-02-16

**Filing Date:** 2005-10-18

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 113

**Attorney Assigned:**  
FISHER LA TONIA M Employee Location

**Current Location:** M4X -TMO Law Office 113 - Examining Attorney Assigned

**Date In Location:** 2007-02-16

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## LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. HELIO LLC

**Address:**  
HELIO LLC



10960 WILSHIRE BLVD. SUITE 600  
LOS ANGELES, CA 90024  
United States  
**Legal Entity Type:** Ltd Liab Co  
**State or Country Where Organized:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 009  
**Class Status:** Active  
Consumer electronics devices, namely personal digital assistants (PDAs), telephones, headsets for telephones, computers and cameras  
**Basis:** 1(a)  
**First Use Date:** 2006-11-09  
**First Use in Commerce Date:** 2006-11-09

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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- 2007-02-16 - Allowed for Registration - Principal Register (SOU accepted)
- 2007-02-01 - Notice Of Pseudo Mark Mailed
- 2007-01-31 - Statement of use processing complete
- 2006-12-18 - Amendment to Use filed
- 2007-01-31 - Divisional processing completed
- 2006-12-18 - Divisional request received
- 2007-01-30 - Extension 1 granted
- 2006-12-18 - Extension 1 filed
- 2007-01-09 - Petition To Director - Make Special - Denied
- 2006-12-27 - Petition To Director - Make Special - Received
- 2006-12-27 - PAPER RECEIVED

# **EXHIBIT B**

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2007-03-05 19:08:12 ET**

**Serial Number:** 78735814 Assignment Information

**Registration Number:** (NOT AVAILABLE)

**Mark**

**DON'T CALL US A PHONE  
COMPANY**

**(words only):** DON'T CALL US A PHONE COMPANY

**Standard Character claim:** Yes

**Current Status:** Opposition period completed, a Notice of Allowance has been issued.

**Date of Status:** 2006-12-19

**Filing Date:** 2005-10-18

**The Notice of Allowance Date is:** 2006-12-19

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 105

**Attorney Assigned:**  
TWOHIG SHANNON MARIE Employee Location

**Current Location:** 700 -Intent To Use Section

**Date In Location:** 2006-12-19

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. HELIO LLC

**Address:**

HELIO LLC  
10960 WILSHIRE BLVD. SUITE 600  
LOS ANGELES, CA 90024  
United States  
**Legal Entity Type:** Ltd Liab Co  
**State or Country Where Organized:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Computer software programs for use in wireless communication devices for creation and delivery of voice, visual images, audio content, video content and data; computer software for the transmission of voice, visual images, audio content, video content and data; computer software for conducting commercial and financial transactions over electronic communications networks; computer software for providing access to advertising, news, information and entertainment over electronic communications networks; computer game software; word processing software, computer software for global mapping; computer search engine software; computer software utility programs which enhance computer operating system software; consumer electronics devices, namely personal digital assistants (PDAs), telephones, headsets for telephones, computers and cameras

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2006-12-19 - Notice of allowance - mailed

2006-09-26 - Published for opposition

2006-09-06 - Notice of publication

2006-08-04 - Law Office Publication Review Completed

2006-07-28 - Assigned To LIE

2006-07-27 - Approved for Pub - Principal Register (Initial exam)

2006-07-11 - Teas/Email Correspondence Entered

2006-06-26 - Communication received from applicant

2006-06-26 - TEAS Response to Office Action Received

2006-04-25 - Non-final action e-mailed

2006-04-25 - Non-Final Action Written

2006-04-20 - Assigned To Examiner

2005-10-25 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Kathryn M. Wheble

**Correspondent**

KATHRYN M. WHEBLE

KIRKPATRICK & LOCKHART NICHOLSON GRAHAM

4 EMBARCADERO CTR LBBY 10

SAN FRANCISCO, CA 94111-4114

Phone Number: (415) 249-1045

Fax Number: (415) 249-1001

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Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-03-06 14:11:49 ET

**Serial Number:** 78978001 Assignment Information

**Registration Number:** (NOT AVAILABLE)

**Mark**

**DON'T CALL US A PHONE  
COMPANY**

**(words only):** DON'T CALL US A PHONE COMPANY

**Standard Character claim:** Yes

**Current Status:** An examiner's amendment has been mailed.

**Date of Status:** 2006-12-14

**Filing Date:** 2005-10-18

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 105

**Attorney Assigned:**  
TWOHIG SHANNON MARIE Employee Location

**Current Location:** 710 -Divisional Unit

**Date In Location:** 2007-01-19

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. HELIO LLC

**Address:**  
HELIO LLC  
10960 WILSHIRE BLVD. SUITE 600

LOS ANGELES, CA 90024  
United States  
**Legal Entity Type:** Ltd Liab Co  
**State or Country Where Organized:** Delaware

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**GOODS AND/OR SERVICES**

---

**International Class:** 038  
**Class Status:** Active  
Communications services, namely transmission of voice, audio content, video content, visual images and data by telecommunications networks, wireless communication networks, global communications networks; providing multiple user access to a global computer network; text and numeric wireless digital messaging services  
**Basis:** 1(b)  
**First Use Date:** (DATE NOT AVAILABLE)  
**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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- 2007-01-20 - Notice Of Pseudo Mark Mailed
- 2007-01-19 - Divisional processing completed
- 2006-12-18 - Divisional request received
- 2007-01-09 - Petition To Director - Make Special - Denied
- 2006-12-28 - Petition To Director - Make Special - Received
- 2006-12-29 - PAPER RECEIVED
- 2006-12-19 - TEAS Amendment of Use Received
- 2006-12-18 - PAPER RECEIVED
- 2006-12-14 - Examiner's Amendment Entered
- 2006-12-14 - Examiner's Amendment Entered
- 2006-12-14 - EXAMINERS AMENDMENT E-MAILED

2006-12-14 - Examiners Amendment - Written  
2006-11-15 - Teas/Email Correspondence Entered  
2006-10-24 - Communication received from applicant  
2006-10-24 - TEAS Response to Office Action Received  
2006-05-03 - Non-final action e-mailed  
2006-05-03 - Non-Final Action Written  
2006-04-20 - Assigned To Examiner  
2006-04-20 - Assigned To Examiner  
2005-10-25 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Kathryn M. Wheble

**Correspondent**

KATHRYN M. WHEBLE  
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM  
4 EMBARCADERO CTR LBBY 10  
SAN FRANCISCO, CA 94111-4114  
Phone Number: (415) 249-1045  
Fax Number: (415) 249-1001

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