

# EXHIBIT 26

---

**To:** Google Inc. (tmdocketing@google.com)  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85916316 - HANGOUTS - GT-0536-US-1  
**Sent:** 7/30/2013 9:14:12 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:** Attachment - 1  
Attachment - 2  
Attachment - 3  
Attachment - 4  
Attachment - 5  
Attachment - 6

---

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION SERIAL NO.** 85916316

**MARK:** HANGOUTS

**\*85916316\***

**CORRESPONDENT ADDRESS:**  
GOOGLE INC.

1600 AMPHITHEATRE PKWY

MOUNTAIN VIEW, CA 94043-1351

**GENERAL TRADEMARK IN**  
<http://www.uspto.gov/trademark>

**APPLICANT:** Google Inc.

**CORRESPONDENT'S REFERENCE/DOCKET NO :**

GT-0536-US-1

**CORRESPONDENT E-MAIL ADDRESS:**

tmdocketing@google.com

## SUSPENSION NOTICE: NO RESPONSE NEEDED

ISSUE/MAILING DATE: 7/30/2013

The trademark examining attorney is suspending action on the application for the reason(s) stated below. See 37 C.F.R. §2.67; TMEP §§716 *et seq.*

**PRIOR-FILED PENDING APPLICATION(S) FOUND:** The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no similar registered marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d). However, a mark(s) in a prior-filed pending application(s) may present a bar to registration of applicant's mark.

The effective filing date of the pending application(s) identified below precedes the filing date of applicant's application. If the mark in the referenced application(s) registers, applicant's mark may be refused registration under Section 2(d) because of a likelihood of confusion with that registered mark(s). See 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, action on this application is suspended until the earlier-filed referenced application(s) is either registered or abandoned. 37 C.F.R. §2.83(c). A copy of information relevant to this referenced application(s) is attached.

- Application Serial No(s). 85674799 and 85674801

The USPTO will periodically conduct a status check of the application to determine whether suspension remains appropriate, and the trademark examining attorney will issue as needed an inquiry letter to applicant regarding the status of the matter on which suspension is based. TMEP §§716.04, 716.05. Applicant will be notified when suspension is no longer appropriate. See TMEP §716.04.

No response to this notice is necessary; however, if applicant wants to respond, applicant should use the "Response to Suspension Inquiry or Letter of Suspension" form online at <http://teasroa.uspto.gov/rsi/rsi>.

/Amy L. Kertgate/

Examining Attorney

Law Office 113

Tel: (571) 272-1943

Email: amy.kertgate@uspto.gov

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**DESIGN MARK**

**Serial Number**

85674799

**Status**

FINAL REFUSAL - MAILED

**Word Mark**

HANGINOUT

**Standard Character Mark**

No

**Type of Mark**

TRADEMARK; SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**

Hanginout, Inc. CORPORATION DELAWARE 2712 Jefferson Street Carlsbad CALIFORNIA 92008

**Goods/Services**

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Computer application software for mobile devices for sharing information, photos, audio and video content in the field of telecommunications and social networking services. First Use: 2012/06/06. First Use In Commerce: 2012/06/06.

**Goods/Services**

Class Status -- ACTIVE. IC 038. US 100 101 104. G & S: Telecommunications services, namely, providing online and telecommunication facilities for real-time and on-demand interaction between and among users of computers, mobile and handheld computers, and wired and wireless communication devices; audio, text and video broadcasting services over the Internet or other communications networks, namely, electronically transmitting audio clips, text and video clips; electronic messaging services enabling individuals to send and receive messages via email, instant messaging or a website on the Internet in the field of general interest; providing online forums for communication on topics of general interest; providing an online forum for users to share information, photos, audio and video content to engage in social networking. First Use: 2012/06/06. First Use In Commerce: 2012/06/06.

**Description of Mark**

**Print: Jul 30, 2013**

**85674799**

The mark consists of a human figure sitting down with the word HANGINOUT besides it.

**Colors Claimed**

Color is not claimed as a feature of the mark.

**Filing Date**

2012/07/12

**Examining Attorney**

LEE, YAT SYE

**Attorney of Record**

Andrew D. Skale

**shanginout**

**Print: Jul 30, 2013**

**85674801**

**DESIGN MARK**

**Serial Number**

85674801

**Status**

FINAL REFUSAL - MAILED

**Word Mark**

HANGINOUT

**Standard Character Mark**

Yes

**Type of Mark**

TRADEMARK; SERVICE MARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Owner**

Hanginout, Inc. CORPORATION DELAWARE 2712 Jefferson Street Carlsbad CALIFORNIA 92008

**Goods/Services**

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S: Computer application software for mobile devices for sharing information, photos, audio and video content in the field of telecommunications and social networking services. First Use: 2012/06/06. First Use In Commerce: 2012/06/06.

**Goods/Services**

Class Status -- ACTIVE. IC 038. US 100 101 104. G & S: Telecommunications services, namely, providing online and telecommunication facilities for real-time and on-demand interaction between and among users of computers, mobile and handheld computers, and wired and wireless communication devices; audio, text and video broadcasting services over the Internet or other communications networks, namely, electronically transmitting audio clips, text and video clips; electronic messaging services enabling individuals to send and receive messages via email, instant messaging or a website on the Internet in the field of general interest; providing online forums for communication on topics of general interest; providing an online forum for users to share information, photos, audio and video content to engage in social networking. First Use: 2012/06/06. First Use In Commerce: 2012/06/06.

**Filing Date**



**Print: Jul 30, 2013**

**85674801**

2012/07/12

**Examining Attorney**  
LEE, YAT SYE

**Attorney of Record**  
Andrew D. Skale

# HANGINOUT

---

**To:** Google Inc. ([tmddocketing@google.com](mailto:tmddocketing@google.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 85916316 - HANGOUTS - GT-0536-US-1  
**Sent:** 7/30/2013 9:14:13 PM  
**Sent As:** ECOM113@USPTO.GOV  
**Attachments:**

---

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR**  
**U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **7/30/2013** FOR U.S. APPLICATION SERIAL NO. 85916316

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay “fees.”

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).