

# **EXHIBIT E**

• Latest Status Info

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

**This page was generated by the TARR system on 2007-08-31 10:44:55 ET**

**Serial Number:** 78155152 Assignment Information

**Registration Number:** (NOT AVAILABLE)

**Mark (words only):** LULU

**Standard Character claim:** No

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

**Date of Status:** 2007-05-10

**Filing Date:** 2002-08-16

**The Notice of Allowance Date is:** 2006-09-26

**Transformed into a National Application:** No

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

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 116

**Attorney Assigned:**  
SLOAN CYNTHIA M Employee Location

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

**Date In Location:** 2007-08-29

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

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1. Lulu Enterprises, Inc.

**Address:**

Lulu Enterprises, Inc.  
Suite 300 860 Aviation Parkway  
Morrisville, NC 27560  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class: 035****Class Status: Active**

Administration of a discount program enabling participants to obtain discounts on goods and services; promoting the goods and services of others by placing advertisements and promotional materials in electronic publications accessed via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, by distributing advertisements and promotional materials via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, or through on-line promotional contests; arranging, conducting and promoting business and consumer conferences, business and consumer conventions, business and consumer exhibitions, and trade shows in the fields of business and commerce, education, information services, science, and technology, other than such conferences, conventions, exhibitions and trade shows focused on the areas of advertising and marketing; business consultation services; contests and incentive award programs to promote the sale of goods and services of others; on-line auction services; promoting educational and entertainment events of others in the nature of conferences, conventions, and exhibitions, in the fields of business and commerce, education, information services, science, and technology, other than such conferences, conventions, exhibitions and trade shows focused on the areas of advertising and marketing by placing advertisements and promotional materials in electronic publications accessed via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, by distributing advertisements and promotional materials via computer, communication networks, electronic networks, on-line web sites, telephone, or wireless networks, or through on-line promotional contests, promoting the sale of goods and services of others through the distribution of on-line promotional material and promotional contests; providing consumer information in the fields of business and commerce, education, information services, science, and technology; and providing information in the fields of business and commerce; providing information in the nature of prerecorded audio and audiovisual messages and programs on the subjects of business, commerce via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks; providing business advice and consumer information in the nature of audio, visual, and multimedia programs in the fields of business, commerce, and information services via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks

**Basis: 1(b)****First Use Date: (DATE NOT AVAILABLE)****First Use in Commerce Date: (DATE NOT AVAILABLE)****International Class: 041****Class Status: Active**

Arranging and conducting educational conferences, conventions, and exhibitions, in the fields of education, information services, science, and technology, other than such conferences, conventions, exhibitions and trade shows focused on the areas of advertising and marketing; awards programs for businesses and individuals who have made significant contributions in business and commerce, education, information services, science, and technology, other than such awards focused on contributions to the areas of advertising and marketing; entertainment services, namely, providing a web site featuring audio, visual, and multimedia performances, motion picture performances, and news and variety shows; entertainment in the nature of competitions in the fields of business and commerce, general knowledge, information services, science, and technology, other than such competitions focused on the areas of advertising and marketing; entertainment services, namely, providing electronic and video games for playing on site and on-line; entertainment services, namely, providing educational and motivational speakers in the fields of business and commerce, general knowledge, information services, science, and technology; providing recognition and incentives by the way of awards to demonstrate excellence or unusual performance in the fields of business and commerce, general knowledge, information services, science, and technology, other than such awards focused on the areas of

• Latest Status Info

advertising and marketing; and publication of electronic newspapers featuring general knowledge accessible via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks

**Basis:** 1(b)

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

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

**International Class:** 042

**Class Status:** Active

Providing information in the nature of prerecorded audio and audiovisual messages on the subjects of science, technology and information technology via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks; providing information in the nature of audio, visual, and multimedia materials in the fields of science, technology and information technology via stand-alone and networked computers, communication networks, electronic networks, web sites, telephone, or wireless networks

**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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2007-08-13 - TEAS Statement of Use Received

2007-05-10 - Extension 1 granted

2007-03-26 - Extension 1 filed

2007-03-26 - TEAS Extension Received

2006-09-26 - Notice of allowance - mailed

2006-08-08 - Extension Of Time To Oppose Process - Terminated

2006-02-23 - Extension Of Time To Oppose Received

2006-01-24 - Published for opposition

2006-01-04 - Notice of publication

2005-12-12 - Law Office Publication Review Completed

## • Latest Status Info

2005-12-09 - Assigned To LIE

2005-12-07 - Approved for Pub - Principal Register (Initial exam)

2005-12-07 - EXAMINERS AMENDMENT E-MAILED

2005-12-07 - Examiners Amendment -Written

2005-12-01 - Previous allowance count withdrawn

2005-11-04 - Withdrawn From Pub - Og Review Query

2005-10-12 - Law Office Publication Review Completed

2005-10-07 - Assigned To LIE

2005-10-03 - Approved for Pub - Principal Register (Initial exam)

2005-09-28 - EXAMINERS AMENDMENT E-MAILED

2005-09-28 - Examiners Amendment -Written

2005-09-28 - EXAMINERS AMENDMENT E-MAILED

2005-09-28 - Examiners Amendment -Written

2005-09-14 - Previous allowance count withdrawn

2005-09-03 - Withdrawn From Pub - Og Review Query

2005-06-01 - Law Office Publication Review Completed

2005-05-27 - Assigned To LIE

2005-05-24 - Approved for Pub - Principal Register (Initial exam)

2005-05-24 - Examiner's Amendment Entered

2004-12-17 - EXAMINERS AMENDMENT E-MAILED

2004-12-17 - Examiners Amendment -Written

2004-11-30 - Amendment From Applicant Entered

2004-11-23 - Communication received from applicant

2004-11-23 - TEAS Response to Office Action Received

2004-05-26 - Final refusal e-mailed

2003-09-09 - LETTER OF SUSPENSION E-MAILED

Latest Status Info

2003-07-14 - Communication received from applicant  
2003-07-31 - Case File In TICRS  
2003-07-14 - TEAS Response to Office Action Received  
2003-01-14 - Non-final action e-mailed  
2003-01-09 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**  
Susan Freya Olive

**Correspondent**  
Susan Freya Olive  
OLIVE & OLIVE PA  
500 MEMORIAL ST  
DURHAM NC 27702-2049  
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Fax Number: (919) 688-3781

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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 2007-08-31 10:44:33 ET

Serial Number: 77217955 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark



(words only): LULU.COM

Standard Character claim: No

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2007-07-02

Filing Date: 2007-06-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 011 -Initial Review/Serialization Branch(Mailroom)

Date In Location: 2007-07-02

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

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I. Lulu Enterprises, Inc.

**Address:**

Lulu Enterprises, Inc.  
Suite 300 860 Aviation Parkway

Morrisville, NC 27560  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 009**Class Status:** Active

Downloadable MP3 files, MP3 recordings, online discussion boards, web casts, podcasts featuring music, audio books and news broadcasts; downloadable books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications via the internet and wireless devices; providing downloadable electronic newsletters in the field of publishing; CD-ROM disks and DVDs

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class:** 016**Class Status:** Active

Books of general interest, namely fiction and non-fiction books on a variety of topics; pens; bookmarks; stickers; newsletters in the field of publishing; business cards; postcards

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class:** 018**Class Status:** Active

Tote bags

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class:** 025**Class Status:** Active

Clothing, namely, hats and shirts

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class:** 035**Class Status:** Active

Online ordering services featuring books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications; business consulting, namely provision of information and advice in the field of self-publishing; distributorship services in the field of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications; advertising, marketing and promotion services

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)



**International Class:** 038**Class Status:** Active

Communication services, namely, electronic transmission of data and documents among users of computers; providing on-line forums for transmission of messages among computer users concerning self-publishing; communication services, namely, transmitting streamed sound and audio-visual recordings via the Internet

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class:** 041**Class Status:** Active

Publishing services, namely, print on demand and publish on demand of books, brochures, calendars, images, music, audio and audiovisual materials; publication of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications; multimedia publishing of books, brochures, magazines, journals, software, games, music, and electronic publications; entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials; workshops and seminars in the field of self-publishing; providing on-line training in the field of self-publishing; on-line journals, namely, blogs featuring information about self-publishing; written text editing; video editing

**Basis:** 1(b)**First Use Date:** (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**International Class:** 042**Class Status:** Active

Providing information on books, brochures, calendars, images, music, audio and audiovisual materials via a global computer network; providing information on formatting, editing, design, marketing and distribution of books, brochures, publications, calendars, images, music, audio and audiovisual materials via a global computer network; graphic design services; design and development of multimedia products

**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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**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Description of Mark:** The mark consists of the word LULU.COM with an image of an oval-shaped ring superimposed over the top half of the LULU term.

**Design Search Code(s):**

26.03.02 - Ovals, plain single line; Plain single line ovals

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2007-07-03 - Notice Of Design Search Code And Pseudo Mark Mailed

2007-07-02 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Susan Freya Olive

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE, P.A.

PO BOX 2049

DURHAM, NC 27702-2049

Phone Number: 919-683-5514

Fax Number: 919-688-3781

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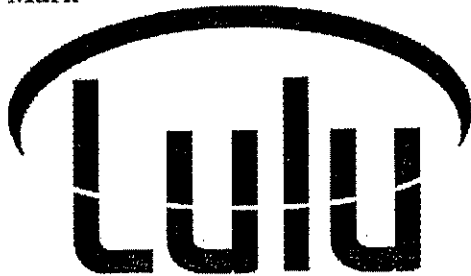
Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2007-08-31 10:45:19 ET

Serial Number: 77217960 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark



(words only): LULU

Standard Character claim: No

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2007-07-02

Filing Date: 2007-06-28

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 011 -Initial Review/Serialization Branch(Mailroom)

Date In Location: 2007-07-02

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

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1. Lulu Enterprises, Inc.

**Address:**

Lulu Enterprises, Inc.  
Suite 300 860 Aviation Parkway

Latest Status Info

Morrisville, NC 27560  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 009**Class Status:** Active

Downloadable MP3 files, MP3 recordings, online discussion boards, web casts, podcasts featuring music, audio books and news broadcasts; downloadable books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications via the internet and wireless devices; providing downloadable electronic newsletters in the field of publishing; CD-ROM disks and DVDs

**Basis:** 1(a)**First Use Date:** 2007-03-00**First Use in Commerce Date:** 2007-03-00**International Class:** 016**Class Status:** Active

Books of general interest, namely fiction and non-fiction books on a variety of topics; pens; bookmarks; stickers; newsletters in the field of publishing; business cards; postcards

**Basis:** 1(a)**First Use Date:** 2007-03-00**First Use in Commerce Date:** 2007-03-00**International Class:** 025**Class Status:** Active

Clothing, namely, hats and shirts

**Basis:** 1(a)**First Use Date:** 2007-05-00**First Use in Commerce Date:** 2007-05-00**International Class:** 035**Class Status:** Active

Online ordering services featuring books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications; business consulting, namely provision of information and advice in the field of self-publishing; distributorship services in the field of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications; advertising, marketing and promotion services

**Basis:** 1(a)**First Use Date:** 2007-03-00**First Use in Commerce Date:** 2007-03-00**International Class:** 038**Class Status:** Active

Communication services, namely, electronic transmission of data and documents among users of computers; providing on-line forums for transmission of messages among computer users concerning self-publishing; communication services, namely, transmitting streamed sound and audio-visual recordings via the Internet

**Basis:** 1(a)

Latest Status Info

**First Use Date:** 2007-03-00**First Use in Commerce Date:** 2007-03-00**International Class:** 041**Class Status:** Active

Publishing services, namely, print on demand and publish on demand of books, brochures, calendars, images, music, audio and audiovisual materials; publication of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications; multimedia publishing of books, brochures, magazines, journals, software, games, music, and electronic publications; entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials; workshops and seminars in the field of self-publishing; providing on-line training in the field of self-publishing; on-line journals, namely, blogs featuring information about -self publishing; written text editing; video editing

**Basis:** 1(a)**First Use Date:** 2007-03-00**First Use in Commerce Date:** 2007-03-00**International Class:** 042**Class Status:** Active

Providing information on books, brochures, calendars, images, music, audio and audiovisual materials via a global computer network; providing information on formatting, editing, design, marketing and distribution of books, brochures, publications, calendars, images, music, audio and audiovisual materials via a global computer network; graphic design services; design and development of multimedia products

**Basis:** 1(a)**First Use Date:** 2007-03-00**First Use in Commerce Date:** 2007-03-00

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**ADDITIONAL INFORMATION**

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**Color(s) Claimed:** Color is not claimed as a feature of the mark.**Description of Mark:** The mark consists of the word LULU with an image of an oval-shaped ring superimposed over the top half of the word.**Design Search Code(s):**

26.03.02 - Ovals, plain single line; Plain single line ovals

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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2007-07-03 - Notice Of Design Search Code Mailed

2007-07-02 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

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Latest Status Info

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**Attorney of Record**

Susan Freya Olive

**Correspondent**

SUSAN FREYA OLIVE

OLIVE & OLIVE, P.A.

PO BOX 2049

DURHAM, NC 27702-2049

Phone Number: 919-683-5514

Fax Number: 919-688-3781

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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 2007-08-31 10:45:12 ET

Serial Number: 77226519 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark



(words only): LULU

Standard Character claim: No

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2007-07-16

Filing Date: 2007-07-11

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 011 -Initial Review/Serialization Branch(Mailroom)

Date In Location: 2007-07-16

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

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1. Lulu Enterprises, Inc.

**Address:**

Lulu Enterprises, Inc.  
Suite 300 860 Aviation Parkway

Morrisville, NC 27560  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 009**Class Status:** Active

Downloadable MP3 files, MP3 recordings; downloadable books, brochures, flyers, calendars, images, music, audio and audiovisual materials and electronic publications via the internet and wireless devices; mouse pads

**Basis:** 1(a)**First Use Date:** 2003-06-00**First Use in Commerce Date:** 2003-06-00**International Class:** 016**Class Status:** Active

Books of general interest, namely fiction and non-fiction books on a variety of topics; pens; bookmarks; stickers

**Basis:** 1(a)**First Use Date:** 2002-11-00**First Use in Commerce Date:** 2002-11-00**International Class:** 018**Class Status:** Active

Tote bags

**Basis:** 1(a)**First Use Date:** 2003-04-00**First Use in Commerce Date:** 2003-04-00**International Class:** 025**Class Status:** Active

Clothing, namely, hats and shirts

**Basis:** 1(a)**First Use Date:** 2003-04-00**First Use in Commerce Date:** 2003-04-00**International Class:** 035**Class Status:** Active

Online ordering services featuring books, brochures, flyers, calendars, images, music, audio and audiovisual materials and electronic publications; distributorship services in the field of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications

**Basis:** 1(a)**First Use Date:** 2002-11-00**First Use in Commerce Date:** 2002-11-00**International Class:** 041**Class Status:** Active

Publishing services, namely, print on demand and publish on demand of books, brochures, calendars,



images, music, audio and audiovisual materials; publication of books, brochures, calendars, images, music, audio and audiovisual materials and electronic publications; multimedia publishing of books, brochures, magazines, journals, software, games, music, and electronic publications

**Basis:** 1(a)

**First Use Date:** 2002-11-00

**First Use in Commerce Date:** 2002-11-00

**International Class:** 042

**Class Status:** Active

Providing information on books, brochures, calendars, images, music, audio and audiovisual materials via a global computer network; providing information on formatting, editing, design, marketing and distribution of books, brochures, publications, calendars, images, music, audio and audiovisual materials via a global computer network

**Basis:** 1(a)

**First Use Date:** 2002-11-00

**First Use in Commerce Date:** 2002-11-00

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#### ADDITIONAL INFORMATION

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**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Description of Mark:** The mark consists of the word LULU with an image of an oval-shaped ring superimposed over the top half of the word.

**Design Search Code(s):**

**26.03.02** - Ovals, plain single line; Plain single line ovals

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#### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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#### PROSECUTION HISTORY

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2007-07-17 - Notice Of Design Search Code Mailed

2007-07-16 - New Application Entered In Tram

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#### ATTORNEY/CORRESPONDENT INFORMATION

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**Attorney of Record**

Susan Freya Olive

**Correspondent**

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Phone Number: 919-683-5514

Latest Status Info

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Fax Number: 919-688-3781

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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 2007-08-31 10:45:05 ET

Serial Number: 77257646 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark

# LULU STUDIO

(words only): LULU STUDIO

Standard Character claim: Yes

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2007-08-21

Filing Date: 2007-08-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 011 -Initial Review/Serialization Branch(Mailroom)

Date In Location: 2007-08-21

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

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1. Lulu Enterprises, Inc.

**Address:**

Lulu Enterprises, Inc.  
Suite 300 860 Aviation Parkway

Morrisville, NC 27560  
United States  
**Legal Entity Type:** Corporation  
**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 042  
**Class Status:** Active  
computer services, namely, non-downloadable software applications used for desktop publishing  
**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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2007-08-21 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**  
Douglas W. Kenyon

**Correspondent**  
DOUGLAS W. KENYON  
HUNTON & WILLIAMS LLP  
PO BOX 109  
RALEIGH, NC 27602-0109  
Phone Number: 919-899-3000  
Fax Number: 919-833-6352