

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROKU INC.,)
)
 Plaintiff,)
)
 v.)
)
 THE INDIVIDUALS, CORPORATIONS, LIMITED)
 LIABILITY COMPANIES, PARTNERSHIPS, AND)
 UNINCORPORATED ASSOCIATIONS)
 IDENTIFIED ON SCHEDULE A HERETO,)
)
 Defendants.)
)
)
)
)
)
)




Case No.:



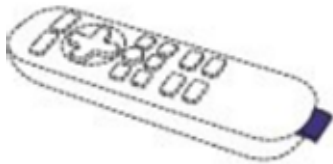

COMPLAINT


Plaintiff ROKU Inc. hereby alleges as follows against the individuals, corporations, limited liability companies, partnerships, and unincorporated associations and foreign entities identified on **Schedule A** attached hereto (collectively, “Defendants”):

INTRODUCTION

1. This action has been filed by Plaintiff to combat online counterfeiters who trade upon Plaintiff’s reputation and goodwill by selling and/or offering for sale products in connection with Plaintiff’s ROKU trademarks, which are covered by the following U.S. Trademark Registrations set out in the table below (collectively, the “ROKU Trademarks”). The registrations are valid, subsisting, and in full force and effect. True and correct copies of the federal trademark registration certificates for the ROKU Trademarks are attached hereto as **Exhibit 1**.

US Trademark Registration No.	Description
6464718	STREAMBAR (word mark)
6076830	Design only mark 
5886527	ROKU (word mark)
5886526	ROKU TOUCH (word mark)
5151588	ROKU & Design mark 
4937515	ROKU & Design mark 
4937514	ROKU (stylized w/o color)

US Trademark Registration No.	Description
	
4937513	ROKU (word mark)
4843920	Design only mark 
4839473	Design only mark 
4618984	STREAMING STICK (word mark)
4286059	ROKU and Design mark 
4286058	ROKU and Design mark (w/o color)

US Trademark Registration No.	Description
	
3177666	ROKU (word mark)

2. Defendants are improperly advertising, marketing and/or selling unauthorized and illegal products (the “Counterfeit Products”) either by reference to or embodying a mark that is identical or substantially identical to at least one of the various ROKU Trademarks, which causes further confusion and deception in the marketplace.

3. The Defendants have created numerous fully interactive commercial internet stores operating under the online marketplace accounts (the “Defendant Domain Names”) and using the account names identified in Schedule A attached hereto (collectively, the “Defendants”).

4. The Defendants design the online marketplace accounts to appear to be selling Plaintiff’s genuine ROKU Products (the “ROKU Products”), while selling inferior imitations of such products.

5. The Defendants’ online marketplace accounts also share unique identifiers, such as design elements and similarities of the counterfeit products offered for sale, establishing a logical relationship between them and suggesting that Defendants’ illegal operations arise out of the same transaction, occurrence, or series of transactions or occurrences.

6. Defendants attempt to avoid liability by going to great lengths to conceal both their identities and the full scope and interworking of their illegal counterfeiting operation. Plaintiff is forced to file this action to combat Defendants’ counterfeiting of the

ROKU Trademarks as well as to protect unknowing consumers from purchasing Counterfeit Products.

7. As a result of Defendants' actions, Plaintiff has been and continues to be irreparably damaged through consumer confusion, dilution, and tarnishment of its valuable trademarks and goodwill and, therefore, seeks injunctive and monetary relief.

8. This Court has personal jurisdiction over each Defendant, in that each Defendant conducts significant business in New York and in this Judicial District, and the acts and events giving rise to this lawsuit of which each Defendant stands accused were undertaken in New York and in this Judicial District.

9. In addition, each Defendant has offered to sell and ship and/or sold and shipped infringing products into this Judicial District.

Subject Matter Jurisdiction

10. This Court has original subject matter jurisdiction over the trademark infringement and false designation of origin claims in this action pursuant to the provisions of the Lanham Act, 15 U.S.C. § 1051 et seq., 28 U.S.C. § 1338(a)–(b), and 28 U.S.C. § 1331.

11. This Court has jurisdiction over the unfair deceptive trade practices claim in this action that arise under the laws of the State of New York pursuant to 28 U.S.C. § 1367(a) because the state law claims are so related to the federal claims that they form part of the same case or controversy and derive from a common nucleus of operative facts.

Personal Jurisdiction and Venue

12. Personal jurisdiction exists over Defendants in this Judicial District pursuant to C.P.L.R. § 302(a)(1) and C.P.L.R. § 302(a)(1)(3), or in the alternative, Fed. R. Civ. P. 4(k) because, upon information and belief, Defendants regularly conduct, transact and/or solicit business in New York and in this Judicial District, and/or derive substantial revenue from business transactions in New York and in this Judicial District

and/or otherwise avail themselves of the privileges and protections of the laws of the State of New York such that this Court's assertion of jurisdiction over Defendants does not offend traditional notions of fair play and due process, and/or Defendants' illegal counterfeiting and infringing actions caused injury to Plaintiff in New York and in this Judicial District such that Defendants should reasonably expect such actions to have consequences in New York and this judicial District, for example:

a. Defendants' Merchant Storefronts accept orders of Counterfeit Products from and offer shipping to New York addresses located in this Judicial District. Screenshots of the shopping cart from Defendant Internet Stores allowing Counterfeit Products to be shipped to Manhattan are attached to the declaration of Karina Levitian ("Levitian Decl."), filed contemporaneously herewith, as **Exhibit 2**.

b. Upon information and belief, Defendants were and/or are systematically directing and/or targeting their business activities at consumers in the U.S., including those in New York, in this Judicial District, through accounts with online marketplace platforms such as Amazon and Wish as well as any and all as yet undiscovered accounts with additional online marketplace platforms held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them ("User Account(s)"), through which consumers in the U.S., including New York (and more particularly, in this Judicial District), can view the one or more of Defendants' online marketplace accounts that each Defendant operates ("Defendants' Merchant Storefronts"), uses to communicate with Defendants regarding their listings for Counterfeit Products (as defined *infra*) and to place orders for, receive invoices for and purchase Counterfeit Products for delivery in the U.S., including New York (and more particularly, in this Judicial District), as a means for establishing regular business with the U.S., including New York (and more particularly, in this Judicial District).

c. Upon information and belief, Defendants have transacted business with consumers located in the U.S., including New York (and more particularly, in this Judicial District), for the sale and shipment of Counterfeit Products.

13. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b)(2) because Defendants have committed acts of trademark infringement in this Judicial District, do substantial business in the Judicial District, have registered agents in this Judicial District, and reside or may be found in this district.

Plaintiff

14. Plaintiff is a corporation incorporated under the laws of California and is the registered owner of the ROKU Trademarks referred to above and with their federal registrations attached as Exhibit 1.

15. Plaintiff is, amongst other things, a leading manufacturer of a variety of digital media players and accessories (including remotes) for video streaming and has earned an international reputation for quality, reliability and value. Plaintiff is credited for many breakthroughs that have occurred in the video streaming industry, including its various ROKU products.

The ROKU Products

16. Plaintiff is the official source of ROKU products in the United States, including but not limited to the following exemplary units in its remote and streaming player ranges:

Remotes

Easily replace or upgrade your Roku remote.



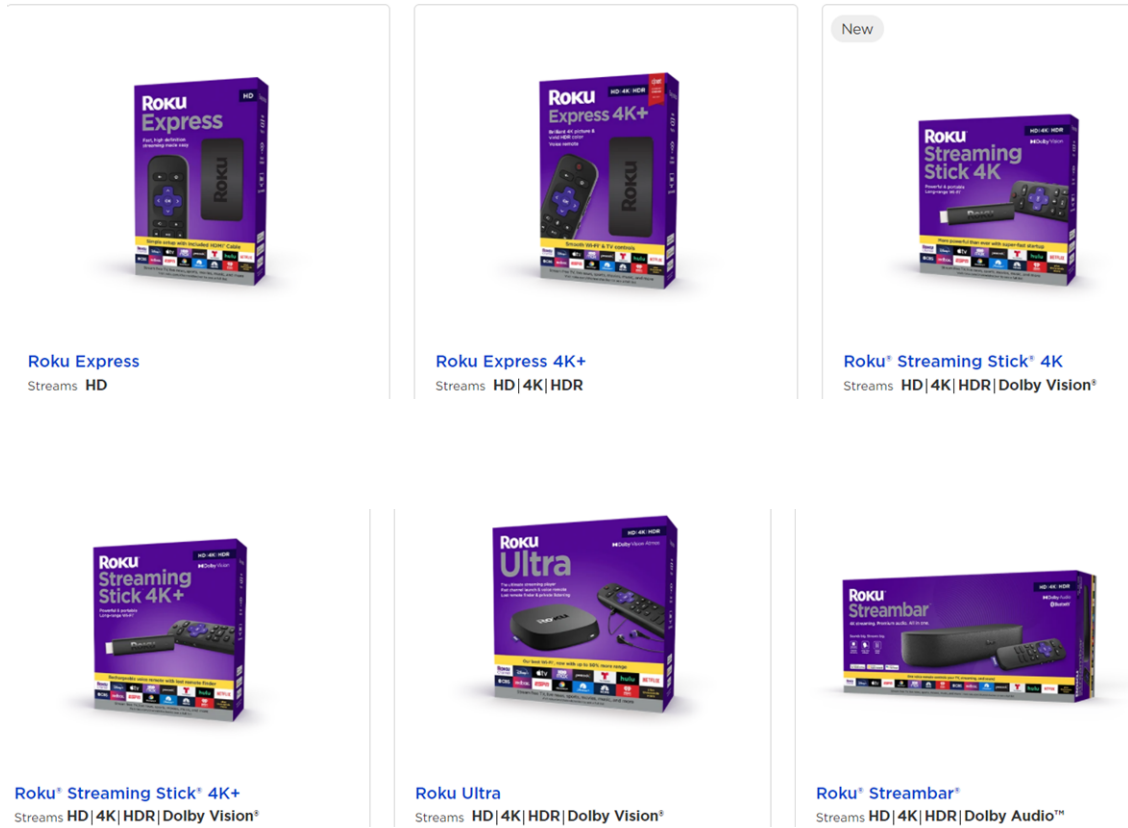
Roku® Voice Remote Pro
Rechargeable with lost remote finder, private listening, and hands-free controls.
\$29.99



Roku® Voice Remote
Power up your TV, adjust the volume, and mute with one remote.
\$19.99



Roku® Simple Remote
\$14.99



17. The ROKU Trademarks are and have been the subject of substantial and continuous marketing and promotion by Plaintiff and Plaintiff has and continues to widely market and promote the ROKU Trademarks in the industry and to consumers. Plaintiff's promotional efforts include — by way of example but not limitation — substantial print media, the ROKU Products' website and social media sites, and point of sale materials.

18. The ROKU Trademarks are distinctive and identify the merchandise as goods from Plaintiff. The registrations for the ROKU Trademarks constitutes prima facie evidence of their validity and of Plaintiff's exclusive right to use those trademarks pursuant to 15 U.S.C. § 1057(b).

19. The ROKU Trademarks qualify as famous marks, as that term is used in 15 U.S.C. §1125 (a)(1), and have been continuously used and never abandoned.

20. Plaintiff has expended substantial time, money, and other resources in developing, advertising and otherwise promoting the ROKU Trademarks. As a result, products bearing any of the ROKU Trademarks are widely recognized and exclusively associated by consumers, the public, and the trade as being products sourced from Plaintiff.

The Defendants

21. Defendants are individuals and business entities who, upon information and belief, reside mainly in the People's Republic of China or other foreign jurisdictions.

22. Defendants are merchants on the Amazon.com and Wish.com online marketplace platforms, which, upon information and belief, are owned by Amazon.com, Inc. ("Amazon"), a Washington corporation with a principal place of business at 410 Terry Ave N, Seattle 98109 WA, and ContextLogic Inc. ("Wish"), a California corporation with a principal place of business at One Sansome Street, 33rd Floor, San Francisco, CA 94104, respectively, through which Defendants offer for sale and/or sell Counterfeit Products.

The Defendants' Unlawful Conduct

23. The success of the ROKU Products has resulted in significant counterfeiting.

24. Plaintiff has identified numerous domain names linked to fully interactive websites and marketplace listings on platforms such as Amazon and Wish, including the Defendants' Merchant Storefronts, which were offering for sale, selling, and importing counterfeit ROKU Products to consumers in this Judicial District and throughout the United States.

25. Defendants have persisted in creating such online marketplaces and internet stores, like the Defendants' Merchant Storefronts. In fact, such online marketplaces and stores are estimated to receive tens of millions of visits per year and to generate over \$135 billion in annual online sales. According to an intellectual property

rights seizures statistics report issued by the United States Department of Homeland Security, the manufacturer's suggested retail price ("MSRP") of goods seized by the U.S. government in fiscal year 2017 was over \$1.2 billion. Internet websites like the Defendant Internet Stores are also estimated to contribute to tens of thousands of lost jobs for legitimate businesses and broader economic damages such as lost tax revenue every year.

26. On personal knowledge and belief, Defendants facilitate sales by designing the Defendants' Merchant Storefronts so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers selling genuine ROKU Products.

27. Many of the Defendants' Merchant Storefronts look sophisticated and accept payment in U.S. dollars via credit cards, Western Union, and PayPal. Defendant Internet Stores often include images and design elements that make it very difficult for consumers to distinguish such counterfeit sites from an authorized website.

28. Defendants further perpetuate the illusion of legitimacy by offering "live 24/7" customer service and using indicia of authenticity and security that consumers have come to associate with authorized retailers, including the McAfee® Security, VeriSign®, Visa®, MasterCard®, and PayPal® logos.

29. Plaintiff has not licensed or authorized Defendants to use any of the ROKU Trademarks and none of the Defendants are authorized retailers of genuine ROKU Products.

30. On personal knowledge and belief, Defendants deceive unknowing consumers by using the ROKU Trademarks without authorization within the product descriptions of their Defendant Internet Stores to attract customers, as well as in some instances, embodied by the Counterfeit Products themselves.

31. On personal knowledge and belief, Defendants also deceive unknowing consumers by using the ROKU Trademarks without authorization within the content,

text, and/or meta tags of their websites to attract various search engines crawling the Internet looking for websites relevant to consumer searches for ROKU Products. Additionally, upon information and belief, Defendants use other unauthorized search engine optimization (“SEO”) tactics and social media spamming so that the Defendant Internet Stores listings show up at or near the top of relevant search results and misdirect consumers searching for genuine ROKU Products. Further, Defendants utilize similar illegitimate SEO tactics to propel new domain names to the top of search results after others are shut down. As such, where appropriate, Plaintiff also seeks to disable Defendant Domain Names owned by Defendants that are the means by which the Defendants could continue to sell counterfeit ROKU Products into this District.

32. On information and belief, Defendants go to great lengths to conceal their identities and often use multiple fictitious names and addresses to register and operate their massive network of Defendant Internet Stores.

33. For example, it is common practice for counterfeiters to register their domain names and/or User Accounts with incomplete information, randomly typed letters, or omitted cities or states.

34. And many Defendant Domain Names use privacy services that conceal the owners’ identity and contact information. On personal knowledge and belief, Defendants regularly create new websites and online marketplace accounts on various platforms using the identities listed in Schedule A to the Complaint, as well as other unknown fictitious names and addresses.

35. On personal knowledge and belief, even though Defendants operate under multiple fictitious names, there are numerous similarities among the Defendants’ Merchant Storefronts. For example, some of the Defendant marketplace websites have virtually identical layouts, even though different aliases were used to register the respective domain names.

36. In addition, the Counterfeit Products for sale in the Defendants' Merchant Storefronts bear similarities and indicia of being related to one another, suggesting that the Counterfeit Products were manufactured by and come from a common source and that, upon information and belief, Defendants are interrelated.

37. The Defendants' Merchant Storefronts also include other notable common features, including accepted payment methods, check-out methods, meta data, illegitimate SEO tactics, HTML user-defined variables, domain redirection, lack of contact information, identically or similarly priced items and volume sales discounts, similar hosting services, similar name servers, and the use of the same text and images.

38. In addition, Defendants in this case and defendants in other similar cases against online counterfeiters use a variety of other common tactics to evade enforcement efforts. For example, counterfeiters like Defendants will often register new online marketplace accounts under User Accounts once they receive notice of a lawsuit.¹

39. Counterfeiters also often move website hosting to rogue servers located outside the United States once notice of a lawsuit is received. Rogue servers are notorious for ignoring take down demands sent by brand owners.²

40. Counterfeiters also typically ship products in small quantities via international mail to minimize detection by U.S. Customs and Border Protection. A 2018 U.S. Customs and Border Protection report on seizure statistics indicated that the Internet

¹ <https://www.ice.gov/news/releases/buyers-beware-ice-hsi-and-cbp-boston-warn-consumers-about-counterfeit-goods-during> (noting counterfeiters are adept at "setting up online stores to lure the public into thinking they are purchasing legitimate good on legitimate websites") (last visited October 18, 2021).

² While discussed in the context of false pharma supply chains, rogue internet servers and sellers are a well-known tactic that have even been covered in congressional committee hearings. See <https://www.govinfo.gov/content/pkg/CHRG-113hrg88828/html/CHRG-113hrg88828.htm> (last visited October 18, 2021).

has fueled a sharp increase in the number of small packages of counterfeit goods shipped through the mail and express carriers as opposed to larger shipping containers.

41. Further, counterfeiters such as Defendants typically operate multiple credit card merchant accounts and PayPal accounts behind layers of payment gateways so that they can continue operation in spite of Plaintiff's enforcement efforts.

42. On personal knowledge and belief, Defendants maintain off-shore bank accounts and regularly move funds from their PayPal accounts to off-shore bank accounts outside the jurisdiction of this Court. Indeed, analysis of PayPal transaction logs from previous similar cases indicates that offshore counterfeiters regularly move funds from U.S.-based PayPal accounts to foreign-based bank accounts outside the jurisdiction of this Court.

43. Defendants, without any authorization or license from Plaintiff, have knowingly and willfully used and continue to use the ROKU Trademarks in connection with the advertisement, distribution, offering for sale, and sale of Counterfeit Products into the United States and New York over the Internet.

44. Each Defendant Internet Store offers shipping to the United States, including New York (in this Judicial District) and, on information and belief, each Defendant has offered to sell counterfeit ROKU products into the United States, including New York (in this Judicial District), which is likely to cause and has caused confusion, mistake, and deception by and among consumers and is irreparably harming Plaintiff.

FIRST CAUSE OF ACTION

TRADEMARK INFRINGEMENT AND COUNTERFEITING (15 U.S.C. § 1114)

[Against Defendants Designated in Schedule A]

45. Plaintiff repeats and incorporates by reference herein its allegations contained in paragraphs 1-44 of this Complaint.

46. This is a trademark infringement action against Defendants based on their unauthorized use in commerce of counterfeit imitations of the registered ROKU Trademarks in connection with the sale, offering for sale, distribution, and/or advertising of infringing goods. The ROKU Trademarks are highly distinctive marks. Consumers have come to expect the highest quality from Plaintiff's products provided under any of the various ROKU Trademarks.

47. Defendants have sold, offered to sell, marketed, distributed, and advertised, and are still selling, offering to sell, marketing, distributing, and advertising products in connection with the ROKU Trademarks without Plaintiff's permission.

48. Plaintiff is the registered owner of the ROKU Trademarks and official source of ROKU Products. The United States Registrations for the ROKU Trademarks (Exhibit 1) are in full force and effect. Upon information and belief, Defendants have knowledge of Plaintiff's rights in the ROKU Trademarks and are willfully infringing and intentionally using counterfeits of the ROKU Trademarks. Defendants' willful, intentional, and unauthorized use of the ROKU Trademarks is likely to cause and is causing confusion, mistake, and deception as to the origin and quality of the counterfeit goods among the general public.

49. Defendants' activities constitute willful trademark infringement and counterfeiting under 15 U.S.C. §§ 1114, 1117.

50. The injuries and damages sustained by Plaintiff have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offering to sell, and sale of counterfeit ROKU products.

51. Plaintiff has no adequate remedy at law, and, if Defendants' actions are not enjoined, Plaintiff will continue to suffer irreparable harm to its reputation and the goodwill of its well-known ROKU Trademarks.

SECOND CAUSE OF ACTION

FALSE DESIGNATION OF ORIGIN (15 U.S.C. § 1125(a))

[Against Defendants Designated in Schedule A]

52. Plaintiff repeats and incorporates by reference herein its allegations contained in paragraphs 1-51 of this Complaint.

53. Defendants' promotion, marketing, offering for sale, and sale of counterfeit ROKU products has created and is creating a likelihood of confusion, mistake, and deception among the general public as to the affiliation, connection, or association with Plaintiff or the origin, sponsorship, or approval of Defendants' counterfeit ROKU products by Plaintiff.

54. By using the ROKU Trademarks in connection with the sale of counterfeit ROKU products, Defendants create a false designation of origin and a misleading representation of fact as to the origin and sponsorship of the counterfeit ROKU products.

55. Defendants' conduct constitutes willful false designation of origin and misrepresentation of fact as to the origin and/or sponsorship of the counterfeit ROKU products to the general public under 15 U.S.C. §§ 1114, 1125.

56. Plaintiff has no adequate remedy at law, and, if Defendants' actions are not enjoined, Plaintiff will continue to suffer irreparable harm to its reputation and the goodwill of its brand.

THIRD CAUSE OF ACTION

UNFAIR COMPETITION

(New York Common Law)

[Against Defendants Designated in Schedule A]

57. Plaintiff repeats and incorporates by reference herein its allegations contained in paragraphs 1-56 of this Complaint.

58. Plaintiff has not licensed or authorized Defendants to use the ROKU Trademarks and none of the Defendants are authorized retailers of genuine ROKU Products.

59. Defendants knowingly and intentionally trade upon Plaintiff's reputation and goodwill by selling and/or offering for sale products in connection with Plaintiff's ROKU Trademarks.

60. Defendants' promotion, marketing, offering for sale, and sale of Counterfeit Products has created and is creating a likelihood of confusion, mistake, and deception among the general public as to the quality, affiliation, connection, or association with Plaintiff or the origin, sponsorship, or approval of Defendants' Counterfeit Products by Plaintiff.

61. Defendants knew, or should have known, that their promotion, marketing, offering for sale, and sale of counterfeit ROKU products has caused and will continue to cause confusion, mistake, and deception among purchasers, users, and the public.

62. In fact, Defendants have fraudulently represented by their statements and actions that the Counterfeit Products are Plaintiff's products including, for example, by: (i) using SEO tactics and social media to misdirect customers seeking ROKU Products to Defendants' online marketplace accounts; (ii) using deceptive advertising practices within the text and metadata of the online marketplace accounts; and (iii) taking other steps to deceive and confuse the consuming public.

63. On information and belief, Defendants' conduct is willful and intentional as Defendants attempt to avoid liability by concealing their identities, using multiple fictitious names and addresses to register and operate their illegal counterfeiting operations and Defendant Internet Stores.

64. Plaintiff has no adequate remedy at law, and Defendants' conduct has caused Plaintiff to suffer damage to its reputation and goodwill. Unless enjoined by the

Court, Plaintiff will suffer future irreparable harm as a direct result of Defendants' unlawful activities.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants and each of them as follows:

1. That Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under, or in active concert with them be temporarily, preliminarily, and permanently enjoined and restrained from:

- a. using the ROKU Trademarks or any mark substantially identical or confusingly similar to the ROKU Trademarks in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine ROKU product or is not authorized by Plaintiff to be sold in connection with the ROKU Trademarks;
- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine ROKU product or any other product produced by Plaintiff that is not Plaintiff's or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for sale under the ROKU Trademarks;
- c. committing any acts calculated to cause consumers to believe that Defendants' counterfeit ROKU products are those sold under the authorization, control, or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
- d. further infringing the ROKU Trademarks and damaging Plaintiff's goodwill;
- e. otherwise competing unfairly with Plaintiff in any manner;

- f. shipping, delivering, holding for sale, transferring, or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any Plaintiff trademark including the ROKU Trademarks or any marks substantially identical or confusingly similar to the ROKU Trademarks;
- g. using, linking to, transferring, selling, exercising control over, or otherwise owning the Online Marketplace Accounts, the Defendant Domain Names, or any other domain name or Online Marketplace Account that is being used to sell or is the means by which Defendants could continue to sell counterfeit ROKU Products; and
- h. operating and/or hosting websites at the Defendant Domain Names that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product bearing the ROKU Trademarks or any marks substantially identical or confusingly similar to the ROKU Trademarks that is not a genuine ROKU Product or not authorized by Plaintiff to be sold in connection with the ROKU Trademarks.

2. Entry of an Order that Amazon, Wish, and any other online marketplace account provider:

- a. disable and cease providing services for any accounts through which Defendants engage in the sale of Counterfeit Products, including any accounts associated with the Defendants listed on Schedule A to the Complaint;

- b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of Counterfeit Products; and
- c. take all steps necessary to prevent links to the Defendant Domain Names identified on Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant Domain Names from any search index.

3. That Defendants account for and pay to Plaintiff all profits realized by Defendants by reason of Defendants' unlawful acts herein alleged, and that the amount of damages for infringement of the ROKU Trademarks be increased by a sum not exceeding three times the amount thereof as provided by 15 U.S.C. § 1117.

4. In the alternative, that Plaintiff be awarded statutory damages pursuant to 15 U.S.C. § 1117(c) of not less than \$1,000 and not more than \$2,000,000 for each and every use of the ROKU Trademarks;

5. That Plaintiff be awarded its reasonable attorneys' fees and costs; and

6. Award any and all other relief that this Court deems just and proper.

Dated: January 10, 2022

Respectfully submitted,

COLE SCHOTZ P.C.

By: /s/ Michael R. Yellin
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-and-

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United States of America

United States Patent and Trademark Office

STREAMBAR

Reg. No. 6,464,718

Registered Aug. 24, 2021

Int. Cl.: 9

Trademark

Principal Register

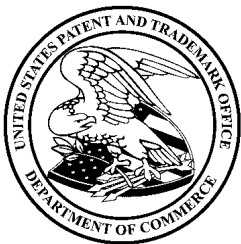
Roku, Inc. (DELAWARE CORPORATION)
1155 Coleman Ave.
San Jose, CALIFORNIA 95110

CLASS 9: Audio electronic components, namely, surround sound systems; Audio speakers; Audio transmitter units; Computer hardware for transmitting, streaming receiving, accessing and sharing audio and video content; Media players; Digital audio players; Digital media streaming devices; Home automation hubs comprised of voice-activated speakers, computer hardware, and downloadable software for transmitting, streaming receiving, accessing and sharing audio and video content; Home theater systems comprising audio speakers; Soundbar speakers; Wireless speakers

FIRST USE 9-30-2020; IN COMMERCE 9-30-2020

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 88-937,347, FILED 05-28-2020



A handwritten signature in black ink, appearing to read "Dawn Hultfeldt".

Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.



United States Patent and Trademark Office

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Record 1 out of 1

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Word Mark STREAMBAR

Goods and Services IC 009. US 021 023 026 036 038. G & S: Audio electronic components, namely, surround sound systems; Audio speakers; Audio transmitter units; Computer hardware for transmitting, streaming receiving, accessing and sharing audio and video content; Media players; Digital audio players; Digital media streaming devices; Home automation hubs comprised of voice-activated speakers, computer hardware, and downloadable software for transmitting, streaming receiving, accessing and sharing audio and video content; Home theater systems comprising audio speakers; Soundbar speakers; Wireless speakers. FIRST USE: 20200930. FIRST USE IN COMMERCE: 20200930

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 88937347

Filing Date May 28, 2020

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 6, 2020

Registration Number 6464718

Registration Date August 24, 2021

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 1155 Coleman Ave. San Jose CALIFORNIA 95110

Attorney of Record Jason Zedeck

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office



Reg. No. 6,076,830

Registered Jun. 09, 2020

Int. Cl.: 9

Trademark

Supplemental Register

Roku, Inc. (DELAWARE CORPORATION)
150 Winchester Circle
Los Gatos, CALIFORNIA 95032

CLASS 9: Remote controls for televisions; Remote controls for speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Computer hardware for controlling speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Electronic controllers for speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Wireless controllers to monitor and control the functioning of other electronic devices; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters

FIRST USE 7-31-2011; IN COMMERCE 7-31-2011

The color(s) purple is/are claimed as a feature of the mark.

The mark consists of the color purple as applied to portions of a remote controller, wherein the color purple is applied to the entirety of the exterior surface of a directional control button located on a remote control for a streaming video player. The outline of the goods is intended to show the position of the colors on the goods and forms no part of the mark serving as positional reference only.

OWNER OF U.S. REG. NO. 4336488

SER. NO. 88-434,630, FILED P.R. 05-17-2019; AM. S.R. 02-11-2020



Andrei Iancu

Director of the United States
Patent and Trademark Office



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

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Grace Period Filings*

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***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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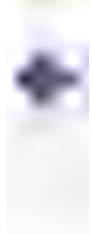
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Goods and Services IC 009. US 021 023 026 036 038. G & S: Remote controls for televisions; Remote controls for speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Computer hardware for controlling speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Electronic controllers for speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Wireless controllers to monitor and control the functioning of other electronic devices; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters. FIRST USE: 20110731. FIRST USE IN COMMERCE: 20110731

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 16.01.03 - CB radios ; Projection screens (television) ; Radios ; Remote controls, television ; Screens, projection ; Screens, television ; Television sets
29.03.05 - Violet or purple (single color used on a portion of the goods)

Serial Number 88434630

Filing Date May 17, 2019

Current Basis 1A

Original Filing Basis 1A

Date Amended to Current Register February 11, 2020

Registration Number 6076830

Registration Date June 9, 2020

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 150 Winchester Circle Los Gatos CALIFORNIA 95032

Attorney of Jason Zedeck

Record

Prior Registrations 4336488

Description of Mark The color(s) purple is/are claimed as a feature of the mark. The mark consists of the color purple as applied to portions of a remote controller, wherein the color purple is applied to the entirety of the exterior surface of a directional control button located on a remote control for a streaming video player. The outline of the goods is intended to show the position of the colors on the goods and forms no part of the mark serving as positional reference only.

Type of Mark TRADEMARK
Register SUPPLEMENTAL
Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

ROKU

Reg. No. 5,886,527

Registered Oct. 15, 2019

Int. Cl.: 9

Trademark

Principal Register

Roku, Inc. (DELAWARE CORPORATION)
150 Winchester Circle
Los Gatos, CALIFORNIA 95032

CLASS 9: Audio electronic components, namely, surround sound systems; Audio transmitter units; Audio speakers; Digital audio players; Home theater systems comprising audio speakers ; Loud speakers; Soundbar speakers; Wireless speakers

FIRST USE 11-11-2018; IN COMMERCE 11-11-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4937513, 4937515, 4937514

The English translation of "ROKU" in the mark is "six".

SER. NO. 88-039,902, FILED 07-16-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

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Requirements in the First Ten Years*

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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ROKU

Word Mark ROKU

Translations The English translation of "ROKU" in the mark is "six".

Goods and Services IC 009. US 021 023 026 036 038. G & S: Audio electronic components, namely, surround sound systems; Audio transmitter units; Audio speakers; Digital audio players; Home theater systems comprising audio speakers ; Loud speakers; Soundbar speakers; Wireless speakers. FIRST USE: 20181111. FIRST USE IN COMMERCE: 20181111

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 88039902

Filing Date July 16, 2018

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 18, 2018

Registration Number 5886527

Registration Date October 15, 2019

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 150 Winchester Circle Los Gatos CALIFORNIA 95032

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior 4937513;4937514;4937515;AND OTHERS

Registrations

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

ROKU TOUCH

Reg. No. 5,886,526

Registered Oct. 15, 2019

Int. Cl.: 9

Trademark

Principal Register

Roku, Inc. (DELAWARE CORPORATION)
150 Winchester Circle
Los Gatos, CALIFORNIA 95032

CLASS 9: Remote controls for televisions; Remote controls for computers, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Electronic controllers for computers, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Wireless controllers to monitor and control the functioning of other electronic devices; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, computers, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters

FIRST USE 7-16-2018; IN COMMERCE 7-16-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4937513, 4937515, 4937514

No claim is made to the exclusive right to use the following apart from the mark as shown: "TOUCH"

The English translation of "ROKU" in the mark is "six".

SER. NO. 88-039,898, FILED 07-16-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

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ROKU TOUCH

Word Mark ROKU TOUCH

Translations The English translation of "ROKU" in the mark is "six".

Goods and Services IC 009. US 021 023 026 036 038. G & S: Remote controls for televisions; Remote controls for computers, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Electronic controllers for computers, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters; Wireless controllers to monitor and control the functioning of other electronic devices; Wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems, namely, computers, speakers, digital media streaming devices, televisions, monitors, media players, and audio and video receivers and transmitters. FIRST USE: 20180716. FIRST USE IN COMMERCE: 20180716

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 88039898

Filing Date July 16, 2018

Current Basis 1A

Original Filing Basis 1B

Published for Opposition December 25, 2018

Registration Number 5886526

Registration Date October 15, 2019

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 150 Winchester Circle Los Gatos CALIFORNIA 95032

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior Registrations 4937513;4937514;4937515;AND OTHERS

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TOUCH" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office



Reg. No. 5,151,588

Registered Feb. 28, 2017

Int. Cl.: 9, 38, 41, 42

Service Mark

Trademark

Principal Register

Roku, Inc. (DELAWARE CORPORATION)
12980 Saratoga Avenue, Suite D
Saratoga, CA 95070

CLASS 9: Computer hardware; computer peripherals; digital media streaming devices; computer software for personalized, interactive television programming and accompanying manuals distributed therewith; computer software for use in generating, displaying and manipulating visual media, graphic images, photographs, illustrations, digital animation, video clips, film footage and audio data; computer software for use in accessing, viewing and controlling streaming and static audiovisual content over digital media streaming devices; computer software for accessing, transmitting and displaying audio-visual data between digital media streaming devices and televisions and monitors; televisions; remote controls for computers, digital media streaming devices and televisions

FIRST USE 9-00-2010; IN COMMERCE 9-00-2010

CLASS 38: Streaming of audio, visual and audiovisual material via the Internet and wireless networks; video on demand transmissions; broadcasting services, namely, digital audio broadcasting services provided via a global communications network; transmission of television programming, movies and other audio-visual content over the internet

FIRST USE 9-00-2010; IN COMMERCE 9-00-2010

CLASS 41: Providing information in the field of entertainment via the Internet regarding movies, music, videos, television, sports and news; distribution of television programs to streaming television systems

FIRST USE 9-00-2010; IN COMMERCE 9-00-2010

CLASS 42: Providing temporary use of online, non-downloadable software for use in personalized, interactive television programming and accompanying manuals distributed therewith; providing temporary use of online, non-downloadable software for use in generating, displaying and manipulating visual media, graphic images, photographs, illustrations, digital animation, video clips, film footage and audio data; providing temporary use of online, non-downloadable software for use in accessing, viewing and controlling streaming and static audiovisual content over digital media streaming devices; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems

FIRST USE 10-00-2006; IN COMMERCE 10-00-2006

The color(s) purple and white is/are claimed as a feature of the mark.



Michelle K. Lee

Director of the United States
Patent and Trademark Office

The mark consists of the word "ROKU" in stylized lettering in white on a purple background.

OWNER OF U.S. REG. NO. 4286058, 4286059, 3177666

The English translation of "ROKU" in the mark is "six".

SER. NO. 86-347,739, FILED 07-25-2014

ANGELA M MICHELI, EXAMINING ATTORNEY

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Word Mark ROKU

Translations The English translation of "ROKU" in the mark is "six".

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer hardware; computer peripherals; digital media streaming devices; computer software for personalized, interactive television programming and accompanying manuals distributed therewith; computer software for use in generating, displaying and manipulating visual media, graphic images, photographs, illustrations, digital animation, video clips, film footage and audio data; computer software for use in accessing, viewing and controlling streaming and static audiovisual content over digital media streaming devices; computer software for accessing, transmitting and displaying audio-visual data between digital media streaming devices and televisions and monitors; televisions; remote controls for computers, digital media streaming devices and televisions. FIRST USE: 20100900. FIRST USE IN COMMERCE: 20100900

IC 038. US 100 101 104. G & S: Streaming of audio, visual and audiovisual material via the Internet and wireless networks; video on demand transmissions; broadcasting services, namely, digital audio broadcasting services provided via a global communications network; transmission of television programming, movies and other audiovisual content over the internet. FIRST USE: 20100900. FIRST USE IN COMMERCE: 20100900

IC 041. US 100 101 107. G & S: Providing information in the field of entertainment via the Internet regarding movies, music, videos, television, sports and news; distribution of television programs to streaming television systems. FIRST USE: 20100900. FIRST USE IN COMMERCE: 20100900

IC 042. US 100 101. G & S: Providing temporary use of online, non-downloadable software for use in personalized, interactive television programming and accompanying manuals distributed therewith; providing temporary use of online, non-downloadable software for use in generating, displaying and manipulating visual media, graphic images, photographs, illustrations, digital animation, video clips, film footage and audio data; providing temporary use of online, non-downloadable software for use in accessing, viewing and controlling streaming and static audiovisual content over digital media streaming devices; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems. FIRST USE: 20061000. FIRST USE IN COMMERCE: 20061000

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 86347739

Filing Date July 25, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 2, 2015

Registration Number 5151588

International Registration Number 1274421

Registration Date February 28, 2017

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 12980 Saratoga Avenue, Suite D Saratoga CALIFORNIA 95070

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior Registrations 3177666;4286058;4286059;AND OTHERS

Description of Mark The color(s) purple and white is/are claimed as a feature of the mark. The mark consists of the word "ROKU" in stylized lettering in white on a purple background.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office



Reg. No. 4,937,515

ROKU, INC. (DELAWARE CORPORATION)
12980 SARATOGA AVENUE, SUITE D
SARATOGA, CA 95070

Registered Apr. 12, 2016

Int. Cls.: 9, 38, 41, and 42

FOR: COMPUTER HARDWARE; COMPUTER PERIPHERALS; DIGITAL MEDIA STREAMING DEVICES; COMPUTER SOFTWARE FOR PERSONALIZED, INTERACTIVE TELEVISION PROGRAMMING AND ACCOMPANYING MANUALS DISTRIBUTED THEREWITH; COMPUTER SOFTWARE FOR USE IN GENERATING, DISPLAYING AND MANIPULATING VISUAL MEDIA, GRAPHIC IMAGES, PHOTOGRAPHS, ILLUSTRATIONS, DIGITAL ANIMATION, VIDEO CLIPS, FILM FOOTAGE AND AUDIO DATA; COMPUTER SOFTWARE FOR USE IN ACCESSING, VIEWING AND CONTROLLING STREAMING AND STATIC AUDIO-VISUAL CONTENT OVER DIGITAL MEDIA STREAMING DEVICES; COMPUTER SOFTWARE FOR ACCESSING, TRANSMITTING AND DISPLAYING AUDIO-VISUAL DATA BETWEEN DIGITAL MEDIA STREAMING DEVICES AND TELEVISIONS AND MONITORS; TELEVISIONS; REMOTE CONTROLS FOR COMPUTERS, DIGITAL MEDIA STREAMING DEVICES AND TELEVISIONS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FIRST USE 10-0-2003; IN COMMERCE 10-0-2003.

FOR: STREAMING OF AUDIO, VISUAL AND AUDIOVISUAL MATERIAL VIA THE INTERNET AND WIRELESS NETWORKS; VIDEO ON DEMAND TRANSMISSIONS; BROADCASTING SERVICES, NAMELY, DIGITAL AUDIO BROADCASTING SERVICES PROVIDED VIA A GLOBAL COMMUNICATIONS NETWORK; TRANSMISSION OF TELEVISION PROGRAMMING, MOVIES AND OTHER AUDIO-VISUAL CONTENT OVER THE INTERNET, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

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FOR: PROVIDING INFORMATION IN THE FIELD OF ENTERTAINMENT VIA THE INTERNET REGARDING MOVIES, MUSIC, VIDEOS, TELEVISION, SPORTS AND NEWS; DISTRIBUTION OF TELEVISION PROGRAMS TO STREAMING TELEVISION SYSTEMS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 10-0-2003; IN COMMERCE 10-0-2003.

FOR: PROVIDING TEMPORARY USE OF ONLINE, NON-DOWNLOADABLE SOFTWARE FOR USE IN PERSONALIZED, INTERACTIVE TELEVISION PROGRAMMING AND AC-



Michelle K. Lee

Director of the United States Patent and Trademark Office

Reg. No. 4,937,515 COMPANYING MANUALS DISTRIBUTED THEREWITH; PROVIDING TEMPORARY USE OF ONLINE, NON-DOWNLOADABLE SOFTWARE FOR USE IN GENERATING, DISPLAYING AND MANIPULATING VISUAL MEDIA, GRAPHIC IMAGES, PHOTOGRAPHS, ILLUSTRATIONS, DIGITAL ANIMATION, VIDEO CLIPS, FILM FOOTAGE AND AUDIO DATA; PROVIDING TEMPORARY USE OF ONLINE, NON-DOWNLOADABLE SOFTWARE FOR USE IN ACCESSING, VIEWING AND CONTROLLING STREAMING AND STATIC AUDIO-VISUAL CONTENT OVER DIGITAL MEDIA STREAMING DEVICES; TECHNICAL SUPPORT SERVICES, NAMELY, TROUBLESHOOTING IN THE NATURE OF DIAGNOSING COMPUTER HARDWARE AND SOFTWARE PROBLEMS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 10-0-2003; IN COMMERCE 10-0-2003.

OWNER OF U.S. REG. NOS. 3,177,666, 4,286,058, AND 4,286,059.

THE COLOR(S) PURPLE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "ROKU" IN STYLIZED LETTERING IN WHITE ON A PURPLE TEXTURED FABRIC TAG BACKGROUND.

THE ENGLISH TRANSLATION OF "ROKU" IN THE MARK IS "SIX".

SN 86-347,740, FILED 7-25-2014.

ANGELA M. MICHELI, EXAMINING ATTORNEY

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Requirements in Successive Ten-Year Periods*

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Word Mark ROKU

Translations The English translation of "ROKU" in the mark is "six".

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer hardware; computer peripherals; digital media streaming devices; computer software for personalized, interactive television programming and accompanying manuals distributed therewith; computer software for use in generating, displaying and manipulating visual media, graphic images, photographs, illustrations, digital animation, video clips, film footage and audio data; computer software for use in accessing, viewing and controlling streaming and static audiovisual content over digital media streaming devices; computer software for accessing, transmitting and displaying audio-visual data between digital media streaming devices and televisions and monitors; televisions; remote controls for computers, digital media streaming devices and televisions. FIRST USE: 20031000. FIRST USE IN COMMERCE: 20031000

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Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 86347740

Filing Date July 25, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 2, 2015

Registration Number 4937515

Registration Date April 12, 2016

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 12980 Saratoga Avenue, Suite D Saratoga CALIFORNIA 95070

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior Registrations 3177666;4286058;4286059

Description of Mark The color(s) purple and white is/are claimed as a feature of the mark. The mark consists of the word "ROKU" in stylized lettering in white on a purple textured fabric tag background.

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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United States of America
United States Patent and Trademark Office

ROKU

Reg. No. 4,937,514

ROKU, INC. (DELAWARE CORPORATION)
12980 SARATOGA AVENUE, SUITE D
SARATOGA, CA 95070

Registered Apr. 12, 2016

Int. Cls.: 9, 38, 41, and 42

FOR: COMPUTER HARDWARE; COMPUTER PERIPHERALS; DIGITAL MEDIA STREAMING DEVICES; COMPUTER SOFTWARE FOR PERSONALIZED, INTERACTIVE TELEVISION PROGRAMMING AND ACCOMPANYING MANUALS DISTRIBUTED THEREWITH; COMPUTER SOFTWARE FOR USE IN GENERATING, DISPLAYING AND MANIPULATING VISUAL MEDIA, GRAPHIC IMAGES, PHOTOGRAPHS, ILLUSTRATIONS, DIGITAL ANIMATION, VIDEO CLIPS, FILM FOOTAGE AND AUDIO DATA; COMPUTER SOFTWARE FOR USE IN ACCESSING, VIEWING AND CONTROLLING STREAMING AND STATIC AUDIO-VISUAL CONTENT OVER DIGITAL MEDIA STREAMING DEVICES; COMPUTER SOFTWARE FOR ACCESSING, TRANSMITTING AND DISPLAYING AUDIO-VISUAL DATA BETWEEN DIGITAL MEDIA STREAMING DEVICES AND TELEVISIONS AND MONITORS; TELEVISIONS; REMOTE CONTROLS FOR COMPUTERS, DIGITAL MEDIA STREAMING DEVICES AND TELEVISIONS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

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THE MARK CONSISTS OF THE WORD "ROKU" IN STYLIZED LETTERING.

THE ENGLISH TRANSLATION OF "ROKU" IN THE MARK IS "SIX".

SN 86-347,736, FILED 7-25-2014.

ANGELA M. MICHELI, EXAMINING ATTORNEY

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Serial Number 86347736

Filing Date July 25, 2014

Current Basis 1A
Original Filing Basis 1B
Published for Opposition June 2, 2015
Registration Number 4937514
International Registration Number 1275160
Registration Date April 12, 2016
Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 12980 Saratoga Avenue, Suite D Saratoga CALIFORNIA 95070
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Jason Zedeck
Prior Registrations 3177666;4286058;4286059;AND OTHERS
Description of Mark Color is not claimed as a feature of the mark. The mark consists of the word "ROKU" in stylized lettering.
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

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IC 038. US 100 101 104. G & S: Streaming of audio, visual and audiovisual material via the Internet and wireless networks; video on demand transmissions; broadcasting services, namely, digital audio broadcasting services provided via a global communications network; transmission of television programming, movies and other audiovisual content over the internet. FIRST USE: 20031000. FIRST USE IN COMMERCE: 20031000

IC 041. US 100 101 107. G & S: Providing information in the field of entertainment via the Internet regarding movies, music, videos, television, sports and news; distribution of television programs to streaming television systems. FIRST USE: 20031000. FIRST USE IN COMMERCE: 20031000

IC 042. US 100 101. G & S: Providing temporary use of online, non-downloadable software for use in personalized, interactive television programming and accompanying manuals distributed therewith; providing temporary use of online, non-downloadable software for use in generating, displaying and manipulating visual media, graphic images, photographs, illustrations, digital animation, video clips, film footage and audio data; providing temporary use of online, non-downloadable software for use in accessing, viewing and controlling streaming and static audiovisual content over digital media streaming devices; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems. FIRST USE: 20031000. FIRST USE IN COMMERCE: 20031000

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Trademark Electronic Search System (TESS)

Serial Number 86347734

Filing Date July 25, 2014

Current Basis 1A

Original Filing Basis 1B

Published for Opposition June 2, 2015

Registration Number 4937513

International Registration Number 1274422

Registration Date April 12, 2016

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 12980 Saratoga Avenue, Suite D Saratoga CALIFORNIA 95070

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior Registrations 3177666;4286058;4286059;AND OTHERS

Type of Mark TRADEMARK. SERVICE MARK

Register PRINCIPAL

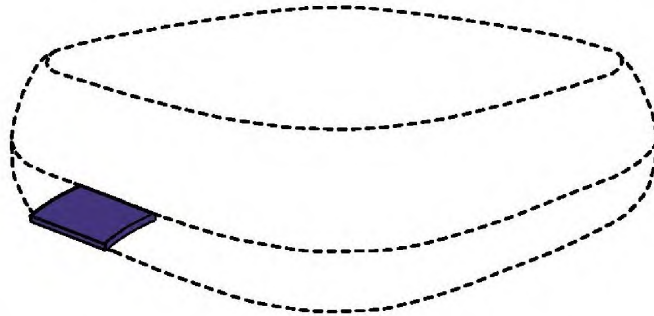
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United States of America

United States Patent and Trademark Office



Reg. No. 4,843,920

Registered Nov. 3, 2015

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

ROKU, INC. (DELAWARE CORPORATION)
12980 SARATOGA AVENUE, SUITE D
SARATOGA, CA 95070

FOR: COMPUTER HARDWARE; DIGITAL MEDIA STREAMING DEVICES, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-2010; IN COMMERCE 9-0-2010.

OWNER OF U.S. REG. NOS. 4,329,663, 4,329,666 AND OTHERS.

THE COLOR(S) PURPLE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE CONFIGURATION AND MATERIAL COMPOSITION
COMPRISING A FABRIC TAG IN THE COLOR PURPLE ATTACHED TO THE HOUSING
OF THE GOODS. THE DOTTED LINES ARE INTENDED TO INDICATE THE PLACEMENT
OF THE MARK ON THE GOODS AND DO NOT FORM PART OF THE MARK.

SER. NO. 86-372,743, FILED 8-20-2014.

HANNO RITTNER, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.



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Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer hardware; digital media streaming devices. FIRST USE: 20100900. FIRST USE IN COMMERCE: 20100900

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 15.05.07 - Computer towers ; CPU (central processing unit) ; Mainframes, computer ; Servers, computer ; Tape drives (computer) ; Drives for computers ; Hard drives ; USB drives, not including cords ; Flash drives and dongles ; Removable memory drives ; Memory cards ; Electronic card reader ; Readers for electronic chips and cards
16.01.04 - Amplifiers, sound ; Answering machines, telephone ; Dictating machines ; DVD players ; Loudspeakers ; Phonographs ; Receivers, stereo ; Record players ; Recorders, tape ; Recorders, video ; Sound amplifiers ; Speakers, audio ; Stereo receivers, tuners, amplifiers, speakers ; Tape players, audio and video ; Tape recorders, audio and video ; Telephone answering machines ; Tuners, stereo ; Turntables ; Video cassette recorders ; Video disc players ; Video recorders
20.03.06 - Address labels ; Hang tags ; Identification tags ; Labels ; Tags (paper)

Serial Number 86372743

Filing Date August 20, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition August 18, 2015

Registration Number 4843920

Registration Date November 3, 2015

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 1155 Coleman Ave. San Jose CALIFORNIA 95110

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior Registrations 4329663;4329664;4329666;AND OTHERS

Registrations

Description of Mark The color(s) purple is/are claimed as a feature of the mark. The mark consists of the configuration and material composition comprising a fabric tag in the color purple attached to the housing of the goods. The dotted lines are intended to indicate the placement of the mark on the goods and do not form part of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

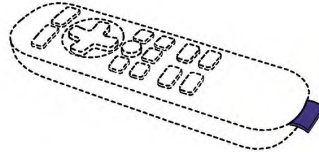
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United States of America

United States Patent and Trademark Office



Reg. No. 4,839,473

Registered Oct. 27, 2015

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

ROKU, INC. (DELAWARE CORPORATION)
12980 SARATOGA AVENUE
SUITE D
SARATOGA, CA 95070

FOR: REMOTE CONTROLS FOR COMPUTERS, DIGITAL MEDIA STREAMING DEVICES AND TELEVISIONS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-2010; IN COMMERCE 9-0-2010.

OWNER OF U.S. REG. NOS. 4,329,663, 4,329,666 AND OTHERS.

THE COLOR(S) PURPLE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE CONFIGURATION AND MATERIAL COMPOSITION COMPRISING A FABRIC TAG IN THE COLOR PURPLE ATTACHED TO THE HOUSING OF THE GOODS. THE DOTTED LINES ARE INTENDED TO INDICATE THE PLACEMENT OF THE MARK ON THE GOODS AND DO NOT FORM PART OF THE MARK.

SER. NO. 86-372,745, FILED 8-20-2014.

HANNO RITTNER, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.



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Goods and Services IC 009. US 021 023 026 036 038. G & S: remote controls for computers, digital media streaming devices and televisions. FIRST USE: 20100900. FIRST USE IN COMMERCE: 20100900

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 16.01.03 - CB radios ; Projection screens (television) ; Radios ; Remote controls, television ; Screens, projection ; Screens, television ; Television sets
20.03.06 - Address labels ; Hang tags ; Identification tags ; Labels ; Tags (paper)

Serial Number 86372745

Filing Date August 20, 2014

Current Basis 1A

Original Filing Basis 1A

Published for Opposition August 11, 2015

Registration Number 4839473

Registration Date October 27, 2015

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 1155 Coleman Ave. San Jose CALIFORNIA 95110

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior Registrations 4329663;4329664;4329666;AND OTHERS

Description of Mark The color(s) purple is/are claimed as a feature of the mark. The mark consists of the configuration and material composition comprising a fabric tag in the color purple attached to the housing of the goods. The dotted lines are intended to indicate the placement of the mark on the goods and do not form part of the mark.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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United States of America

United States Patent and Trademark Office

STREAMING STICK

Reg. No. 4,618,984

ROKU, INC. (DELAWARE CORPORATION)
12980 SARATOGA AVENUE, SUITE D
SARATOGA, CA 95070

Registered Oct. 7, 2014

Int. Cls.: 9 and 28

FOR: COMPUTER PERIPHERALS; DIGITAL MEDIA STREAMING DEVICES; REMOTE CONTROLS FOR TELEVISIONS AND COMPUTERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK

FIRST USE 10-5-2012; IN COMMERCE 10-5-2012.

SUPPLEMENTAL REGISTER

FOR: VIDEO GAME INTERACTIVE REMOTE CONTROL UNITS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 10-5-2012; IN COMMERCE 10-5-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 86-282,756, FILED 5-15-2014.

KATHERINE CONNOLLY, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.



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Word Mark STREAMING STICK

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer peripherals; digital media streaming devices; remote controls for televisions and computers. FIRST USE: 20121005. FIRST USE IN COMMERCE: 20121005

(CANCELLED) IC 028. US 022 023 038 050. G & S: [Video game interactive remote control units]. FIRST USE: 20121005. FIRST USE IN COMMERCE: 20121005

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 86282756

Filing Date May 15, 2014

Current Basis 1A

Original Filing Basis 1A

Change In Registration CHANGE IN REGISTRATION HAS OCCURRED

Registration Number 4618984

Registration Date October 7, 2014

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 1155 Coleman Ave. San Jose CALIFORNIA 95110

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Type of Mark TRADEMARK

Register SUPPLEMENTAL

Affidavit Text PARTIAL SECT 8 (6-YR).

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United States of America
United States Patent and Trademark Office



Reg. No. 4,286,059

Registered Feb. 5, 2013

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

ROKU, INC. (DELAWARE CORPORATION)
12980 SARATOGA AVE. SUITE D
SARATOGA, CA 95070

FOR: COMPUTER HARDWARE; COMPUTER PERIPHERALS; COMPUTER SOFTWARE FOR PERSONALIZED, INTERACTIVE TELEVISION PROGRAMMING AND ACCOMPANYING MANUALS DISTRIBUTED THEREWITH; COMPUTER SOFTWARE FOR USE IN GENERATING, DISPLAYING AND MANIPULATING VISUAL MEDIA, GRAPHIC IMAGES, PHOTOGRAPHS, ILLUSTRATIONS, DIGITAL ANIMATION, VIDEO CLIPS, FILM FOOTAGE AND AUDIO DATA, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 9-0-2010; IN COMMERCE 9-0-2010.

OWNER OF U.S. REG. NO. 3,177,666.

THE COLOR(S) WHITE AND PURPLE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "ROKU" IN STYLIZED LETTERING IN WHITE ON A PURPLE BACKGROUND.

THE ENGLISH TRANSLATION OF "ROKU" IN THE MARK IS "SIX".

SER. NO. 85-660,716, FILED 6-25-2012.

CATHERINE ROEHL, EXAMINING ATTORNEY



Sean Street Lee

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.



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Word Mark ROKU

Translations The English translation of "ROKU" in the mark is "SIX".

Goods and Services IC 009. US 021 023 026 036 038. G & S: Computer hardware; computer peripherals; computer software for personalized, interactive television programming and accompanying manuals distributed therewith; computer software for use in generating, displaying and manipulating visual media, graphic images, photographs, illustrations, digital animation, video clips, film footage and audio data. FIRST USE: 20100900. FIRST USE IN COMMERCE: 20100900

Mark Drawing Code (5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM

Serial Number 85660716

Filing Date June 25, 2012

Current Basis 1A

Original Filing Basis 1A

Published for Opposition November 20, 2012

Registration Number 4286059

Registration Date February 5, 2013

Owner (REGISTRANT) Roku, Inc. CORPORATION DELAWARE 150 Winchester Circle Los Gatos CALIFORNIA 95032

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Jason Zedeck

Prior Registrations 3177666

Description The color(s) white and purple is/are claimed as a feature of the mark. The mark consists of the word "ROKU" in

of Mark stylized lettering in white on a purple background.

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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