

Trademark/Service Mark Application, Principal Register

Serial Number: 77604380

Filing Date: 10/30/2008

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77604380
MARK INFORMATION	
*MARK	ECOTOUCH
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	ECOTOUCH
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
APPLICANT INFORMATION	
*OWNER OF MARK	Open Energy Corporation
*STREET	514 Via de la Valle, Suite 200
*CITY	Solana Beach
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	92075
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Nevada
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	009
*DESCRIPTION	Home automation systems comprising controllers, controlled devices, and software for managing and monitoring energy consumption, security, and telecommunications
FILING BASIS	SECTION 1(b)
*INTERNATIONAL CLASS	038
*DESCRIPTION	Providing multiple-user access to a global computer network for use by home owners for the purpose of monitoring, managing and controlling home automation systems via a global computer network
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Susan Hwang
ATTORNEY DOCKET NUMBER	11JZ-142014
FIRM NAME	Sheppard, Mullin, Richter & Hampton LLP
STREET	333 South Hope Street, 48th Floor
CITY	Los Angeles
STATE	California

COUNTRY	United States
ZIP/POSTAL CODE	90071
PHONE	(213) 620-1780
FAX	(213) 620-1398
OTHER APPOINTED ATTORNEY	Carlo F. Van den Bosch, Darren Franklin, Bridgette Agness, Dennis Smith, Daniel Muniz
CORRESPONDENCE INFORMATION	
NAME	Susan Hwang
FIRM NAME	Sheppard, Mullin, Richter & Hampton LLP
STREET	333 South Hope Street, 48th Floor
CITY	Los Angeles
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	90071
PHONE	(213) 620-1780
FAX	(213) 620-1398
FEE INFORMATION	
NUMBER OF CLASSES	2
FEE PER CLASS	325
*TOTAL FEE DUE	650
*TOTAL FEE PAID	650
SIGNATURE INFORMATION	
SIGNATURE	/Dalton W. Sprinkle/
SIGNATORY'S NAME	DALTON W. SPRINKLE
SIGNATORY'S POSITION	General Counsel & Senior Vice President
DATE SIGNED	10/30/2008

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To the Commissioner for Trademarks:

MARK: ECOTOUCH (Standard Characters, see mark)

The literal element of the mark consists of ECOTOUCH.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Open Energy Corporation, a corporation of Nevada, having an address of 514 Via de la Valle, Suite 200, Solana Beach, California, United States, 92075, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 009: Home automation systems comprising controllers, controlled devices, and software for managing and monitoring energy consumption, security, and telecommunications

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 038: Providing multiple-user access to a global computer network for use by home owners for the purpose of monitoring,

managing and controlling home automation systems via a global computer network

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Susan Hwang and Carlo F. Van den Bosch, Darren Franklin, Bridgette Agness, Dennis Smith, Daniel Muniz of Sheppard, Mullin, Richter & Hampton LLP, 333 South Hope Street, 48th Floor, Los Angeles, California, United States, 90071 to submit this application on behalf of the applicant. The attorney docket/reference number is 11JZ-142014.

Correspondence Information: Susan Hwang

333 South Hope Street, 48th Floor

Los Angeles, California 90071

(213) 620-1780(phone)

(213) 620-1398(fax)

A fee payment in the amount of \$650 has been submitted with the application, representing payment for 2 class(es).

Declaration

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

Signature: /Dalton W. Sprinkle/ Date Signed: 10/30/2008

Signatory's Name: DALTON W. SPRINKLE

Signatory's Position: General Counsel & Senior Vice President

RAM Sale Number: 11483

RAM Accounting Date: 10/31/2008

Serial Number: 77604380

Internet Transmission Date: Thu Oct 30 17:10:25 EDT 2008

TEAS Stamp: USPTO/BAS-12.146.203.100-200810301710252

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