

**Trademark/Service Mark Application, Principal Register
Handwritten Signature****To the Commissioner for Trademarks:**

MARK: BEST BUY (stylized and/or with design, see mark)

The literal element of the mark consists of BEST BUY.

The applicant is not claiming color as a feature of the mark. The mark consists of the words "BEST BUY" and a tag design.

The applicant, Best Buy Enterprise Services, Inc., a corporation of Minnesota, having an address of B6 - Legal Department, 7601 Penn Avenue South, Richfield, Minnesota, United States, 55423, 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: Magnetic coded gift cards

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 035: Retail store services, including online retail store services, in the field of consumer electronics, major household appliances, home theater equipment, photographic equipment, cellular phones, telecommunications products and services, information technology products, video equipment, audio equipment, portable electronic devices and related accessories, personal computers and other home office products, imaging equipment, digital equipment, video and electronic games, video and electronic game equipment and accessories, entertainment furniture, computer software, entertainment software, compact discs, digital versatile discs or DVDs, audio and video recordings, ring tones, gift cards, books, magazines batteries, automotive audio equipment; Provision of product information and consumer advice relating to the foregoing; Promoting the sale of the goods and services of others through customer loyalty and incentive programs for retail customers; Promoting the use of credit cards through customer loyalty and incentive programs for retail customers; Retail sale of consumer electronics via automated kiosks

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 036: Credit card services; Pre-paid purchase card services, namely, processing electronic payments made through prepaid cards; Providing extended warranties on consumer electronics equipment and major household appliances

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 037: Installation, maintenance, and repair of consumer electronics, major household appliances, home theater equipment, photographic equipment, cellular phones, telecommunications products, information technology products, video equipment, audio equipment, portable electronic devices and related accessories, personal computers and other home office products, imaging equipment, digital equipment, video and electronic games, video game equipment and accessories, and automotive audio equipment

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: Information and advisory services relating to telecommunications products and services; providing access to music, video, software and video and electronic game files via the Internet and other telecommunications networks; Electronic transmission of streamed and downloadable audio and video files via the Internet and other telecommunications networks

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 041: Entertainment services, namely providing web sites and online databases featuring music, videos, ring tones, computer games, and other entertainment-related content; Providing online educational and entertainment publications, namely, reviews, articles, and product comparisons in the field of consumer electronics, major household appliances, home theater equipment, photographic equipment, cellular phones, telecommunications products and services, information technology products, video equipment, audio equipment, portable electronic devices and related accessories, personal computers and other home office products, imaging equipment, digital equipment, video and electronic games, video and electronic game equipment and accessories, entertainment furniture, computer software, entertainment software, compact discs, digital versatile discs or DVDs, audio and video recordings, ring tones, gift cards, books, magazines batteries, and automotive audio equipment

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 042: Providing a web site featuring temporary use of non-downloadable software allowing web site users to upload on-line videos and photos for sharing with others

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 claims ownership of U.S. Registration Number(s) 3416626, 2638360, 2196852, and others.

The applicant hereby appoints Michael S. Metteauer and Richard J. Groos, Shannon T. Vale, Alicia Morris Groos and any other attorneys with the law firm of Fulbright & Jaworski L.L.P., 600 Congress Avenue, Suite 2400, Austin, Texas, United States, 78701 to submit this application on behalf of the applicant. The attorney docket/reference number is BBUY:198-1.

Correspondence Information: Michael S. Metteauer

600 Congress Avenue, Suite 2400

Austin, Texas 78701

512.474.5201(phone)

512.536.4598(fax)

aotrademark@fulbright.com (authorized)

A fee payment in the amount of \$2275 will be submitted with the application, representing payment for 7 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 Section:

Signature: _____

Signatory's Name: Todd Hartman

Signatory's Position: Vice President

Date Signed: _____

8-29-08

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the boilerplate declaration language. Do **not** include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.