

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500
General Email: TTABInfo@uspto.gov

August 27, 2025

Cancellation No. 92089335
Registration No. 6995045

Yondr, Inc.

12503 Venice Blvd.

Los Angeles, CA 90066

Be Smarter LLC
v.

Yondr, Inc.

LEE BURTON HUNT
JACKSON WALKER LLP
777 MAIN ST.
SUITE NO. 2100
FORT WORTH, TX 76102

ESTTA1459130

NOTICE OF INSTITUTION

The petitioner (plaintiff) identified above has filed a petition to cancel the above-identified registration owned by respondent (defendant). This notice of institution is forwarded pursuant to Trademark Rules 2.113(b) and (c), and constitutes service of the petition to cancel on respondent. An electronic version of the petition to cancel is viewable on TTABVue at <https://ttabvue.uspto.gov/ttabvue/>. See Trademark Rule 2.113(a). The parties should diligently monitor this proceeding via TTABVue.

RESPONDENT MUST FILE ANSWER THROUGH ESTTA

As required in the schedule below, **respondent must file an answer within forty (40) days from the date of this order**. Failure to file a timely answer may result in the entry of default judgment and cancellation of the registration. Regarding when a deadline falls on a Saturday, Sunday or federal holiday, see Trademark Rule 2.196. Respondent must file the answer through ESTTA - Electronic System for Trademark Trials and Appeals, unless ESTTA is unavailable due to technical problems or extraordinary circumstances are present. An answer filed on paper under these limited circumstances must be accompanied by a Petition to the Director (and the required fee under Trademark Rule

2.6). See Trademark Rule 2.114(b)(1). In substance, respondent's answer must comply with Fed. R. Civ. P. 8(b); it must admit or deny the allegations in the petition to cancel, and may include available defenses and counterclaims. Regarding the form and content of an answer, see Trademark Rule 2.114(b)(2) and TBMP § 311.

DUTY TO MAINTAIN ACCURATE CORRESPONDENCE INFORMATION

Throughout this proceeding, the parties, and their attorneys or representatives, must notify the Board of any correction or update of physical address and email address, and should use the ESTTA change of address form. See Trademark Rule 2.18(b); TBMP § 117.

SERVICE OF ANSWER AND OF ALL SUBMISSIONS

The service of the answer, and all other submissions in this proceeding, and of all matters that are required to be served but not required to be filed in the proceeding record, **must** be by **email** unless the parties stipulate otherwise. Trademark Rule 2.119(b). In the absence of a stipulation, service may be by other means **only** under the **limited** circumstances and in a manner specified in Trademark Rule 2.119(b). Regarding the signing and service of all submissions, see TBMP §§ 113-113.04.

The answer, and all other submissions, **must** include proof of service. As noted in TBMP § 113.03, proof of service may be in the following certificate of service form:

*I hereby certify that a true and complete copy of the foregoing
(insert title of submission) has been served on (insert name of
opposing counsel or party) by forwarding said copy on (insert date
of mailing), via email (or insert other appropriate method of
delivery) to: (set out name, and address or email address of
opposing counsel or party).*

Signature _____

Date _____

SUBMIT ALL FILINGS ONLINE VIA ESTTA

Submissions **must** be filed via ESTTA, the Board's online filing system, unless ESTTA is unavailable due to technical problems or extraordinary circumstances are present. Trademark Rule 2.126(a). Submissions may be filed in paper form **only** under the **limited** circumstances specified in Trademark Rule 2.126(b), with a required written explanation. ESTTA is accessible at the Board's web page: <https://estta.uspto.gov/>. The page has instructions and tips. ESTTA offers various forms, some of which may require attachments and/or a fee. For technical questions, a party may call 571-272-8500 (Mon. - Fri. 8:30 - 5:00 ET) or email ESTTA@uspto.gov. This proceeding involves several deadlines, and due to potential technical issues, parties should not wait until the deadline to submit filings. The Board may **decline to consider** an untimely submission. Moreover, Trademark Rule 2.126 sets forth the required form and format for all submissions (e.g., page limitations), and the Board may **decline to consider** any submission that does not comply with this rule, including, but not limited to motions, briefs, exhibits, and deposition transcripts.

CONFERENCE, DISCOVERY, DISCLOSURE AND TRIAL SCHEDULE

Time to Answer	10/6/2025
Deadline for Discovery Conference	11/5/2025
Discovery Opens	11/5/2025
Initial Disclosures Due	12/5/2025
Expert Disclosures Due	4/4/2026
Discovery Closes	5/4/2026
Plaintiff's Pretrial Disclosures Due	6/18/2026
Plaintiff's 30-day Trial Period Ends	8/2/2026
Defendant's Pretrial Disclosures Due	8/17/2026
Defendant's 30-day Trial Period Ends	10/1/2026
Plaintiff's Rebuttal Disclosures Due	10/16/2026
Plaintiff's 15-day Rebuttal Period Ends	11/15/2026
Plaintiff's Opening Brief Due	1/14/2027
Defendant's Brief Due	2/13/2027
Plaintiff's Reply Brief Due	2/28/2027
Request for Oral Hearing (optional) Due	3/10/2027

PARTIES ARE REQUIRED TO HOLD DISCOVERY CONFERENCE

The parties are required to schedule and hold a discovery conference by the deadline in the schedule in this order, or as reset by the Board. In the conference, the parties are required to discuss, at a minimum, 1) the nature and basis of their claims and defenses, 2) the possibility of promptly settling, or at least narrowing the scope of claims or defenses, and 3) arrangements for disclosures, discovery, preserving discoverable information and introduction of evidence at trial. For guidance, see Fed. R. Civ. P. 26(f), Trademark Rule 2.120(a)(2)(i) and TBMP §§ 401.01 and 408.01(a).

The parties must hold the conference in person, by telephone or by a means on which they agree. A Board interlocutory attorney or administrative trademark judge will participate in the conference either upon request of any party made no later than ten (10) days prior to the conference deadline, or when the Board deems it useful to have Board involvement. See Trademark Rule 2.120(a)(2)(i). A request for Board participation must be made either through ESTTA, or by telephone call to the assigned interlocutory attorney named on the TTABVue record for this proceeding. A party requesting Board participation should first determine possible dates and times when all parties are available. A conference with a Board attorney's participation will be by telephone in accordance with the Board's instructions.

For efficiency, the parties may stipulate to various procedural and substantive disclosure, discovery and trial matters (e.g., modification of deadlines and obligations) upon written stipulation and approval by the Board. Trademark Rule 2.120(a)(2)(iv) provides a non-exhaustive list of matters to which parties may stipulate. The best practice is to reduce all stipulations to writing. If email service is not practical, such as for voluminous document production in discovery, the parties should discuss in the conference how production will be made. The parties, and their attorneys or representatives, have a **duty to cooperate** in the discovery process. TBMP § 408.01.

PROTECTIVE ORDER FOR CONFIDENTIAL INFORMATION

The Board's Standard Protective Order is automatically imposed in all *inter partes* proceedings, and is available at: <https://www.uspto.gov/trademarks-application-process/appealing-trademark-decisions/standard-documents-and-guidelines-0>. During their conference, the parties should discuss whether they will use an alternative or modified protective order, subject to approval by the Board. See Trademark Rule 2.116(g) and TBMP § 412. The standard order does not automatically protect confidential information; its provisions for designating confidential information must be utilized as needed by the parties. Trademark Rule 2.126(c) sets forth the procedure for filing confidential submissions.

ACCELERATED CASE RESOLUTION (ACR)

During their conference, the parties are to discuss whether they wish to seek mediation or arbitration, and whether they can stipulate to the Board's Accelerated Case Resolution (ACR) process for a more efficient and cost-effective means of obtaining the Board's determination of the proceeding. For details, and examples of ACR proceedings, see TBMP § 528, and the Board's webpage: <https://www.uspto.gov/ttab>.

INITIAL DISCLOSURES AND DISCOVERY

Regarding the deadline for and contents of initial disclosures, see Trademark Rules 2.120(a)(1) and (2)(i), and TBMP § 401.02. Regarding deadlines for serving and responding to discovery, see Trademark Rule 2.120(a)(3) and TBMP § 403.03. Certain provisions of Fed. R. Civ. P. 26 are applicable in modified form. Note that written discovery (interrogatories, requests for production, requests for admission) must be served **early** enough so that responses will be due **no later than** the close of discovery. Regarding the scope and limits of discovery, see TBMP 414; discoverable items may include documents, tangible things, and electronically stored information (ESI).

MOTIONS

Certain provisions of Fed. R. Civ. P. 11 apply to all submissions in Board proceedings. See TBMP § 527.02. Regarding available motions, see TBMP Chapter 500. Regarding applicable deadlines to respond to motions, depending on the motion filed, see Trademark Rules 2.127(a) and (e)(1). When a party timely files a potentially dispositive motion the proceeding is suspended with respect to all matters not germane to the motion. See Trademark Rule 2.127(d). In addressing motions or other filings, if it appears to the Board that a telephone conference would be beneficial, or upon request of one or both parties, the Board may schedule a conference. See Trademark Rule 2.120(j)(1) and TBMP § 502.06(a).

PRETRIAL DISCLOSURES, TRIAL AND BRIEFING

Regarding the procedures and deadlines for pretrial disclosures and trial, and specifically the noticing, taking, serving and submitting of evidence and testimony, see Trademark Rules 2.120(k), 2.121, 2.122, 2.123 and 2.125, as well as TBMP Chapter 700. The parties should review these authorities. For example: witness testimony may be submitted in the form of affidavit or declaration subject to the right to oral cross examination; transcripts of testimony depositions, with exhibits, must be served on each adverse party within thirty (30) days after completion of taking the testimony; certified transcripts and exhibits must be filed, with notice of such filing served on each adverse

party; and all notices of reliance must be submitted during the submitting party's assigned testimony period and must indicate generally the relevance the evidence and associate it with one or more issues.

Main briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing is not required, but will be scheduled upon separate notice timely filed pursuant to Trademark Rule 2.129(a). Regarding briefs and oral hearings, *see* TBMP §§ 801-802.

LEGAL RESOURCES AVAILABLE AT WEB PAGE

For a general description of Board proceedings, *see* TBMP §102.03. Proceedings are governed by the Trademark Rules of Practice in Parts 2 and 7 of Title 37 of the Code of Federal Regulations. These rules, the Manual of Procedure (TBMP), information on Accelerated Case Resolution (ACR) and Alternative Dispute Resolution (ADR), and many Frequently Asked Questions, are available on the Board's web page, at:

<https://www.uspto.gov/ttab>. The parties should check the web page for important changes, announcements, etc., many of which apply to proceedings already in progress.

PARTIES NOT REPRESENTED BY COUNSEL

This proceeding is similar to a civil action in a federal district court and can be complex. The Board **strongly** advises all parties to secure the services of an attorney who is familiar with trademark law and Board procedure. The Board cannot aid in the selection of an attorney. *See* TBMP § 114.02. The Board requires strict compliance with all applicable authorities whether or not the party is represented by counsel.

NOTIFY BOARD OF ALL PENDING ACTIONS

If the parties are, or during the pendency of this proceeding become, parties in another Board proceeding or a civil action involving the same or related marks, or involving any issues of law or fact which are also in this proceeding, they shall notify the Board immediately. *See* Trademark Rule 2.106(b)(3)(i). The Board will consolidate and/or suspend related Board proceedings, as appropriate. *See* Trademark Rule 2.117(c); TBMP §§ 510 and 511.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

Petitioner information

Name	Be Smarter LLC		
Entity	limited liability company	Incorporated or registered in	TX
Address	605 E. UNIVERSITY AVE. SUITE 101 GEORGETOWN, TX 78626 UNITED STATES		
Attorney information	LEE BURTON HUNT JACKSON WALKER LLP 777 MAIN ST. SUITE NO. 2100 FORT WORTH, TX 76102 UNITED STATES Primary email: lhunt@jw.com Secondary email(s): agollwitzer@jw.com, bgutierrez@jw.com, lhuntipdock-et@jw.com, lpeschel@jw.com 8173347288		
Docket no.	168799.00002		

Registration subject to cancellation

Registration no.	6995045	Registration date	03/07/2023
Register	Principal		
Registrant	Yondr, Inc. 12503 VENICE BLVD. LOS ANGELES, CA 90066 United States		

Goods/services subject to cancellation

Class 009. First Use: Aug 19, 2014 First Use In Commerce: Aug 19, 2014
All goods and services in the class are subject to cancellation, namely: Cases adapted for cameras; Cases adapted for computers; Cases adapted for holding smartwatches; Cases adapted for mobile phones; Cases adapted for photographic equipment

Grounds for cancellation

The mark comprises matter that, as a whole, is functional	Trademark Act Sections 14(1) and 2(e)(5)
The mark is not inherently distinctive and has not acquired distinctiveness	Trademark Act Sections 14(1) and 1,2 and 45; and Section 2(f)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp.,

	580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
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Related proceedings	Yondr, Inc. v. Be Smarter LLC, et. al., Case No. 1:24-cv-01326-ADA, Western District of Texas.
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Attachments	Final Petition to Cancel.pdf(239027 bytes) Final Petition to Cancel Exhibits A - C .pdf(4710277 bytes) Final Petition to Cancel Exhibits D - F .pdf(5645919 bytes)
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Signature	/Lee B. Hunt/
Name	Lee B. Hunt
Date	08/27/2025

**In the Matter of Registration No. 6,995,045
For the Mark: [Product Configuration]
Registered: March 7, 2023**

Petition to Cancel

As grounds for cancellation, Petitioner alleges as follows:

Background

1. Petitioner's principal place of business is 605 E. University Ave, Suite 101, in Georgetown, Texas.
2. Petitioner manufactures and sells pouches that utilize a magnetic locking system to safely and securely store mobile devices during school hours to prevent student distraction.
3. Petitioner has offered these goods under the mark "CELLOCKED" since at least as early as August 2024.
4. Petitioner is informed and believes, and thereon alleges, that Registrant is a Delaware corporation with its principal place of business at 12503 Venice Boulevard, in Los Angeles, California.
5. Registrant sells pouches that utilize a magnetic locking system to safely and securely store mobile devices.
6. Registrant claims it markets its goods to a variety of industries, including education; accordingly, Petitioner and Registrant are direct competitors.
7. Upon information and belief, Registrant holds at least four (4) U.S. patents related to the '045 Registration's mark, each attached hereto in **Exhibit B**.
8. Registrant is the current assignee for U.S. Patent No. 9,819,788, filed April 21, 2015, and issued November 14, 2017 ("788 Patent").
9. Registrant is the current assignee for U.S. Patent No. 10,623,957, filed September 14, 2017, and issued April 14, 2020 ("957 Patent").
10. Registrant is the current assignee for U.S. Patent No. 12,133,074, filed March 9, 2020, and issued October 29, 2024 ("074 Patent").
11. Registrant is the current assignee of U.S. Patent No. 12,133,078, filed March 14, 2024, and issued October 29, 2024 ("078 Patent").

12. Both the '788 and '957 Patents list the “Attorney, Agent, or Firm” as “Omni Legal Group; Omid E. Khalifeh.”

13. The USPTO has recorded assignments for the four (4) patents above from inventor Graham Dugoni to Registrant, effective August 23, 2022.

14. The assignment recordation document for the '788, '957, and '078 Patents (Reel/Frame No. 060874-0005) lists the correspondent as “Omid E. Khalifeh.” **Exhibit C.**

15. Registrant began touting its locking pouch as a “patented system” at least as early as 2017, and it continues to do so today.

16. On October 31, 2024, Registrant filed an action for trademark infringement, patent infringement, and unfair competition against Petitioner in the United States District Court for Western District of Texas, *Yondr, Inc. v. Be Smarter LLC, et. al.*, currently assigned Case No. 1:24-cv-01326-ADA alleging, *inter alia*, that Petitioner’s goods infringe Registrant’s ’045 Registration and the ’788 and ’078 Patents. *See Exhibit D.*

17. In the lawsuit, Registrant alleges that its “***Registered Product Configuration Mark covers the Yondr Pouch.***” **Exhibit D at ¶ 24** (emphasis added). Registrant also alleges that its pouch is “***covered by one or more U.S. patents, including U.S. Patent Nos. 9,819,788 and 10,623,957.***” **Exhibit D at ¶ 39** (emphasis added).

18. On its website, Registrant touted its allegedly patented system on November 7, 2022, stating “Yondr uses a patented system to create phone-free spaces for artists, educators, organizations and individual.”

19. On December 13, 2021, Registrant filed U.S. Trademark Application No. 97/170,045 (’045 Application”), which sought to register a three-dimensional configuration of its goods for use with “Cases adapted for cameras; Cases adapted for computers; Cases adapted for

holding smartwatches; Cases adapted for mobile phones; Cases adapted for photographic equipment” in International Class 009. *See Exhibit A.*

20. The '045 Application made no claim to color and contained no literal or design elements. *See Exhibit A.*

21. The '045 Application sought registration on the Principal Register under Lanham Act § 2(f), based on five years' use and actual evidence. *See Exhibit A.*

22. Upon information and belief, all the pouches Registrant offers include Registrant's name or logo.

23. Upon information and belief, Registrant offers no products for which it relies exclusively on product-configuration to designate source, nor does it utilize “look-for” advertising to direct consumers towards elements of its product design.

24. Omid E. Khalifeh of Omni Legal Group is the attorney identified in the '045 Application.

25. Associate attorney Ariana Santoro of Omni Legal Group signed the '045 Application.

26. During examination of the '045 Application, the assigned trademark examining attorney issued a non-final office action on October 6, 2022 (the “Office Action”). **Exhibit E.**

27. The Office Action required Registrant provide specific information about the mark and goods, pursuant to 37 C.F.R. §2.61(b). *See Exhibit E.*

28. The requirement stated, “[Registrant] must provide the following information and documentation regarding the applied-for three-dimensional configuration mark: (1) A written statement as to whether the applied-for mark, or any feature(s) thereof, is or has been the subject of a design or utility patent or patent application, including expired patents and abandoned patent

applications. [Registrant] must also provide copies of the patent and/or patent application documentation.” See **Exhibit E**.

29. The Office Action further required “A written statement as to whether the product design or packaging design at issue results from a comparatively simple or inexpensive method of manufacture in relation to alternative designs for the product/container. [Registrant] must also provide information regarding the method and/or cost of manufacture relating to applicant’s goods.” See **Exhibit E**.

30. On November 11, 2022, Registrant filed its response to the Office Action.
Exhibit F.

31. In that response, Registrant stated “the applied-for trademark design has not been claimed in any US or foreign patent filings[.]” See **Exhibit F**.

32. Registrant also stated, “[U]pon information and belief, the applied-for trademark design does not result from a comparatively simple or inexpensive method of manufacture in relation to alternative designs[.]” See **Exhibit F**.

33. Registrant did not provide copies of its patents, patent applications, nor information regarding the method or cost of manufacture relating to its goods to the trademark examining attorney, as required. See **Exhibit F**.

34. Had Registrant disclosed this information or its patents, as required, the ’045 Registration would have been refused under Lanham Act § 2(e)(5).

35. Registrant did not disclose this information.

36. The ’045 Registration issued March 7, 2023. See **Exhibit A**.

Claim 1: Functionality

37. Petitioner re-alleges paragraphs 1 through 36, above, as though set forth herein.

38. The ’045 Registration describes the subject mark as follows:

“Color is not claimed as a feature of the mark. The mark consists of the three-dimensional configuration of a pouch for mobile computing devices. The pouch features tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch. The broken lines depicting the outer edges and top of the pouch indicate placement of the mark on the goods and are not part of the mark.”

39. Registrant’s lawsuit against Petitioner alleges that Petitioner’s goods infringe Registrant’s ’045 Registration and the ’788 and ’078 Patents.

40. Registrant’s complaint states that its “Registered Product Configuration Mark covers the Yondr Pouch.” **Exhibit B** at ¶ 24. Registrant also alleges that its pouch is “covered by one or more U.S. patents, including U.S. Patent Nos. 9,819,788 and 10,623,957.” **Exhibit B** at ¶ 39.

41. The ’045 Registration’s mark is functional, the function of which is disclosed in its patents and its statements.

42. Registrant is asserting trademark rights in a product configuration that it also claims is functional, making such product-configuration ineligible for trademark protection.

43. The locking system of the Registration’s mark has no unique or distinctive elements; it is nothing more than its function.

44. The “bump” style design is shaped as such to absorb or accommodate the locking pin, which functions to keep the device closed and the device inside inaccessible.

45. It results from a simple or inexpensive method of manufacturing the goods.

46. In sum, the functionality of the ’045 Registration’s mark is grounds for cancellation under 15 U.S.C. §§ 1052(e)(5), 1064(3); TBMP § 309.03(c)(1).

47. As set forth above, Registrant’s claims of infringement of a functional configuration against Petitioner have caused Petitioner harm.

48. The '045 Registration should be cancelled.

Claim 2: Fraud on the USPTO

49. Petitioner re-alleges paragraphs 1 through 48, above, as though set forth herein.

50. On August 23, 2022, Registrant recorded an assignment with the USPTO, evincing its ownership of multiple patents and a patent application for its goods in the '045 Application.

51. On October 6, 2022, the USPTO's trademark examining attorney reviewing the '045 Application issued an Office Action that required Registrant to disclose "whether the applied-for mark, or any feature(s) thereof, is or has been the subject of a design or utility patent or patent application, including expired patents and abandoned patent applications." The examining attorney also required that Registrant "must also provide copies of the patent and/or patent application documentation." **Exhibit E.**

52. On November 11, 2022, Registrant affirmatively stated that "the applied-for trademark design has not been claimed in any US or foreign patent filings[.]" despite having recorded its patents with the USPTO less than three (3) months earlier. *See Exhibits D, F.*

53. Registrant's false representation is material because Registrant avoided the trademark examining attorney's functionality refusal of its mark under Lanham Act § Section 2(e)(5). *See* TMEP § 1202.02(a).

54. Accordingly, Registrant knowingly made false representations of material facts to the USPTO, with the intent to deceive the USPTO into registering a functional configuration as a trademark.

55. The USPTO relied on the false representations and issued to Registrant the '045 Registration.

56. Registrant now seeks to rely on the improperly issued '045 Registration, which it deceived the USPTO into issuing, to harm Petitioner's business interests.

57. This constitutes fraud on the USPTO.

58. The '045 Registration should be cancelled.

Claim 3: No Acquired Distinctiveness

59. Petitioner re-alleges paragraphs 1 through 58, above, as though set forth herein.

60. Because the elements to which the '045 Registration pertain are functional, they are not uniquely associated with Registrant.

61. Upon information and belief, Registrant has not engaged in sufficient “look-for” advertising, directing consumers to unique or distinctive elements of its trade dress that sets it apart from competitors.

62. Registrant’s evidence of acquired distinctiveness was improperly made of record in the '045 Application because it lacks the requisite time stamp and URL to confirm its validity. *See* TMEP § 710.01(b).

63. That evidence only highlights the product name and displays photos of the goods; it does not direct attention to unique or source-identifying elements of the product’s shape or configuration.

64. Registrant’s claim of five-years’ use and its evidence, improperly made of record, are insufficient to establish acquired distinctiveness of product design.

65. Accordingly, Registrant’s mark had not acquired distinctiveness on the date of registration and should be cancelled.

Prayer

Wherefore, Petitioner respectfully requests that the Board cancel Registration No. 6,995,045 in its entirety.

Filing Fee

Petitioner submits herewith payment of the applicable filing fee for this petition to cancel.

Dated: August 27, 2025

Respectfully submitted,

JACKSON WALKER L.L.P.

By: /Arthur Gollwitzer/

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Members in Good Standing

JACKSON WALKER LLP

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Austin, Texas 78701

*Attorneys for Petitioner
Be Smarter, LLC*

Exhibit A

Generated on: This page was generated by TSDR on 2025-08-25 15:49:02 EDT

Mark:



US Serial Number: 97170045

Application Filing Date: Dec. 13, 2021

US Registration Number: 6995045

Registration Date: Mar. 07, 2023

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Mar. 07, 2023

Publication Date: Dec. 20, 2022

Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S) /NUMBER(S)

Description of Mark: The mark consists of the three-dimensional configuration of a pouch for mobile computing devices. The pouch features tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch. The broken lines depicting the outer edges and top of the pouch indicate placement of the mark on the goods and are not part of the mark.

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

Acquired Distinctiveness Claim: In whole

Design Search Code(s): 19.01.25 - Bags, bowling; Bags, camera; Boot bags, ski; Bowling bags; Cosmetic cases; Doctor's bags; Hat boxes; Medical bags; Saddle bags; Tote bags

Related Properties Information

International Registration Number: 1716451

International Application(s) /Registration(s) Based on this: A0131412/1716451

Property:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Cases adapted for cameras; Cases adapted for computers; Cases adapted for holding smartwatches; Cases adapted for mobile phones; Cases adapted for photographic equipment

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

First Use: Aug. 19, 2014

Use in Commerce: Aug. 19, 2014

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Yondr, Inc.

Owner Address: 12503 Venice Blvd.
Los Angeles, CALIFORNIA UNITED STATES 90066

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Monica Riva Talley

Docket Number: 5668.0320000

Attorney Primary Email Address: tm@sternekessler.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Monica Riva Talley
Sterne, Kessler, Goldstein & Fox P.L.L.C.
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Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 08, 2025	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 08, 2025	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 08, 2025	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 08, 2025	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
May 08, 2025	TEAS CHANGE OF OWNER ADDRESS RECEIVED	

Feb. 22, 2024	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Feb. 22, 2024	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
Feb. 22, 2024	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
Nov. 27, 2023	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Nov. 27, 2023	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
Nov. 27, 2023	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
Nov. 27, 2023	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
Nov. 27, 2023	TEAS CHANGE OF OWNER ADDRESS RECEIVED
Mar. 07, 2023	NOTICE OF REGISTRATION CONFIRMATION EMAILED
Mar. 07, 2023	REGISTERED-PRINCIPAL REGISTER
Feb. 09, 2023	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED
Feb. 09, 2023	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Feb. 09, 2023	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
Feb. 09, 2023	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
Feb. 09, 2023	TEAS CHANGE OF OWNER ADDRESS RECEIVED
Dec. 20, 2022	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED
Dec. 20, 2022	PUBLISHED FOR OPPOSITION
Nov. 30, 2022	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED
Nov. 17, 2022	APPROVED FOR PUB - PRINCIPAL REGISTER
Nov. 12, 2022	TEAS/EMAIL CORRESPONDENCE ENTERED
Nov. 11, 2022	CORRESPONDENCE RECEIVED IN LAW OFFICE
Nov. 11, 2022	TEAS RESPONSE TO OFFICE ACTION RECEIVED
Oct. 06, 2022	NOTIFICATION OF NON-FINAL ACTION E-MAILED
Oct. 06, 2022	NON-FINAL ACTION E-MAILED
Oct. 06, 2022	NON-FINAL ACTION WRITTEN
Aug. 04, 2022	TEAS CHANGE OF CORRESPONDENCE RECEIVED
Aug. 04, 2022	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED
Aug. 04, 2022	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED
Jul. 06, 2022	ASSIGNED TO EXAMINER
Dec. 18, 2021	NOTICE OF DESIGN SEARCH CODE E-MAILED
Dec. 17, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED
Dec. 16, 2021	NEW APPLICATION ENTERED

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 07, 2023

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Yondr, Inc.

Assignment 1 of 1

Conveyance: SECURITY INTEREST

Reel/Frame: [8900/0847](#)

Pages: 14

Date Recorded: Jun. 17, 2025

Supporting Documents: [assignment-tm-8900-0847.pdf](#)

Assignor

Name: [YONDR, INC.](#)

Execution Date: Jun. 16, 2025

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [JPMORGAN CHASE BANK, N.A.](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country UNITED STATES
Where Organized:

Address: 50 ROWES WHARF, FLOOR 2
BOSTON , MASSACHUSETTS 02110

Correspondent

Correspondent KHADIJAH SAMPSON
Name:

Correspondent 1025 CONNECTICUT AVE NW, SUITE 712
Address: WASHINGTON, DC 20036

Domestic Representative - Not Found

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 97170045
Filing Date: 12/13/2021

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	\\TICRS\EXPORT18\IMAGEOUT18\971\700\97170045\xml1 \FTK0002.JPG
*SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
*COLOR MARK	NO
*COLOR(S) CLAIMED (If applicable)	
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a distinctive 3-dimensional configuration for pouches or packaging adapted to contain mobile computing devices, featuring tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch.
PIXEL COUNT ACCEPTABLE	YES
PIXEL COUNT	503 x 739
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Yondr, Inc.
*MAILING ADDRESS	330 N BRAND BLVD, SUITE 700
*CITY	Glendale
*STATE (Required for U.S. applicants)	California
*COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	91203
*EMAIL ADDRESS	XXXX
LEGAL ENTITY INFORMATION	

*TYPE	CORPORATION
* STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY OF INCORPORATION	Delaware
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	009
*IDENTIFICATION	Cases adapted for cameras; Cases adapted for computers; Cases adapted for holding smartwatches; Cases adapted for mobile phones; Cases adapted for photographic equipment
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/19/2014
FIRST USE IN COMMERCE DATE	At least as early as 08/19/2014
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0-389335134-2021121319 3440831318_ _Yondr_specimen.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT18\IMAGEOUT18\971\700\97170045\xml1\ FTK0003.JPG
	\\TICRS\EXPORT18\IMAGEOUT18\971\700\97170045\xml1\ FTK0004.JPG
SPECIMEN DESCRIPTION	Applicant's mark in use with the applied-for goods
WEBPAGE URL	www.veryondr.com
WEBPAGE DATE OF ACCESS	12/13/2021
ADDITIONAL STATEMENTS SECTION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
SECTION 2(f) Claim of Acquired Distinctiveness, BASED ON EVIDENCE	The mark has become distinctive of the goods/services, as demonstrated by the attached evidence.
2(f) EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	e2f-389335134-193440831_ _2f_evidence.pdf
CONVERTED PDF FILE(S) (11 pages)	\\TICRS\EXPORT18\IMAGEOUT18\971\700\97170045\xml1\ FTK0005.JPG
	\\TICRS\EXPORT18\IMAGEOUT18\971\700\97170045\xml1\ FTK0006.JPG
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	18\971\700\97170045\xml1\FTK0009.JPG
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	\\TICRS\EXPORT18\IMAGEOUT 18\971\700\97170045\xml1\FTK0015.JPG
MISCELLANEOUS STATEMENT	The Section 2(f) evidence attached shows a selection of excerpts from news articles from various reputable sources across the world and over the years which reference and depict the distinctive 3-dimensional configuration for pouches or packaging adapted to contain a variety of mobile computing devices.
SECTION 2(f) Claim of Acquired Distinctiveness, based on Five or More Years' Use	The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use of the mark in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.
ATTORNEY INFORMATION	
NAME	Omid E. Khalifeh
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Omni Legal Group
STREET	2029 Century Park East, Suite 400
CITY	Los Angeles
STATE	California
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	90067
PHONE	310-276-6664
EMAIL ADDRESS	info@omnilegalgroup.com
CORRESPONDENCE INFORMATION	
NAME	Omid E. Khalifeh
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	info@omnilegalgroup.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus

NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	250
*TOTAL FEES DUE	250
*TOTAL FEES PAID	250
SIGNATURE INFORMATION	
* SIGNATURE	/Ariana Santoro/
* SIGNATORY'S NAME	Ariana Santoro
* SIGNATORY'S POSITION	Associate Attorney, Omni Legal Group, California Bar member
SIGNATORY'S PHONE NUMBER	310-276-6664
* DATE SIGNED	12/13/2021
SIGNATURE METHOD	Signed directly within the form

Trademark/Service Mark Application, Principal Register**TEAS Plus Application****Serial Number: 97170045****Filing Date: 12/13/2021****To the Commissioner for Trademarks:**

MARK: (Stylized and/or Design, see [mark](#)) The applicant is not claiming color as a feature of the mark. The mark consists of a distinctive 3-dimensional configuration for pouches or packaging adapted to contain mobile computing devices, featuring tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch. The applicant, Yondr, Inc., a corporation of Delaware, having an address of

330 N BRAND BLVD, SUITE 700

Glendale, California 91203

United States

XXXX

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, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 009: Cases adapted for cameras; Cases adapted for computers; Cases adapted for holding smartwatches; Cases adapted for mobile phones; Cases adapted for photographic equipment

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 009, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 08/19/2014, and first used in commerce at least as early as 08/19/2014, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Applicant's mark in use with the applied-for goods.

Original PDF file:[SPE0-389335134-2021121319 3440831318 . _Yondr_specim en.pdf](#)**Converted PDF file(s) (2 pages)**[Specimen File1](#)[Specimen File2](#)Webpage URL: www.veryondr.com

Webpage Date of Access: 12/13/2021

SECTION 2(f) Claim of Acquired Distinctiveness, BASED ON EVIDENCE

The mark has become distinctive of the goods/services, as demonstrated by the attached evidence.

The applicant submits the following evidence to support the §2(f) claim:

Original PDF file:[e2f-389335134-193440831 . 2f_evidence.pdf](#)**Converted PDF file(s) (11 pages)**[2\(f\)_evidence-1](#)[2\(f\)_evidence-2](#)[2\(f\)_evidence-3](#)

[2\(f\) evidence-4](#)
[2\(f\) evidence-5](#)
[2\(f\) evidence-6](#)
[2\(f\) evidence-7](#)
[2\(f\) evidence-8](#)
[2\(f\) evidence-9](#)
[2\(f\) evidence-10](#)
[2\(f\) evidence-11](#)

Miscellaneous Statement

The Section 2(f) evidence attached shows a selection of excerpts from news articles from various reputable sources across the world and over the years which reference and depict the distinctive 3-dimensional configuration for pouches or packaging adapted to contain a variety of mobile computing devices.

SECTION 2(f) Claim of Acquired Distinctiveness, based on Five or More Years' Use

The mark has become distinctive of the goods/services through the applicant's substantially exclusive and continuous use of the mark in commerce that the U.S. Congress may lawfully regulate for at least the five years immediately before the date of this statement.

The owner's/holder's proposed attorney information: Omid E. Khalifeh. Omid E. Khalifeh of Omni Legal Group, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

2029 Century Park East, Suite 400
Los Angeles, California 90067
United States
310-276-6664(phone)
info@omnilegalgroup.com

Omid E. Khalifeh submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current Correspondence Information:

Omid E. Khalifeh

PRIMARY EMAIL FOR CORRESPONDENCE: info@omnilegalgroup.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the applicant owner/holder and the applicant owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$250 has been submitted with the application, representing payment for 1 class(es).

Declaration

☒ **Basis:**

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce and was in use in commerce as of the filing date of the application on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application and was used on or in connection with the goods/services in the application as of the application filing date; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

And/Or

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
- The applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods/services in the application; and

- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- ☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Ariana Santoro/ Date: 12/13/2021

Signatory's Name: Ariana Santoro

Signatory's Position: Associate Attorney, Omni Legal Group, California Bar member

Signatory's Phone Number: 310-276-6664

Signature method: Signed directly within the form

Payment Sale Number: 97170045

Payment Accounting Date: 12/13/2021

Serial Number: 97170045

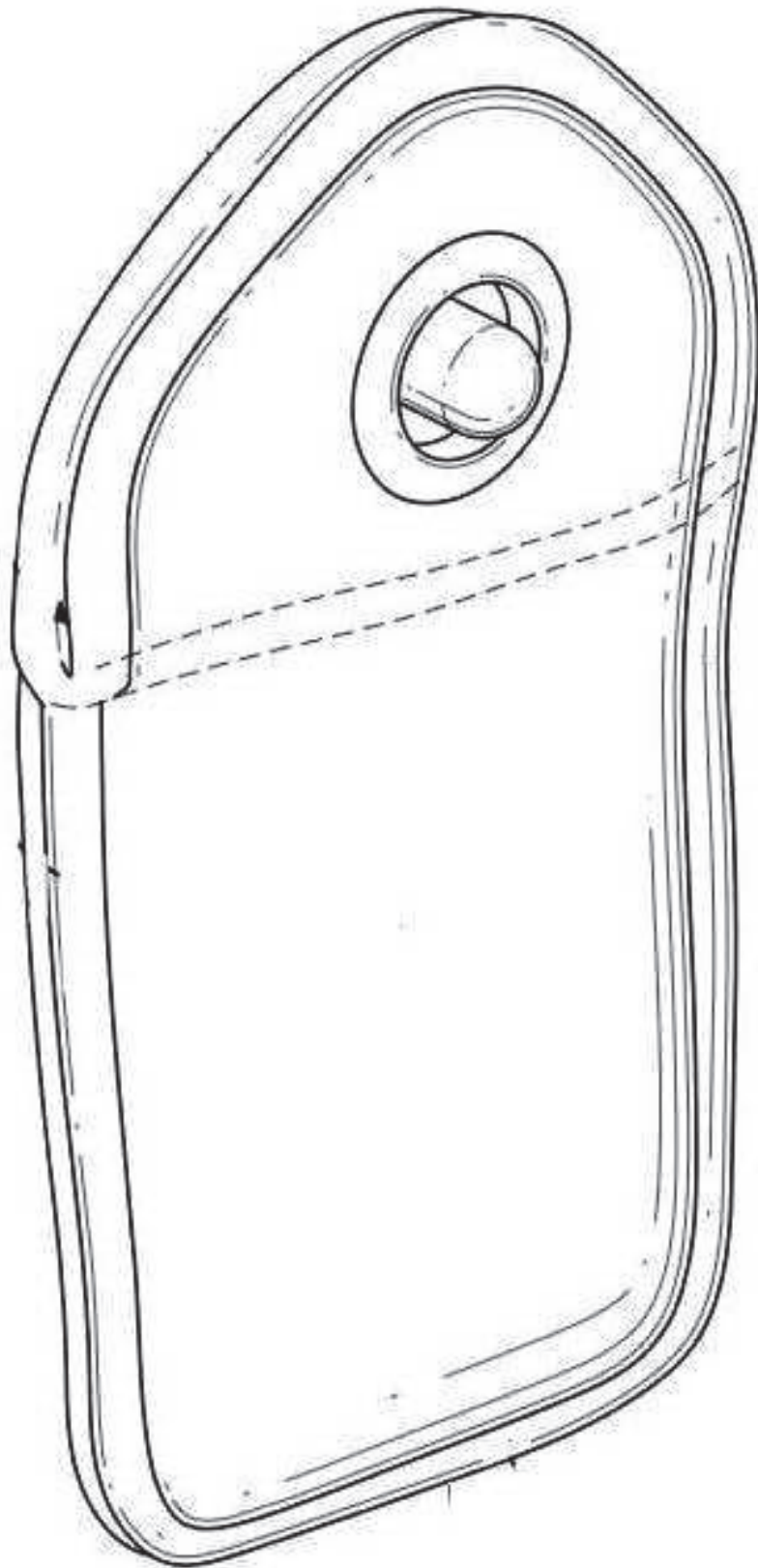
Internet Transmission Date: Mon Dec 13 20:30:10 ET 2021

TEAS Stamp: USPTO/FTK-XX.XX.XX.XXX-20211213203010513

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9565ecce2cb2c66676a61209d6dd9776c27-CC-3

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ENTERTAINMENT

Alicia Keys is making her events phone free with Youndr pouches

By Geoff Edgers



Youndr is a gray, rubbery pouch that locks your phone while in a London (LACP Photo / Reform Mark Schuler)

Washington Post
By Geoff Edgers

On a cool, Manhattan night, DJ Watson, who helps manage Alicia Keys, steps outside the Highline Ballroom to tell the guy at the door who, exactly, he may allow to bring a cellphone into the singer's sold-out gig. The list is very short.

"Like Queen Latifah," says Watson.

Benj Spanier nods and spreads the news to everybody else. This is a "phone-free event," he tells fans waiting in line. And that doesn't mean airplane mode. Spanier holds a gray, rubbery pouch in his hand. Your phone goes in here, he says, and then we lock it.

"What?" one fan grumbles.

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Lock Screen: At These Music Shows, Phones Go In A Pouch And Don't Come Out

July 5, 2016 10:40 AM ET
Heard on Morning Edition

NPR STAFF



Congressman John Garamendi during a folk harmony concert March 24, 2015, in New York. The company Yondr creates a locking pouch for fans to keep their smartphones, avoiding a "phone-free zone."

Before the folk rock band The Lumineers released their newest album, *Cleopatra*, in April, they played a series of secret shows. Emphasis here on "secret."

"There was a large concern about the album being sort-of released via grainy video and leaked out online," said Wesley Schultz, the band's lead singer.

So the band decided to lock up people's phones — not take them away, exactly, but just lock them up for the show. Like a timeout.



THE LUMINEERS
A New Album Haven't Could
Music Fans Have Spent At
Phone

At the concerts, The Lumineers started working with a company called Yondr, which created a locking pouch for people to hold their phones in during performances. Audience members keep the pouches with them, and they stay sealed as long as they're outside an established "phone-free zone," but unlock outside of that.

Schultz said he was surprised at how well it works.

"If you can set it up so that people can't get to their phones as easily or are deterred, people actually really welcome that," he said. "It's just such a strong force of habit in our lives right now."



Phone owners are asked to place the phones in red bags
before the start of performances.
Garamendi photo

Schultz has taken it a step further and adopted the mentality in his personal life. At his wedding, he and his wife asked guests to check their phones at the door.

"It wasn't because of any sort of a, 'I don't want photos of anyone at the wedding' — it was more, we wanted people to be present," he said.

That's become somewhat of a mantra for entertainers these days.

As Beyoncé herself told fans at a recent show, "Y'all gotta put the camera phones down for one second and actually enjoy this moment."



THINGS TO DO

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Dave Chappelle and Jon Stewart Are Coming to Boston

The duo will perform together for three nights at the Wang.

by **SPENCER WHEELER** 2018/05/15, 10:00 AM

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Photo: Justin Sullivan/Getty Images; Photo: Justin Sullivan/Getty Images

Yep, you read that right. Dave Chappelle and Jon Stewart are going on tour, together, and they're coming to Boston.

Their first stop of a seven-night tour will be at the Wang Theatre, where they are set to perform for three nights, June 11-13, the Book Center [announced this week](#).

The two mega-stars of comedy, who both once hosted popular shows on Comedy Central, don't often appear on stage together. Stewart did, however, make a [surprise appearance](#) at a Chappelle show at Radio City Music Hall in August. After Boston, the pair will perform two nights in El Paso and two nights in Houston and two nights in El Paso.

The tour comes after Chappelle starred in four comedy specials over the past two years on Netflix. Stewart is also preparing for [an upcoming HBO comedy special](#), his first since 1996.

The Wang will be on serious smartphone lock-down for the event. Recording device will be banned, and "Upon arrival, all phones and smart watches will be secured in [Yondr](#) pouches that will be unlocked at the end of the show," the Book Center [wrote on its website](#). "Guests maintain possession of their phones throughout the night, and if needed, may access their phones at designated [Yondr](#) unlocking stations in the lobby."

Tickets, which start at \$79.95, go on sale on Friday, but will only be available to people who register via [Ticketmaster Verified Fan](#) by Wednesday at 10 p.m., which is an attempt to keep tickets away from scalpers and online resellers.

TRENDING

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Katie Brigham
@KatieBrigham

SHARE f t in



With the help of tech start-up Yondr, San Lorenzo High School in California has banned cellphone use during the school day.

Since the last school year, students have been required to keep their phones in Yondr's locking pouches from 8 a.m. until school lets out at 3:10 p.m.

Yondr CEO Graham Dugoni was inspired to create the pouches after noticing that people at some concerts he was attending were more absorbed with their phones than with the music. Performers have flocked to the concept, with comedians such as Dave Chappelle, Jack White and Chris Rock using Yondr at their shows.

More educators are taking note, and Yondr says it has partnerships with

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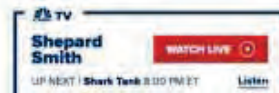
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Brent Benchmark Complex: Evolving Necessity



With the help of tech start-up Yondr, San Lorenzo High School in California has banned cellphone use during the school day.

Since the last school year, students have been required to keep their phones in Yondr's locking pouches from 8 a.m. until school lets out at 3:10 p.m.

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and requires an unlocking base to open," Stansbury wrote. "When students enter the classroom, they will place their phone in a Yondr case which is then locked. Students maintain possession of their phones but will not be able to use them until they are unlocked at the end of the school day."

The hope through this partnership, Stansbury wrote, is among several things make students less dependent on electronics to do classwork and less likely to engage in conversations around bullying.

Yondr's partnership with school in the state is not unfamiliar. The company was founded in 2014.

"To me, it's natural that when a radical new technology comes along, it's going to take society some time to develop a new social etiquette and develop new responses," Graham Dugoni, the company's founder, previously said.

Schools in the state that have contracted with Yondr include the Moriah School in Englewood, and KIPP (Knowledge is Power Program) Newark Collegiate Academy and KIPP Rise Academy, both of which are Newark charter schools.

Kids are so addicted to their phones," Chris Bonner, director of campus operations for KIPP Newark Collegiate Academy previously said. "The draw of wanting to touch the device at critical times of the day is not conducive to educating our kids."



Cell phones were banned at the Chino Rock concert at Fantasy Springs Resort Casino, so guests had to put them into a Yondr pouch that locks them during the show. Xochitl Pena/The Desert Sun

Advertisement for Acme Sewing Machines. The ad features the Acme logo and contact information: 973-696-1784, 24-26 Newark Pompton Tpk., Pequannock, NJ 07440. It also lists various sewing machine models and prices, including Bernina Sewing Machines, and mentions free machine classes.

Artists and producers say they are turning to Yondr for a variety of reasons.

For starters, it is very much intended to put an end to those mid-show interruptions from a ringing phone. It is also about curbing piracy by making sure audiences can't record and share material that is meant to stay within the theater.



Yondr's lockable pouch in 2017.
PHOTO: STEPHAN LEE/REUTERS/THE WALL STREET JOURNAL

But some performers say there is a larger motivation: It is about getting audiences to be truly tuned in to what is happening on stage. Unless a phone is locked away, the temptation is always there to check email or post something on social media, performers say.

"These digital devices can bifurcate your attention," said Anthony Vincente, one of the stars and creators of "Freestyle Love Supreme," which was conceived in partnership with Lin-Manuel Miranda of "Hamilton" and director Thomas Kail. The show, currently in previews, opens Oct. 2.

Nevertheless, theatergoers have their reservations about the Yondr pouch. At a recent "Freestyle Love Supreme" performance, audience member Cameron Deak said, "The minute I put my phone in it, I wanted it back."

But Mr. Deak, a research analyst who lives in New York City, also said he "appreciated the idea of being more present in the moment" by the end of the show.

Yondr's smartphone-locking pouches are the new thing at parties, concerts and other events. WSJ's Joana Stern surrenders her device in the name of journalism. Photo: Jared Cole/The Wall Street Journal.



Yondr's lockable pouch is the new thing at parties, concerts and other events. WSJ's Joana Stern surrenders her device in the name of journalism. Photo: Jared Cole/The Wall Street Journal.

Other theatergoers point to limitations with the Yondr system. One frequently cited example: Even if the pouch containing the phone is locked, the box is still in audience members' hands, so the device is turned off or set in silent mode.

Yondr founder Graham Dugoni says such issues rarely occur within theaters. And he says the company, which was launched in 2014, has seen considerable growth of late.

"We're in thousands of shows a year," he said.

The company declined to reveal sales figures, though officials say the cost for concert and show producers to use the system is generally \$2 to \$3 a seat. Yondr is finding a growing market in schools as well, officials say.



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Yondr pouch

Posted 21 Jun 2019, 2:50pm

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May 24, 2021 10:00 PM EDT
 By Sofia Samia Ali

It wasn't enough to just tell students at San Mateo High School to put their phones away during class, now, officials at the California school have told them to lock them away.

And while their familiar companions may still be near, the high schoolers are now required to keep their devices in a magnetically sealed pouch during school hours.

Mounting frustration over student attentiveness led administrators at the school, which is about 20 miles south of San Francisco, to institute the new policy this school year, which kicked off earlier this month.

"We could walk into a variety of classrooms, and kids would be on their cellphones anywhere from 5 seconds, checking a text, to 30 to 45 minutes at a time," Adam Gelfo, assistant principal of San Mateo High School, told NBC Bay Area. "You're here to learn. You are here to work with your teachers and students, and we started getting away from that because of these devices and how addictive they can be."

Each school day, nearly 1,700 students place their devices in a Yondr pouch that closes with a proprietary lock. School administrators unlock them at the end of the day.

While administrators and teachers say they have already noticed a positive effect on students, the policy has elicited mixed reactions from researchers who argue its long-term effectiveness.



A Yondr pouch has a lock device on a desk at a school.
 Reference: Reuters/Photo 12 / Yondr

Devices remain in the student's possession, but they aren't able to

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"It is difficult to ask people to put away their phone for an entire show if they're used to pulling it out constantly and it's buzzing in their pocket. Basically, it's designed to distract you," said Yondr founder and CEO Graham Dugoni. "But we wanted to create a space for artists to do what they do and express themselves, and for audiences to be swept up in a shared community."



Attendees at a Dave Chappelle show in Washington last year place their phones in a portable pouch provided by Yondr. Courtesy Of Yondr

In 2018, you're more likely to see someone holding a phone than a beer at a rock show. About 77% of adults own a smartphone, according to the Pew Research Center, and Americans on average check their phones 46 times per day, according to Deloitte.

As smartphone use becomes more rampant, there's been some pushback. In Milwaukee, two restaurants — [La Merenda](#) and [Engine Company No. 3](#) — created a policy, in which diners on Tuesday nights who use their phones, like a pizza cutter or, in some cases, a

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Exhibit B



US009819788B2

(12) **United States Patent**
Dugoni

(10) **Patent No.:** **US 9,819,788 B2**

(45) **Date of Patent:** **Nov. 14, 2017**

(54) **SYSTEM AND APPARATUS FOR
SELECTIVELY LIMITING USER CONTROL
OF AN ELECTRONIC DEVICE**

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(US)

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U.S.C. 154(b) by 20 days.

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H04W 12/08 (2009.01)

G06K 19/00 (2006.01)

G06K 19/07 (2006.01)

H04M 1/667 (2006.01)

H04M 1/18 (2006.01)

(52) **U.S. CL**

CPC **H04M 1/72577** (2013.01); **G06K 19/005**
(2013.01); **G06K 19/0723** (2013.01); **H04M**
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H04M 1/185 (2013.01); **H04M 1/72572**
(2013.01)

(58) **Field of Classification Search**

CPC **H04W 24/00**

USPC **455/418, 575.8**

See application file for complete search history.

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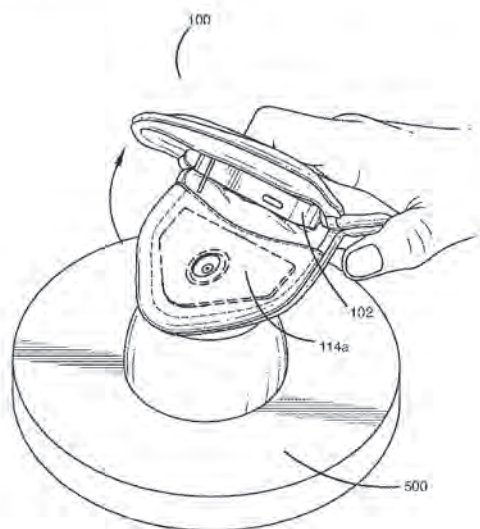
Primary Examiner — William D Cumming

(74) *Attorney, Agent, or Firm* — Omni Legal Group;
Omid E. Khalifeh

(57) **ABSTRACT**

A system and apparatus for selectively limiting user control of a mobile electronic device are provided. In an embodiment, the apparatus may be a case sized to receive a mobile electronic device, the case having a locking means to at least partially secure an opening thereof. When engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to engage and disengage in the presence of one or more pre-determined conditions. For example, the lock may engage when the case is detected within a certain geographical region or even during a specified time. It is contemplated that providing disclosed systems and apparatuses may reduce undesirable behavior at communal events by eliminating distractions posed by mobile electronic devices and preventing unauthorized recordings, which together may enhance overall engagement at and enjoyment of such events.

9 Claims, 4 Drawing Sheets



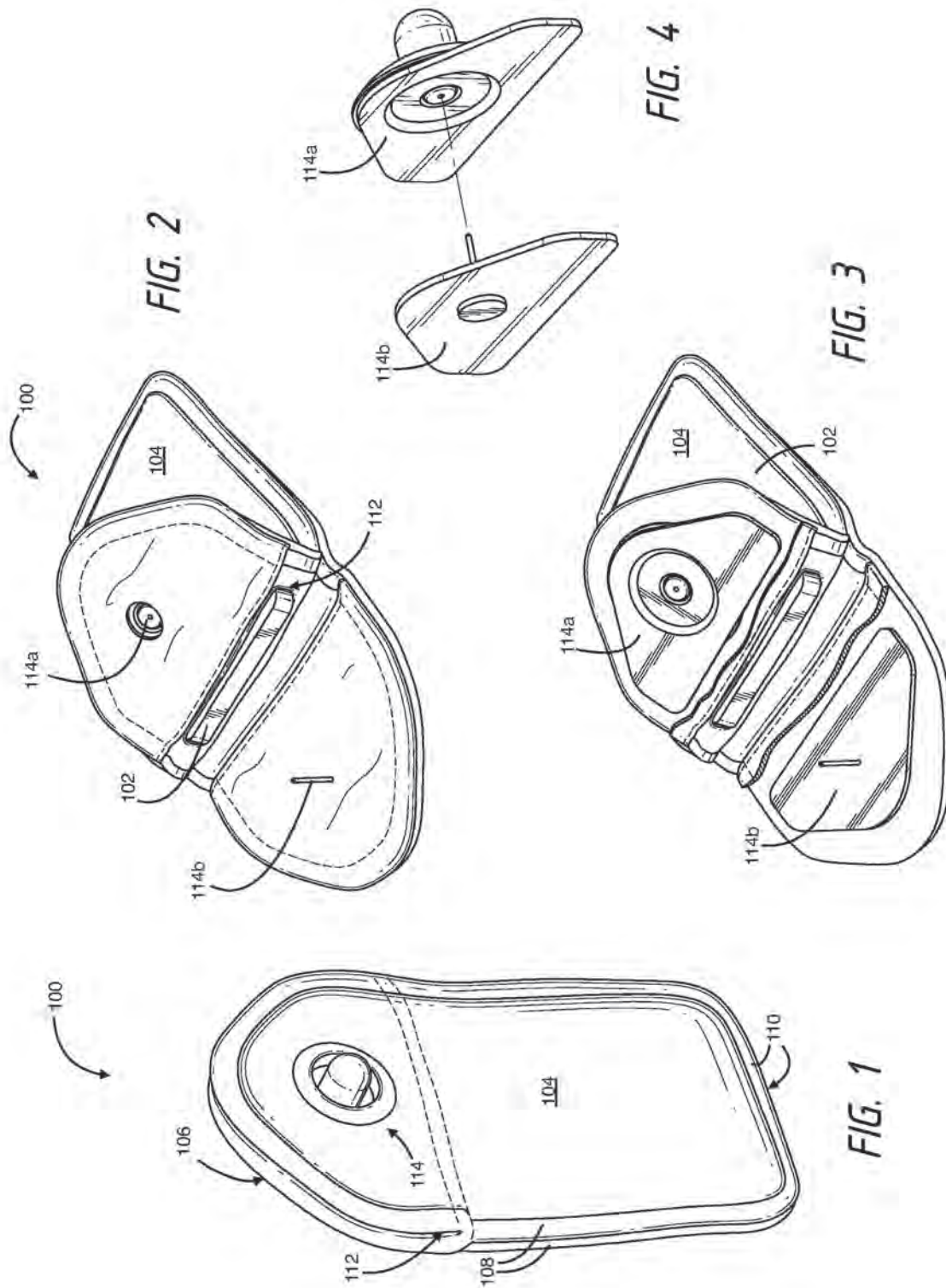
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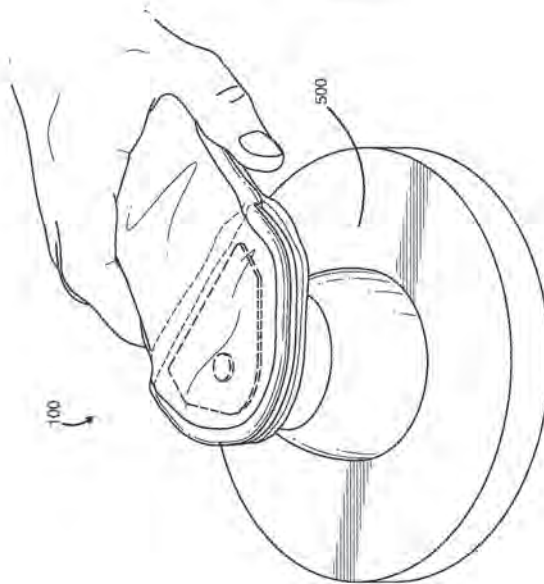
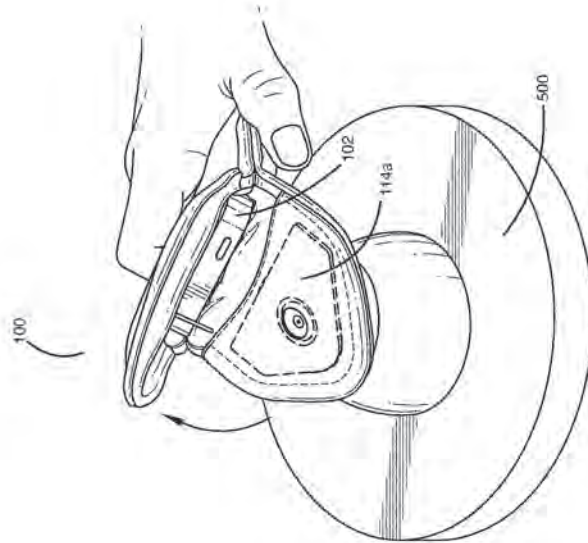
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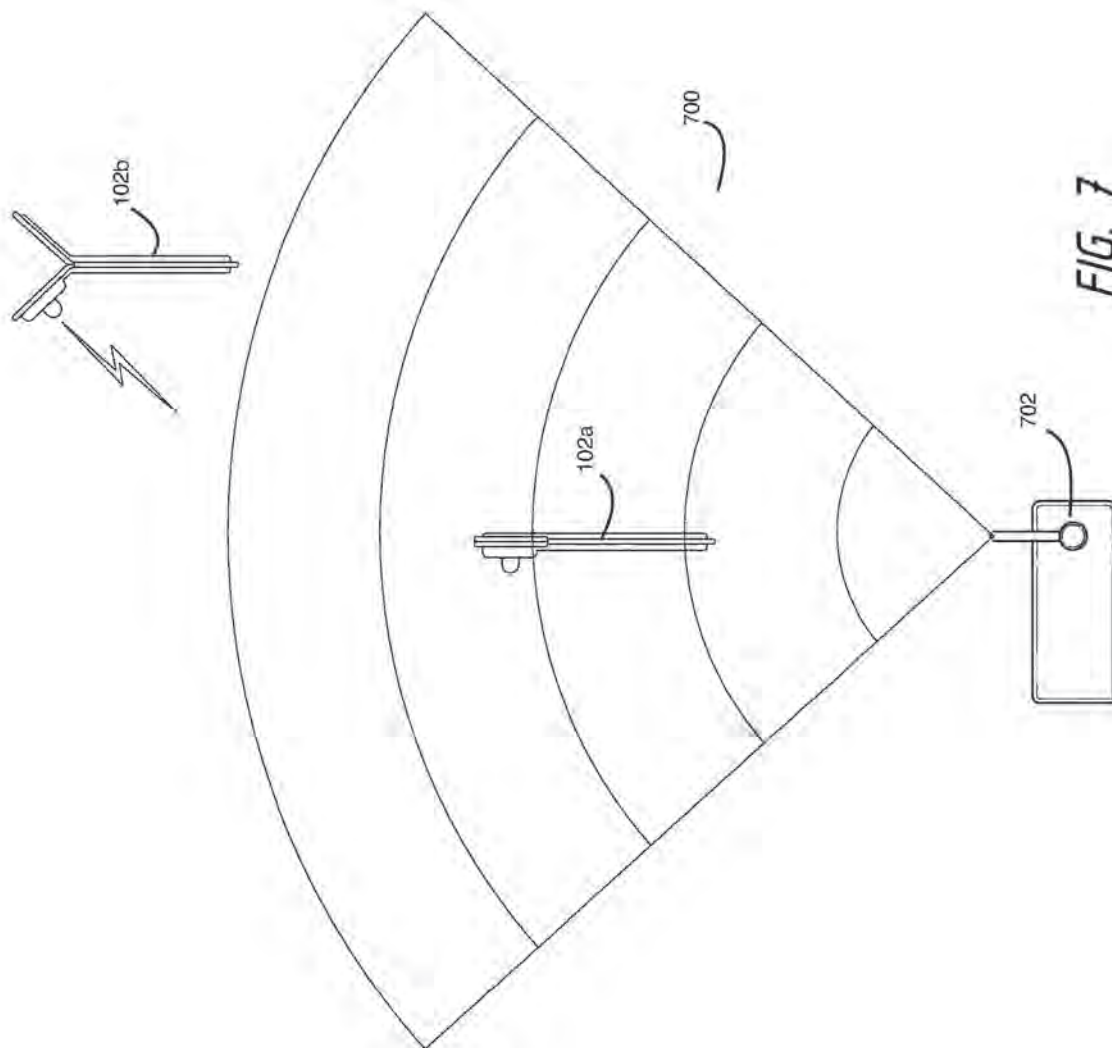
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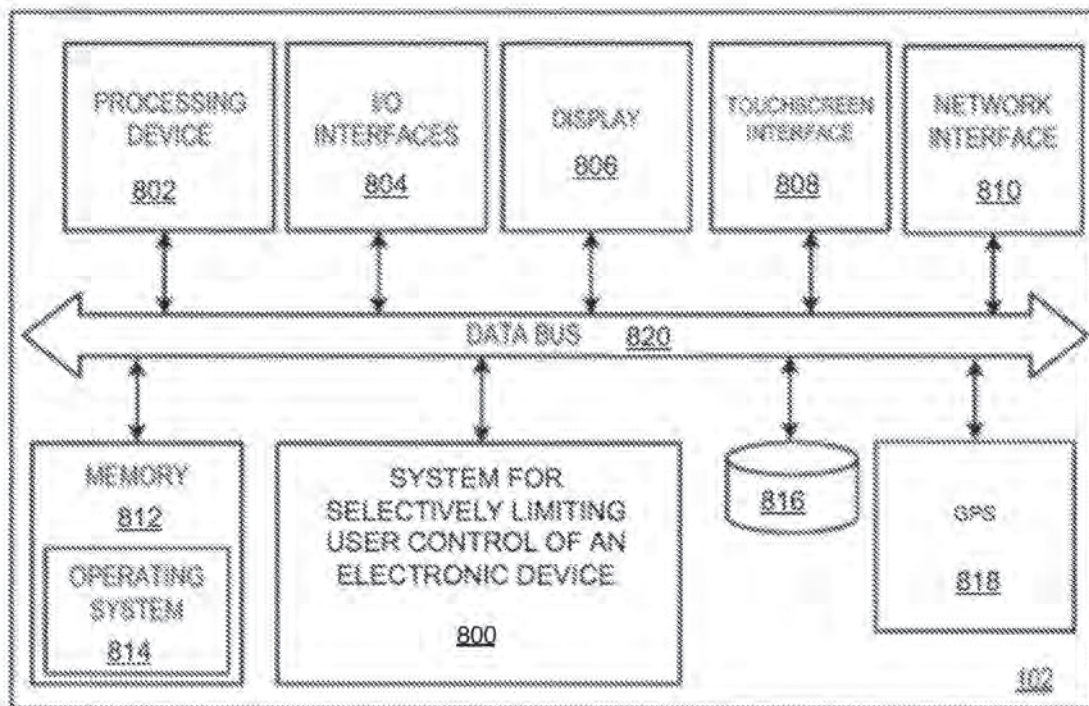


FIG. 8

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SYSTEM AND APPARATUS FOR SELECTIVELY LIMITING USER CONTROL OF AN ELECTRONIC DEVICE

CROSS-REFERENCE TO RELATED APPLICATIONS

Pursuant to 35 USC 119, this application claims the right of priority to Provisional Patent Application Ser. No. 61/982,789 filed on Apr. 22, 2014. The content of said application is incorporated herein by reference in its entirety.

GOVERNMENT CONTRACT

Not applicable.

STATEMENT RE. FEDERALLY SPONSORED RESEARCH/DEVELOPMENT

Not applicable.

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TECHNICAL FIELD

The disclosed subject matter relates generally to systems and apparatuses for limiting functionality of personal electronic devices and, more particularly, to locking cases and other techniques that selectively limit a user's ability to access and control such electronic devices until predetermined conditions, such as geographic location and passage of time, are met.

BACKGROUND

Handheld and mobile electronic devices have become ubiquitous for conveniently enhancing wireless communication and connectivity. Still, the extent of their pervasive use has also proven to be unwelcome in certain settings.

In many instances, mobile electronic devices can distract users from appreciating their surroundings and company of others to a full extent. For example, many who bring their mobile electronic devices, such as cell phones, to social outings may find themselves foregoing live conversation to check their phones for text messages, missed calls, and other virtual communications. Additionally, as photo and video recording capabilities have improved, users have increasingly taken to using their mobile electronic devices to record performers, speakers, and even athletes at live events. This can be distracting to the performers and to others in the audience, detracting from overall enjoyment of the event. Indeed, this can even be harmful to the intellectual property rights of performers whose copyrighted or otherwise valuable and legally protectable displays and performances are digitally recorded and distributed without authorization.

Attempts have been made to limit use of mobile electronic devices. For example, U.S. Pat. No. 7,181,229 to Singh et al.

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discloses a system that, in part, shuts off a cell phone and prevents a user from turning the cell phone on while it is within a restricted area, such as a car. This solution is deficient however, because it completely prevents users from being notified of any incoming calls or messages that may require the user's attention. The '229 patent further discloses a system that limits cell phone function when it is detected within an automobile. Aside from the geographically limited application of this invention, it is also deficient because it fails to blocks the screen to diminish possible temptation to use the device.

Other attempts to discourage use of mobile electronic devices at communal events and in certain venues have been largely ineffective. For example, providing signs and instructions to refrain from using mobile electronic devices in certain areas and/or during specified time periods are often ignored. Moreover, requiring people to leave mobile electronic devices at home, turn them off, or to physically turn them over to venue staff for the duration of an event is often met with resistance. This may be because users prefer not to be separated from their valuable personal property, fearing theft of their devices and electronically stored information, and even the risk of missing important messages or other notifications.

Thus, although various proposals have been made to solve the problem, none of those in existence combine the characteristics of the present invention. Therefore, there remains a need for a system and apparatus that selectively limits access to and/or disables functions of a mobile electronic device.

SUMMARY

The present disclosure is directed to techniques for limiting access to and control of personal mobile electronic devices within certain geographic locations or even during specified periods of time.

For purposes of summarizing, certain aspects, advantages, and novel features have been described. It is to be understood that not all such advantages may be achieved in accordance with any one particular embodiment. Thus, the disclosed subject matter may be embodied or carried out in a manner that achieves or optimizes one advantage or group of advantages without achieving all advantages as may be taught or suggested.

In one embodiment, among others, the apparatus is a case sized to accommodate a mobile electronic device. More particularly, the case may comprise a front and a rear panel secured together along longitudinally opposed side edges and laterally opposed lower edges. Configured in this manner, the front and rear panels and sealed edges may define an opening to receive the mobile electronic device.

The case may additionally comprise a locking means for at least partially securing the opening. The locking means may comprise opposing plates disposed on or within the front and rear panels of the case. More particularly, opposing plates respectively having securably mateable female and a male members are contemplated. It is additionally contemplated that the locking means may first render the electronic device inaccessible to the user, or in other words possessor, of the device and second be non-disengageable by the user of the mobile electronic device until predetermined condition is met. In other words, when engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

For example, predetermined condition may relate to geographic location or timing. Indeed, in one embodiment, the case may be used to render a mobile electronic device inaccessible during a communal event such as a show, demonstration, display, or athletic competition within a concert hall, center, arena, or similar venue. In such scenarios, the locking means may only become disengageable if a user leaves the venue. Alternatively, the locking means may only become disengageable at such a time as the communal event is completed. As yet another alternative, the locking means may become disengageable when a user locates venue staff who are equipped to physically disengage the locking means on their behalf.

In an embodiment, the locking means may be remotely engageable and disengageable. The locking means may be equipped with electronic receivers such as a radio frequency identification (RFID) configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter indicating that the case has respectively entered and exited defined geographical region. Thus, for example, the locking means may receive instructions to lock the device when it is located within an audience seating area of a venue or concert hall. Then, the locking device may receive instructions to unlock the device when it is located outside of the audience area of a venue or concert hall.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

It is contemplated that providing disclosed systems and apparatuses according to the disclosure and claims provided below may reduce undesirable behavior at communal events by eliminating distractions posed by mobile electronic devices and preventing unauthorized recordings, which together may enhance overall engagement at and enjoyment of such events.

Thus, it is an object of the invention to eliminate distractions caused by use of mobile electronic devices at communal events.

It is another object of the invention to prevent users from controlling their mobile electronic devices within certain locations.

It is yet another object of the invention to prevent users from controlling their mobile electronic devices during certain periods of time.

It is still another object of the invention to avoid possible infringement of intellectual property rights caused by unauthorized use of recording features available on many mobile electronic devices.

It is another object of the invention to protect personal privacy of those surrounding users of mobile electronic devices at communal events by preventing such users from photographing and recording them, and even further preventing such users from sharing any impermissibly captured photos and recordings.

One or more of the above-disclosed embodiments, in addition to certain alternatives, are provided in further detail below with reference to the attached figures. The disclosed subject matter is not, however, limited to any particular embodiment disclosed.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 2 is an alternate perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 3 is a skeletal view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 4 illustrates an embodiment of means for locking the embodiment of the case for selectively limiting user control of an electronic device in FIGS. 1-3.

FIGS. 5 and 6 show an embodiment of means for unlocking an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 7 is a schematic representation of an embodiment of the system for selectively limiting user control of an electronic device.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device practicing an embodiment of the system for selectively limiting user control of the electronic device.

The disclosed embodiments may be better understood by referring to the figures in the attached drawings, as provided below. The attached figures are provided as non-limiting examples for providing an enabling description of the system and apparatus claimed. Attention is called to the fact, however, that the appended drawings illustrate only typical embodiments of this invention and are therefore not to be considered as limiting of its scope. One skilled in the art will understand that the invention may be practiced without some of the details included in order to provide a thorough enabling description of such embodiments. Well-known structures and functions have not been shown or described in detail to avoid unnecessarily obscuring the description of the embodiments.

One embodiment of the invention is implemented as a program product for use with a computer system. The program(s) of the program product defines functions of the embodiments (including the methods described herein) and can be contained on a variety of computer-readable storage media. Illustrative computer-readable storage media include, but are not limited to: (i) non-writable storage media (e.g., read-only memory devices within a computer such as CD-ROM disks readable by a CD-ROM drive) on which information is permanently stored; (ii) writable storage media (e.g., floppy disks within a diskette drive or hard-disk drive) on which alterable information is stored. Such computer-readable storage media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Other media include communications media through which information is conveyed to a computer, such as through a computer or telephone network, including wireless communications networks. The latter embodiment specifically includes transmitting information to/from the Internet and other networks. Such communications media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Broadly, computer-readable storage media and communications media may be referred to herein as computer-readable media.

In general, the routines executed to implement the embodiments of the invention, may be part of an operating system or a specific application, component, program, module, object, or sequence of instructions. The computer program of the present invention typically is comprised of a multitude of instructions that will be translated by the native

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computer into a machine-readable format and hence executable instructions. Also, programs are comprised of variables and data structures that either reside locally to the program or are found in memory or on storage devices. In addition, various programs described hereinafter may be identified based upon the application for which they are implemented in a specific embodiment of the invention. However, it should be appreciated that any particular program nomenclature that follows is used merely for convenience, and thus the invention should not be limited to use solely in any specific application identified and/or implied by such nomenclature.

For simplicity and clarity of illustration, the drawing figures illustrate the general manner of construction, and descriptions and details of well-known features and techniques may be omitted to avoid unnecessarily obscuring the invention. Additionally, elements in the drawing figures are not necessarily drawn to scale. For example, the dimensions of some of the elements in the figures may be exaggerated relative to other elements to help improve understanding of embodiments of the present invention. The same reference numerals in different figures denote the same elements.

The terms "first," "second," "third," "fourth," and the like in the description and in the claims, if any, are used for distinguishing between similar elements and not necessarily for describing a particular sequential or chronological order. It is to be understood that the terms so used are interchangeable under appropriate circumstances such that the embodiments described herein are, for example, capable of operation in sequences other than those illustrated or otherwise described herein. Furthermore, the terms "include," and "have," and any variations thereof, are intended to cover a non-exclusive inclusion, such that a process, method, system, article, device, or apparatus that comprises a list of elements is not necessarily limited to those elements, but may include other elements not expressly listed or inherent to such process, method, system, article, device, or apparatus.

The terms "couple," "coupled," "couples," "coupling," and the like should be broadly understood and refer to connecting two or more elements or signals, electrically, mechanically or otherwise. Two or more electrical elements may be electrically coupled, but not mechanically or otherwise coupled; two or more mechanical elements may be mechanically coupled, but not electrically or otherwise coupled; two or more electrical elements may be mechanically coupled, but not electrically or otherwise coupled. Coupling (whether mechanical, electrical, or otherwise) may be for any length of time, e.g., permanent or semi-permanent or only for an instant.

DETAILED DESCRIPTION

Having summarized various aspects of the present disclosure, reference will now be made in detail to that which is illustrated in the drawings. While the disclosure will be described in connection with these drawings, there is no intent to limit it to the embodiment or embodiments disclosed herein. Rather, the intent is to cover all alternatives, modifications and equivalents included within the spirit and scope of the disclosure as defined by the appended claims.

With reference to FIGS. 1-4 the apparatus for selectively limiting user control of an electronic device may be embodied as a case 100 sized to accommodate a mobile electronic device 102. More particularly, the case may comprise a front 104 and a rear panel 106 secured together along longitudinally opposed side edges 108 and laterally opposed lower

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edges 110. The lower edges 110 may be secured by permanently stitching or gluing together, while the side edges 108 may be stitched or glued upward from the lower toward an opening 112 that is defined by the front and rear panels 104, 106 and permanently secured edges 108, 110 and further sized to receive the mobile electronic device 102.

As illustrated, one embodiment of the apparatus may be a soft, flexible case. It may comprise various rugged materials such as neoprene, lycra, silicone rubber, spandex, vinyl, canvas, and any other material or combinations of materials sufficient to temporarily house a mobile electronic device. Additionally, various other configurations are contemplated for the shape of the apparatus as well. For example, the invention may comprise a rigid shell or box having a securable opening to receive a mobile electronic device. As such, one skilled in the art will recognize that the illustrated figures are offered by way of example and ease of understanding only, not of limitation.

The apparatus for selectively limiting user control of an electronic device further comprises a locking means 114 for at least partially securing the opening 112 so the mobile electronic device 102 is may be rendered inaccessible to and further uncontrollable by the user of the device although it may still remain in his possession.

In one embodiment, the locking means 114 comprises opposing plates disposed on or within the front and rear panels 106, 108 of the case 100, and to effect locking, each opposing plate has one of a securably mateable female 114a and male 114b member. Other locking means are, of course, contemplated. For example, magnetic plates, selectively releasable mesh, lockable zippers, and other means for at least partially securing the opening 112 may be sufficient to practice the invention. In this manner, the locking means 114 may first render the electronic device 102 inaccessible to the user by at least partially securing the opening 112 of the device, and second be non-disengageable by the user of the mobile electronic device until a predetermined condition is met.

One or more embodiments of the case 100 may be configured to selectively limit access to a mobile electronic device 102 in response to various predetermined conditions. In one embodiment, the case may be outfitted with locking means 114 comprising a manual, key-operated latch wherein means for unlocking comprise a corresponding key. In such an embodiment, the case 100 may be manually locked or unlocked by venue staff or other members in possession of such a key. Thus, the system for selectively limiting user control of an electronic device may involve a predetermined condition requiring the user of the electronic device 102 to locate venue staff or other members in possession of the key to manually unlock the case 100 on user's behalf.

With reference to FIGS. 5 and 6, the system 500 for selectively limiting user control of an electronic device may comprise a locking means 114 having electronic receivers, such as a radio frequency identification (RFID) tag and means for unlocking the case 100 comprising an electronic article surveillance (EAS) detector 502 for separating the mating portions of the locking means 114. The EAS detector 502 may be, for example, any of those known in the to contain strong magnets that interrupt electromagnetic fields such as those in the range of radio frequencies. Thus, in one embodiment represented by FIG. 5, the at least partially secured locking means 114 may be touched to the EAS detector 502 so that any electromagnetic fields enabling the locking means 114 to remain secured are interrupted. This, in turn, may allow the locking means 114 to become unsecured and further exposes the mobile electronic device

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102 within the case as in FIG. 6. In such an embodiment, it is contemplated that the predetermined condition involves locating an EAS detacher. In the event that the system and apparatus for selectively limiting user control of an electronic device is employed to reduce distractions at a communal event, such means for unlocking the case may be placed out side of any audience viewing area or even at venue exit ways.

The means for unlocking the case may also operate remotely to cause the case to automatically lock and unlock. For example, in one embodiment, the locking means may automatically lock and unlock when the case is determined to be, respectively, within and outside of a defined geographical region. For example, with reference to FIG. 7, another embodiment of the system may comprise locking means 114 having electronic receivers such as the aforementioned RFID tag disposed therein and further configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter 702. Thus, for example, the locking means may receive instructions to lock the device when it is located in 100a the geographical region 704 within reach of the transmitter 702. Then, the locking means 114 may receive instructions to unlock the device when it is located outside 100b of the geographical region 704 within reach of the transmitter 702. In such an embodiment, it is contemplated that the predetermined condition requires a user to exit a geographical region to regain access and control of his or her mobile electronic device. As a more particularized example, a transmitter signal may be configured to cover the geographical region of an audience seating area at a venue hosting a communal event. When within the audience seating area, the case 100a may remain secured so that a user is unable to access or control the mobile electronic device contained therein. However, when the case 100b travels outside of the audience seating area, such as to a foyer, lobby, or restroom, the locking means 114 may become unsecured to provide access to the mobile electronic device. It should be understood that such a limitation is offered by way of example only. The transmitter signal may be configured to cover any desirable area, and indeed a plurality of transmitters 702 may even be employed to enlarge or otherwise define the geographical region affecting access and control of the mobile electronic device.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

In addition to geographical proximity to electromagnetic and other wireless data signals, the predetermined condition may also or alternatively relate to the passage of time. For example, the locking means may automatically become unsecured at the time that a communal event is scheduled to end or even during intermissions. Thus a transmitter may produce a signal causing the locking means to remain secured for a period of time. When the period of time elapses, the transmitter may stop producing the signal so that the locking means becomes unsecured. Of course, various other predetermined conditions and means for unlocking may signal or prompt the release of the locking means, and the foregoing are offered only for the purpose of enabling the system and apparatus. In any event, when engaged, the

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locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to automatically or manually disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

In still another embodiment, the mobile electronic device 102 itself includes an embodiment of the system for selectively limiting user control of an electronic device. The system can be implemented in numerous ways such as, for example and without limitation, those discussed above, and even as an application executed on the mobile electronic device 102. In operation, an embodiment of the system receives information from integrated positioning technology, such Global Position Systems (GPS) to selectively limit a user's ability to control his or her mobile electronic device. Of course, one skilled in the art will recognize that various methods of determining the location of a mobile electronic device can be used.

In a further embodiment, a geofence may be created around a venue for a communal event, or other location where it may be desirable to limit use of a mobile electronic device, so that the system automatically disables certain functional capabilities of the mobile electronic device 102 any time the device comes within a predetermined distance of the venue or other location. For example, a mobile electronic device within the geofence may be rendered incapable of sending or receiving voice and/or text messages. As another example, a mobile electronic device within the geofence may be incapable of running applications or other programs operative to capture audio and/or visual recordings. As yet another example, a mobile electronic device within the geofence may be rendered incapable of receiving or transmitting data through the Internet and other networks.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device 102 that may be compatible with one or more embodiments of the disclosed system and apparatus. The mobile electronic device 102 may be a cell phone, smart phone, or tablet computer but may also be embodied in any one of a wide variety of wired and/or wireless computing devices. As shown in FIG. 8, mobile electronic device 102 includes a processing device (processor) 802, input/output interfaces 804, a display 806, a touchscreen interface 808, a network interface 810, memory 812, and operating system 814, a mass storage 816 and a GPS 818, with each communicating across a local data bus 820. Additionally, mobile electronic device 802 incorporates a system for selectively limiting user control of an electronic device 102, which may optionally be configured to include programming instructions to selectively disable any of the aforementioned features of the mobile electronic device 102. For example, in one embodiment, the system for selectively limiting user control of an electronic device 102 may communicate instructions to disable input/output interfaces 804.

The processing device 802 may include any custom made or commercially available processor, a central processing unit (CPU) or an auxiliary processor among several processors associated with the mobile electronic device 102, a semiconductor based microprocessor (in the form of a microchip), a macroprocessor, one or more application specific integrated circuits (ASICs), a plurality of suitably configured digital logic gates, and other electrical configurations comprising discrete elements both individually and in various combinations to coordinate the overall operation of the system.

The memory 812 can include any one of a combination of volatile memory elements (e.g., random-access memory

(RAM, such as DRAM, and SRAM, etc.)) and nonvolatile memory elements. The memory typically comprises native operating system 814, one or more native applications, emulation systems, or emulated applications for any of a variety of operating systems and/or emulated hardware platforms, emulated operating systems, etc. For example, the applications may include application specific software which may comprise some or all the components of the mobile electronic device 102. In accordance with such embodiments, the components are stored in memory and executed by the processing device. Note that although depicted separately in FIG. 8, the system selectively limiting user control of an electronic device 102 may be resident in memory such as memory 812.

Touchscreen interface 808 may be configured to detect contact within the display area of the display 806 and provides such functionality as on-screen buttons, menus, keyboards, etc. that allows users to navigate user interfaces by touch. Some embodiment of the mobile electronic device 102 will even comprise GPS 818 or other means to determine the location of the mobile electronic device 102.

One of ordinary skill in the art will appreciate that the memory 814 can, and typically will, comprise other components that have been omitted for purposes of brevity. Note that in the context of this disclosure, a non-transitory computer-readable medium stores one or more programs for use by or in connection with an instruction execution system, apparatus, or device. With further reference to FIG. 8, network interface device 810 comprises various components used to transmit and/or receive data over a networked environment. When such components are embodied as an application, such as an application for executing and embodiment of the system for selectively limiting user control of the electronic device, the one or more components may be stored on a non-transitory computer-readable medium and executed by the processing device.

It should be emphasized that the above-described embodiments are merely examples of possible implementations. Many variations and modifications may be made to the above-described embodiments without departing from the principles of the present disclosure. All such modifications and variations are intended to be included herein within the scope of this disclosure and protected by the following claims.

Moreover, embodiments and limitations disclosed herein are not dedicated to the public under the doctrine of dedication if the embodiments and/or limitations: (1) are not expressly claimed in the claims; and (2) are or are potentially equivalents of express elements and/or limitations in the claims under the doctrine of equivalents.

CONCLUSIONS, RAMIFICATIONS, AND SCOPE

While certain embodiments of the invention have been illustrated and described, various modifications are contemplated and can be made without departing from the spirit and scope of the invention. For example, communal events are discussed as venues for implementation of the invention, however it is contemplated that the system and apparatus disclosed may be applied to small scale and even private venues such as for example, a private home, a restaurant, members-only club, and even automobile or other vehicle. Accordingly, it is intended that the invention not be limited, except as by the appended claim(s).

The teachings disclosed herein may be applied to other systems and apparatuses, and may not necessarily be limited

to any described herein. The elements and acts of the various embodiments described above can be combined to provide further embodiments. All of the above patents and applications and other references, including any that may be listed in accompanying filing papers, are incorporated herein by reference. Aspects of the invention can be modified, if necessary, to employ the systems, functions and concepts of the various references described above to provide yet further embodiments of the invention.

Particular terminology used when describing certain features or aspects of the invention should not be taken to imply that the terminology is being refined herein to be restricted to any specific characteristics, features, or aspects of the system and apparatus for selectively limiting user control of an electronic device with which that terminology is associated. In general, the terms used in the following claims should not be constructed to limit the system and apparatus for selectively limiting user control of an electronic device to the specific embodiments disclosed in the specification unless the above description section explicitly define such terms. Accordingly, the actual scope encompasses not only the disclosed embodiments, but also all equivalent ways of practicing or implementing the disclosed system and apparatus. The above description of embodiments of the system and apparatus for selectively limiting user control of an electronic device is not intended to be exhaustive or limited to the precise form disclosed above or to a particular field of usage.

While specific embodiments of, and examples for, the method, system, and apparatus are described above for illustrative purposes, various equivalent modifications are possible for which those skilled in the relevant art will recognize.

While certain aspects of the method and system disclosed are presented below in particular claim forms, various aspects of the system and apparatus are contemplated in any number of claim forms. Thus, the inventor reserves the right to add additional claims after filing the application to pursue such additional claim forms for other aspects of the system and apparatus for selectively limiting user control of an electronic device.

What is claimed is:

1. A case for selectively limiting a user's ability to control such user's own mobile electronic device, comprising,
 - a shell defining a cavity sized to accommodate the user's mobile electronic device and having an opening to receive the user's mobile electronic device therein; and
 - a locking means for at least partially securing the opening of the shell so that the electronic device is rendered inaccessible to the user, the locking means being further non-disengageable by the user of the mobile electronic device;
 wherein the predetermined condition is physical presence of the case outside of a defined geographical region.
2. A case for selectively limiting a user's ability to control such user's own mobile electronic device, comprising,
 - a shell defining a cavity sized to accommodate the user's mobile electronic device and having an opening to receive the user's mobile electronic device therein; and
 - a locking means for at least partially securing the opening of the shell so that the electronic device is rendered inaccessible to the user, the locking means being further non-disengageable by the user of the mobile electronic device;
 wherein the predetermined condition is the passage of time.

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3. A system for selectively limiting a user's control of such user's own electronic device, comprising:

a case sized to receive the user's mobile electronic device having

a front and a rear panel each having first and second longitudinally opposed side edges and laterally opposed lower edges,

the first, second, and lower edges being secured together to define an opening for receiving a mobile electronic device, the case operative to become locked so that the user is unable to access his own mobile electronic device contained therein until a predetermined condition is met;

a locking means for at least partially securing the opening; and

means for unlocking the case.

4. The case of claim 3, wherein the locking means comprises a female and a male plate, the plates respectively disposed on each of the front and rear panels and configured to securably mate with one another.

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5. The case of claim 4, wherein at least one of the female and male plates comprise a radio frequency identification tag operative to receive instructions from a remote transmitter to disengage the locking means when the predetermined condition is met.

6. The case of claim 3, wherein a microprocessor is further disposed in one or both of the female and male plates to receive a wireless data signal from a beacon or transmitter to disengage the locking means when the predetermined condition is met.

7. The case of claim 3, wherein the predetermined condition is physical presence outside of a defined geographical region.

8. The case of claim 3, wherein the predetermined condition is the passage of time.

9. The system of claim 3, wherein the mobile electronic device is operative to receive instructions to disable one or more coded functions of the mobile electronic device.

* * * * *



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Dugoni

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(45) **Date of Patent:** **Apr. 14, 2020**

(54) **SYSTEM AND APPARATUS FOR
SELECTIVELY LIMITING USER CONTROL
OF AN ELECTRONIC DEVICE**

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(US)

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U.S.C. 154(b) by 0 days.

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H04B 1/3888 (2015.01)

H04W 4/02 (2018.01)

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H04M 1/18 (2006.01)

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CPC **H04W 12/08** (2013.01); **H04B 1/3888**
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15/68; H04M 1/72577; H04W 12/18

USPC 340/10.1, 539.1, 5.1; 379/114.01;
455/575.8

See application file for complete search history.

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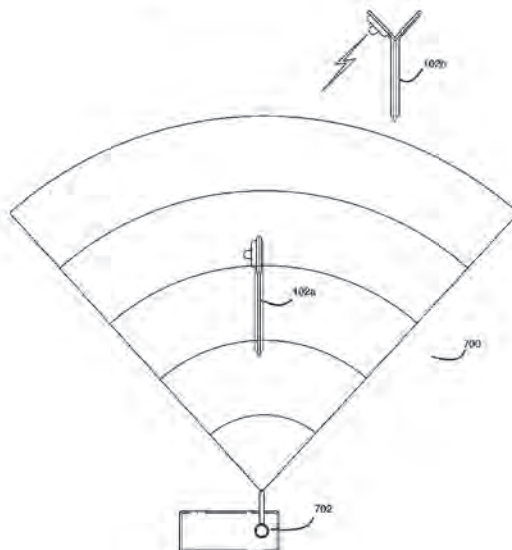
Primary Examiner — William D Cumming

(74) *Attorney, Agent, or Firm* — **Omni Legal Group;**
Omid E. Khalifeh

(57) **ABSTRACT**

A system and apparatus for selectively limiting user control of a mobile electronic device are provided. In an embodiment, the apparatus may be a case sized to receive a mobile electronic device, the case having a locking means to at least partially secure an opening thereof. When engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to engage and disengage in the presence of one or more pre-determined conditions. For example, the lock may engage when the case is detected within a certain geographical region or even during a specified time. It is contemplated that providing disclosed systems and apparatuses may reduce undesirable behavior at communal events by eliminating distractions posed by mobile electronic devices and preventing unauthorized recordings, which together may enhance overall engagement at and enjoyment of such events.

5 Claims, 4 Drawing Sheets



Be Smarter EX1026-056

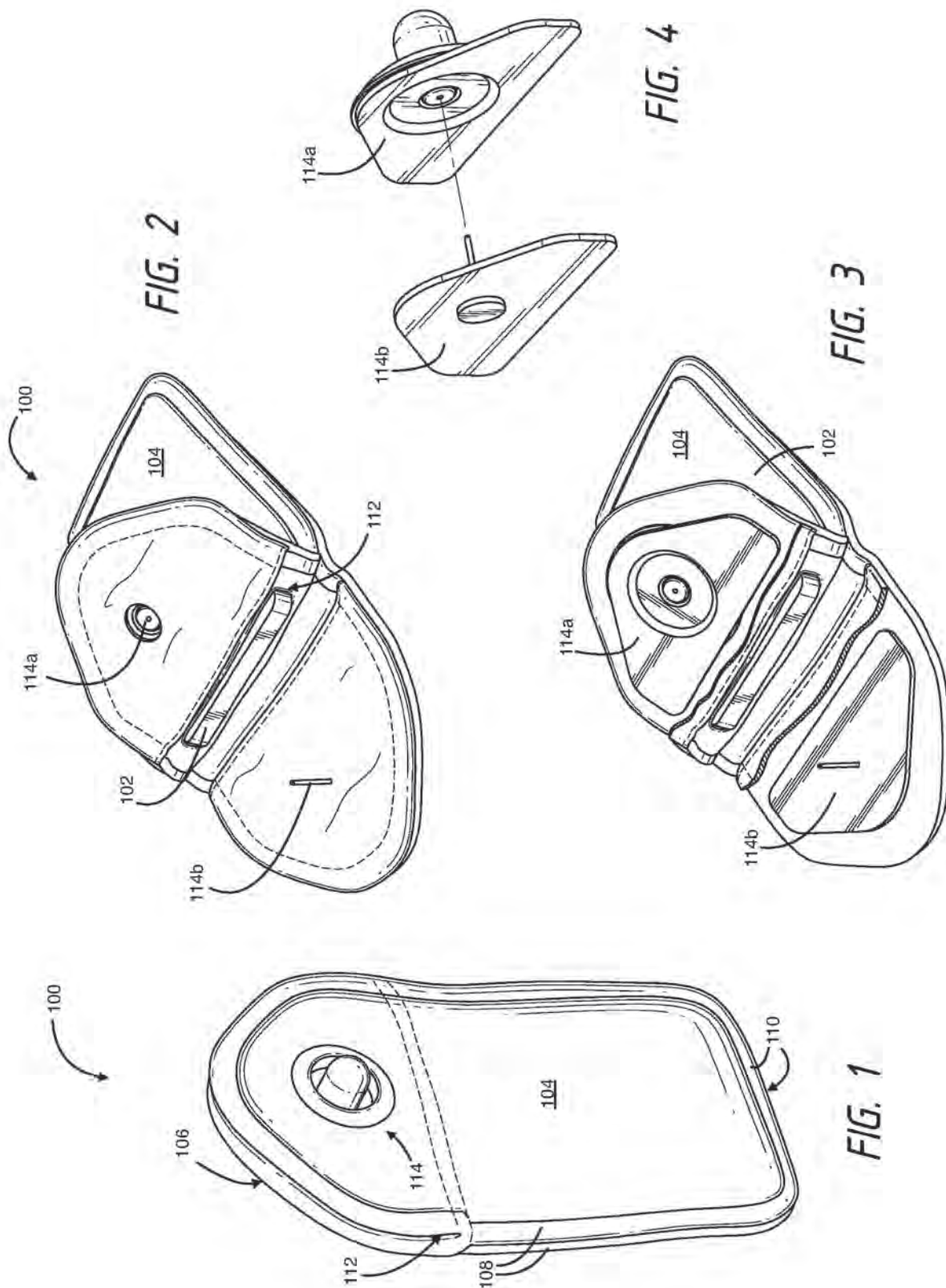
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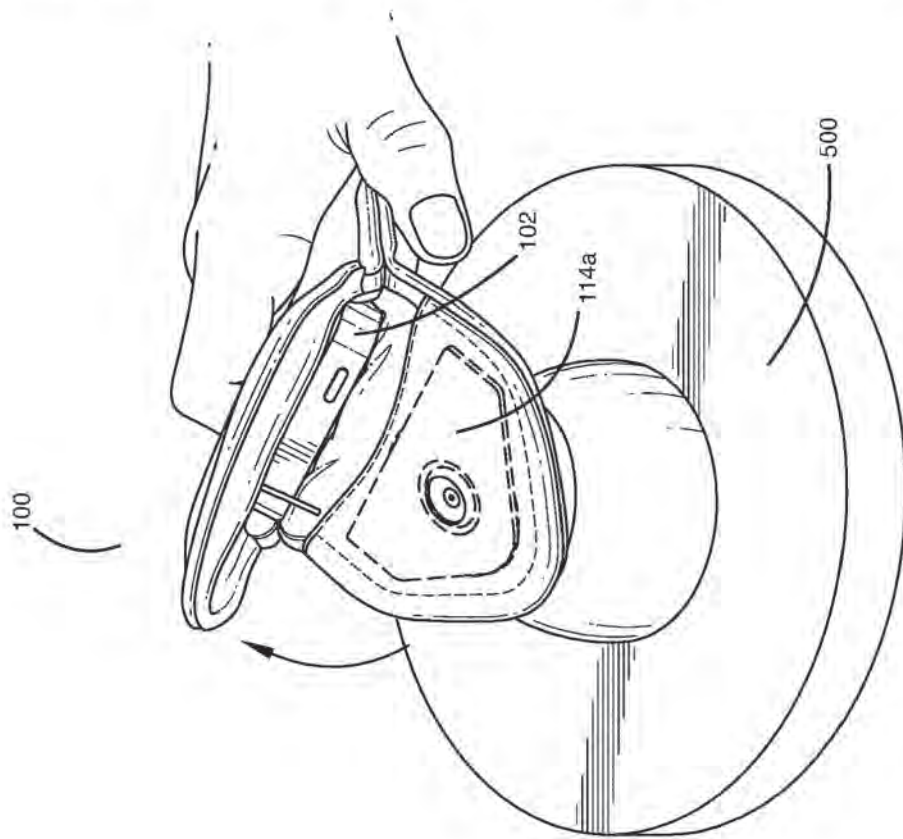


FIG. 6

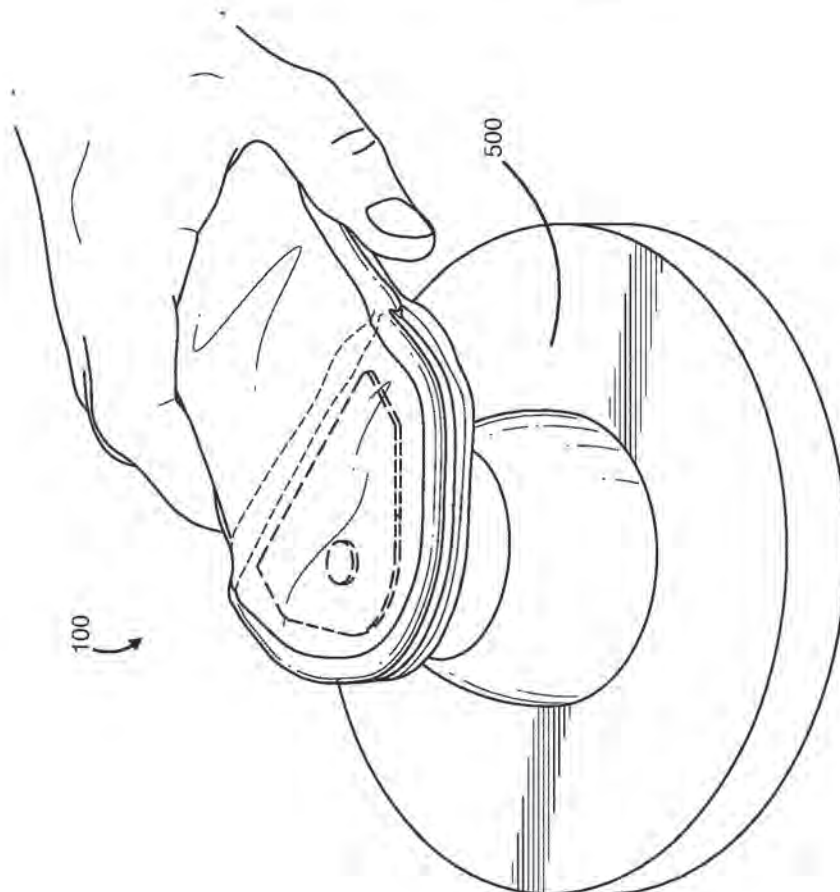
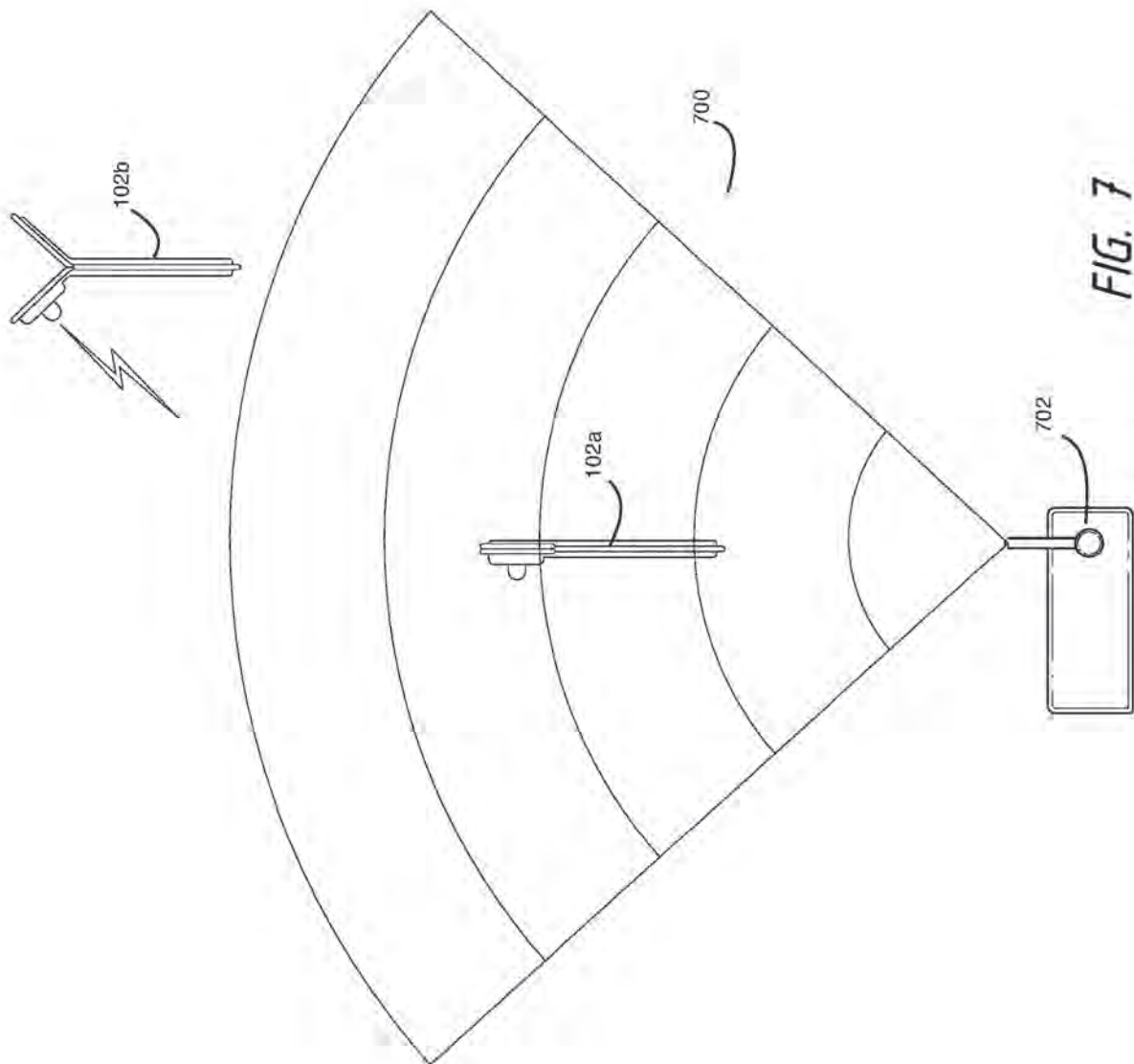


FIG. 5



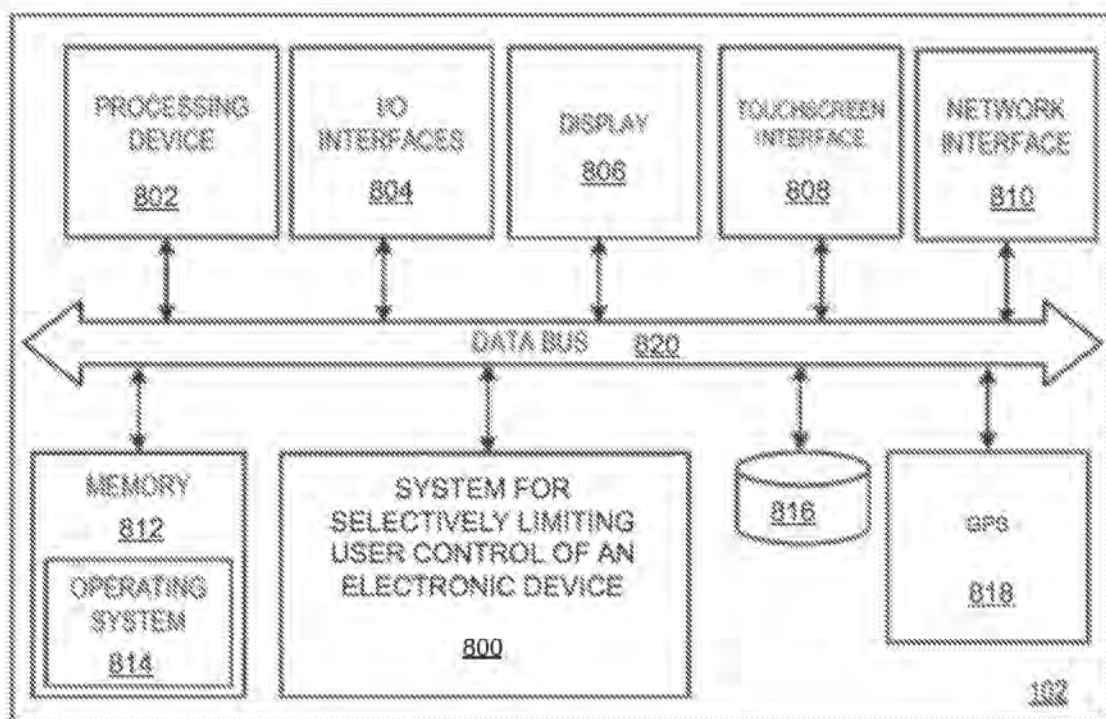


FIG. 8

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SYSTEM AND APPARATUS FOR SELECTIVELY LIMITING USER CONTROL OF AN ELECTRONIC DEVICE

CROSS-REFERENCE TO RELATED APPLICATIONS

Pursuant to 35 USC § 119, this Application is a divisional of U.S. patent application Ser. No. 14/692,530 filed on Apr. 21, 2015. The content of said application is incorporated herein by reference in its entirety.

GOVERNMENT CONTRACT

Not applicable.

STATEMENT RE. FEDERALLY SPONSORED RESEARCH/DEVELOPMENT

Not applicable.

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TECHNICAL FIELD

The disclosed subject matter relates generally to systems and apparatuses for limiting functionality of personal electronic devices and, more particularly, to locking cases and other techniques that selectively limit a user's ability to access and control such electronic devices until predetermined conditions, such as geographic location and passage of time, are met.

BACKGROUND

Handheld and mobile electronic devices have become ubiquitous for conveniently enhancing wireless communication and connectivity. Still, the extent of their pervasive use has also proven to be unwelcome in certain settings.

In many instances, mobile electronic devices can distract users from appreciating their surroundings and company of others to a full extent. For example, many who bring their mobile electronic devices, such as cell phones, to social outings may find themselves foregoing live conversation to check their phones for text messages, missed calls, and other virtual communications. Additionally, as photo and video recording capabilities have improved, users have increasingly taken to using their mobile electronic devices to record performers, speakers, and even athletes at live events. This can be distracting to the performers and to others in the audience, detracting from overall enjoyment of the event. Indeed, this can even be harmful to the intellectual property rights of performers whose copyrighted or otherwise valuable and legally protectable displays and performances are digitally recorded and distributed without authorization.

Attempts have been made to limit use of mobile electronic devices. For example, U.S. Pat. No. 7,181,229 to Singh et al.

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discloses a system that, in part, shuts off a cell phone and prevents a user from turning the cell phone on while it is within a restricted area, such as a car. This solution is deficient however, because it completely prevents users from being notified of any incoming calls or messages that may require the user's attention. The '229 patent further discloses a system that limits cell phone function when it is detected within an automobile. Aside from the geographically limited application of this invention, it is also deficient because it fails to blocks the screen to diminish possible temptation to use the device.

Other attempts to discourage use of mobile electronic devices at communal events and in certain venues have been largely ineffective. For example, providing signs and instructions to refrain from using mobile electronic devices in certain areas and/or during specified time periods are often ignored. Moreover, requiring people to leave mobile electronic devices at home, turn them off, or to physically turn them over to venue staff for the duration of an event is often met with resistance. This may be because users prefer not to be separated from their valuable personal property, fearing theft of their devices and electronically stored information, and even the risk of missing important messages or other notifications.

Thus, although various proposals have been made to solve the problem, none of those in existence combine the characteristics of the present invention. Therefore, there remains a need for a system and apparatus that selectively limits access to and/or disables functions of a mobile electronic device.

SUMMARY

The present disclosure is directed to techniques for limiting access to and control of personal mobile electronic devices within certain geographic locations or even during specified periods of time.

For purposes of summarizing, certain aspects, advantages, and novel features have been described. It is to be understood that not all such advantages may be achieved in accordance with any one particular embodiment. Thus, the disclosed subject matter may be embodied or carried out in a manner that achieves or optimizes one advantage or group of advantages without achieving all advantages as may be taught or suggested.

In one embodiment, among others, the apparatus is a case sized to accommodate a mobile electronic device. More particularly, the case may comprise a front and a rear panel secured together along longitudinally opposed side edges and laterally opposed lower edges. Configured in this manner, the front and rear panels and sealed edges may define an opening to receive the mobile electronic device.

The case may additionally comprise a locking means for at least partially securing the opening. The locking means may comprise opposing plates disposed on or within the front and rear panels of the case. More particularly, opposing plates respectively having securably mateable female and a male members are contemplated. It is additionally contemplated that the locking means may first render the electronic device inaccessible to the user, or in other words possessor, of the device and second be non-disengageable by the user of the mobile electronic device until predetermined condition is met. In other words, when engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

For example, predetermined condition may relate to geographic location or timing. Indeed, in one embodiment, the case may be used to render a mobile electronic device inaccessible during a communal event such as a show, demonstration, display, or athletic competition within a concert hall, center, arena, or similar venue. In such scenarios, the locking means may only become disengageable if a user leaves the venue. Alternatively, the locking means may only become disengageable at such a time as the communal event is completed. As yet another alternative, the locking means may become disengageable when a user locates venue staff who are equipped to physically disengage the locking means on their behalf.

In an embodiment, the locking means may be remotely engageable and disengageable. The locking means may be equipped with electronic receivers such as a radio frequency identification (RFID) configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter indicating that the case has respectively entered and exited defined geographical region. Thus, for example, the locking means may receive instructions to lock the device when it is located within an audience seating area of a venue or concert hall. Then, the locking device may receive instructions to unlock the device when it is located outside of the audience area of a venue or concert hall.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

It is contemplated that providing disclosed systems and apparatuses according to the disclosure and claims provided below may reduce undesirable behavior at communal events by eliminating distractions posed by mobile electronic devices and preventing unauthorized recordings, which together may enhance overall engagement at and enjoyment of such events.

Thus, it is an object of the invention to eliminate distractions caused by use of mobile electronic devices at communal events.

It is another object of the invention to prevent users from controlling their mobile electronic devices within certain locations.

It is yet another object of the invention to prevent users from controlling their mobile electronic devices during certain periods of time.

It is still another object of the invention to avoid possible infringement of intellectual property rights caused by unauthorized use of recording features available on many mobile electronic devices.

It is another object of the invention to protect personal privacy of those surrounding users of mobile electronic devices at communal events by preventing such users from photographing and recording them, and even further preventing such users from sharing any impermissibly captured photos and recordings.

One or more of the above-disclosed embodiments, in addition to certain alternatives, are provided in further detail below with reference to the attached figures. The disclosed subject matter is not, however, limited to any particular embodiment disclosed.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 2 is an alternate perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 3 is a skeletal view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 4 illustrates an embodiment of means for locking the embodiment of the case for selectively limiting user control of an electronic device in FIGS. 1-3.

FIGS. 5 and 6 show an embodiment of means for unlocking an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 7 is a schematic representation of an embodiment of the system for selectively limiting user control of an electronic device.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device practicing an embodiment of the system for selectively limiting user control of the electronic device.

The disclosed embodiments may be better understood by referring to the figures in the attached drawings, as provided below. The attached figures are provided as non-limiting examples for providing an enabling description of the system and apparatus claimed. Attention is called to the fact, however, that the appended drawings illustrate only typical embodiments of this invention and are therefore not to be considered as limiting of its scope. One skilled in the art will understand that the invention may be practiced without some of the details included in order to provide a thorough enabling description of such embodiments. Well-known structures and functions have not been shown or described in detail to avoid unnecessarily obscuring the description of the embodiments.

One embodiment of the invention is implemented as a program product for use with a computer system. The program(s) of the program product defines functions of the embodiments (including the methods described herein) and can be contained on a variety of computer-readable storage media. Illustrative computer-readable storage media include, but are not limited to: (i) non-writable storage media (e.g., read-only memory devices within a computer such as CD-ROM disks readable by a CD-ROM drive) on which information is permanently stored; (ii) writable storage media (e.g., floppy disks within a diskette drive or hard-disk drive) on which alterable information is stored. Such computer-readable storage media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Other media include communications media through which information is conveyed to a computer, such as through a computer or telephone network, including wireless communications networks. The latter embodiment specifically includes transmitting information to/from the Internet and other networks. Such communications media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Broadly, computer-readable storage media and communications media may be referred to herein as computer-readable media.

In general, the routines executed to implement the embodiments of the invention, may be part of an operating system or a specific application, component, program, module, object, or sequence of instructions. The computer program of the present invention typically is comprised of a multitude of instructions that will be translated by the native

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computer into a machine-readable format and hence executable instructions. Also, programs are comprised of variables and data structures that either reside locally to the program or are found in memory or on storage devices. In addition, various programs described hereinafter may be identified based upon the application for which they are implemented in a specific embodiment of the invention. However, it should be appreciated that any particular program nomenclature that follows is used merely for convenience, and thus the invention should not be limited to use solely in any specific application identified and/or implied by such nomenclature.

For simplicity and clarity of illustration, the drawing figures illustrate the general manner of construction, and descriptions and details of well-known features and techniques may be omitted to avoid unnecessarily obscuring the invention. Additionally, elements in the drawing figures are not necessarily drawn to scale. For example, the dimensions of some of the elements in the figures may be exaggerated relative to other elements to help improve understanding of embodiments of the present invention. The same reference numerals in different figures denote the same elements.

The terms "first," "second," "third," "fourth," and the like in the description and in the claims, if any, are used for distinguishing between similar elements and not necessarily for describing a particular sequential or chronological order. It is to be understood that the terms so used are interchangeable under appropriate circumstances such that the embodiments described herein are, for example, capable of operation in sequences other than those illustrated or otherwise described herein. Furthermore, the terms "include," and "have," and any variations thereof, are intended to cover a non-exclusive inclusion, such that a process, method, system, article, device, or apparatus that comprises a list of elements is not necessarily limited to those elements, but may include other elements not expressly listed or inherent to such process, method, system, article, device, or apparatus.

The terms "couple," "coupled," "couples," "coupling," and the like should be broadly understood and refer to connecting two or more elements or signals, electrically, mechanically or otherwise. Two or more electrical elements may be electrically coupled, but not mechanically or otherwise coupled; two or more mechanical elements may be mechanically coupled, but not electrically or otherwise coupled; two or more electrical elements may be mechanically coupled, but not electrically or otherwise coupled. Coupling (whether mechanical, electrical, or otherwise) may be for any length of time, e.g., permanent or semi-permanent or only for an instant.

DETAILED DESCRIPTION

Having summarized various aspects of the present disclosure, reference will now be made in detail to that which is illustrated in the drawings. While the disclosure will be described in connection with these drawings, there is no intent to limit it to the embodiment or embodiments disclosed herein. Rather, the intent is to cover all alternatives, modifications and equivalents included within the spirit and scope of the disclosure as defined by the appended claims.

With reference to FIGS. 1-4 the apparatus for selectively limiting user control of an electronic device may be embodied as a case 100 sized to accommodate a mobile electronic device 102. More particularly, the case may comprise a front 104 and a rear panel 106 secured together along longitudinally opposed side edges 108 and laterally opposed lower

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edges 110. The lower edges 110 may be secured by permanently stitching or gluing together, while the side edges 108 may be stitched or glued upward from the lower toward an opening 112 that is defined by the front and rear panels 104, 106 and permanently secured edges 108, 110 and further sized to receive the mobile electronic device 102.

As illustrated, one embodiment of the apparatus may be a soft, flexible case. It may comprise various rugged materials such as neoprene, lycra, silicone rubber, spandex, vinyl, canvas, and any other material or combinations of materials sufficient to temporarily house a mobile electronic device. Additionally, various other configurations are contemplated for the shape of the apparatus as well. For example, the invention may comprise a rigid shell or box having a securable opening to receive a mobile electronic device. As such, one skilled in the art will recognize that the illustrated figures are offered by way of example and ease of understanding only, not of limitation.

The apparatus for selectively limiting user control of an electronic device further comprises a locking means 114 for at least partially securing the opening 112 so the mobile electronic device 102 is may be rendered inaccessible to and further uncontrollable by the user of the device although it may still remain in his possession.

In one embodiment, the locking means 114 comprises opposing plates disposed on or within the front and rear panels 106, 108 of the case 100, and to effect locking, each opposing plate has one of a securably mateable female 114a and male 114b member. Other locking means are, of course, contemplated. For example, magnetic plates, selectively releasable mesh, lockable zippers, and other means for at least partially securing the opening 112 may be sufficient to practice the invention. In this manner, the locking means 114 may first render the electronic device 102 inaccessible to the user by at least partially securing the opening 112 of the device, and second be non-disengageable by the user of the mobile electronic device until a predetermined condition is met.

One or more embodiments of the case 100 may be configured to selectively limit access to a mobile electronic device 102 in response to various predetermined conditions. In one embodiment, the case may be outfitted with locking means 114 comprising a manual, key-operated latch wherein means for unlocking comprise a corresponding key. In such an embodiment, the case 100 may be manually locked or unlocked by venue staff or other members in possession of such a key. Thus, the system for selectively limiting user control of an electronic device may involve a predetermined condition requiring the user of the electronic device 102 to locate venue staff or other members in possession of the key to manually unlock the case 100 on user's behalf.

With reference to FIGS. 5 and 6, the system 500 for selectively limiting user control of an electronic device may comprise a locking means 114 having electronic receivers, such as a radio frequency identification (RFID) tag and means for unlocking the case 100 comprising an electronic article surveillance (EAS) detector 502 for separating the mating portions of the locking means 114. The EAS detector 502 may be, for example, any of those known in the to contain strong magnets that interrupt electromagnetic fields such as those in the range of radio frequencies. Thus, in one embodiment represented by FIG. 5, the at least partially secured locking means 114 may be touched to the EAS detector 502 so that any electromagnetic fields enabling the locking means 114 to remain secured are interrupted. This, in turn, may allow the locking means 114 to become unsecured and further exposes the mobile electronic device

102 within the case as in FIG. 6. In such an embodiment, it is contemplated that the predetermined condition involves locating an EAS detacher. In the event that the system and apparatus for selectively limiting user control of an electronic device is employed to reduce distractions at a communal event, such means for unlocking the case may be placed out side of any audience viewing area or even at venue exit ways.

The means for unlocking the case may also operate remotely to cause the case to automatically lock and unlock. For example, in one embodiment, the locking means may automatically lock and unlock when the case is determined to be, respectively, within and outside of a defined geographical region. For example, with reference to FIG. 7, another embodiment of the system may comprise locking means 114 having electronic receivers such as the aforementioned RFID tag disposed therein and further configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter 702. Thus, for example, the locking means may receive instructions to lock the device when it is located in 100a the geographical region 704 within reach of the transmitter 702. Then, the locking means 114 may receive instructions to unlock the device when it is located outside 100b of the geographical region 704 within reach of the transmitter 702. In such an embodiment, it is contemplated that the predetermined condition requires a user to exit a geographical region to regain access and control of his or her mobile electronic device. As a more particularized example, a transmitter signal may be configured to cover the geographical region of an audience seating area at a venue hosting a communal event. When within the audience seating area, the case 100a may remain secured so that a user is unable to access or control the mobile electronic device contained therein. However, when the case 100b travels outside of the audience seating area, such as to a foyer, lobby, or restroom, the locking means 114 may become unsecured to provide access to the mobile electronic device. It should be understood that such a limitation is offered by way of example only. The transmitter signal may be configured to cover any desirable area, and indeed a plurality of transmitters 702 may even be employed to enlarge or otherwise define the geographical region affecting access and control of the mobile electronic device.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

In addition to geographical proximity to electromagnetic and other wireless data signals, the predetermined condition may also or alternatively relate to the passage of time. For example, the locking means may automatically become unsecured at the time that a communal event is scheduled to end or even during intermissions. Thus a transmitter may produce a signal causing the locking means to remain secured for a period of time. When the period of time elapses, the transmitter may stop producing the signal so that the locking means becomes unsecured. Of course, various other predetermined conditions and means for unlocking may signal or prompt the release of the locking means, and the foregoing are offered only for the purpose of enabling the system and apparatus. In any event, when engaged, the

locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to automatically or manually disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

In still another embodiment, the mobile electronic device 102 itself includes an embodiment of the system for selectively limiting user control of an electronic device. The system can be implemented in numerous ways such as, for example and without limitation, those discussed above, and even as an application executed on the mobile electronic device 102. In operation, an embodiment of the system receives information from integrated positioning technology, such Global Position Systems (GPS) to selectively limit a user's ability to control his or her mobile electronic device. Of course, one skilled in the art will recognize that various methods of determining the location of a mobile electronic device can be used.

In a further embodiment, a geofence may be created around a venue for a communal event, or other location where it may be desirable to limit use of a mobile electronic device, so that the system automatically disables certain functional capabilities of the mobile electronic device 102 any time the device comes within a predetermined distance of the venue or other location. For example, a mobile electronic device within the geofence may be rendered incapable of sending or receiving voice and/or text messages. As another example, a mobile electronic device within the geofence may be incapable of running applications or other programs operative to capture audio and/or visual recordings. As yet another example, a mobile electronic device within the geofence may be rendered incapable of receiving or transmitting data through the Internet and other networks.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device 102 that may be compatible with one or more embodiments of the disclosed system and apparatus. The mobile electronic device 102 may be a cell phone, smart phone, or tablet computer but may also be embodied in any one of a wide variety of wired and/or wireless computing devices. As shown in FIG. 8, mobile electronic device 102 includes a processing device (processor) 802, input/output interfaces 804, a display 806, a touchscreen interface 808, a network interface 810, memory 812, and operating system 814, a mass storage 816 and a GPS 818, with each communicating across a local data bus 820. Additionally, mobile electronic device 802 incorporates a system for selectively limiting user control of an electronic device 102, which may optionally be configured to include programming instructions to selectively disable any of the aforementioned features of the mobile electronic device 102. For example, in one embodiment, the system for selectively limiting user control of an electronic device 102 may communicate instructions to disable input/output interfaces 804.

The processing device 802 may include any custom made or commercially available processor, a central processing unit (CPU) or an auxiliary processor among several processors associated with the mobile electronic device 102, a semiconductor based microprocessor (in the form of a microchip), a macroprocessor, one or more application specific integrated circuits (ASICs), a plurality of suitably configured digital logic gates, and other electrical configurations comprising discrete elements both individually and in various combinations to coordinate the overall operation of the system.

The memory 812 can include any one of a combination of volatile memory elements (e.g., random-access memory

(RAM, such as DRAM, and SRAM, etc.)) and nonvolatile memory elements. The memory typically comprises native operating system **814**, one or more native applications, emulation systems, or emulated applications for any of a variety of operating systems and/or emulated hardware platforms, emulated operating systems, etc. For example, the applications may include application specific software which may comprise some or all the components of the mobile electronic device **102**. In accordance with such embodiments, the components are stored in memory and executed by the processing device. Note that although depicted separately in FIG. **8**, the system selectively limiting user control of an electronic device **102** may be resident in memory such as memory **812**.

Touchscreen interface **808** may be configured to detect contact within the display area of the display **806** and provides such functionality as on-screen buttons, menus, keyboards, etc. that allows users to navigate user interfaces by touch. Some embodiment of the mobile electronic device **102** will even comprise GPS **818** or other means to determine the location of the mobile electronic device **102**.

One of ordinary skill in the art will appreciate that the memory **814** can, and typically will, comprise other components that have been omitted for purposes of brevity. Note that in the context of this disclosure, a non-transitory computer-readable medium stores one or more programs for use by or in connection with an instruction execution system, apparatus, or device. With further reference to FIG. **8**, network interface device **810** comprises various components used to transmit and/or receive data over a networked environment. When such components are embodied as an application, such as an application for executing and embodiment of the system for selectively limiting user control of the electronic device, the one or more components may be stored on a non-transitory computer-readable medium and executed by the processing device.

It should be emphasized that the above-described embodiments are merely examples of possible implementations. Many variations and modifications may be made to the above-described embodiments without departing from the principles of the present disclosure. All such modifications and variations are intended to be included herein within the scope of this disclosure and protected by the following claims.

Moreover, embodiments and limitations disclosed herein are not dedicated to the public under the doctrine of dedication if the embodiments and/or limitations: (1) are not expressly claimed in the claims; and (2) are or are potentially equivalents of express elements and/or limitations in the claims under the doctrine of equivalents.

Conclusions, Ramifications, and Scope

While certain embodiments of the invention have been illustrated and described, various modifications are contemplated and can be made without departing from the spirit and scope of the invention. For example, communal events are discussed as venues for implementation of the invention, however it is contemplated that the system and apparatus disclosed may be applied to small scale and even private venues such as for example, a private home, a restaurant, members-only club, and even automobile or other vehicle. Accordingly, it is intended that the invention not be limited, except as by the appended claim(s).

The teachings disclosed herein may be applied to other systems and apparatuses, and may not necessarily be limited to any described herein. The elements and acts of the various

embodiments described above can be combined to provide further embodiments. All of the above patents and applications and other references, including any that may be listed in accompanying filing papers, are incorporated herein by reference. Aspects of the invention can be modified, if necessary, to employ the systems, functions and concepts of the various references described above to provide yet further embodiments of the invention.

Particular terminology used when describing certain features or aspects of the invention should not be taken to imply that the terminology is being refined herein to be restricted to any specific characteristics, features, or aspects of the system and apparatus for selectively limiting user control of an electronic device with which that terminology is associated. In general, the terms used in the following claims should not be constructed to limit the system and apparatus for selectively limiting user control of an electronic device to the specific embodiments disclosed in the specification unless the above description section explicitly define such terms. Accordingly, the actual scope encompasses not only the disclosed embodiments, but also all equivalent ways of practicing or implementing the disclosed system and apparatus. The above description of embodiments of the system and apparatus for selectively limiting user control of an electronic device is not intended to be exhaustive or limited to the precise form disclosed above or to a particular field of usage.

While specific embodiments of, and examples for, the method, system, and apparatus are described above for illustrative purposes, various equivalent modifications are possible for which those skilled in the relevant art will recognize.

While certain aspects of the method and system disclosed are presented below in particular claim forms, various aspects of the system and apparatus are contemplated in any number of claim forms. Thus, the inventor reserves the right to add additional claims after filing the application to pursue such additional claim forms for other aspects of the system and apparatus for selectively limiting user control of an electronic device.

What is claimed is:

1. A case for selectively limiting a user's ability to control such user's own mobile electronic device, comprising:

a front and a rear panel each having first and second longitudinally opposed side edges and laterally opposed lower edges, the first, second, and lower edges being secured together to define an opening for receiving a mobile electronic device; and

a locking means for at least partially securing the opening so that the user's electronic device is rendered inaccessible to the user, the locking means comprising a microprocessor operative to receive a wireless data signal from a beacon or transmitter to automatically disengage the locking means when a predetermined condition is met, rendering the locking means non-disengageable by the user of the mobile electronic device until a predetermined condition is met;

wherein the case is constructed of any knitted or woven fibrous material selected from the group consisting of neoprene, lycra, nylon, and canvas and such material is configured to visually obscure any mobile electronic device contained therein.

2. The case of claim 1, wherein the locking means comprises a female and a male plate, the plates respectively disposed on each of the front and rear panels and configured to securably mate with one another.

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3. The case of claim 2, wherein at least one of the female and male plates define a radio frequency identification tag operative to receive instructions from a remote transmitter to disengage the locking means when the predetermined condition is met.

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4. The case of claim 1, wherein the predetermined condition is physical presence of the case outside of a defined geographical region.

5. The case of claim 1, wherein the predetermined condition is the passage of time.

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* * * * *

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US012133074B2

(12) **United States Patent**
Dugoni

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(45) **Date of Patent:** **Oct. 29, 2024**

(54) **SYSTEM AND APPARATUS FOR
SELECTIVELY LIMITING USER CONTROL
OF AN ELECTRONIC DEVICE**

USPC 380/248
See application file for complete search history.

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(*) Notice: Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.

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continuation of application No. 14/692,530, filed on
Apr. 21, 2015, now Pat. No. 9,819,788.

(57) **ABSTRACT**

A system and apparatus for selectively limiting user control
of a mobile electronic device are provided. In an embodi-
ment, the apparatus may be a case sized to receive a mobile
electronic device, the case having a locking means to at least
partially secure an opening thereof. When engaged, the
locking means may be physically impenetrable by the user
of the mobile electronic device and may further be config-
ured to engage and disengage in the presence of one or more
pre-determined conditions. For example, the lock may
engage when the case is detected within a certain geographi-
cal region or even during a specified time. It is contemplated
that providing disclosed systems and apparatuses may
reduce undesirable behavior at communal events by elimi-
nating distractions posed by mobile electronic devices and
preventing unauthorized recordings, which together may
enhance overall engagement at and enjoyment of such
events.

(51) **Int. Cl.**

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H04B 1/3888 (2015.01)
H04M 1/667 (2006.01)
H04W 4/02 (2018.01)
H04M 1/18 (2006.01)

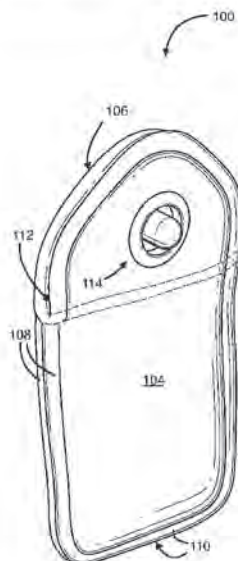
(52) **U.S. Cl.**

CPC **H04W 12/08** (2013.01); **H04B 1/3888**
(2013.01); **H04M 1/667** (2013.01); **H04W**
4/02 (2013.01); **H04M 1/185** (2013.01)

(58) **Field of Classification Search**

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6 Claims, 4 Drawing Sheets



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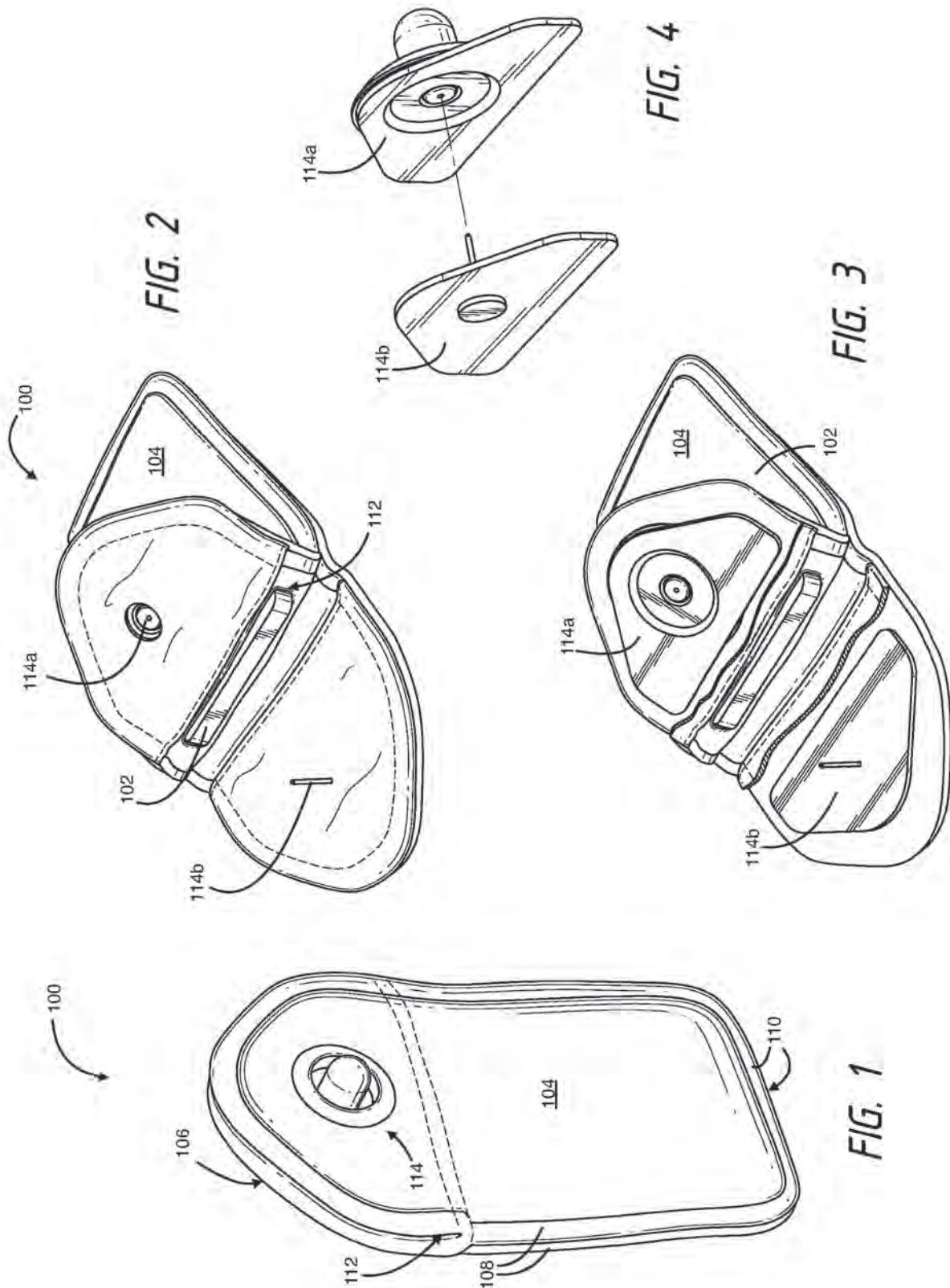
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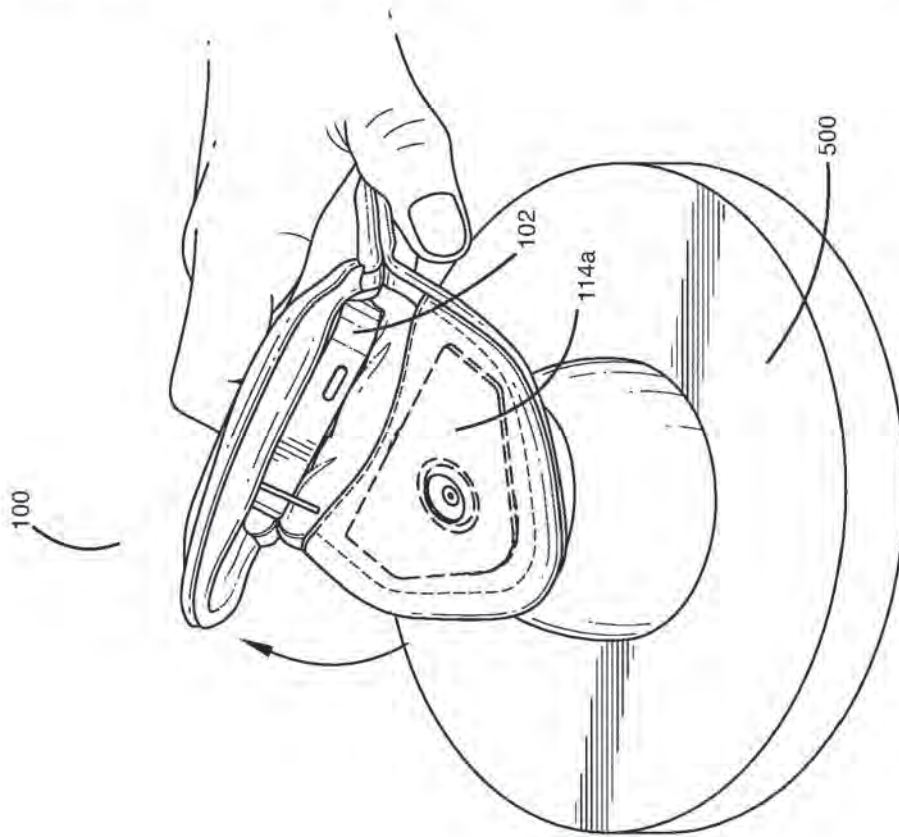


FIG. 6

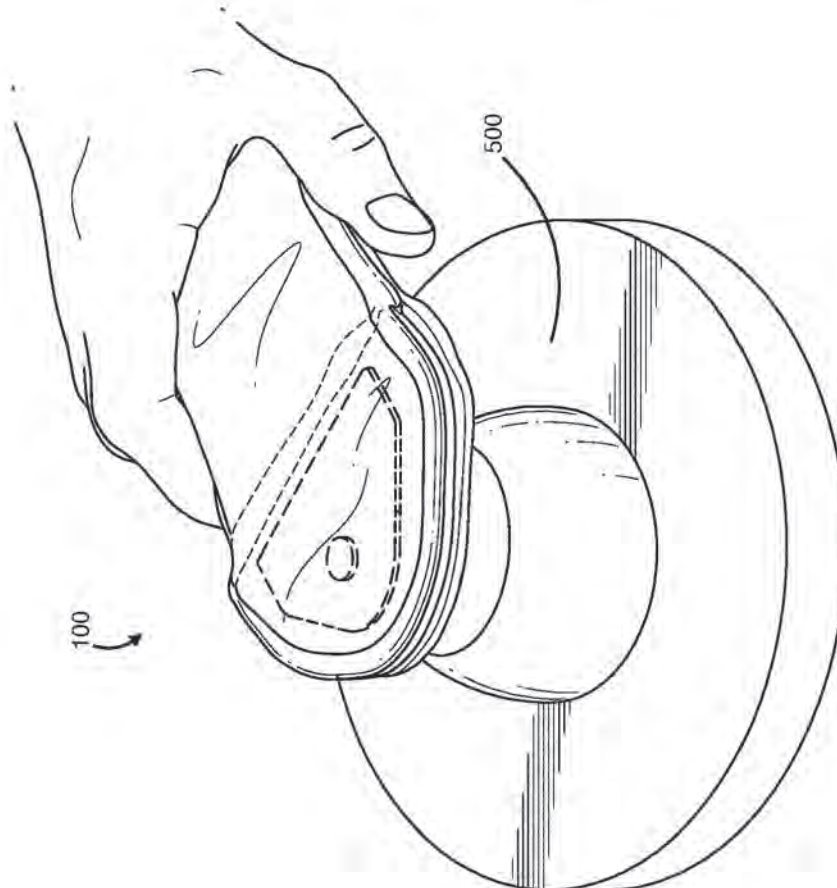
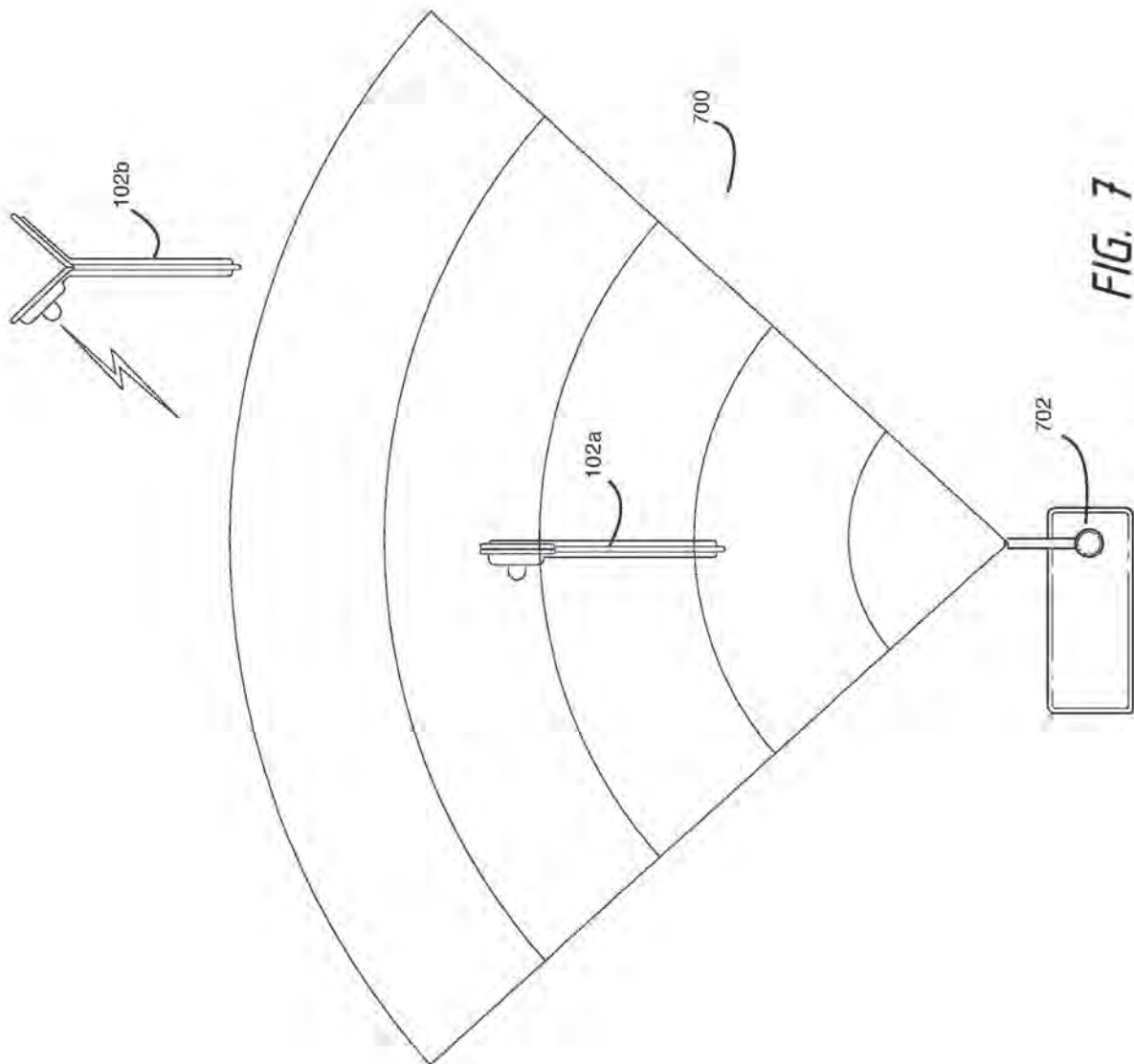
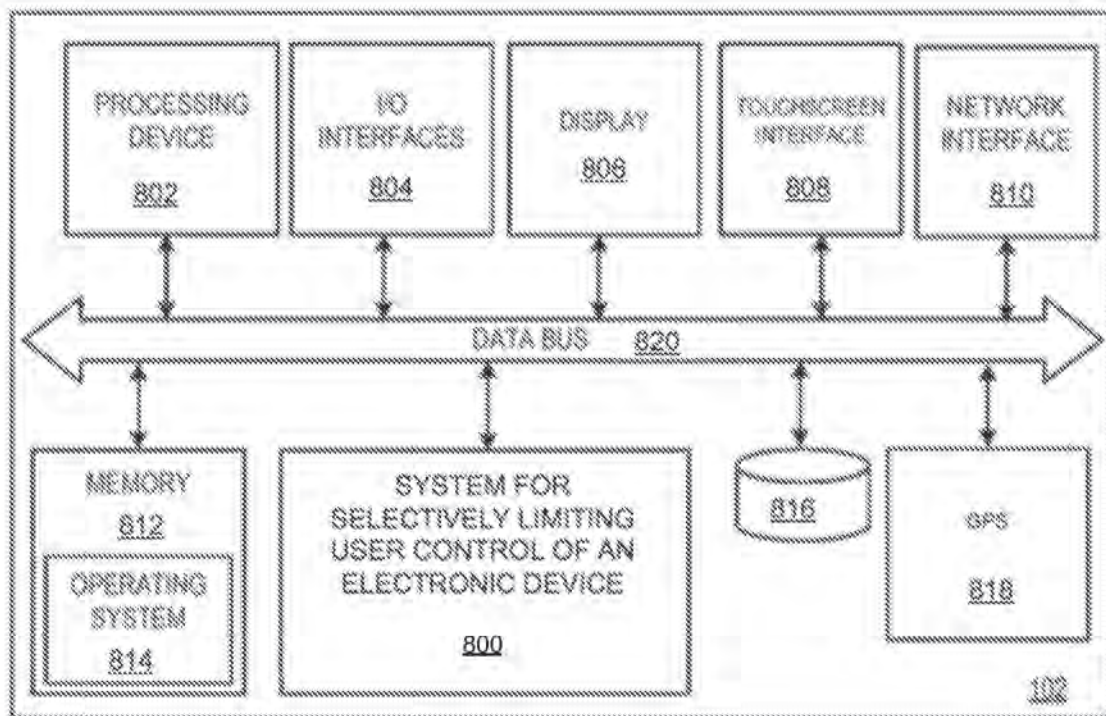


FIG. 5



**FIG. 8**

1

SYSTEM AND APPARATUS FOR SELECTIVELY LIMITING USER CONTROL OF AN ELECTRONIC DEVICE

CROSS-REFERENCE TO RELATED APPLICATIONS

Pursuant to 35 USC § 119, this Application is a continuation of U.S. patent application Ser. No. 15/704,425 filed on Sep. 14, 2017, which is a continuation of U.S. patent application Ser. No. 14/692,530 filed on Apr. 21, 2015. The content of said applications is incorporated herein by reference in its entirety.

GOVERNMENT CONTRACT

Not applicable.

STATEMENT RE. FEDERALLY SPONSORED RESEARCH/DEVELOPMENT

Not applicable.

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TECHNICAL FIELD

The disclosed subject matter relates generally to systems and apparatuses for limiting functionality of personal electronic devices and, more particularly, to locking cases and other techniques that selectively limit a user's ability to access and control such electronic devices until predetermined conditions, such as geographic location and passage of time, are met.

BACKGROUND

Handheld and mobile electronic devices have become ubiquitous for conveniently enhancing wireless communication and connectivity. Still, the extent of their pervasive use has also proven to be unwelcome in certain settings.

In many instances, mobile electronic devices can distract users from appreciating their surroundings and company of others to a full extent. For example, many who bring their mobile electronic devices, such as cell phones, to social outings may find themselves foregoing live conversation to check their phones for text messages, missed calls, and other virtual communications. Additionally, as photo and video recording capabilities have improved, users have increasingly taken to using their mobile electronic devices to record performers, speakers, and even athletes at live events. This can be distracting to the performers and to others in the audience, detracting from overall enjoyment of the event. Indeed, this can even be harmful to the intellectual property rights of performers whose copyrighted or otherwise valuable and legally protectable displays and performances are digitally recorded and distributed without authorization.

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Attempts have been made to limit use of mobile electronic devices. For example, U.S. Pat. No. 7,181,229 to Singh et al. discloses a system that, in part, shuts off a cell phone and prevents a user from turning the cell phone on while it is within a restricted area, such as a car. This solution is deficient however, because it completely prevents users from being notified of any incoming calls or messages that may require the user's attention. The '229 patent further discloses a system that limits cell phone function when it is detected within an automobile. Aside from the geographically limited application of this invention, it is also deficient because it fails to blocks the screen to diminish possible temptation to use the device.

Other attempts to discourage use of mobile electronic devices at communal events and in certain venues have been largely ineffective. For example, providing signs and instructions to refrain from using mobile electronic devices in certain areas and/or during specified time periods are often ignored. Moreover, requiring people to leave mobile electronic devices at home, turn them off, or to physically turn them over to venue staff for the duration of an event is often met with resistance. This may be because users prefer not to be separated from their valuable personal property, fearing theft of their devices and electronically stored information, and even the risk of missing important messages or other notifications.

Thus, although various proposals have been made to solve the problem, none of those in existence combine the characteristics of the present invention. Therefore, there remains a need for a system and apparatus that selectively limits access to and/or disables functions of a mobile electronic device.

SUMMARY

The present disclosure is directed to techniques for limiting access to and control of personal mobile electronic devices within certain geographic locations or even during specified periods of time.

For purposes of summarizing, certain aspects, advantages, and novel features have been described. It is to be understood that not all such advantages may be achieved in accordance with any one particular embodiment. Thus, the disclosed subject matter may be embodied or carried out in a manner that achieves or optimizes one advantage or group of advantages without achieving all advantages as may be taught or suggested.

In one embodiment, among others, the apparatus is a case sized to accommodate a mobile electronic device. More particularly, the case may comprise a front and a rear panel secured together along longitudinally opposed side edges and laterally opposed lower edges. Configured in this manner, the front and rear panels and sealed edges may define an opening to receive the mobile electronic device.

The case may additionally comprise a locking means for at least partially securing the opening. The locking means may comprise opposing plates disposed on or within the front and rear panels of the case. More particularly, opposing plates respectively having securably mateable female and a male members are contemplated. It is additionally contemplated that the locking means may first render the electronic device inaccessible to the user, or in other words possessor, of the device and second be non-disengageable by the user of the mobile electronic device until predetermined condition is met. In other words, when engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to

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disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

For example, predetermined condition may relate to geographic location or timing. Indeed, in one embodiment, the case may be used to render a mobile electronic device inaccessible during a communal event such as a show, demonstration, display, or athletic competition within a concert hall, center, arena, or similar venue. In such scenarios, the locking means may only become disengageable if a user leaves the venue. Alternatively, the locking means may only become disengageable at such a time as the communal event is completed. As yet another alternative, the locking means may become disengageable when a user locates venue staff who are equipped to physically disengage the locking means on their behalf.

In an embodiment, the locking means may be remotely engageable and disengageable. The locking means may be equipped with electronic receivers such as a radio frequency identification (RFID) configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter indicating that the case has respectively entered and exited defined geographical region. Thus, for example, the locking means may receive instructions to lock the device when it is located within an audience seating area of a venue or concert hall. Then, the locking device may receive instructions to unlock the device when it is located outside of the audience area of a venue or concert hall.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

It is contemplated that providing disclosed systems and apparatuses according to the disclosure and claims provided below may reduce undesirable behavior at communal events by eliminating distractions posed by mobile electronic devices and preventing unauthorized recordings, which together may enhance overall engagement at and enjoyment of such events.

Thus, it is an object of the invention to eliminate distractions caused by use of mobile electronic devices at communal events.

It is another object of the invention to prevent users from controlling their mobile electronic devices within certain locations.

It is yet another object of the invention to prevent users from controlling their mobile electronic devices during certain periods of time.

It is still another object of the invention to avoid possible infringement of intellectual property rights caused by unauthorized use of recording features available on many mobile electronic devices.

It is another object of the invention to protect personal privacy of those surrounding users of mobile electronic devices at communal events by preventing such users from photographing and recording them, and even further preventing such users from sharing any impermissibly captured photos and recordings.

One or more of the above-disclosed embodiments, in addition to certain alternatives, are provided in further detail

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below with reference to the attached figures. The disclosed subject matter is not, however, limited to any particular embodiment disclosed.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 2 is an alternate perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 3 is a skeletal view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 4 illustrates an embodiment of means for locking the embodiment of the case for selectively limiting user control of an electronic device in FIGS. 1-3.

FIGS. 5 and 6 show an embodiment of means for unlocking an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 7 is a schematic representation of an embodiment of the system for selectively limiting user control of an electronic device.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device practicing an embodiment of the system for selectively limiting user control of the electronic device.

The disclosed embodiments may be better understood by referring to the figures in the attached drawings, as provided below. The attached figures are provided as non-limiting examples for providing an enabling description of the system and apparatus claimed. Attention is called to the fact, however, that the appended drawings illustrate only typical embodiments of this invention and are therefore not to be considered as limiting of its scope. One skilled in the art will understand that the invention may be practiced without some of the details included in order to provide a thorough enabling description of such embodiments. Well-known structures and functions have not been shown or described in detail to avoid unnecessarily obscuring the description of the embodiments.

One embodiment of the invention is implemented as a program product for use with a computer system. The program(s) of the program product defines functions of the embodiments (including the methods described herein) and can be contained on a variety of computer-readable storage media. Illustrative computer-readable storage media include, but are not limited to: (i) non-writable storage media (e.g., read-only memory devices within a computer such as CD-ROM disks readable by a CD-ROM drive) on which information is permanently stored; (ii) writable storage media (e.g., floppy disks within a diskette drive or hard-disk drive) on which alterable information is stored. Such computer-readable storage media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Other media include communications media through which information is conveyed to a computer, such as through a computer or telephone network, including wireless communications networks. The latter embodiment specifically includes transmitting information to/from the Internet and other networks. Such communications media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Broadly, computer-readable storage media and communications media may be referred to herein as computer-readable media.

In general, the routines executed to implement the embodiments of the invention, may be part of an operating

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system or a specific application, component, program, module, object, or sequence of instructions. The computer program of the present invention typically is comprised of a multitude of instructions that will be translated by the native computer into a machine-readable format and hence executable instructions. Also, programs are comprised of variables and data structures that either reside locally to the program or are found in memory or on storage devices. In addition, various programs described hereinafter may be identified based upon the application for which they are implemented in a specific embodiment of the invention. However, it should be appreciated that any particular program nomenclature that follows is used merely for convenience, and thus the invention should not be limited to use solely in any specific application identified and/or implied by such nomenclature.

For simplicity and clarity of illustration, the drawing figures illustrate the general manner of construction, and descriptions and details of well-known features and techniques may be omitted to avoid unnecessarily obscuring the invention. Additionally, elements in the drawing figures are not necessarily drawn to scale. For example, the dimensions of some of the elements in the figures may be exaggerated relative to other elements to help improve understanding of embodiments of the present invention. The same reference numerals in different figures denote the same elements.

The terms "first," "second," "third," "fourth," and the like in the description and in the claims, if any, are used for distinguishing between similar elements and not necessarily for describing a particular sequential or chronological order. It is to be understood that the terms so used are interchangeable under appropriate circumstances such that the embodiments described herein are, for example, capable of operation in sequences other than those illustrated or otherwise described herein. Furthermore, the terms "include," and "have," and any variations thereof, are intended to cover a non-exclusive inclusion, such that a process, method, system, article, device, or apparatus that comprises a list of elements is not necessarily limited to those elements, but may include other elements not expressly listed or inherent to such process, method, system, article, device, or apparatus.

The terms "couple," "coupled," "couples," "coupling," and the like should be broadly understood and refer to connecting two or more elements or signals, electrically, mechanically or otherwise. Two or more electrical elements may be electrically coupled, but not mechanically or otherwise coupled; two or more mechanical elements may be mechanically coupled, but not electrically or otherwise coupled; two or more electrical elements may be mechanically coupled, but not electrically or otherwise coupled. Coupling (whether mechanical, electrical, or otherwise) may be for any length of time, e.g., permanent or semi-permanent or only for an instant.

DETAILED DESCRIPTION

Having summarized various aspects of the present disclosure, reference will now be made in detail to that which is illustrated in the drawings. While the disclosure will be described in connection with these drawings, there is no intent to limit it to the embodiment or embodiments disclosed herein. Rather, the intent is to cover all alternatives, modifications and equivalents included within the spirit and scope of the disclosure as defined by the appended claims.

With reference to FIGS. 1-4 the apparatus for selectively limiting user control of an electronic device may be embod-

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ied as a case **100** sized to accommodate a mobile electronic device **102**. More particularly, the case may comprise a front **104** and a rear panel **106** secured together along longitudinally opposed side edges **108** and laterally opposed lower edges **110**. The lower edges **110** may be secured by permanently stitching or gluing together, while the side edges **108** may be stitched or glued upward from the lower toward an opening **112** that is defined by the front and rear panels **104**, **106** and permanently secured edges **108**, **110** and further sized to receive the mobile electronic device **102**.

As illustrated, one embodiment of the apparatus may be a soft, flexible case. It may comprise various rugged materials such as neoprene, lycra, silicone rubber, spandex, vinyl, canvas, and any other material or combinations of materials sufficient to temporarily house a mobile electronic device. Additionally, various other configurations are contemplated for the shape of the apparatus as well. For example, the invention may comprise a rigid shell or box having a securable opening to receive a mobile electronic device. As such, one skilled in the art will recognize that the illustrated figures are offered by way of example and ease of understanding only, not of limitation.

The apparatus for selectively limiting user control of an electronic device further comprises a locking means **114** for at least partially securing the opening **112** so the mobile electronic device **102** may be rendered inaccessible to and further uncontrollable by the user of the device although it may still remain in his possession.

In one embodiment, the locking means **114** comprises opposing plates disposed on or within the front and rear panels **106**, **108** of the case **100**, and to effect locking, each opposing plate has one of a securably mateable female **114a** and male **114b** member. Other locking means are, of course, contemplated. For example, magnetic plates, selectively releasable mesh, lockable zippers, and other means for at least partially securing the opening **112** may be sufficient to practice the invention. In this manner, the locking means **114** may first render the electronic device **102** inaccessible to the user by at least partially securing the opening **112** of the device, and second be non-disengageable by the user of the mobile electronic device until a predetermined condition is met.

One or more embodiments of the case **100** may be configured to selectively limit access to a mobile electronic device **102** in response to various predetermined conditions. In one embodiment, the case may be outfitted with locking means **114** comprising a manual, key-operated latch wherein means for unlocking comprise a corresponding key. In such an embodiment, the case **100** may be manually locked or unlocked by venue staff or other members in possession of such a key. Thus, the system for selectively limiting user control of an electronic device may involve a predetermined condition requiring the user of the electronic device **102** to locate venue staff or other members in possession of the key to manually unlock the case **100** on user's behalf.

With reference to FIGS. 5 and 6, the system **500** for selectively limiting user control of an electronic device may comprise a locking means **114** having electronic receivers, such as a radio frequency identification (RFID) tag and means for unlocking the case **100** comprising an electronic article surveillance (EAS) detacher **502** for separating the mating portions of the locking means **114**. The EAS detacher **502** may be, for example, any of those known in the to contain strong magnets that interrupt electromagnetic fields such as those in the range of radio frequencies. Thus, in one embodiment represented by FIG. 5, the at least partially secured locking means **114** may be touched to the EAS

detacher 502 so that any electromagnetic fields enabling the locking means 114 to remain secured are interrupted. This, in turn, may allow the locking means 114 to become unsecured and further exposes the mobile electronic device 102 within the case as in FIG. 6. In such an embodiment, it is contemplated that the predetermined condition involves locating an EAS detacher. In the event that the system and apparatus for selectively limiting user control of an electronic device is employed to reduce distractions at a communal event, such means for unlocking the case may be placed out side of any audience viewing area or even at venue exit ways.

The means for unlocking the case may also operate remotely to cause the case to automatically lock and unlock. For example, in one embodiment, the locking means may automatically lock and unlock when the case is determined to be, respectively, within and outside of a defined geographical region. For example, with reference to FIG. 7, another embodiment of the system may comprise locking means 114 having electronic receivers such as the aforementioned RFID tag disposed therein and further configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter 702. Thus, for example, the locking means may receive instructions to lock the device when it is located in 100a the geographical region 704 within reach of the transmitter 702. Then, the locking means 114 may receive instructions to unlock the device when it is located outside 100b of the geographical region 704 within reach of the transmitter 702. In such an embodiment, it is contemplated that the predetermined condition requires a user to exit a geographical region to regain access and control of his or her mobile electronic device. As a more particularized example, a transmitter signal may be configured to cover the geographical region of an audience seating area at a venue hosting a communal event. When within the audience seating area, the case 100a may remain secured so that a user is unable to access or control the mobile electronic device contained therein. However, when the case 100b travels outside of the audience seating area, such as to a foyer, lobby, or restroom, the locking means 114 may become unsecured to provide access to the mobile electronic device. It should be understood that such a limitation is offered by way of example only. The transmitter signal may be configured to cover any desirable area, and indeed a plurality of transmitters 702 may even be employed to enlarge or otherwise define the geographical region affecting access and control of the mobile electronic device.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

In addition to geographical proximity to electromagnetic and other wireless data signals, the predetermined condition may also or alternatively relate to the passage of time. For example, the locking means may automatically become unsecured at the time that a communal event is scheduled to end or even during intermissions. Thus a transmitter may produce a signal causing the locking means to remain secured for a period of time. When the period of time elapses, the transmitter may stop producing the signal so that the locking means becomes unsecured. Of course, various

other predetermined conditions and means for unlocking may signal or prompt the release of the locking means, and the foregoing are offered only for the purpose of enabling the system and apparatus. In any event, when engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to automatically or manually disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

In still another embodiment, the mobile electronic device 102 itself includes an embodiment of the system for selectively limiting user control of an electronic device. The system can be implemented in numerous ways such as, for example and without limitation, those discussed above, and even as an application executed on the mobile electronic device 102. In operation, an embodiment of the system receives information from integrated positioning technology, such Global Position Systems (GPS) to selectively limit a user's ability to control his or her mobile electronic device. Of course, one skilled in the art will recognize that various methods of determining the location of a mobile electronic device can be used.

In a further embodiment, a geofence may be created around a venue for a communal event, or other location where it may be desirable to limit use of a mobile electronic device, so that the system automatically disables certain functional capabilities of the mobile electronic device 102 any time the device comes within a predetermined distance of the venue or other location. For example, a mobile electronic device within the geofence may be rendered incapable of sending or receiving voice and/or text messages. As another example, a mobile electronic device within the geofence may be incapable of running applications or other programs operative to capture audio and/or visual recordings. As yet another example, a mobile electronic device within the geofence may be rendered incapable of receiving or transmitting data through the Internet and other networks.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device 102 that may be compatible with one or more embodiments of the disclosed system and apparatus. The mobile electronic device 102 may be a cell phone, smart phone, or tablet computer but may also be embodied in any one of a wide variety of wired and/or wireless computing devices. As shown in FIG. 8, mobile electronic device 102 includes a processing device (processor) 802, input/output interfaces 804, a display 806, a touchscreen interface 808, a network interface 810, memory 812, and operating system 814, a mass storage 816 and a GPS 818, with each communicating across a local data bus 820. Additionally, mobile electronic device 802 incorporates a system for selectively limiting user control of an electronic device 102, which may optionally be configured to include programming instructions to selectively disable any of the aforementioned features of the mobile electronic device 102. For example, in one embodiment, the system for selectively limiting user control of an electronic device 102 may communicate instructions to disable input/output interfaces 804.

The processing device 802 may include any custom made or commercially available processor, a central processing unit (CPU) or an auxiliary processor among several processors associated with the mobile electronic device 102, a semiconductor based microprocessor (in the form of a microchip), a macroprocessor, one or more application specific integrated circuits (ASICs), a plurality of suitably configured digital logic gates, and other electrical configu-

rations comprising discrete elements both individually and in various combinations to coordinate the overall operation of the system.

The memory **812** can include any one of a combination of volatile memory elements (e.g., random-access memory (RAM, such as DRAM, and SRAM, etc.)) and nonvolatile memory elements. The memory typically comprises native operating system **814**, one or more native applications, emulation systems, or emulated applications for any of a variety of operating systems and/or emulated hardware platforms, emulated operating systems, etc. For example, the applications may include application specific software which may comprise some or all the components of the mobile electronic device **102**. In accordance with such embodiments, the components are stored in memory and executed by the processing device. Note that although depicted separately in FIG. **8**, the system selectively limiting user control of an electronic device **102** may be resident in memory such as memory **812**.

Touchscreen interface **808** may be configured to detect contact within the display area of the display **806** and provides such functionality as on-screen buttons, menus, keyboards, etc. that allows users to navigate user interfaces by touch. Some embodiment of the mobile electronic device **102** will even comprise GPS **818** or other means to determine the location of the mobile electronic device **102**.

One of ordinary skill in the art will appreciate that the memory **814** can, and typically will, comprise other components that have been omitted for purposes of brevity. Note that in the context of this disclosure, a non-transitory computer-readable medium stores one or more programs for use by or in connection with an instruction execution system, apparatus, or device. With further reference to FIG. **8**, network interface device **810** comprises various components used to transmit and/or receive data over a networked environment. When such components are embodied as an application, such as an application for executing and embodiment of the system for selectively limiting user control of the electronic device, the one or more components may be stored on a non-transitory computer-readable medium and executed by the processing device.

It should be emphasized that the above-described embodiments are merely examples of possible implementations. Many variations and modifications may be made to the above-described embodiments without departing from the principles of the present disclosure. All such modifications and variations are intended to be included herein within the scope of this disclosure and protected by the following claims.

Moreover, embodiments and limitations disclosed herein are not dedicated to the public under the doctrine of dedication if the embodiments and/or limitations: (1) are not expressly claimed in the claims; and (2) are or are potentially equivalents of express elements and/or limitations in the claims under the doctrine of equivalents.

Conclusions, Ramifications, and Scope

While certain embodiments of the invention have been illustrated and described, various modifications are contemplated and can be made without departing from the spirit and scope of the invention. For example, communal events are discussed as venues for implementation of the invention, however it is contemplated that the system and apparatus disclosed may be applied to small scale and even private venues such as for example, a private home, a restaurant, members-only club, and even automobile or other vehicle.

Accordingly, it is intended that the invention not be limited, except as by the appended claim(s).

The teachings disclosed herein may be applied to other systems and apparatuses, and may not necessarily be limited to any described herein. The elements and acts of the various embodiments described above can be combined to provide further embodiments. All of the above patents and applications and other references, including any that may be listed in accompanying filing papers, are incorporated herein by reference. Aspects of the invention can be modified, if necessary, to employ the systems, functions and concepts of the various references described above to provide yet further embodiments of the invention.

Particular terminology used when describing certain features or aspects of the invention should not be taken to imply that the terminology is being refined herein to be restricted to any specific characteristics, features, or aspects of the system and apparatus for selectively limiting user control of an electronic device with which that terminology is associated. In general, the terms used in the following claims should not be construed to limit the system and apparatus for selectively limiting user control of an electronic device to the specific embodiments disclosed in the specification unless the above description section explicitly define such terms. Accordingly, the actual scope encompasses not only the disclosed embodiments, but also all equivalent ways of practicing or implementing the disclosed system and apparatus. The above description of embodiments of the system and apparatus for selectively limiting user control of an electronic device is not intended to be exhaustive or limited to the precise form disclosed above or to a particular field of usage.

While specific embodiments of, and examples for, the method, system, and apparatus are described above for illustrative purposes, various equivalent modifications are possible for which those skilled in the relevant art will recognize.

While certain aspects of the method and system disclosed are presented below in particular claim forms, various aspects of the system and apparatus are contemplated in any number of claim forms. Thus, the inventor reserves the right to add additional claims after filing the application to pursue such additional claim forms for other aspects of the system and apparatus for selectively limiting user control of an electronic device.

What is claimed is:

1. A case comprising:

a front panel and a rear panel, each of the front panel and the rear panel having first and second longitudinally opposed side edges and a lower edge, the first longitudinally opposed side edges, the second longitudinally opposed side edges, and the lower edges secured together to define an opening for receiving a mobile electronic device;

the front panel and rear panel further configured to receive one each of an opposing part of a mating lock comprising a female plate and a male plate, such that the front panel is coupled to the male plate, the male plate comprising a male member, the rear panel is coupled to the female plate and further defining a hole operative to receive the male member; and

the mating lock is configured to at least partially obscure the opening so that the mobile electronic device is rendered inaccessible to a user when the mating lock is locked, the mating lock being non-disengageable by the user until a predetermined condition is met, the prede-

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terminated condition corresponding to a physical presence of the case in relation to a defined geographic area for use of the case.

2. The case of claim 1, wherein at least one of the female and male plates comprise a radio frequency identification tag operative to receive instructions from a remote transmitter to disengage the mating locking when the predetermined condition is met. 5

3. The case of claim 2, wherein a microprocessor is further disposed in one or both of the female and male plates to receive a wireless data signal from a beacon or transmitter to disengage the mating lock when the predetermined condition is met. 10

4. The case of claim 1, wherein the predetermined condition is the passage of time. 15

5. The case of claim 1, wherein the predetermined condition corresponds to an engagement by the user to disengage the mating lock.

6. The case of claim 1, wherein the case is constructed of a knitted or woven fibrous material. 20

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(54) **SYSTEM AND APPARATUS FOR
SELECTIVELY LIMITING USER CONTROL
OF AN ELECTRONIC DEVICE**

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(2013.01); **H04M 1/667** (2013.01); **H04W**
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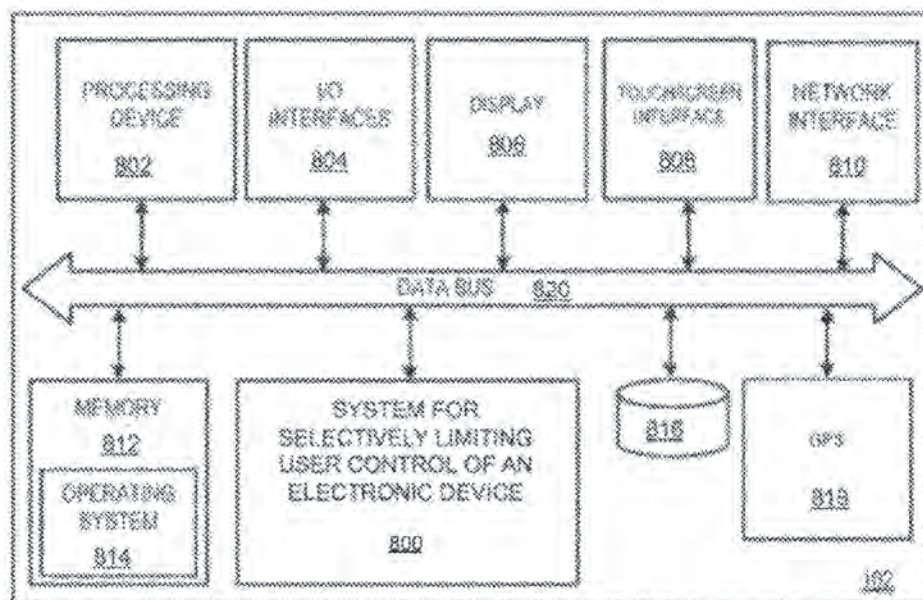
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Greenberg Traurig

(57) **ABSTRACT**

A system and apparatus for selectively limiting user control of a mobile electronic device are provided. In an embodiment, the apparatus may be a case sized to receive a mobile electronic device, the case having a locking means to at least partially secure an opening thereof. When engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to engage and disengage in the presence of one or more pre-determined conditions. For example, the lock may engage when the case is detected within a certain geographical region or even during a specified time. It is contemplated that providing disclosed systems and apparatuses may reduce undesirable behavior at communal events by eliminating distractions posed by mobile electronic devices and preventing unauthorized recordings, which together may enhance overall engagement at and enjoyment of such events.

20 Claims, 4 Drawing Sheets



Related U.S. Application Data

16/813,437, filed on Mar. 9, 2020, which is a continuation of application No. 15/704,425, filed on Sep. 14, 2017, now Pat. No. 10,623,957, which is a continuation of application No. 14/692,530, filed on Apr. 21, 2015, now Pat. No. 9,819,788.

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See application file for complete search history.

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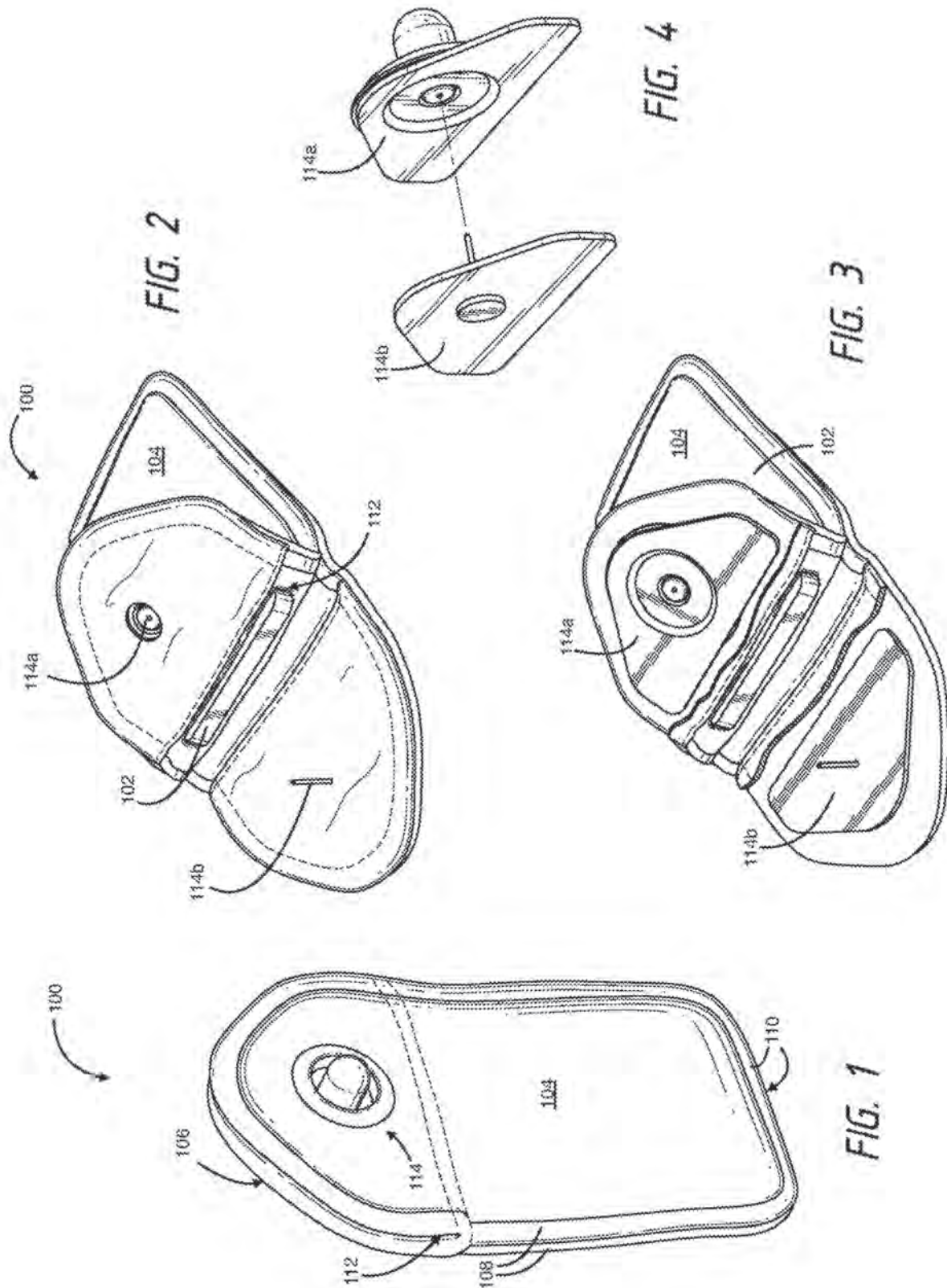
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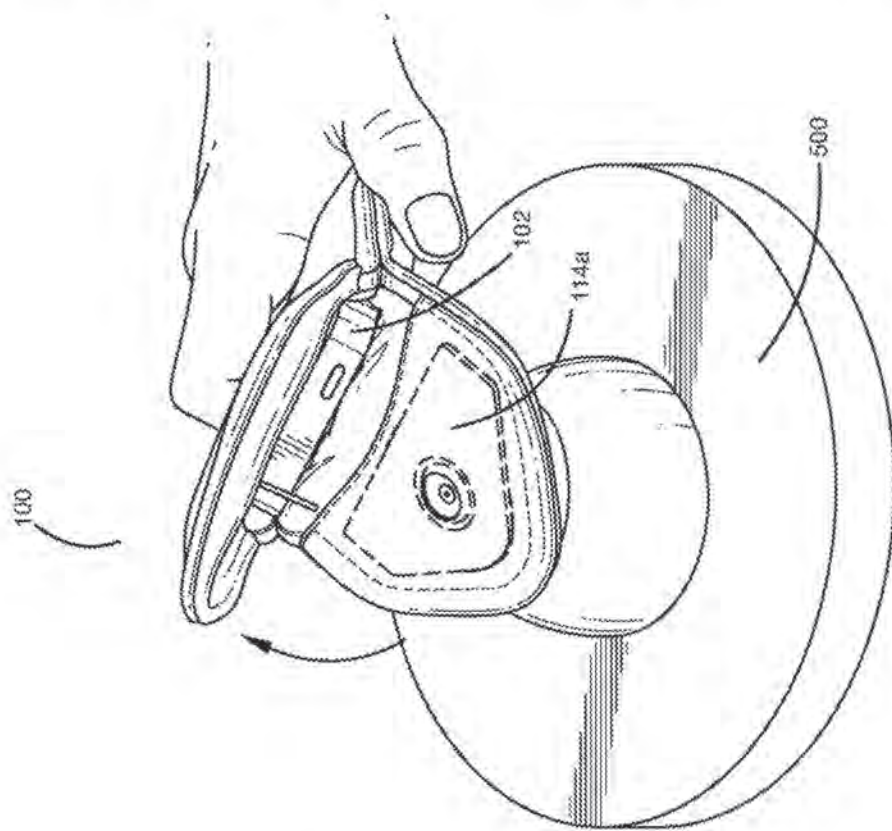


FIG. 6

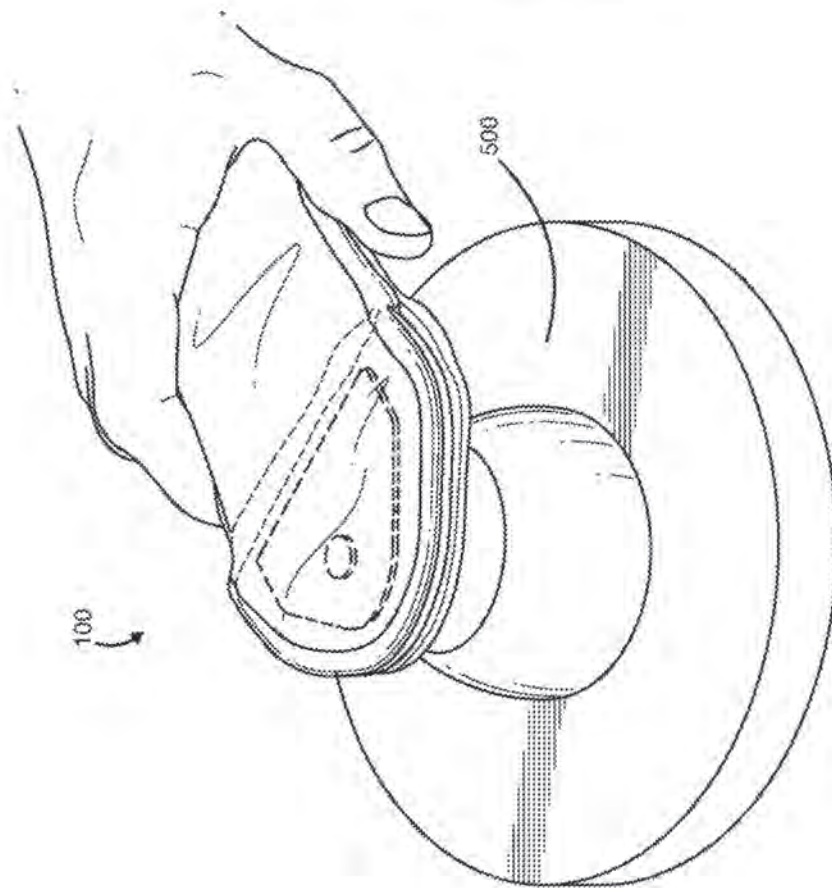
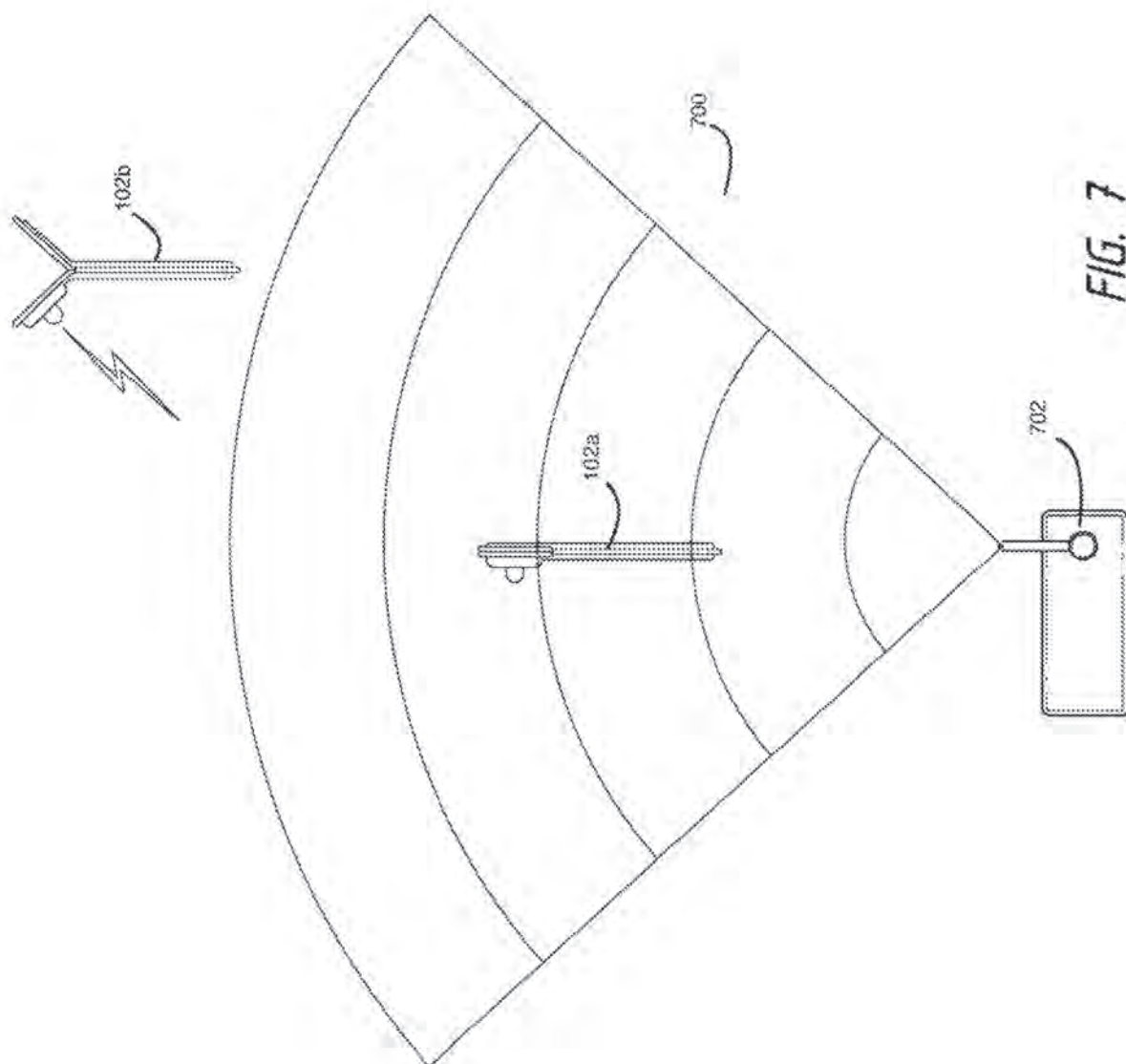


FIG. 5



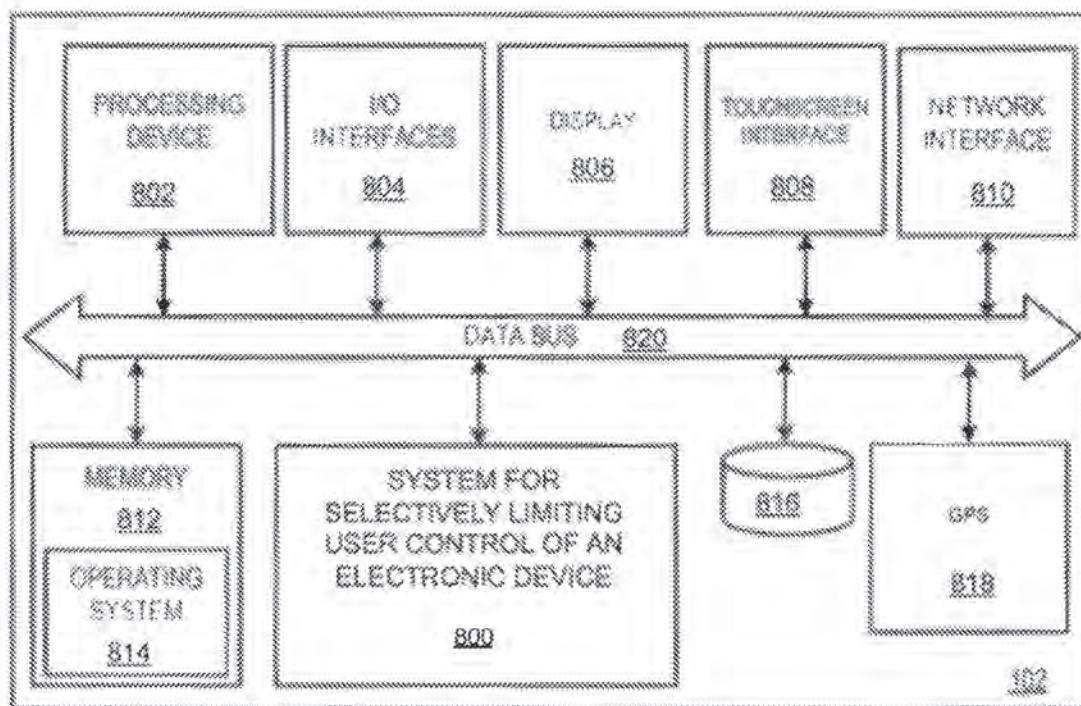


FIG. 8

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SYSTEM AND APPARATUS FOR SELECTIVELY LIMITING USER CONTROL OF AN ELECTRONIC DEVICE

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of and claims the benefit of priority from U.S. patent application Ser. No. 18/517,675, filed Nov. 22, 2023, which is a divisional of U.S. Patent Application Ser. No. 16/813,437, filed on Mar. 9, 2020, which is a continuation of U.S. Patent Application Ser. No. 15/704,425, filed on Sep. 14, 2017 (now U.S. Pat. No. 10,623,957), which is a continuation of U.S. Patent Application Ser. No. 14/692,530, filed on Apr. 21, 2015 (now U.S. Pat. No. 9,819,788); the contents of which are incorporated herein by reference in their entirety.

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TECHNICAL FIELD

The disclosed subject matter relates generally to systems and apparatuses for limiting functionality of personal electronic devices and, more particularly, to locking cases and other techniques that selectively limit a user's ability to access and control such electronic devices until predetermined conditions, such as geographic location and passage of time, are met.

BACKGROUND

Handheld and mobile electronic devices have become ubiquitous for conveniently enhancing wireless communication and connectivity. Still, the extent of their pervasive use has also proven to be unwelcome in certain settings.

In many instances, mobile electronic devices can distract users from appreciating their surroundings and company of others to a full extent. For example, many who bring their mobile electronic devices, such as cell phones, to social outings may find themselves foregoing live conversation to check their phones for text messages, missed calls, and other virtual communications. Additionally, as photo and video recording capabilities have improved, users have increasingly taken to using their mobile electronic devices to record performers, speakers, and even athletes at live events. This can be distracting to the performers and to others in the audience, detracting from overall enjoyment of the event. Indeed, this can even be harmful to the intellectual property rights of performers whose copyrighted or otherwise valuable and legally protectable displays and performances are digitally recorded and distributed without authorization.

Attempts have been made to limit use of mobile electronic devices. For example, U.S. Pat. No. 7,181,229 to Singh et al. discloses a system that, in part, shuts off a cell phone and prevents a user from turning the cell phone on while it is within a restricted area, such as a car. This solution is

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deficient however, because it completely prevents users from being notified of any incoming calls or messages that may require the user's attention. The '229 patent further discloses a system that limits cell phone function when it is detected within an automobile. Aside from the geographically limited application of this invention, it is also deficient because it fails to blocks the screen to diminish possible temptation to use the device.

Other attempts to discourage use of mobile electronic devices at communal events and in certain venues have been largely ineffective. For example, providing signs and instructions to refrain from using mobile electronic devices in certain areas and/or during specified time periods are often ignored. Moreover, requiring people to leave mobile electronic devices at home, turn them off, or to physically turn them over to venue staff for the duration of an event is often met with resistance. This may be because users prefer not to be separated from their valuable personal property, fearing theft of their devices and electronically stored information, and even the risk of missing important messages or other notifications.

Thus, although various proposals have been made to solve the problem, none of those in existence combine the characteristics of the present invention. Therefore, there remains a need for a system and apparatus that selectively limits access to and/or disables functions of a mobile electronic device.

SUMMARY

The present disclosure is directed to techniques for limiting access to and control of personal mobile electronic devices within certain geographic locations or even during specified periods of time.

For purposes of summarizing, certain aspects, advantages, and novel features have been described. It is to be understood that not all such advantages may be achieved in accordance with any one particular embodiment. Thus, the disclosed subject matter may be embodied or carried out in a manner that achieves or optimizes one advantage or group of advantages without achieving all advantages as may be taught or suggested.

In one embodiment, among others, the apparatus is a case sized to accommodate a mobile electronic device. More particularly, the case may comprise a front and a rear panel secured together along longitudinally opposed side edges and laterally opposed lower edges. Configured in this manner, the front and rear panels and sealed edges may define an opening to receive the mobile electronic device.

The case may additionally comprise a locking means for at least partially securing the opening. The locking means may comprise opposing plates disposed on or within the front and rear panels of the case. More particularly, opposing plates respectively having securably mateable female and a male members are contemplated. It is additionally contemplated that the locking means may first render the electronic device inaccessible to the user, or in other words possessor, of the device and second be non-disengageable by the user of the mobile electronic device until predetermined condition is met. In other words, when engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be configured to disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

For example, predetermined condition may relate to geographic location or timing. Indeed, in one embodiment, the case may be used to render a mobile electronic device

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inaccessible during a communal event such as a show, demonstration, display, or athletic competition within a concert hall, center, arena, or similar venue. In such scenarios, the locking means may only become disengageable if a user leaves the venue. Alternatively, the locking means may only become disengageable at such a time as the communal event is completed. As yet another alternative, the locking means may become disengageable when a user locates venue staff who are equipped to physically disengage the locking means on their behalf.

In an embodiment, the locking means may be remotely engageable and disengageable. The locking means may be equipped with electronic receivers such as a radio frequency identification (RFID) configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter indicating that the case has respectively entered and exited defined geographical region. Thus, for example, the locking means may receive instructions to lock the device when it is located within an audience seating area of a venue or concert hall. Then, the locking device may receive instructions to unlock the device when it is located outside of the audience area of a venue or concert hall.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

It is contemplated that providing disclosed systems and apparatuses according to the disclosure and claims provided below may reduce undesirable behavior at communal events by eliminating distractions posed by mobile electronic devices and preventing unauthorized recordings, which together may enhance overall engagement at and enjoyment of such events.

Thus, it is an object of the invention to eliminate distractions caused by use of mobile electronic devices at communal events.

It is another object of the invention to prevent users from controlling their mobile electronic devices within certain locations.

It is yet another object of the invention to prevent users from controlling their mobile electronic devices during certain periods of time.

It is still another object of the invention to avoid possible infringement of intellectual property rights caused by unauthorized use of recording features available on many mobile electronic devices.

It is another object of the invention to protect personal privacy of those surrounding users of mobile electronic devices at communal events by preventing such users from photographing and recording them, and even further preventing such users from sharing any impermissibly captured photos and recordings.

One or more of the above-disclosed embodiments, in addition to certain alternatives, are provided in further detail below with reference to the attached figures. The disclosed subject matter is not, however, limited to any particular embodiment disclosed.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

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FIG. 2 is an alternate perspective view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 3 is a skeletal view of an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 4 illustrates an embodiment of means for locking the embodiment of the case for selectively limiting user control of an electronic device in FIGS. 1-3.

FIGS. 5 and 6 show an embodiment of means for unlocking an embodiment of the case for selectively limiting user control of an electronic device.

FIG. 7 is a schematic representation of an embodiment of the system for selectively limiting user control of an electronic device.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device practicing an embodiment of the system for selectively limiting user control of the electronic device.

The disclosed embodiments may be better understood by referring to the figures in the attached drawings, as provided below. The attached figures are provided as non-limiting examples for providing an enabling description of the system and apparatus claimed. Attention is called to the fact, however, that the appended drawings illustrate only typical embodiments of this invention and are therefore not to be considered as limiting of its scope. One skilled in the art will understand that the invention may be practiced without some of the details included in order to provide a thorough enabling description of such embodiments.

Well-known structures and functions have not been shown or described in detail to avoid unnecessarily obscuring the description of the embodiments.

One embodiment of the invention is implemented as a program product for use with a computer system. The program(s) of the program product defines functions of the embodiments (including the methods described herein) and can be contained on a variety of computer-readable storage media. Illustrative computer-readable storage media include, but are not limited to: (i) non-writable storage media (e.g., read-only memory devices within a computer such as CD-ROM disks readable by a CD-ROM drive) on which information is permanently stored; (ii) writable storage media (e.g., floppy disks within a diskette drive or hard-disk drive) on which alterable information is stored. Such computer-readable storage media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Other media include communications media through which information is conveyed to a computer, such as through a computer or telephone network, including wireless communications networks. The latter embodiment specifically includes transmitting information to/from the Internet and other networks. Such communications media, when carrying computer-readable instructions that direct the functions of the present invention, are embodiments of the present invention. Broadly, computer-readable storage media and communications media may be referred to herein as computer-readable media.

In general, the routines executed to implement the embodiments of the invention, may be part of an operating system or a specific application, component, program, module, object, or sequence of instructions. The computer program of the present invention typically is comprised of a multitude of instructions that will be translated by the native computer into a machine-readable format and hence executable instructions. Also, programs are comprised of variables and data structures that either reside locally to the program or are found in memory or on storage devices,

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In addition, various programs described hereinafter may be identified based upon the application for which they are implemented in a specific embodiment of the invention. However, it should be appreciated that any particular program nomenclature that follows is used merely for convenience, and thus the invention should not be limited to use solely in any specific application identified and/or implied by such nomenclature.

For simplicity and clarity of illustration, the drawing figures illustrate the general manner of construction, and descriptions and details of well-known features and techniques may be omitted to avoid unnecessarily obscuring the invention. Additionally, elements in the drawing figures are not necessarily drawn to scale. For example, the dimensions of some of the elements in the figures may be exaggerated relative to other elements to help improve understanding of embodiments of the present invention. The same reference numerals in different figures denote the same elements.

The terms "first," "second," "third," "fourth," and the like in the description and in the claims, if any, are used for distinguishing between similar elements and not necessarily for describing a particular sequential or chronological order. It is to be understood that the terms so used are interchangeable under appropriate circumstances such that the embodiments described herein are, for example, capable of operation in sequences other than those illustrated or otherwise described herein. Furthermore, the terms "include," and "have," and any variations thereof, are intended to cover a non-exclusive inclusion, such that a process, method, system, article, device, or apparatus that comprises a list of elements is not necessarily limited to those elements, but may include other elements not expressly listed or inherent to such process, method, system, article, device, or apparatus.

The terms "couple," "coupled," "couples," "coupling," and the like should be broadly understood and refer to connecting two or more elements or signals, electrically, mechanically or otherwise. Two or more electrical elements may be electrically coupled, but not mechanically or otherwise coupled; two or more mechanical elements may be mechanically coupled, but not electrically or otherwise coupled; two or more electrical elements may be mechanically coupled, but not electrically or otherwise coupled. Coupling (whether mechanical, electrical, or otherwise) may be for any length of time, e.g., permanent or semi-permanent or only for an instant.

DETAILED DESCRIPTION

Having summarized various aspects of the present disclosure, reference will now be made in detail to that which is illustrated in the drawings. While the disclosure will be described in connection with these drawings, there is no intent to limit it to the embodiment or embodiments disclosed herein. Rather, the intent is to cover all alternatives, modifications and equivalents included within the spirit and scope of the disclosure as defined by the appended claims.

With reference to FIGS. 1-4 the apparatus for selectively limiting user control of an electronic device may be embodied as a case 100 sized to accommodate a mobile electronic device 102. More particularly, the case may comprise a front 104 and a rear panel 106 secured together along longitudinally opposed side edges 108 and laterally opposed lower edges 110. The lower edges 110 may be secured by permanently stitching or gluing together, while the side edges 108 may be stitched or glued upward from the lower toward an opening 112 that is defined by the front and rear panels 104,

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106 and permanently secured edges 108, 110 and further sized to receive the mobile electronic device 102.

As illustrated, one embodiment of the apparatus may be a soft, flexible case. It may comprise various rugged materials such as neoprene, lycra, silicone rubber, spandex, vinyl, canvas, and any other material or combinations of materials sufficient to temporarily house a mobile electronic device. Additionally, various other configurations are contemplated for the shape of the apparatus as well. For example, the invention may comprise a rigid shell or box having a securable opening to receive a mobile electronic device. As such, one skilled in the art will recognize that the illustrated figures are offered by way of example and ease of understanding only, not of limitation.

The apparatus for selectively limiting user control of an electronic device further comprises a locking means 114 for at least partially securing the opening 112 so the mobile electronic device 102 is may be rendered inaccessible to and further uncontrollable by the user of the device although it may still remain in his possession.

In one embodiment, the locking means 114 comprises opposing plates disposed on or within the front and rear panels 106, 108 of the case 100, and to effect locking, each opposing plate has one of a securably mateable female 114a and male 114b member. Other locking means are, of course, contemplated. For example, magnetic plates, selectively releasable mesh, lockable zippers, and other means for at least partially securing the opening 112 may be sufficient to practice the invention. In this manner, the locking means 114 may first render the electronic device 102 inaccessible to the user by at least partially securing the opening 112 of the device, and second be non-disengageable by the user of the mobile electronic device until a predetermined condition is met.

One or more embodiments of the case 100 may be configured to selectively limit access to a mobile electronic device 102 in response to various predetermined conditions. In one embodiment, the case may be outfitted with locking means 114 comprising a manual, key-operated latch wherein means for unlocking comprise a corresponding key. In such an embodiment, the case 100 may be manually locked or unlocked by venue staff or other members in possession of such a key. Thus, the system for selectively limiting user control of an electronic device may involve a predetermined condition requiring the user of the electronic device 102 to locate venue staff or other members in possession of the key to manually unlock the case 100 on user's behalf.

With reference to FIGS. 5 and 6, the system 500 for selectively limiting user control of an electronic device may comprise a locking means 114 having electronic receivers, such as a radio frequency identification (RFID) tag and means for unlocking the case 100 comprising an electronic article surveillance (EAS) detector 502 for separating the mating portions of the locking means 114. The EAS detector 502 may be, for example, any of those known in the to contain strong magnets that interrupt electromagnetic fields such as those in the range of radio frequencies. Thus, in one embodiment represented by FIG. 5, the at least partially secured locking means 114 may be touched to the EAS detector 502 so that any electromagnetic fields enabling the locking means 114 to remain secured are interrupted. This, in turn, may allow the locking means 114 to become unsecured and further exposes the mobile electronic device 102 within the case as in FIG. 6. In such an embodiment, it is contemplated that the predetermined condition involves locating an EAS detector. In the event that the system and apparatus for selectively limiting user control of an elec-

tronic device is employed to reduce distractions at a communal event, such means for unlocking the case may be placed out side of any audience viewing area or even at venue exit ways.

The means for unlocking the case may also operate remotely to cause the case to automatically lock and unlock. For example, in one embodiment, the locking means may automatically lock and unlock when the case is determined to be, respectively, within and outside of a defined geographical region. For example, with reference to FIG. 7, another embodiment of the system may comprise locking means 114 having electronic receivers such as the aforementioned RFID tag disposed therein and further configured to instruct the locking means to alternatively engage and disengage when it receives a signal from a proximity transmitter 702. Thus, for example, the locking means may receive instructions to lock the device when it is located in 100a the geographical region 704 within reach of the transmitter 702. Then, the locking means 114 may receive instructions to unlock the device when it is located outside 100b of the geographical region 704 within reach of the transmitter 702. In such an embodiment, it is contemplated that the predetermined condition requires a user to exit a geographical region to regain access and control of his or her mobile electronic device. As a more particularized example, a transmitter signal may be configured to cover the geographical region of an audience seating area at a venue hosting a communal event. When within the audience seating area, the case 100a may remain secured so that a user is unable to access or control the mobile electronic device contained therein. However, when the case 100b travels outside of the audience seating area, such as to a foyer, lobby, or restroom, the locking means 114 may become unsecured to provide access to the mobile electronic device. It should be understood that such a limitation is offered by way of example only. The transmitter signal may be configured to cover any desirable area, and indeed a plurality of transmitters 702 may even be employed to enlarge or otherwise define the geographical region affecting access and control of the mobile electronic device.

In still another embodiment, the locking device may be equipped with a microprocessor configured to receive Bluetooth™ or other wireless data signals from a beacon or transmitter within a defined perimeter. Thus, for example, receipt of a wireless data signal may cause the locking means on the case to engage so that it restricts access to the mobile electronic device housed within the case. In other examples, the absence of a wireless data signal may cause the locking device to engage.

In addition to geographical proximity to electromagnetic and other wireless data signals, the predetermined condition may also or alternatively relate to the passage of time. For example, the locking means may automatically become unsecured at the time that a communal event is scheduled to end or even during intermissions. Thus a transmitter may produce a signal causing the locking means to remain secured for a period of time. When the period of time elapses, the transmitter may stop producing the signal so that the locking means becomes unsecured. Of course, various other predetermined conditions and means for unlocking may signal or prompt the release of the locking means, and the foregoing are offered only for the purpose of enabling the system and apparatus. In any event, when engaged, the locking means may be physically impenetrable by the user of the mobile electronic device and may further be config-

ured to automatically or manually disengage to provide the user with access to his or her mobile electronic device only under certain circumstances.

In still another embodiment, the mobile electronic device 102 itself includes an embodiment of the system for selectively limiting user control of an electronic device. The system can be implemented in numerous ways such as, for example and without limitation, those discussed above, and even as an application executed on the mobile electronic device 102. In operation, an embodiment of the system receives information from integrated positioning technology, such Global Position Systems (GPS) to selectively limit a user's ability to control his or her mobile electronic device. Of course, one skilled in the art will recognize that various methods of determining the location of a mobile electronic device can be used.

In a further embodiment, a geofence may be created around a venue for a communal event, or other location where it may be desirable to limit use of a mobile electronic device, so that the system automatically disables certain functional capabilities of the mobile electronic device 102 any time the device comes within a predetermined distance of the venue or other location. For example, a mobile electronic device within the geofence may be rendered incapable of sending or receiving voice and/or text messages. As another example, a mobile electronic device within the geofence may be incapable of running applications or other programs operative to capture audio and/or visual recordings. As yet another example, a mobile electronic device within the geofence may be rendered incapable of receiving or transmitting data through the Internet and other networks.

FIG. 8 illustrates an exemplary embodiment of a mobile electronic device 102 that may be compatible with one or more embodiments of the disclosed system and apparatus. The mobile electronic device 102 may be a cell phone, smart phone, or tablet computer but may also be embodied in any one of a wide variety of wired and/or wireless computing devices. As shown in FIG. 8, mobile electronic device 102 includes a processing device (processor) 802, input/output interfaces 804, a display 806, a touchscreen interface 808, a network interface 810, memory 812, and operating system 814, a mass storage 816 and a GPS 818, with each communicating across a local data bus 820. Additionally, mobile electronic device 802 incorporates a system for selectively limiting user control of an electronic device 102, which may optionally be configured to include programming instructions to selectively disable any of the aforementioned features of the mobile electronic device 102. For example, in one embodiment, the system for selectively limiting user control of an electronic device 102 may communicate instructions to disable input/output interfaces 804.

The processing device 802 may include any custom made or commercially available processor, a central processing unit (CPU) or an auxiliary processor among several processors associated with the mobile electronic device 102, a semiconductor based microprocessor (in the form of a microchip), a macroprocessor, one or more application specific integrated circuits (ASICs), a plurality of suitably configured digital logic gates, and other electrical configurations comprising discrete elements both individually and in various combinations to coordinate the overall operation of the system.

The memory 812 can include any one of a combination of volatile memory elements (e.g., random-access memory (RAM, such as DRAM, and SRAM, etc.)) and nonvolatile memory elements. The memory typically comprises native

operating system 814, one or more native applications, emulation systems, or emulated applications for any of a variety of operating systems and/or emulated hardware platforms, emulated operating systems, etc. For example, the applications may include application specific software which may comprise some or all the components of the mobile electronic device 102. In accordance with such embodiments, the components are stored in memory and executed by the processing device. Note that although depicted separately in FIG. 8, the system selectively limiting user control of an electronic device 102 may be resident in memory such as memory 812.

Touchscreen interface 808 may be configured to detect contact within the display area of the display 806 and provides such functionality as on-screen buttons, menus, keyboards, etc. that allows users to navigate user interfaces by touch. Some embodiment of the mobile electronic device 102 will even comprise GPS 818 or other means to determine the location of the mobile electronic device 102.

[One of ordinary skill in the art will appreciate that the memory 814 can, and typically will, comprise other components that have been omitted for purposes of brevity. Note that in the context of this disclosure, a non-transitory computer-readable medium stores one or more programs for use by or in connection with an instruction execution system, apparatus, or device. With further reference to FIG. 8, network interface device 810 comprises various components used to transmit and/or receive data over a networked environment. When such components are embodied as an application, such as an application for executing and embodiment of the system for selectively limiting user control of the electronic device, the one or more components may be stored on a non-transitory computer-readable medium and executed by the processing device.

It should be emphasized that the above-described embodiments are merely examples of possible implementations. Many variations and modifications may be made to the above-described embodiments without departing from the principles of the present disclosure. All such modifications and variations are intended to be included herein within the scope of this disclosure and protected by the following claims.

Moreover, embodiments and limitations disclosed herein are not dedicated to the public under the doctrine of dedication if the embodiments and/or limitations: (1) are not expressly claimed in the claims; and (2) are or are potentially equivalents of express elements and/or limitations in the claims under the doctrine of equivalents.

CONCLUSIONS, RAMIFICATIONS, AND SCOPE

While certain embodiments of the invention have been illustrated and described, various modifications are contemplated and can be made without departing from the spirit and scope of the invention. For example, communal events are discussed as venues for implementation of the invention, however it is contemplated that the system and apparatus disclosed may be applied to small scale and even private venues such as for example, a private home, a restaurant, members-only club, and even automobile or other vehicle. Accordingly, it is intended that the invention not be limited, except as by the appended claim(s).

The teachings disclosed herein may be applied to other systems and apparatuses, and may not necessarily be limited to any described herein. The elements and acts of the various embodiments described above can be combined to provide

further embodiments. All of the above patents and applications and other references, including any that may be listed in accompanying filing papers, are incorporated herein by reference. Aspects of the invention can be modified, if necessary, to employ the systems, functions and concepts of the various references described above to provide yet further embodiments of the invention.

Particular terminology used when describing certain features or aspects of the invention should not be taken to imply that the terminology is being refined herein to be restricted to any specific characteristics, features, or aspects of the system and apparatus for selectively limiting user control of an electronic device with which that terminology is associated. In general, the terms used in the following claims should not be constructed to limit the system and apparatus for selectively limiting user control of an electronic device to the specific embodiments disclosed in the specification unless the above description section explicitly define such terms. Accordingly, the actual scope encompasses not only the disclosed embodiments, but also all equivalent ways of practicing or implementing the disclosed system and apparatus. The above description of embodiments of the system and apparatus for selectively limiting user control of an electronic device is not intended to be exhaustive or limited to the precise form disclosed above or to a particular field of usage.

While specific embodiments of, and examples for, the method, system, and apparatus are described above for illustrative purposes, various equivalent modifications are possible for which those skilled in the relevant art will recognize.

While certain aspects of the method and system disclosed are presented below in particular claim forms, various aspects of the system and apparatus are contemplated in any number of claim forms. Thus, the inventor reserves the right to add additional claims after filing the application to pursue such additional claim forms for other aspects of the system and apparatus for selectively limiting user control of an electronic device.

What is claimed is:

1. A case comprising:

a shell defining a cavity sized to accommodate a mobile device, the shell having an opening to receive the mobile device; and

a lock positioned proximate to the opening of the shell, the lock configured to render the mobile device at least partially inaccessible upon the lock being locked with the mobile device within the cavity of the shell, the lock further configured to unlock to enable access to the mobile device based on a predetermined condition associated with a geographic region.

2. The case of claim 1, wherein the predetermined condition is further associated with a time period.

3. The case of claim 1, wherein the geographic region corresponds to a physical position of the case respective to a geographic area of a venue.

4. The case of claim 1, wherein the shell comprises:

a front panel; and

a rear panel, the rear panel being connected to the front panel on each longitudinal edge and on a lateral edge distally opposed to the opening.

5. The case of claim 1, wherein the lock is configured to unlock the case based on interaction with a detacher.

6. The case of claim 1, wherein the case further comprises a radio frequency identification (RFID) tag, the RFID tag positioned proximate to the lock, the RFID tag configured to enable the unlocking of the shell.

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7. The case of claim 1, wherein the case further comprises a microprocessor for receiving wireless data signals to unlock the case.

8. The case of claim 1, wherein at least partial securing of the mobile device comprises at least one of selectively limiting access to the mobile device and disabling at least one function of the mobile device.

9. A case comprising:

a shell defining a cavity sized to accommodate a mobile device, the shell having an opening to receive the mobile device; and

a lock positioned proximate to the opening of the shell, the lock configured to at least partially secure the opening of the shell, the lock being further configured to lock the shell and render the mobile device at least partially inaccessible, wherein the lock is further configured to unlock to enable access to the mobile device in accordance with a predetermined condition associated with a geographical region.

10. The case of claim 9, wherein the predetermined condition is further associated with a time period, wherein the geographic region corresponds to a physical position of the case respective to a geographic area of a venue.

11. The case of claim 9, wherein the shell comprises:

a front panel; and

a rear panel, the rear panel being connected to the front panel on each longitudinal edge and on a lateral edge distally opposed to the opening.

12. The case of claim 9, wherein the case further comprises a radio frequency identification (RFID) tag, the RFID tag positioned proximate to the lock, the RFID tag configured to enable the unlocking of the opening of the shell.

13. The case of claim 9, wherein the case further comprises a microprocessor for receiving wireless data signals to unlock the case in accordance with the predetermined condition.

14. The case of claim 9, wherein at least partial securing of the mobile device comprises at least one of selectively limiting access to the mobile device and disabling functions of the mobile device.

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15. A system comprising:

a case sized to receive a user's mobile electronic device, the case including:

a front panel having a first set of longitudinal edges, a first top edge and a first bottom edge, and

a rear panel having a second set of longitudinal edges, a second top edge and a second bottom edge, wherein the first set of longitudinal edges are respectively secured to the second set of longitudinal edges and the first bottom edge is secured to the second bottom edge to define an opening of the case for receiving a mobile electronic device; and

a lock proximately located to the opening of the case, the lock configured to at least partially secure the opening and render the user unable to access the mobile electronic device until a predetermined condition is met, the predetermined condition being associated with a physical presence of the case being outside of a defined geographical region.

16. The system of claim 15, wherein the lock comprises: a female plate; and

a male plate, wherein the female plate and the male plate are respectively disposed on the front panel and the rear panel, wherein the female plate and the male plate are configured to securely mate.

17. The system of claim 15, wherein the lock comprises: a radio frequency identification (RFID) tag operative to receive instructions from a remote transmitter to disengage the locking when the predetermined condition is met.

18. The system of claim 15, further comprising:

a microprocessor disposed in relation to the lock to receive a wireless data signal from a beacon or transmitter to disengage the lock when the predetermined condition is met.

19. The system of claim 15, wherein the predetermined condition is further associated with:

a passage of time.

20. The system of claim 15, wherein the mobile electronic device is operative to receive instructions to disable one or more coded functions of the mobile electronic device.

* * * * *

Exhibit C



UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent assignment 060874/0005

ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Date recorded
Aug 23, 2022

Reel/frame
060874/0005

Pages
3

Assignors
DUGONI, GRAHAM

Execution Date
Aug 23, 2022

Assignee
YONDR, INC.
330 N BRAND BLVD., SUITE 700
GLENDALE, CALIFORNIA 91203

Correspondent
OMID E. KHALIFEH
2029 CENTURY PARK EAST, SUITE 438
LOS ANGELES, CA 90067

Properties (3 of 3 total)

Patent	Publication	Application	PCT	International registration
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1. System and Apparatus for Selectively Limiting User Control of an Electronic Device
Inventors: Graham Dugoni

9819788 Nov 14, 2017	20160316053 Oct 27, 2016	14692530 Apr 21, 2015		
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2. SYSTEM AND APPARATUS FOR SELECTIVELY LIMITING USER CONTROL OF AN ELECTRONIC DEVICE
Inventors: Graham Dugoni

10623957 Apr 14, 2020	20190082321 Mar 14, 2019	15704425 Sep 14, 2017		
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3. System and Apparatus for Selectively Limiting User Control of an Electronic Device
Inventors: Graham Dugoni

12133074 Oct 29, 2024	20200213850 Jul 02, 2020	16813437 Mar 09, 2020		
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Exhibit D

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

YONDR, INC.,

Plaintiff,

v.

**BE SMARTER, LLC,
JAMES GUERRA**

Defendants.

Civil Action No. 2024 CV 1326

JURY TRIAL

**COMPLAINT FOR (1) PATENT INFRINGEMENT; (2) TRADEMARK
INFRINGEMENT; (3) VIOLATIONS OF THE LANHAM ACT; (4) TRADE LIBEL;
AND (5) UNFAIR COMPETITION**

Plaintiff Yondr, Inc. (“Yondr” or “Plaintiff”) files this Complaint against Defendants Be Smarter LLC (“Be Smarter”) and James Guerra (“Guerra”) (collectively “Defendants”) for infringement of U.S. Patent No. 9,819,788 (the “’788 Patent”) and U.S. Patent No. 12,133,078 (the “’078 Patent”) (collectively, the “Asserted Patents”), infringement of federally Registered Trademark No. 6,995,045 (the “Yondr Registered Product Configuration Mark”), and various acts of unfair competition. Yondr, on personal knowledge as to its own acts, and on information and belief as to all others based on its investigation, alleges as follows:

SUMMARY OF THE ACTION

1. This is an action for patent infringement, trademark infringement, and unfair competition relating to Defendants’ unauthorized and unlicensed copying and use of the Asserted Patents and Yondr Registered Product Configuration Mark.

2. Yondr, founded in 2014, is the national leader in creating and facilitating phone-free spaces for schools, concerts, courthouses, and many other venues where mobile device use

has become an endemic distraction, a detriment to learning, and a vehicle for illicit reproduction of protected performances. Yondr's patented system comprises (and the Asserted Patents disclose) a case sized to receive a mobile device which has a locking mechanism to secure the device and render it unable to be accessed by the user until a predetermined condition is met (the "Yondr System").

3. Yondr's commitment to its System's quality has led to unprecedented levels of customer satisfaction. These satisfied customers include school districts, judiciaries, and entertainers including Dave Chapelle, Donald Glover, Madonna, Bruno Mars, Ali Wong, Joe Rogan, John Mayer, Chris Rock, Jennifer Lawrence, and Aziz Ansari.

4. Yondr's success has led to public recognition, with Yondr being featured in publications and broadcasts with international readership and viewership, including *The New York Times*, *The Wall Street Journal*, CNBC, *The Guardian*, *The Atlantic*, *Forbes*, *Cosmopolitan*, CBS, *Rolling Stone*, *The Washington Post*, and ABC News.

5. The recognition that Yondr has received for its innovations is backed by its tangible effectiveness. For example, across the thousands of schools throughout the globe which have utilized the Yondr System, 83% have seen an improvement in student engagement in the classroom; 74% have seen an overall improvement in student behavior; and 65% have seen an improvement in academic performance.

6. Unfortunately, Yondr's success has led to copycats and others who seek to capitalize on Yondr's novel approach to limiting uses of electronic devices. Defendants are one example. Defendant Guerra, the Manager and sole employee of Be Smarter, first offered for sale the accused product, CellockED, in 2024, which directly infringes Yondr's patents and trademark.

The CellockED product is marketed and sold on defendants' website, which includes at least one video falsely claiming the Yondr System does not function properly.

7. The present suit seeks to, among other things, prevent any further copying and infringement of Yondr's valuable intellectual property and disparagement of Yondr's System.

PARTIES

8. Plaintiff Yondr, Inc. is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 12503 Venice Boulevard, Los Angeles, California.

9. Upon information and belief, and as demonstrated below, Defendant Be Smarter, LLC is a limited liability corporation organized and existing under the laws of the State of Texas, with its principal place of business located at 605 E University Avenue, Suite 101, Georgetown, Texas.

Franchise Tax Details

Franchise Search Results Public Information Report

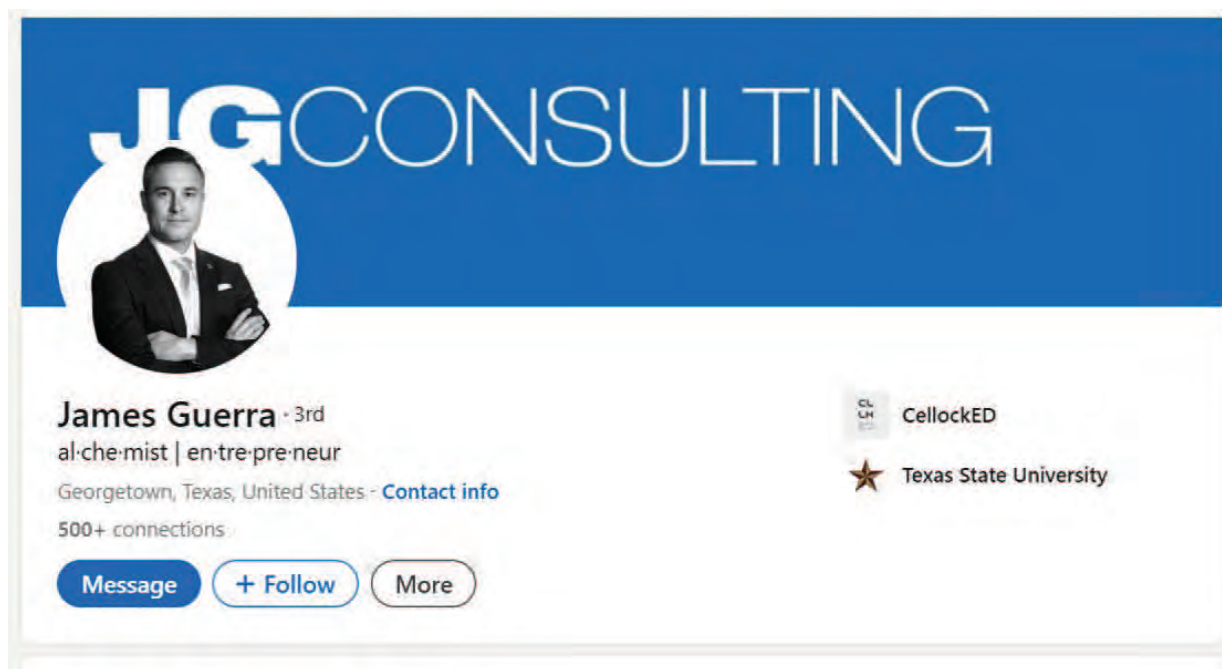
As of: 09/19/2024 17:01:20

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State
[Obtain a certification](#) for filings with the Secretary of State.

BE SMARTER, LLC	
Texas Taxpayer Number	32086523860
Mailing Address	605 E UNIVERSITY AVE STE 101 GEORGETOWN, TX 78626-7179
Right to Transact Business in Texas	ACTIVE
State of Formation	TX
Effective SOS Registration Date	09/28/2022
Texas SOS File Number	0804749554
Registered Agent Name	PALATIERE LAW FIRM
Registered Office Street Address	5700 TENNYSON PKWY, SUITE 300 PLANO, TX 75024

Close

10. Upon information and belief, and as shown below, defendant James Guerra is an individual residing in Georgetown, Texas.



<https://www.linkedin.com/in/james-guerra-21a5434/>

JURISDICTION AND VENUE

11. This is an action containing claims for patent infringement arising under the patent laws of the United States, Title 35, U.S.C. § 271, infringement of a registered product configuration trademark under 15 U.S.C. §1114, unfair competition under 15 U.S.C. §1125(a), and related state law unfair competition claims under the laws of Texas.

12. This Court has exclusive subject matter jurisdiction over those federal claims pursuant to 28 U.S.C. §§ 1331, 1332, and 1338. In addition, the Court has supplemental jurisdiction over the claims arising under the laws of the State of Texas, pursuant to 28 U.S.C. §1367(a), because the state law claims are so related to the federal subject-matter claims that they form part of the same case or controversy and derive from a common nucleus of operative fact.

13. This Court has personal jurisdiction over Be Smarter because Be Smarter resides in this District and conducts business in this District.

14. This Court also has personal jurisdiction over Be Smarter because Be Smarter has committed acts giving rise to the asserted claims within this Judicial District, and elsewhere in the United States, and has established minimum contacts with this Judicial District such that personal jurisdiction over Be Smarter would not offend traditional notions of fair play and substantial justice.

15. This Court has personal jurisdiction over Guerra because Guerra is domiciled in this Judicial District.

16. This Court also has personal jurisdiction over Guerra because Guerra has committed acts giving rise to the asserted claims within this Judicial District, and elsewhere in the United States, and has established minimum contacts with this Judicial District such that personal jurisdiction over Guerra would not offend traditional notions of fair play and substantial justice.

17. Venue is proper in this Judicial District as to Defendant Be Smarter under 28 U.S.C. §§ 1391 and 1400(b) at least because, Be Smarter has committed acts of infringement in this Judicial District and has a regular and established place of business in this Judicial District. Be Smarter is a corporation organized and existing under the laws of Texas.

18. Venue is proper in this Judicial District as to Defendant Guerra under 28 U.S.C. §§ 1391 and 1400(b) at least because Guerra has committed acts of infringement in this Judicial District and Guerra resides in this Judicial District.

FACTUAL ALLEGATIONS

A. The Patented Yondr System Is a Novel Solution to Effectively Limit the Use of Cell Phones and Create Phone Free Spaces.

19. Yondr was founded in California in 2014, during the tech boom. Founder, Graham Dugoni, sought to create protected places where creativity and productivity could flourish without the noise of technology. Dugoni hand sewed the original prototype for the Yondr System and began pitching his idea to California Bay Area schools and music venues.

20. Prior to Dugoni's invention described in the Asserted Patents, attempts to limit the use of mobile electronic devices were largely deficient because, for example, available methods prevented users from being notified of incoming notifications that may require their attention or had impractical geographic requirements. Additionally, many attempts to curb the use of electronic devices failed to gain traction because individuals ignored or resisted the mechanisms. For example, users of electronic devices often ignore signs with instructions to stop using their cell phones at concert venues, movie theaters, or even schools. Additionally, when venue staff attempt to collect cell phones before an event, participants frequently resisted, often out of fear their device or information on that device could be stolen. *See* the '788 Patent, attached as Exhibit A ("Ex. A"), at 1:66-2:24.

21. In order to effectively limit the use of cell phones and to create phone-free spaces, Dugoni invented and received a patent for "a case for selectively limiting a user's ability to control such user's own mobile electronic device." Ex. A, Abstract.

B. The Yondr System Has a Distinctive Appearance That Has Been Registered as a Trademark.

22. Yondr has, beginning in 2014 and continuing without interruption, expended much time, effort, and money into the promotion of its Yondr System, including the phone case (the "Yondr Pouch").

23. Based on its use in commerce of the Yondr System since at least as early as August 19, 2014, on December 13, 2021, Yondr filed a U.S. Trademark Application for the physical

appearance of the Yondr Pouch as embodied in its configuration. On March 7, 2023, the U.S. Patent and Trademark Office issued registration No. 6,995,045 (the “Yondr Registered Product Configuration Mark”) for a “three-dimensional configuration of a pouch for mobile computing devices . . . featur[ing] tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch”; the registration covers, in part, “cases adapted for mobile phones. The Yondr Registered Product Configuration Mark is shown below.



24. The Yondr Registered Product Configuration Mark covers the Yondr Pouch. A comparison is included below.

Yondr Pouch	Yondr U.S. TM Reg. No. 6,995,045
  	

25. The overall visual impression of the distinctive Yondr Pouch is created through a combination of elements.

26. As specified in Reg. No. 6,995,045, the Yondr Registered Product Configuration Mark includes, among other things, (i) tapered, opposing flaps extending upward from an opening; (ii) a knob located in the center of one of the tapered flaps; and (iii) decorative binding along the outer edge of the whole pouch. Images of the Yondr Pouch appear below.



27. These elements together create an overall visual impression distinct from other products on the market. With this distinctive look—and due to Yondr’s distinct design, marketing efforts, media coverage, and market penetration—the Yondr Pouch has acquired distinctiveness in

the marketplace when applied to phone use limiting technology across various industries including education and entertainment. Today, the relevant consuming public has come to recognize and associate the phone-use limiting technology, embodying the Yondr Registered Product Configuration Mark, as high-quality goods connected with or offered by a single source. The Yondr Registered Product Configuration Mark thus embodies valuable goodwill and consumer recognition associated with the Yondr System and has come to symbolize Yondr’s valuable goodwill and reputation.

28. The Yondr System features the Yondr Registered Product Configuration Mark with the overall look, feel, and image serving as a distinctive source identifier to the consuming public.

29. As discussed above, due to the striking similarity between the CellockED product and the Yondr System and Yondr Registered Product Configuration Mark, it is clear that Defendants copied the Yondr System and Mark. Such copying, among other things, is evidence that Defendants perceive the Mark to have secondary meaning and an established reputation with consumers.

C. The Yondr System Has Become Associated in the Public Mind as A System of The Highest Quality and Reputation.

30. Today, the Yondr System is used in countless spaces including, “sold out arenas, schools, weddings, film sets, court houses, and everywhere in between.” <https://www.veryondr.com/phone-free-spaces>. Music artists such as Garth Brooks have implemented the Yondr System to provide a “phone-free experience” at their concerts. *See* <https://www.fox17online.com/scrippsnews/garth-brooks-has-a-no-phone-policy-at-his-new-vegas-show>. The Yondr System has gained widespread popularity and use.

31. The Yondr System has been recognized for its effectiveness and quality. At the end of 2023, the American Consortium for Equity in Education awarded Yondr the “Best Student

Engagement Solution” in their Excellence in Equity Awards. <https://www.ace-ed.org/2023-excellence-in-equity-awards-industry-winners-announced/>

32. Yondr’s recognition has come with increased brand awareness and popularity. As of March 2024, Yondr has “over 3,000 school partners” in 21 countries. <https://www.axios.com/2024/03/22/yondr-phone-pouch-schools-students>. This number has increased in the 2024-2025 school year. Yondr’s has district wide partnerships with Mobile County Public Schools, Cleveland Metro Schools, Killeen Independent School District, and partnerships with schools in major school districts such as the New York City Department of Education and the Los Angeles Unified School District.

33. Because of the Yondr System’s massive success and popularity, consumers associate the Yondr System with high quality and with its source, Yondr.

D. Defendants’ CellockED Product Infringes Yondr’s Patented Technology and Trademark.

34. As shown below, James Guerra is the Manager of Be Smarter. He is also the sole employee of Be Smarter.

Franchise Search Results

Public Information Report



Public Information Report
BE SMARTER, LLC
Report Year :2024

Information on this site is obtained from the most recent Public Information Report (PIR) processed by the Secretary of State (SOS). PIRs filed with annual franchise tax reports are forwarded to the SOS. After processing, the SOS sends the Comptroller an electronic copy of the information, which is displayed on this web site. The information will be updated as changes are received from the SOS.

You may order a copy of a Public Information Report from open_records@cpa.texas.gov or Comptroller of Public Accounts, Open Records Section, PO Box 13528, Austin, Texas 78711.

Title	Name and Address
MANAGER	JAMES A GUERRA 605 E UNIVERSITY AVE STE 101 GEORGETOWN, TX 78626

35. In June 2024, James Guerra posted on his personal LinkedIn page about the launch of his new venture, CellockED. The post is shown below:



https://www.linkedin.com/posts/james-guerra-21a5434_i-am-excited-to-announce-our-newest-venture-activity-7209959899974258689-dwjq?utm_source=share&utm_medium=member_desktop

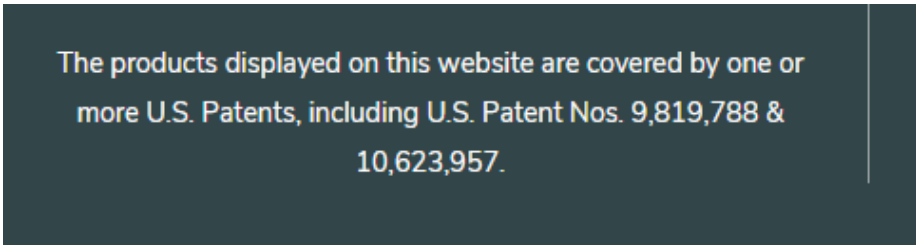
36. Defendants manufacture and sell the CellockED product and are the owners of the CellockED YouTube account (described below).

37. On June 27, 2024, a YouTube account called “CellockED – Focus on Education” posted a video with the caption, “[i]n today’s digital age, managing student cell phone usage during school hours presents a significant challenge. The prevalence of cell phones in classrooms can be

a major distraction, impacting student focus and overall academic performance. To address this issue, we propose the adoption of a new cell phone pouch with a magnetic locking system, designed to safely secure students' cell phones during school hours.”

38. The YouTube account, “CellockED – Focus on Education,” is owned and operated by Defendants. The CellockED YouTube caption includes a link, <https://cellockED.net>. The link directs the user to a website marketing and offering for sale, “a new cell phone pouch with a magnetic locking system, designed to safely secure students' cell phones during school hours.” The Copyright notice at the bottom of the webpage refers to Be Smarter LLC. *Id.* Additionally, the manager of Be Smarter, Guerra, promotes CellockED on his personal LinkedIn and, according to his LinkedIn profile, is the founder of CellockED.

39. Defendants were aware of Yondr when they launched CellockED. As will be discussed further below, in August 2024, someone with access to the CellockED YouTube account posted a video to its page making a false claim about the Yondr System. Upon information and belief, before posting the misleading video, Defendants had visited the Yondr website. Yondr's website provides clear notice that the products displayed are covered by patents, including one of the Asserted Patents.



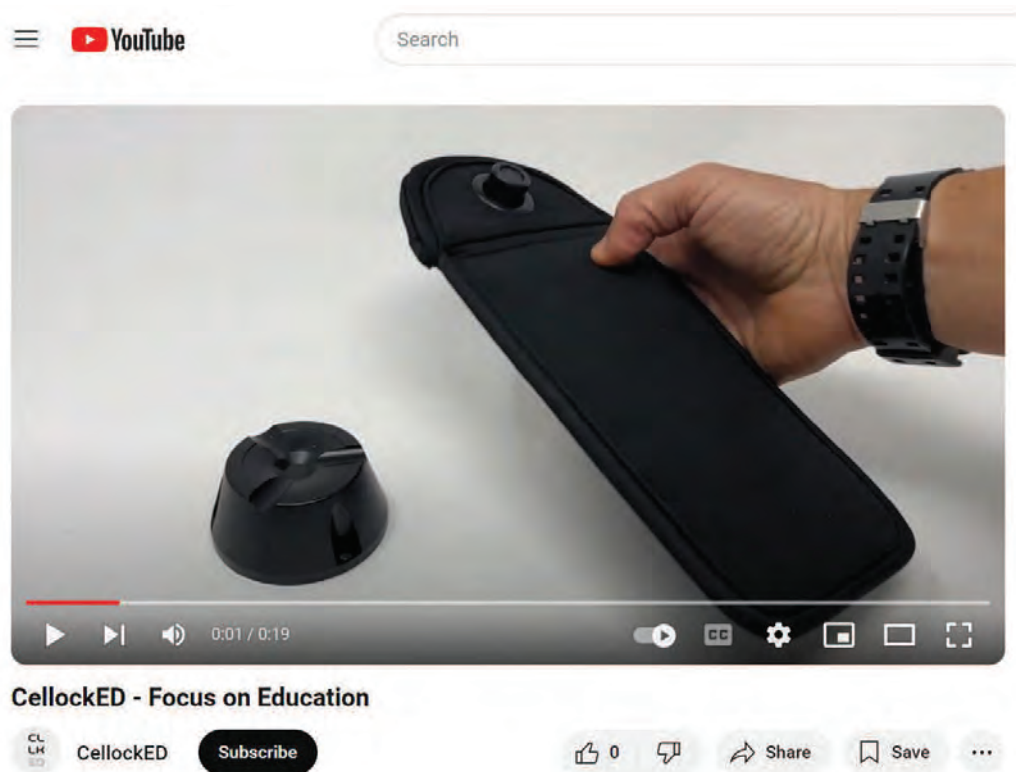
The products displayed on this website are covered by one or more U.S. Patents, including U.S. Patent Nos. 9,819,788 & 10,623,957.

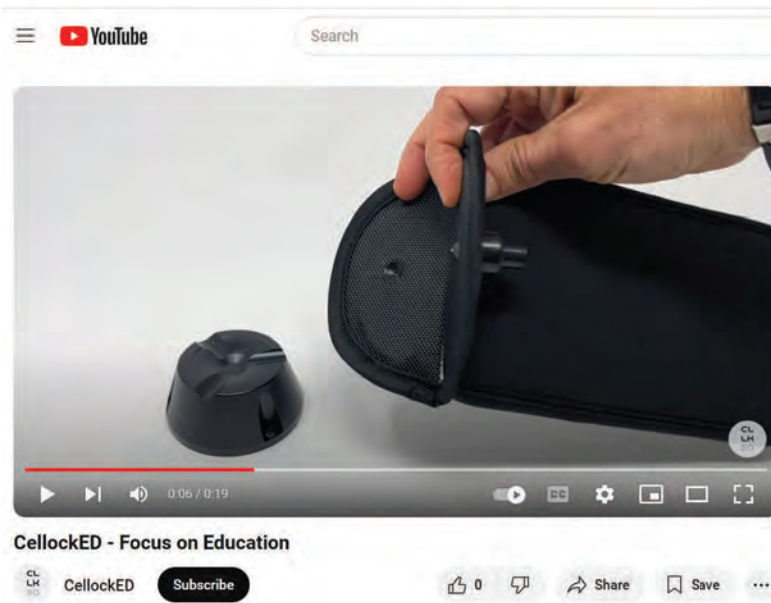
See <https://www.veryondr.com/>.

40. Defendants were aware of Yondr and the illegal activities alleged herein prior to the filing of this Complaint. On September 30, 2024, Mr. James Guerra received a letter placing

him and Be Smarter on notice of their illegal activities. Defendants confirmed receipt and responded to the letter on October 29, 2024.

41. Defendants demonstrate how the CellockED technology works in a video on the CellockED YouTube account. *See* [CellockED - Focus on Education - YouTube](#); *see also* the YouTube Short demonstrating the CellockED locking mechanism at [CellockED - Focused on Education \(youtube.com\)](#) The images below show CellockED as represented on YouTube.





42. CellockED, just like the Yondr System, includes two pieces: a pouch and a locking/unlocking mechanism. As shown in the series of photos from the CellockED promotional YouTube video (above), when the pouch is locked, the user places the portion of the pouch on the tapered flap opposite the knob on the unlocking mechanism and the pouch unlocks.

1. CellockED is covered by the '788 Patent.

43. Defendants have infringed the '788 Patent by making, using, offering for sale, selling and/or importing the CellockED product. CellockED is a case for an electronic device having a magnetic locking system. CellockED includes a rear panel having first and second longitudinally opposed side edges and laterally opposed lower edges. The first, second, and lower edges of the case are secured together to define an opening for receiving an electronic device such as a mobile phone, and the case locks so that the user cannot access their own mobile electronic device contained in it until a predetermined condition is met.

44. Defendants promote CellockED as “designed to safely secure students’ cell phones during school hours.” <https://cellocked.newschoolhero.org/about/>. CellockED also includes a locking means that secures the opening of the case and an unlocking means. [CellockED - Focused on Education \(youtube.com\)](#).

45. Defendants’ CellockED technology has used, and is using the technology of the '788 Patent. Upon information and belief, Defendants have derived revenue from their infringing activities. According to the CellockED website, Defendants have partnered with at least Denver Public Schools, Tulsa Public Schools, Taylor Independent School District, Taos Municipal Schools, and the Raymondville Independent School District. Upon information and belief, Defendants are profiting from these partnerships. An image of a portion of the infringing product is shown below in a photo included on Guerra’s personal LinkedIn page.



https://www.linkedin.com/posts/james-guerra-21a5434_thank-you-denver-public-schools-for-partnering-activity-7237904973856923650-QBuy?utm_source=share&utm_medium=member_desktop

2. CellockED is covered by the '078 Patent

46. Defendants have infringed the '078 Patent by making, using, offering for sale, selling and/or importing the CellockED product. CellockED is a case for a mobile device. CellockED has a shell defining a cavity sized to accommodate a mobile device. The CellockED shell has an opening to receive the mobile device. CellockED also includes a lock positioned proximate to the opening of the shell. The CellockED lock is configured to render the mobile device at least partially inaccessible upon the lock being locked with the mobile device within the

cavity of the shell. The CellockED lock is also configured to unlock to enable access to the mobile device based on a predetermined condition associated with a geographic region.

47. Defendants' CellockED technology has used, and is using, the technology of the '078 Patent. Upon information and belief, Defendants have derived revenue from their infringing activities. According to the CellockED website, Defendants have partnered with at least Denver Public Schools, Tulsa Public Schools, Taylor Independent School District, Taos Municipal Schools, and the Raymondville Independent School District. Upon information and belief, Defendants are profiting from these partnerships. An image of a portion of the infringing product is shown below in a photo included on Guerra's personal LinkedIn page.



https://www.linkedin.com/posts/james-guerra-21a5434_thank-you-denver-public-schools-for-partnering-activity-7237904973856923650-QBuy?utm_source=share&utm_medium=member_desktop.

48. Defendants' CellockED technology is also covered by claims in allowed U.S. Patent Application 16/813,437. Defendants used, and are using the technology of U.S. Patent Application 16/813,437. Should Defendants contend that they did not have knowledge of this application, this Complaint serves as actual notice under 35 U.S.C. § 154(d). Yondr expects this application to issue into a patent soon and intends to amend this Complaint to add that patent at that time.

3. CellockED infringes Yondr's Trademark.

49. Defendants launched CellockED after Yondr's commercial success, seeking to trade in on the goodwill of the Yondr System by marketing obvious copycat products – phone locking cases indistinguishable from the Yondr Pouches. Defendants are not licensed or otherwise authorized to market or distribute products embodying the Yondr Registered Product Configuration Mark.

50. CellockED has the same distinctive configuration as the Yondr System including, but not limited to: (i) tapered, opposing flaps extending upward from an opening; (ii) a knob located in the center of one of the tapered flaps; and (iii) decorative binding along the outer edge of the whole pouch. Side by side comparisons of the Yondr and copycat CellockED cases plainly show the striking similarities:

Yondr Pouch	CellockED Pouch	Yondr U.S. Pat. No. 9,819,788	Yondr U.S. TM Reg. No. 6,995,045
			

51. Defendants were aware of the Yondr Registered Product Configuration Mark when they launched CellockED. Upon information and belief, Defendants intentionally infringed the Yondr Registered Product Configuration Mark.

52. Defendants' acts are causing and, unless restrained, will continue to cause damage and immediate irreparable harm to Yondr and to its valuable reputation and goodwill with the consuming public for which Yondr has no adequate remedy at law.

E. Defendants Make False and Misleading Claims About Yondr to Promote the CellockEd Product.

53. As stated above, the Defendants' CellockED website also includes a false and misleading YouTube video criticizing the Yondr System.

54. Upon information and belief, potential customers have accessed and will continue to access the video either on Defendants' CellockED website or the CellockED YouTube page.

55. Defendants' misleading YouTube video spends nearly a minute discussing Yondr, including making a false and misleading claim about the Yondr System's functionality. During the video the screen is split in two with one side having the text "Do they (Yondr Systems) work as they should?" and is followed by a video of Yondr Pouches not opening when placed on the magnetic unlocking means.

56. The misleading YouTube video was meant to, and does, cast unjustified doubt on the quality of Yondr and the Yondr System.

57. The misleading YouTube video has intentionally misled and continues to mislead Yondr's potential customers about the quality of the Yondr System. The video intentionally misleads viewers to think that the Yondr System does not work as it should when the video's actor is not using it properly. As stated above, the video includes the text "Do they (the Yondr Pouches) work as they should?" and is followed by a video of Yondr pouches not opening when placed on the magnetic unlocking means. The actor in the video is not using the Yondr System properly. Upon information and belief, Defendants intentionally had the actor incorrectly use the Yondr System to mislead viewers and convince them that Yondr's quality is less than what it is. The Yondr Pouch did not unlock in CellockED's YouTube video upon the actor placing it on the magnetic unlocking mechanism. That said, the Yondr Pouch is not *supposed to* unlock just by placing it on the magnetic unlocking mechanism. In reality, to unlock the Yondr Pouch, users are instructed to click the "button" on the Pouch once it is held to the magnetic unlocking mechanism. Therefore, the actor in the CellockED video is misusing and misleading consumers into believing the Yondr Pouch does not function properly. Had the actor in CellockED's video clicked the button on the Yondr Pouch, the Pouch would have unlocked, as it always does.



58. Defendants knowingly made these and, upon information and belief, other false statements about Yondr. Upon further information and belief, Defendants expect and know their defamatory statements could harm and have harmed Yondr, but included those statements anyway.

59. Upon information and belief, Yondr has lost business due to Defendants' defamatory statements including an opportunity to partner with and sell its system to various school districts.

60. Defendants' acts are causing and, unless restrained, will continue to cause damage and immediate irreparable harm to Yondr and to its valuable reputation and goodwill with the consuming public for which Yondr has no adequate remedy at law.

F. Defendant Guerra's Personal Liability

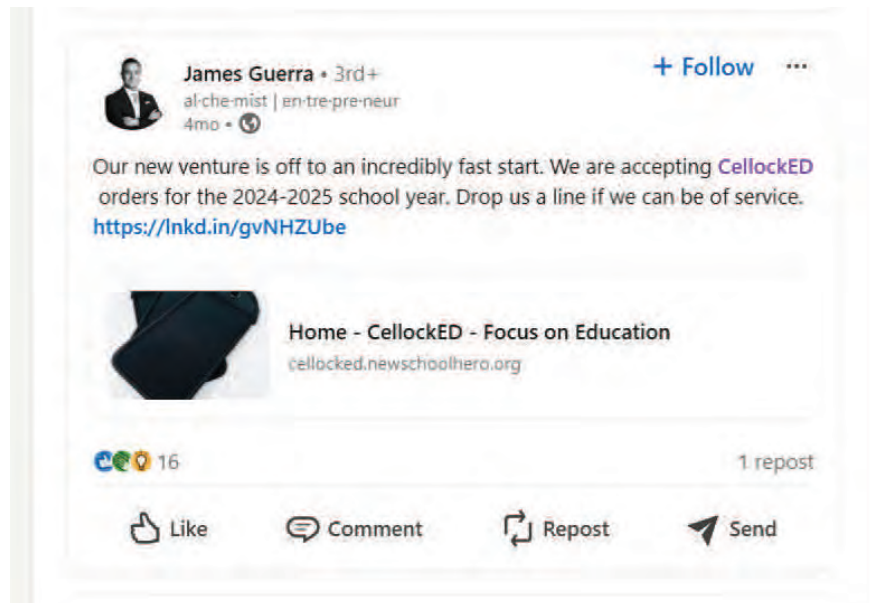
61. Defendant Guerra is the manager and sole employee of Defendant Be Smarter.

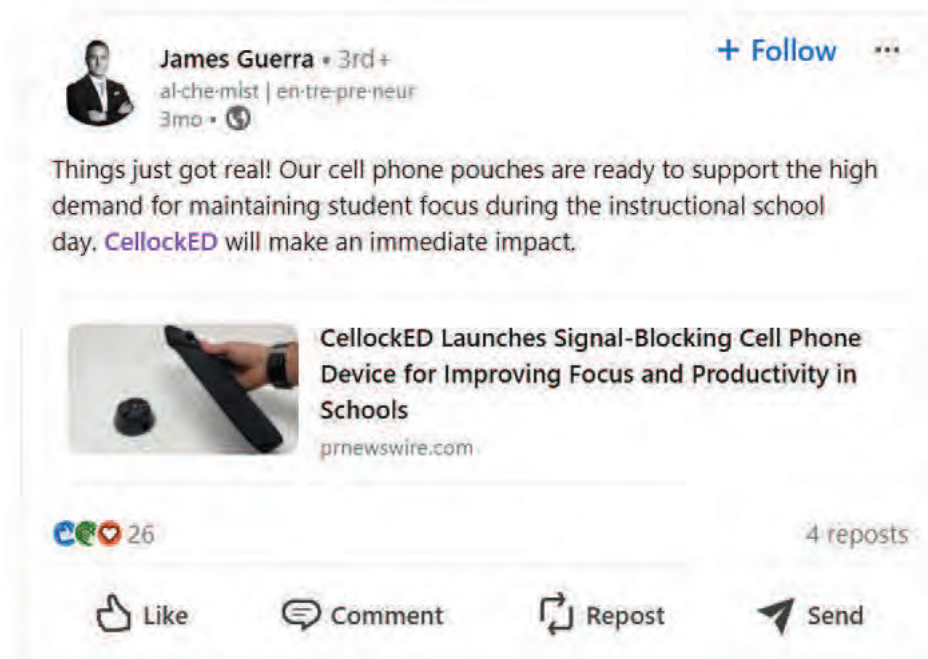
62. Upon information and belief, as the Manager and sole employee of Defendant Be Smarter, Defendant Guerra will control this litigation.

63. Upon information and belief, Defendant Guerra provided all the capital to form Defendant Be Smarter.

64. Upon information and belief, Defendant Guerra is responsible for the sales and marketing of Defendant Be Smarter.

65. Upon information and belief, Defendant Guerra is responsible for the sales and marketing of Defendant Be Smarter's CellockED product. This is demonstrated by, for example, some of the CellockED related LinkedIn posts from Guerra's personal LinkedIn account, shown below.





<https://www.linkedin.com/in/james-guerra-21a5434/recent-activity/all/>.

66. Upon information and belief, as the Manager and sole employee of Defendant Be Smarter, Defendant Guerra controls and makes all of Defendant Be Smarter's decisions.

67. Upon information and belief, as the Manager and sole employee of Defendant Be Smarter, Defendant Guerra has full responsibility for Defendant Be Smarter's business.

68. As the Manager and sole employee of Defendant Be Smarter, Defendant Guerra stands to benefit personally from the business of Defendant Be Smarter.

69. Defendant Guerra holds himself out as the Manager and person who controls Defendant Be Smarter and makes all of Be Smarter's decisions.

70. Defendant Guerra willfully, knowingly and/or actively participated in and supervised the illegal and willfully infringing activities of Defendant Be Smarter, and used Defendant Be Smarter to carry out his illegal and willfully infringing activities.

71. Defendant Guerra's active participation in and supervision of Defendant Be Smarter's wrongful misconduct was intentional, unjustified, and/or malicious, and done to purposefully harm Yondr and Yondr's products.

72. As the Manager and sole employee of Defendant Be Smarter, Defendant Guerra is the individual at Be Smarter with the responsibility for deliberately choosing to trade on the goodwill established by Yondr by intentionally infringing the Yondr Registered Product Configuration Mark to falsely suggest Yondr's products were somehow associated with Defendant Be Smarter and/or to falsely suggest CellockED originated with Yondr.

73. Upon information and belief, Defendant Guerra made the decision to go forward with the infringing use of Yondr's Registered Product Configuration Mark.

74. Defendant Guerra stood to benefit personally and profit from the decision to use Yondr's Registered Product Configuration Mark without authorization.

75. Upon information and belief, Defendant Guerra willfully, knowingly and/or actively participated in and supervised Defendant Be Smarter in making the false and misleading claims about Yondr, and used Defendant Be Smarter to make his false and misleading claims.

76. Upon information and belief, as the Manager and sole employee of Be Smarter, Defendant Guerra is responsible for and chose to create the false and misleading YouTube videos concerning Yondr.

77. Upon information and belief, Defendant Guerra stood to benefit personally and profit from the public's reaction to the false and misleading YouTube videos concerning Yondr.

78. Defendant Guerra is also personally liable for the acts of Defendant Be Smarter because the corporate veil of Be Smarter should be pierced and/or because Defendant Guerra is the alter ego of Defendant Be Smarter. A unity of interest and ownership causes any separate personalities of Defendant Be Smarter and Defendant Guerra to no longer exist. Further, circumstances exist such that adherence to the fiction of a separate corporate existence would sanction a fraud or promote injustice. More specifically, upon information and belief: (1) Defendant Guerra used Defendant Be Smarter to commit fraud or perpetrate a serious wrong, including intentional misrepresentation, concealment, or reckless misstatement of material facts; (2) Defendant Be Smarter was inadequately capitalized; and/or (3) Defendant Be Smarter is a mere façade for the operations of Defendant Guerra.

COUNT 1: INFRINGEMENT OF THE '788 PATENT

79. Yondr incorporates by reference the preceding paragraphs, as if set forth herein.

80. Yondr's technology for limiting functionality of personal electronic devices is protected by the '788 Patent.

81. The '788 Patent is valid and enforceable under the United States' Patent Laws.

82. Yondr owns, by assignment, all right, title, and interest in and to the '788 Patent, including the right to collect for past damages.

83. A copy of the '788 Patent is attached as Ex. A.

A. The '788 Patent

84. The '788 Patent is entitled "System and Apparatus for Selectively Limiting User Control of an Electronic Device." It was filed on April 21, 2015. The U.S. Patent and Trademark Office issued the '788 Patent on November 14, 2017. The technology disclosed and claimed in the '788 Patent was invented by Graham Dugoni.

85. Embodiments of the novel system invented by Graham Dugoni and assigned to Yondr are reflected in exemplary claims 3, 7, 8 and 9 of the '788 Patent which recite:

3. A system for selectively limiting a user's control of such user's own electronic device, comprising:

a case sized to receive the user's mobile electronic device having

a front and a rear panel each having first and second longitudinally opposed side edges and laterally opposed lower edges,

the first, second, and lower edges being secured together to define an opening for receiving a mobile electronic device, the case operative to become locked so that the user is unable to access his own mobile electronic device contained therein until a predetermined condition is met;

a locking means for at least partially securing the opening; and

means for unlocking the case.

Ex. A, Claim 3.

7. The case of claim 3, wherein the predetermined condition is physical presence outside of a defined geographical region.

Ex. A, Claim 7.

8. The case of claim 3, wherein the predetermined condition is the passage of time.

Ex. A, Claim 8.

9. The system of claim 3, wherein the mobile electronic device is operative to receive instructions to disable one or more coded functions of the mobile electronic device.

Ex. A, Claim 9.

B. '788 Patent Infringement Allegations

86. Defendants' CellockED product infringes the '788 Patent. *See* Exhibit C ("Ex. C").

87. Defendants' CellockED website describes CellockED as "a new cell phone pouch with a magnetic locking system, designed to safely secure students' cell phones during school hours." <https://cellocked.newschoolhero.org/about/>.

88. CellockED "features a unique cell phone pouch equipped with a retractable locking pin that unlocks only with a specialized magnetic detacher." <https://www.prnewswire.com/news-releases/cellocked-launches-signal-blocking-cell-phone-device-for-improving-focus-and-productivity-in-schools-302193646.html> (article announcing the launch of CellockED, "a secure and unique solution for minimizing distractions during instructional time.").

89. CellockED is covered by one or more claims of the '788 Patent. *See* Ex. C.

90. Defendants have infringed, and will continue to infringe, the '788 Patent by making, using, selling, or offering for sale in the United States, or importing into the United States, including within this Judicial District, the product sold under the name CellockED, in violation of 35 U.S.C. § 271(a).

91. Defendants have been and are continuing to induce the infringement of the '788 Patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import CellockED which embodies the invention claimed in the '788 Patent, in violation of 35 U.S.C. § 271(b).

92. Yondr is entitled to recover from Defendants all damages that Yondr has sustained as a result of Defendants' infringement of the '788 Patent, including, without limitation, lost profits and/or not less than a reasonable royalty.

93. Defendants have knowledge of the '788 Patent.

94. Upon information and belief, Defendants' infringement of the '788 Patent has been, and continues to be, knowing, intentional, and willful, entitling Yondr to enhanced damages and attorneys' fees pursuant to 35 U.S.C. § 284.

95. Yondr has been damaged by Defendants' infringement of the '788 Patent and will continue to be damaged unless Defendants are enjoined by this Court pursuant to 35 U.S.C. § 283. Yondr has suffered and continues to suffer irreparable injury for which there is no adequate remedy at law. The balance of hardships favors Yondr, and public interest is not disserved by an injunction.

96. Defendants' infringement of the '788 Patent is exceptional and entitles Yondr to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT 2: INFRINGEMENT OF THE '078 PATENT

97. Yondr incorporates by reference the preceding paragraphs, as if set forth herein.

98. Yondr's technology for limiting functionality of personal electronic devices is protected by the '078 Patent.

99. The '078 Patent is valid and enforceable under the United States' Patent Laws.

100. Yondr owns, by assignment, all right, title, and interest in and to the '078 Patent, including the right to collect for past damages.

101. A copy of the '078 Patent is attached as Exhibit B ("Ex.B").

A. The '078 Patent

102. The '078 Patent is entitled “System and Apparatus for Selectively Limiting User Control of an Electronic Device.” It was filed on March 14, 2024. The U.S. Patent and Trademark Office issued the '078 Patent on October 29, 2024. The technology disclosed and claimed in the '078 Patent was invented by Graham Dugoni.

103. An embodiment of the '078 Patent’s novel system invented by Graham Dugoni and assigned to Yondr is reflected in exemplary claim 1 of the '078 Patent which recites:

1. A case comprising:

a shell defining a cavity sized to accommodate a mobile device, the shell having an opening to receive the mobile device; and

a lock positioned proximate to the opening of the shell, the lock configured to render the mobile device at least partially inaccessible upon the lock being locked with the mobile device within the cavity of the shell, the lock further configured to unlock to enable access to the mobile device based on a predetermined condition associated with a geographic region.

Ex. B, Claim 1.

B. '078 Patent Infringement Allegations

104. Defendants’ CellockED product infringes the '078 Patent. *See* Exhibit D (“Ex. D”).

105. Defendants’ CellockED website describes CellockED as “a new cell phone pouch with a magnetic locking system, designed to safely secure students’ cell phones during school hours.” <https://cellocked.newschoohero.org/about/>.

106. CellockED “features a unique cell phone pouch equipped with a retractable locking pin that unlocks only with a specialized magnetic detacher.” <https://www.prnewswire.com/news-releases/cellocked-launches-signal-blocking-cell-phone-device-for-improving-focus-and-productivity-in-schools-302193646.html> (article announcing the launch of CellockED, “a secure and unique solution for minimizing distractions during instructional time.”).

107. CellockED is covered by one or more claims of the '078 Patent. *See* Ex. D.

108. Defendants have infringed, and will continue to infringe, the '078 Patent by making, using, selling, or offering for sale in the United States, or importing into the United States, including within this Judicial District, the product sold under the name CellockED, in violation of 35 U.S.C. § 271(a).

109. Defendants have been and are continuing to induce the infringement of the '078 Patent by actively and knowingly inducing others to make, use, sell, offer for sale, or import CellockED which embodies the invention claimed in the '078 Patent, in violation of 35 U.S.C. § 271(b).

110. Yondr is entitled to recover from Defendants all damages that Yondr has sustained as a result of Defendants' infringement of the '078 Patent, including, without limitation, lost profits and/or not less than a reasonable royalty.

111. Defendants have knowledge of the '078 Patent.

112. Upon information and belief, Defendants' infringement of the '078 Patent has been, and continues to be, knowing, intentional, and willful, entitling Yondr to enhanced damages and attorneys' fees pursuant to 35 U.S.C. § 284.

113. Yondr has been damaged by Defendants' infringement of the '078 Patent and will continue to be damaged unless Defendants are enjoined by this Court pursuant to 35 U.S.C. § 283. Yondr has suffered and continues to suffer irreparable injury for which there is no adequate remedy at law. The balance of hardships favors Yondr, and public interest is not disserved by an injunction.

114. Defendants' infringement of the '078 Patent is exceptional and entitles Yondr to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT 3: TRADEMARK INFRINGEMENT, 15 USC §1114

115. Yondr incorporates by reference the preceding paragraphs, as if set forth herein.

116. Yondr owns the Yondr Registered Product Configuration Mark and owns valid registration in the Yondr Registered Product Configuration Mark on the Principal Register. *See* Exhibit E (“Ex. E”).

117. Defendants are using an infringing mark that is identical to or indistinguishable from the genuine Yondr Registered Product Configuration Mark. Defendants’ infringing mark is incorporated into CellockED and is used in the promotion of their CellockED product, including in infringing advertisements on LinkedIn, in the infringing CellockED Webpage, and in the Product images on the CellockED YouTube, without Yondr’s approval, authorization, or consent.

118. Defendants’ use of the Yondr Registered Product Configuration Mark is likely to cause confusion in the minds of the public, leading the public to falsely believe that Defendants’ CellockED product originates from Yondr, and/or that Yondr has approved, sponsored, or otherwise associated itself with the goods offered for sale and/or distributed by Defendants.

119. Upon information and belief, Defendants’ conduct is intended to exploit the strong reputation and goodwill that is exclusively associated with the Yondr Registered Product Configuration Mark and to take unfair competitive advantage of the Yondr Registered Product Configuration Mark’s goodwill.

120. Yondr has no control of the quality of the goods marketed and/or sold by Defendants. Because of the likelihood of confusion as to the source of Defendants’ goods, or as to whether Defendants’ goods are sponsored or endorsed by, or are affiliated with, Yondr, in view of at least Defendants’ infringing advertisements on LinkedIn, the infringing CellockED Webpage, and the infringing product images on the CellockED YouTube account, Yondr’s valuable goodwill

in the Yondr Registered Product Configuration Mark is at the mercy of, and is being irreparably harmed by Defendants.

121. Defendants' infringing acts have caused and, unless such acts are restrained by this Court, will continue to cause substantial and irreparable injury to Yondr.

122. Yondr has no adequate remedy at law.

123. As a result of Defendants' actions, Yondr has suffered, and will continue to suffer, money damages in an amount to be determined at trial.

124. Therefore, under 15 U.S.C. § 1117, Yondr is entitled to recover its actual damages and Defendants' profits attributable to their infringement of Yondr's federally registered Yondr Registered Product Configuration Mark.

125. Furthermore, this case is exceptional under 15 U.S.C. § 1117, and Yondr is entitled to recover its reasonable attorneys' fees.

COUNT 4: UNFAIR COMPETITION, 15 U.S.C. § 1125

126. Yondr incorporates by reference the preceding paragraphs, as if set forth herein.

127. As set forth above, Defendants have intentionally and unlawfully engaged in various acts of unfair competition, including by making false misleading statements in their commercial advertising and promotional materials which misrepresent the characteristics and qualities of Yondr's product.

128. Defendants made false statements in interstate marketing materials to Yondr's actual and prospective customers to influence those customers to instead purchase Defendants' product, CellockED.

129. Upon information and belief, Defendants' false statements were material in that they influenced the purchasing decisions of Yondr's actual and prospective customers, directly

and proximately causing Yondr to lose and/or make valuable concessions to actual and prospective customers.

130. Upon information and belief, Defendants knew that the statements were false, or acted in reckless disregard of their truth or falsity.

131. As a direct and proximate result of Defendants' false statements, Yondr has suffered and will continue to suffer monetary and non-monetary damages, including, without limitation, lost profits.

132. Yondr therefore seeks judgment in its favor to recover from Defendants all damages that Yondr has sustained as a result of Defendants' false statements in violation of 15 U.S.C. § 1125, including punitive and treble damages, Defendants' profits or gains resulting from willful acts of unfair competition, and interest, attorney's fees, costs and disbursements, and all other relief permitted by law that this Court deems appropriate.

COUNT 5: TRADEMARK INFRINGEMENT UNDER TEXAS COMMON LAW

133. Yondr incorporates by reference the preceding paragraphs, as if set forth herein.

134. Yondr owns the Yondr Registered Product Configuration Mark and a valid registration in the Yondr Registered Product Configuration Mark on the Principal Register. *See* Ex. E.

135. Defendants are using an infringing mark that is identical to or indistinguishable from the genuine Yondr Registered Product Configuration Mark, both incorporated into the CellockED product, and for the promotion of CellockED without Yondr's approval, authorization, or consent.

136. Defendants' use of the Yondr Registered Product Configuration Mark is likely to cause confusion in the minds of the public, leading the public to falsely believe that Defendants'

CellockED product originates from Yondr, and/or that Yondr has approved, sponsored, or otherwise associated itself with the goods offered for sale and/or distributed by Defendants.

137. Defendants' conduct is intended to exploit the strong reputation and goodwill that is exclusively associated with the Yondr Registered Product Configuration Mark, to take unfair competitive advantage of the Yondr Registered Product Configuration Mark's goodwill without any expenditure of Defendants' own resources.

138. Yondr has no control of the quality of the goods marketed and/or sold by Defendants. Because of the likelihood of confusion as to the source of Defendants' goods, or as to whether Defendants' goods are sponsored or endorsed by, or affiliated with, Yondr, in view of at least the Defendants' infringing advertisements on LinkedIn, the infringing CellockED Webpage, and the infringing Product images on the CellockED YouTube account, Yondr's valuable goodwill in the Yondr Registered Product Configuration Mark is at the mercy of, and being irreparably harmed, by Defendants.

139. Defendants' infringing acts have caused and, unless such acts are restrained by this Court, will continue to cause substantial and irreparable injury to Yondr.

140. Yondr has no adequate remedy at law.

141. As a result of Defendants' actions, Yondr has suffered, and will continue to suffer, money damages in an amount to be determined at trial.

142. Therefore, under Texas Common Law, Yondr is entitled to recover its actual damages and Defendants' profits attributable to their infringement the Yondr Registered Product Configuration Mark.

143. Yondr therefore seeks judgment in its favor and to recover from Defendants all damages that Yondr has sustained as a result of Defendants' trademark infringement in violation

Texas's Common Law prohibition of trademark infringement including an award of actual and special damages, as permitted by law, including punitive and treble damages, Defendants' profits or gains resulting from its infringement, and interest, attorney's fees, costs and disbursements, and all other relief permitted by law that this Court deems appropriate.

COUNT 6: TRADE LIBEL UNDER TEXAS COMMON LAW

144. Yondr incorporates by reference the preceding paragraphs, as if set forth herein.

145. Defendants published a video that contained false information about Yondr.

146. Upon information and belief, Defendants acted with malice when they published a video that contained false information about Yondr.

147. Upon information and belief, Defendants' false and misleading statements about Yondr influenced the purchasing decisions of Yondr's actual and prospective customers, directly and proximately causing Yondr to lose and/or make valuable concessions to actual and prospective customers.

148. Defendants caused special damages to Yondr, in the form of loss of trade when, upon information and belief, Defendants induced actual and prospective customers not to deal with Yondr. Upon further information and belief, Yondr has lost business opportunities as a result of Defendants' actions.

149. Yondr therefore seeks judgment in its favor and to recover from Defendants all damages that Yondr has sustained as a result of Defendants' false statements in violation Texas's Common Law prohibition of trade disparagement and trade libel including an award of actual and special damages, as permitted by law, including punitive and treble damages, Defendants' profits or gains resulting from its trade libel, and interest, attorney's fees, costs and disbursements, and all other relief permitted by law that this Court deems appropriate.

COUNT 7: COMMON LAW UNFAIR COMPETITION UNDER TEXAS LAW

150. Yondr incorporates by reference the preceding paragraphs, as if set forth herein.

151. Defendants have made and distributed, in interstate commerce and in this District, statements that contain false or misleading statements of fact about Yondr and its product.

152. Yondr's System is sold within the State of Texas and Defendants' statements were made from within Texas and reached Texas consumers.

153. Defendants have and continue to commit unlawful acts, as pleaded above, including, but not limited to, trademark infringement and trade libel. Defendants have committed these unlawful acts maliciously and with the specific intent, to interfere with Yondr's ability to conduct its own business.

154. Defendants have and will continue to cause immediate and irreparable injury to Yondr, including injury to its business, reputation, and goodwill, for which there is no adequate remedy at law. Yondr consequently is entitled to an injunction restraining Defendants, their agents, employees, representatives, and all persons acting in concert with it from engaging in further acts of unfair competition and ordering removal of all Defendants' false statements.

155. Yondr is entitled to recover from Defendants the damages Yondr has sustained as a result of Defendants' acts constituting unfair competition. Yondr will prove the full extent of the monetary damages it has suffered because of Defendants' acts through this action.

156. Yondr therefore seeks judgment in its favor and to recover from Defendants all damages that Yondr has sustained as a result of Defendants' actions in violation Texas's Common Law prohibition of unfair trade practices including an award of actual and special damages, as permitted by law, including punitive and treble damages, Defendants' profits or gains resulting

from its unfair trade practices, and interest, attorney's fees, costs and disbursements, and all other relief permitted by law that this Court deems appropriate.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Yondr respectfully requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

Yondr respectfully requests that this Court enter judgment in its favor and against Defendants and respectfully requests the following relief:

1. A judgment that Defendants infringed and continue to infringe the Asserted Patents;
2. A judgment and order requiring Defendants to pay Yondr's monetary damages sufficient to compensate Yondr for Defendants' infringement of the Asserted Patents, but in no event less than a reasonable royalty under 35 U.S.C. § 284;
3. An award of enhanced damages pursuant to 35 U.S.C. § 284;
4. An award of treble damages for Defendants' willful infringement of the Asserted Patents;
5. A judgment and order finding this to be an exceptional case under 35 U.S.C. § 285 and requiring Defendants to pay costs of this action and attorneys' fees;
6. A permanent injunction against all of Defendants' products found to infringe the Asserted Patents;
7. In lieu of an injunction, an award of a compulsory forward royalty;
8. A judgment that Defendants infringed and continue to infringe the Yondr Registered Product Configuration Mark;

9. An award of damages sustained as a consequence of Defendants' infringement of the Registered Product Configuration Mark and trebling of those damages under 15 U.S.C. § 1117;

10. A judgment that Defendants disparaged and committed trade libel against Yondr, infringed the Yondr Registered Product Configuration Mark and engaged in trade practices in violation Texas's Common Law prohibition of unfair trade practices.

11. An entry of a preliminary and permanent injunction against Defendants, enjoining Defendants from making false statements regarding Yondr, its System and/or its personnel;

12. An entry of a preliminary and permanent injunction requiring Defendants to remove the defamatory and unlawful statements it has already made and issue a correction regarding same;

13. An award of compensatory, incidental, and consequential damages, in an amount to be determined, for harms Yondr has and continues to suffer by Defendants' unlawful conduct, including harm to Yondr's reputation and goodwill as well negative effect on Yondr's sales and business value;

14. A judgment and order requiring Defendants to pay Yondr's pre-judgment and post-judgment interest on the damages award, to the full extent allowed under the law, as well as its costs;

15. An order for an accounting of damages;

16. An award of such further relief as the Court may deem appropriate and just under the circumstances.

Dated: 10/31/2024

Respectfully submitted,

By: /s/ Joshua L. Raskin

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**ATTORNEYS FOR PLAINTIFF
YONDR, INC.**

Exhibit E

To: Omid E. Khalifeh(info@omnilegalgroup.com)
Subject: U.S. Trademark Application Serial No. 97170045 -
Sent: October 06, 2022 12:53:43 PM EDT
Sent As: tmng.notices@uspto.gov

Attachments

[screenshot-www-amazon-com-cell-phone-pouches-women-s-16650750484221](#)
[screenshot-www-google-com-search-16650751252081](#)

**United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application**

U.S. Application Serial No. 97170045

Mark:

Correspondence Address:

Omid E. Khalifeh
OMNI LEGAL GROUP
2029 CENTURY PARK EAST, SUITE 438
LOS ANGELES CA 90067 UNITED STATES

Applicant: Yondr, Inc.

Reference/Docket No. N/A

Correspondence Email Address: info@omnilegalgroup.com

NONFINAL OFFICE ACTION

The USPTO must receive applicant's response to this letter within six months of the issue date below or the application will be abandoned. Respond using the Trademark Electronic Application System (TEAS). A link to the appropriate TEAS response form appears at the end of this Office action.

Issue date: October 06, 2022

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SUMMARY OF ISSUES:

Drawing Requirement and Mark Description Requirement
Request for Information

SEARCH OF USPTO DATABASE OF MARKS

The trademark examining attorney has searched the USPTO database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

DRAWING REQUIREMENT AND MARK DESCRIPTION REQUIREMENT

The drawing of applicant's applied-for three-dimensional mark is not acceptable because it includes functional elements depicted in solid lines rather than broken or dotted lines. *See* TMEP §1202.02(c)(i)(A). Elements of a mark that are functional are required to be shown in broken or dotted lines. *See* 37 C.F.R. §2.52(b)(4); *In re Water Gremlin Co.*, 635 F.2d 841, 844, 208 USPQ 89, 91 (C.C.P.A. 1980); *In re Heatcon, Inc.*, 116 USPQ2d 1366, 1379-80 (TTAB 2015); TMEP §1202.02(c)(i)(A).

Here, the knob in the center of the tapered flap is the only non-functional element of the mark. The opening at the top is functional because all cell phone pouches have an opening for one to place the cell phone in the pouch and remove it and place it back in. The outer edges of the pouch are functional because they keep the cell phone in place. The attached evidence shows that most cell phone pouches include these elements and are functional elements of this mark in particular.

"Functional matter cannot be protected as a trademark." TMEP §1202.02(a)(iii)(A); *see* 15 U.S.C. §§1052(e)(5), (f), 1091(c), 1064(3), 1115(b)(8). A feature is functional if it is "essential to the use or purpose of the [product]" or "it affects the cost or quality of the [product]." *TraFFix Devices, Inc. v. Mktg. Displays, Inc.*, 532 U.S. 23, 32, 58 USPQ2d 1001, 1006 (2001) (quoting *Qualitex Co. v. Jacobson Prods. Co.*, 514 U.S. 159, 165, 34 USPQ2d 1161, 1163-64 (1995)); *Inwood Labs., Inc. v. Ives Labs., Inc.*, 456 U.S. 844, 850 n.10, 214 USPQ 1, 4 n.10 (1982); TMEP §1202.02(a)(iii)(A).

In the present case, the following elements are functional: the closing top of the pouch and the bottom part of the case. The attached evidence shows that these elements are functional because they are used to hold the cell phone and open and close the case to remove the cell phone and place it back in. *See In re Morton-Norwich Prods., Inc.*, 671 F.2d 1332, 1340-41, 213 USPQ 9, 15-16 (C.C.P.A. 1982); TMEP §1202.02(a)(v).

Therefore, applicant must provide (1) a new drawing of the mark showing the functional element(s) in broken or dotted lines, and (2) an amended mark description that references the matter in broken or dotted lines and indicates such matter is not claimed as part of the mark. *See* TMEP §1202.02(c)(i)(A), (c)(ii). Applicant must provide the amended drawing regardless of whether the remaining portions of the mark are determined to be registrable. TMEP §1202.02(c)(i)(A).

The following mark description format is suggested, if accurate:

The mark consists of the three-dimensional configuration of a pouch for mobile computing

devices. The pouch features tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch. The broken lines depicting the outer edges and top of the pouch indicate placement of the mark on the goods and are not part of the mark.

See TMEP §1202.02(c)(ii).

REQUEST FOR INFORMATION

Applicant must provide the following information and documentation regarding the applied-for three-dimensional configuration mark:

(1) A written statement as to whether the applied-for mark, or any feature(s) thereof, is or has been the subject of a design or utility patent or patent application, including expired patents and abandoned patent applications. Applicant must also provide copies of the patent and/or patent application documentation.

(2) Advertising, promotional, and/or explanatory materials concerning the applied-for configuration mark, particularly materials specifically related to the design feature(s) embodied in the applied-for mark.

(3) A written explanation and any evidence as to whether there are alternative designs available for the feature(s) embodied in the applied-for mark, and whether such alternative designs are equally efficient and/or competitive. Applicant must also provide a written explanation and any documentation concerning similar designs used by competitors.

(4) A written statement as to whether the product design or packaging design at issue results from a comparatively simple or inexpensive method of manufacture in relation to alternative designs for the product/container. Applicant must also provide information regarding the method and/or cost of manufacture relating to applicant's goods.

(5) Any other evidence that applicant considers relevant to the registrability of the applied-for configuration mark.

See 37 C.F.R. §2.61(b); *In re Morton-Norwich Prods., Inc.*, 671 F.2d 1332, 1340-41, 213 USPQ 9, 15-16 (C.C.P.A. 1982); TMEP §§1202.02(a)(v) *et seq.*

Any document filed with the USPTO becomes part of the official public application record and will not be returned or removed. TMEP §§404, 814. If any of the information required above is confidential or applicant does not want such information to become part of the public record for a valid reason, applicant should submit an explanation of those circumstances or redact confidential portions prior to submission. *See* TMEP §814. Applicants are not required to submit confidential information into the record; a written explanation or summary of that information may suffice. *Id.*

Regarding the requirement for this information, the Trademark Trial and Appeal Board and its appeals court have recognized that the necessary technical information for ex parte determinations as to functionality is usually more readily available to an applicant, and thus an applicant is normally the source of most of the evidence in these cases. *In re Teledyne Indus. Inc.*, 696 F.2d 968, 971, 217 USPQ

9, 11 (Fed. Cir. 1982); *see In re Babies Beat Inc.*, 13 USPQ2d 1729, 1731 (TTAB 1990) (holding registration was properly refused where applicant failed to comply with trademark examining attorney's requirement for copies of patent applications and other patent information); TMEP §1202.02(a)(v).

Applicant has a duty to respond directly and completely to this requirement for information. *See In re Ocean Tech., Inc.*, 2019 USPQ2d 450686, at *2 (TTAB 2019) (citing *In re AOP LLC*, 107 USPQ2d 1644, 1651 (TTAB 2013)); TMEP §814. Failure to comply with a requirement for information is an independent ground for refusing registration. *In re SICPA Holding SA*, 2021 USPQ2d 613, at *6 (TTAB 2021) (citing *In re Cheezwhse.com, Inc.*, 85 USPQ2d 1917, 1919 (TTAB 2008); *In re DTI P'ship LLP*, 67 USPQ2d 1699, 1701-02 (TTAB 2003); TMEP §814).

RESPONSE GUIDELINES

Response guidelines. For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see “[Responding to Office Actions](#)” and the informational [video “Response to Office Action”](#) for more information and tips on responding.

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

How to respond. [Click to file a response to this nonfinal Office action.](#)

/Samir Patel/
Samir Patel
Trademark Examining Attorney
Law Office 106
(571) 272-6699
samir.ramesh-patel@uspto.gov

RESPONSE GUIDANCE

- **Missing the response deadline to this letter will cause the application to [abandon](#).** The response must be received by the USPTO before midnight **Eastern Time** of the last day of the response period. TEAS maintenance or [unforeseen circumstances](#) could affect an applicant's

ability to timely respond.

- **Responses signed by an unauthorized party** are not accepted and can **cause the application to abandon**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant. If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find contact information for the supervisor** of the office or unit listed in the signature block.

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Handbag Closure Type

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BANDOLIER**The Original Crossbody iPhone Case**

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Emma Crossbody iPhone Case



Sarah Crossbody iPhone Case



Add-On Pouches

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RESULTS

Price and other details may vary based on product size and color.



ykoee
ykoee Cell Phone Pouch Nylon Holster Case with Belt Clip Cover Compatible...

★★★★★ ~ 5,296

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AnsTOP
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Gabigaba
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★★★★★ ~ 1,000

\$26.99

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Tainada
Tainada Men Women Neoprene Shockproof Phone Sleeve Pouch...

★★★★★ ~ 582

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Handbag Special Features

- ☐ Anti-Theft
- ☐ Cell Phone Holder
- ☐ Checkpoint Friendly
- ☐ Foldable
- ☐ Lightweight
- ☐ RFID Blocking
- ☐ Water Resistant
- [See more](#)

Handbag Material

- ☐ Canvas
- ☐ Fabric
- ☐ Faux Leather
- ☐ Leather
- ☐ Nylon
- ☐ Patent Leather
- ☐ Rubber
- ☐ Straw
- ☐ Suede
- ☐ Synthetic

Handbag Theme

- ☐ Animals
- ☐ Cartoon
- ☐ City
- ☐ Fantasy
- ☐ Holidays
- ☐ Movies
- ☐ Occasion
- [See more](#)

Handbag Included Components

- ☐ Clutch
- ☐ Messenger Bag
- ☐ Sling Bag
- ☐ Wallet
- ☐ Wristlet

Handbag Lining Description

- ☐ Cotton
- ☐ Faux Leather
- ☐ Leather
- ☐ Nylon
- ☐ Polycotton
- ☐ Polyester
- ☐ Polyurethane
- [See more](#)

Handbag Embellishment Feature

- ☐ Bead

Handbag Pattern

- ☐ Animal Print
- ☐ Camouflage
- ☐ Checkered
- ☐ Floral
- ☐ Geometric
- ☐ Paisley
- ☐ Solid
- [See more](#)

Color



+33 colors/patterns

APHISON

Mini Cell Phone Purse, Leather Small Crossbody Bags for Women...

★★★★★ - 2,588

\$19⁹⁹ ~~\$26.00~~

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+19 colors/patterns

MINICAT

INICAT Minicat Women RFID Blocking Small Crossbody Bags Cell Phone...

★★★★★ - 6,114

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+37 colors/patterns

befen

Leather Small Cell Phone Crossbody Wallet Purse and Bags for Women

★★★★★ - 5,083

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+2 colors/patterns

Peak Gear

Nylon Crossbody Purse - Hidden RFID Pocket - Includes Lifetime Lost &...

★★★★★ - 5,025

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\$9⁹⁹

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+1

Bella Taylor

Country Floral Feedack Collection, RFID Modern Wristlet Cell Phone...

★★★★★ - 2

\$31⁹⁵

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+1

Wild & Bold

Small Crossbody Bags For Women Cross Body Purses Mini Cell Phone...

★★★★★ - 3

\$19⁹⁹

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+1

IIAmour

smartphone pouch Shoulder bag Crossbody Cellphone bag

★★★★★ - 553

\$14⁹⁰

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☐ International Shipping Eligible
Condition
New
Used
Availability
☐ Include Out of Stock

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Rynapac
Universal Waterproof Phone Pouch
Bag - 2Pack Waterproof Case...
★★★★☆ ~ 1,205
\$6⁹⁹
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Feastind
Women Nylon Cell Phone Purse Travel
Crossbody Bag Wristband Sport...
★★★★☆ ~ 1,384
\$8⁹⁹
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More Buying Choices
\$7.68 (7 new offers)



BIAOTIE
Lightweight Small Crossbody bags Cell
Phone Purses Travel Pouch Shoulder...
★★★★☆ ~ 1,123
\$10⁹⁹
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eYistar
Neoprene Shock Absorbing Proof
Pouch Large Cell Phone Sleeve Case...
★★★★☆ ~ 229
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WaitingU
Universal Crossbody Cell Phone Purse
Waist Pack Bag for Outdoor Sports...
★★★★☆ ~ 408
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Techcircle
Techcircle Cell Phone Neck Pouch PU
Leather Carrying Bag with Credit Car...
★★★★☆ ~ 257
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PT
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Pouch Nylon Sporty Smartphone...
★★★★☆ ~ 388
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Peacocktion
Small Crossbody Cell Phone Purse for
Women, Lightweight Mini Shoulder B...
★★★★☆ ~ 1,183
\$18⁹⁹
prime
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OneJoy
OneJoy Phone Pouch for Women,
Mobile Bag, Bike Pouch with Zipper,...
★★★★☆ - 1,545
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Danny K
Danny K Women's Tapestry Crossbody
Cell Phone or Passport Purse,...
★★★★☆ - 3,187
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prime
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Small Business



KIWIFOTOS
KIWIFOTOS Travel Cell Phone Pouch
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★★★★☆ - 165
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Kamo
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ykoo
ykoo Rugged Nylon Holster for iPhone
14 Pro, 14, 13 Pro, 13, 12 Pro, 12, 11...
★★★★☆ - 2,595
\$12⁹⁹
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Ztupo
iPhone XR Wallet Case, Ztupo 2 in 1
Leather Zipper Detachable Magnetic...
★★★★☆ - 3,293
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befen
Leather Small Cell Phone Crossbody
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★★★★☆ - 5,083
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PUFER
Clear Cell Phone Purse Wallet Small
Crossbody Bags for Women...
★★★★☆ - 732
\$16⁹⁹
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 ★★★★★ 11,922
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★★★★☆ ~ 69,070

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Baggallini
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★★★★☆ ~ 111

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OneJoy
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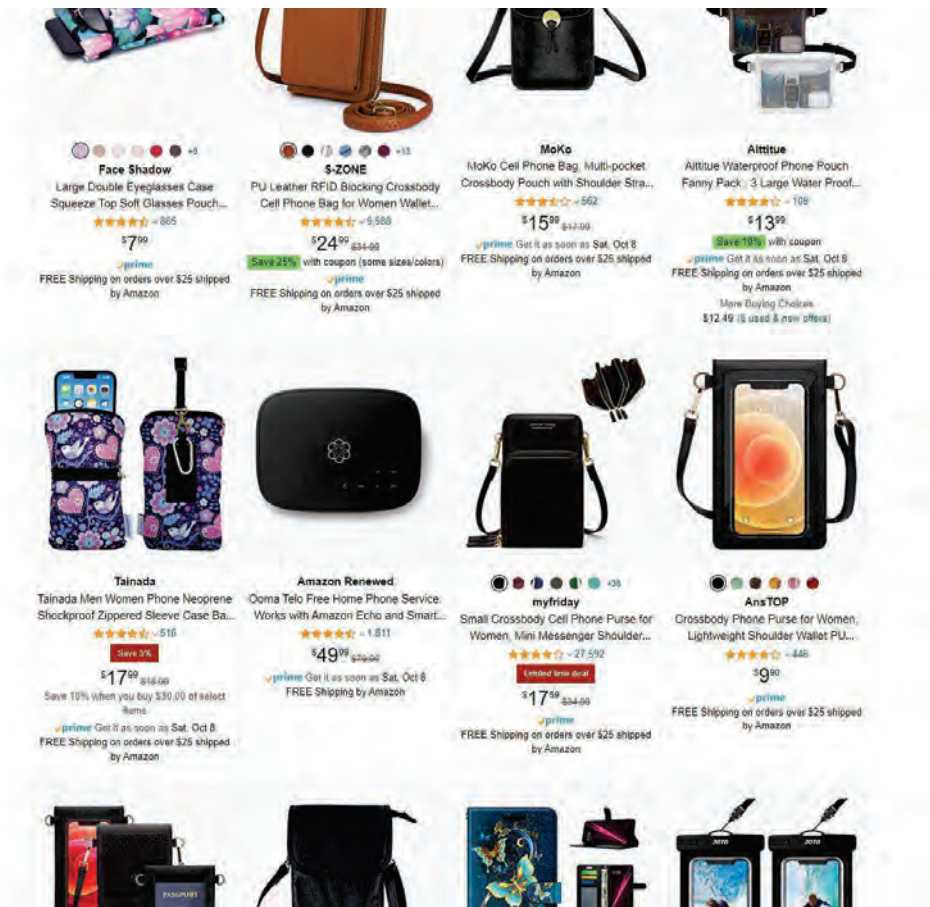
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Emoin
Touchscreen Phone Purse, Small
Crossbody Cell Phone Pouch Should...

★★★★☆ 1,832

\$12.99

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befen
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★★★★☆ 5,083

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JOTO
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★★★★☆ 331

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Clear: Small Crossbody Bag Mini Cell...

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G8 E5 ...



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Places



Rating
Hours

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4.0 ★★★★★ (5,963) • Department store
Westbury, NY (516) 794-7260
Open - Closed 11PM
In stock: cell phone cases, Pouch Updated today



Best Buy
4.1 ★★★★★ (3,400) • Electronics store
Westbury, NY In Westbury Plaza (516) 357-9025
Open - Closed 8PM
This website mentions cell phone and pouches



My City Wireless
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YouTube Jannuch channel
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United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on October 06, 2022 for
U.S. Trademark Application Serial No. 97170045

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action in order to avoid your application abandoning. Follow the steps below.

- (1) **Read the Office action**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response period. Otherwise, your application will be **abandoned**. See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO **website**, the application process, the status of your application, and whether there are outstanding deadlines to the **Trademark Assistance Center (TAC)**.

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

GENERAL GUIDANCE

- **Check the status of your application periodically** in the **Trademark Status & Document Retrieval (TSDR)** database to avoid missing critical deadlines.
- **Update your correspondence email address** to ensure you receive important USPTO notices about your application.
- **Beware of trademark-related scams**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. And all official USPTO correspondence will only be emailed from the domain “@uspto.gov.” Verify the correspondence originated from us by using your Serial Number in our database, **TSDR**, to confirm that it appears under the “Documents” tab, or contact the **Trademark Assistance Center**.

- **Hiring a U.S.-licensed attorney.** If you do not have an attorney and are not required to have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.

Exhibit F

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	97170045
LAW OFFICE ASSIGNED	LAW OFFICE 106
MARK SECTION (current)	
MARK FILE NAME	https://tmng-al.uspto.gov/resting2/api/img/97170045/large
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR(S) CLAIMED (If applicable)	Color is not claimed as a feature of the mark.
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of a distinctive 3-dimensional configuration for pouches or packaging adapted to contain mobile computing devices, featuring tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch.
MARK SECTION (proposed)	
MARK FILE NAME	\\TICRS\EXPORT18\IMAGEOUT 18\971\700\97170045\xml4\ ROA0002.JPG
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
COLOR MARK	NO
DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the three-dimensional configuration of a pouch for mobile computing devices. The pouch features tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch. The broken lines depicting the outer edges and top of the pouch indicate placement of the mark on the goods and are not part of the mark.
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	1308 x 1886
ADDITIONAL STATEMENTS SECTION	
MISCELLANEOUS STATEMENT	Examiner requested further information. In response, 1) the applied-for trademark design has not been claimed in any US or foreign patent filings; 2) specimen submitted with the application as filed reflect some advertising, promotional, and explanatory material related to the design of the mark; 3) there are many other designs for phone cases available in the marketplace, as evidenced by Examiner's appendices to the outstanding Office Action; 4) upon information and belief, the applied-for trademark design does not result from a comparatively simple or inexpensive method of manufacture in relation to alternative designs; and 5) Applicant is not aware of any other evidence that would be relevant to the registrability of the applied-for trademark design.
CORRESPONDENCE INFORMATION (current)	
NAME	Omid E. Khalifeh

PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	info@omnilegalgroup.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
CORRESPONDENCE INFORMATION (proposed)	
NAME	Omid E. Khalifeh
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	info@omnilegalgroup.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	NOT PROVIDED
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Ariana Santoro/
SIGNATORY'S NAME	Ariana Santoro
SIGNATORY'S POSITION	Associate Attorney, Omni Legal Group, California Bar member
SIGNATORY'S PHONE NUMBER	3102766664
DATE SIGNED	11/11/2022
ROLE OF AUTHORIZED SIGNATORY	Authorized U.S.-Licensed Attorney
SIGNATURE METHOD	Signed directly within the form
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Nov 11 19:21:37 ET 2022
TEAS STAMP	USPTO/ROA-XX.XXX.X.XXX-20 221111192137357087-971700 45-8004ff255f4b8c293ba2c9 f0222b8e243b12afce47b86e4 7e2a63ddbcaa76a9d7-N/A-N/ A-20221111191436665101

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Approved for use through 11/30/2023. OMB 0651-0050
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **97170045** (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/97170045/large>) has been amended as follows:

MARK

Applicant proposes to amend the mark as follows:

Current: (Stylized and/or with Design, see <https://tmng-al.uspto.gov/resting2/api/img/97170045/large>)

Proposed: (Stylized and/or with Design, see [mark](#))

The applicant is not claiming color as a feature of the mark.

The mark consists of the three-dimensional configuration of a pouch for mobile computing devices. The pouch features tapered, opposing flaps extending upward from an opening; a knob located in the center of one of the tapered flaps; and decorative binding along the outer edge of the whole pouch. The broken lines depicting the outer edges and top of the pouch indicate placement of the mark on the goods and are not part of the mark.

ADDITIONAL STATEMENTS

Miscellaneous Statement

Examiner requested further information. In response, 1) the applied-for trademark design has not been claimed in any US or foreign patent filings; 2) specimen submitted with the application as filed reflect some advertising, promotional, and explanatory material related to the design

of the mark; 3) there are many other designs for phone cases available in the marketplace, as evidenced by Examiner's appendices to the outstanding Office Action; 4) upon information and belief, the applied-for trademark design does not result from a comparatively simple or inexpensive method of manufacture in relation to alternative designs; and 5) Applicant is not aware of any other evidence that would be relevant to the registrability of the applied-for trademark design.

Correspondence Information (current):

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Correspondence Information (proposed):

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SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): NOT PROVIDED

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

SIGNATURE(S)

Response Signature

Signature: /Ariana Santoro/ Date: 11/11/2022
Signatory's Name: Ariana Santoro
Signatory's Position: Associate Attorney, Omni Legal Group, California Bar member

Signatory's Phone Number: 3102766664 Signature method: Signed directly within the form

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: Omid E. Khalifeh
OMNI LEGAL GROUP

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Serial Number: 97170045
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