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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

**Trademark/Service Mark Application, Principal Register
Handwritten Signature**

To the Commissioner for Trademarks:

MARK: APTERYX IMAGING (Standard Characters, see below)

APTERYX IMAGING

The literal element of the mark consists of APTERYX IMAGING. The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, Apteryx, Inc., a corporation of Ohio, having an address of
313 High Street Suite 200
Akron, Ohio 44308
United States

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:

International Class 009: computer software for use in image acquisition and processing, data transmission, data encryption and decryption, for accessing networked computers, database management and inventory management; x-ray imaging sensors; computer hardware
Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

International Class 010: image acquisition hardware, namely intraoral and extraoral digital dental imaging devices
Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

The applicant hereby appoints Daniel J. Smola. Other appointed attorneys are Christopher R. Butler; Daniel L. Cherry; John J. Cunniff; Steven E. Feldman; Leonard Friedman; Bret A. Hrivnak; Scott M. Oldham; Sherry L. Rollo; Jeanne L. Seewald; Joel S. Sonnenberg; and Nathan B. Webb. Daniel J. Smola of Hahn Loeser & Parks LLP, is a member of the Ohio bar, admitted to the bar in 2005, bar membership no. 78769, and the attorney(s) is located at

200 Public Square, Suite 2800
Cleveland, Ohio 44114
United States
216-621-0150(phone)
216-241-2824(fax)
trademarks@hahnlaw.com (authorized).

The attorney docket/reference number is 116385.00265.

Daniel J. Smola 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:

Daniel J. Smola
Hahn Loeser & Parks LLP
200 Public Square, Suite 2800
Cleveland, Ohio 44114
216-621-0150(phone)
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trademarks@hahnlaw.com (authorized).

Email Authorization: I authorize the USPTO to send email correspondence concerning the application to the applicant, the applicant's attorney, or the applicant's domestic representative at the email address provided in this application. I understand that a valid email address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Reduced Fee status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$550 will be submitted with the application, representing payment for 2 class(es).

Declaration

Read the following statements before signing. Acknowledge the statements by signing below.

• **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 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
- 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 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.

Signature Section:

NOTE: The same person may sign the declaration on behalf of the other joint applicant(s), by merely making identical entries. The USPTO will presume that the one person who has signed was, in fact, authorized to sign on behalf of the other person(s).

Signature: _____

Signatory's Name: David Gane

Signatory's Position: CEO

Signatory's Phone Number: 604-202-4589

Date Signed: OCT 3 / 19