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Trademark Electronic Application System

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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: KINECT (Standard Characters, see below)

KINECT

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

The applicant, Neurocrine Biosciences, Inc., a corporation of Delaware, having an address of
12780 El Camino Real
San Diego, California 92130
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 044: Providing medical information

The applicant has not specified a filing basis.

The applicant hereby appoints Allison Strickland Ricketts. Other appointed attorneys are Lawrence E. Apolzon, Andrew N. Fredbeck, Nancy Sabarra, Karen Lim, Charles T.J. Weigell, Ashford Tucker, Tamar Niv Bessinger. Allison Strickland Ricketts of

FROSS ZELNICK LEHRMAN & ZISSU, P.C., is a member of the New York bar, admitted to the bar in 1994, bar membership no. 2615300, and the attorney(s) is located at
151 West 42nd St., 17th Fl
New York, New York 10036
United States
212-813-5967(phone)
ricketts-docket@fziz.com (authorized).

The attorney docket/reference number is NEUB 1913667.

Allison Strickland Ricketts 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:

Allison Strickland Ricketts
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
151 West 42nd St., 17th Fl
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212-813-5967(phone)
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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 \$275 will be submitted with the application, representing payment for 1 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 L. Bradfute, PhD, JD

Signatory's Position: Vice President & Head, Intellectual Property

Signatory's Phone Number: (858) 617-7241

Date Signed: 15 November 2019

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