

UNITED STATES PATENT AND TRADEMARK OFFICE
APPLICATION FOR REGISTRATION OF A TRADEMARK OR SERVICE MARK

MARK:



CLASS: 30

APPLICANT: Fountain of Youth Beverages, LLC

ADDRESS: 330 Washington Street
Hoboken, NJ 07030
United States of America

ENTITY: a limited liability company organized and existing under the laws of Delaware

OUR REF: FYB 1918722

The above-identified applicant has a bona fide intention to use the above mark in commerce on or in connection with the following goods, and requests that said mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 under Section 1(b):

Class	Goods
30	Tea; tea-based beverages; energy tea; green tea beverages; fortified tea beverages; ready-to-drink tea; tea blends; fortified tea drinks; caffeinated tea drinks

The mark consists of an om design superimposed over two sunburst designs above the stylized wording "VIBAL ENERGY TEA" in the center with a leaf superimposed over the "V" and a lightning bolt over the "T," underneath which appears a leaf design, with the lettering "VT" appearing in the bottom right corner with a leaf superimposed over the "V" and a lightning bolt over the "T," all of which is surrounded by a frame consisting of om designs at the top along with leaf designs at the corners and additional leaf designs going down the sides.

Color is not claimed as a feature of the mark.

ADDRESS FOR CORRESPONDENCE

Applicant requests that all correspondence in connection with this application be directed to its attorneys, the law firm of Fross Zelnick Lehrman & Zissu, P.C., 151 West 42nd St., 17th Floor, New York, New York 10036, Attention: Lawrence E. Apolzon (Telephone 212-813-5900).

INTENTION AS OF FILING DATE

If this application is signed after the application filing date, the applicant verifies that it had a bona fide intention to use the mark in commerce on or in connection with the goods and services listed in this application as of the application filing date.

DECLARATION

I have read all of the statements below before signing.

- **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.
- **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.

Fountain of Youth Beverages, LLC

By: 

[Signature]

Name: Daniel Levison

[Typed or printed]

Title: Founder

Date of signature: 1/6/2020