

## DECLARATION & POWER OF ATTORNEY

The undersigned being hereby 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 knowledge are true and that all statements made on information and belief are believed to be true:

- 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;
  - the facts set forth in the application are true;
- 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;
  - the facts set forth in the application are true;
- To the best of signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in identical form or in such near resemblance as to be likely, when used on or in connection the goods/services of such other persons, to cause confusion or mistake, or to deceive; and
- To the best of 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 Applicant hereby appoints upon whom any and all notices or processes affecting the application may be served with full power of substitution, the power of appointment of an associate attorney, and the power of revocation to Samantha M. Quimby, an Ohio Bar Member, with a mailing address of:

**Frost Brown Todd LLC**  
**10 West Broad Street, Suite 2300, Columbus, Ohio 43215**  
**513-651-6800 Voice / 513-651-6981 Fax, [ColsTrademarks@fbtlaw.com](mailto:ColsTrademarks@fbtlaw.com)**

Date: \_\_\_\_\_

12/15/2019

THE OHIO STATE UNIVERSITY

By: \_\_\_\_\_

Name: Robert Cleveland

Title: Director of Trademark Permissions & Protection