

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of Viña Concha y Toro S.A.  
Serial No.: 88/637,902  
Filed: October 1, 2019  
Mark: DIABLO (& Design)

**DECLARATION**

The undersigned, being hereby warned that willful false statements and the like so made 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 any resulting registration, declares that:

- He/she is properly authorized to execute this application on behalf of the applicant;
- The signatory believes that the applicant is entitled to use the mark in commerce;
- The applicant has and had at the time of filing a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application;
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate;
- To the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and
- 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.

Signature: \_\_\_\_\_

Name: Osvaldo Solar  
Title: Chief Financial Officer

Date: October 2<sup>nd</sup>, 2019

Signature: \_\_\_\_\_

Name: Enrique Ortúzar  
Title: General Counsel

Date: October 2<sup>nd</sup>, 2019

Docket No.: 791210-TBD