

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NIKON CORPORATION :

Serial No: 87519093 :

Filed: July 7, 2017 :

Dawn L Han
Examining Attorney
Law Office 107

Mark: **WX** :

Class: 9 :

Our Ref: NIKN 1705485 :

AMENDMENT TO ALLEGE USE

FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Applicant is the owner of the mark sought to be registered and is now using the mark in commerce on or in connection with the following goods identified in this application:

Class 9: Binoculars for astronomical observation and accessories therefor, namely, hard cases, cases and straps

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.

The mark was first used on the goods anywhere at least as early as July 25, 2017 and was first used on the goods in commerce at least as early as July 25, 2017.

One specimen showing the mark as used in commerce on or in connection with the goods is presented herewith.

DECLARATION

I have read all of the statements below before signing.

- The signatory believes that the applicant is the owner of the mark sought to be registered.
- **For a trademark or service mark application**, the mark is in use in commerce on or in connection with all the goods in the application or notice of allowance, or as subsequently modified.
For a collective trademark, collective service mark, collective membership mark application, the applicant is exercising legitimate control over the use of the mark in commerce by members on or in connection with all the goods in the application or notice of allowance, or as subsequently modified.
For a certification mark application, the applicant is exercising legitimate control over the use of the mark in commerce by authorized users on or in connection with all goods in the application or notice of allowance, or as subsequently modified, and the applicant is not engaged in the production or marketing of the goods to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods that meet the certification standards of the applicant.
- The specimen(s) shows the mark as used on or in connection with the goods in commerce.
- To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or 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 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 that all statements made on information and belief are believed to be true.

NIKON CORPORATION

By: Hideya Inoue
[signature]

Name: Hideya Inoue

Title: Associate Vice President, General Manager
Intellectual Property Division

Date: March 1, 2018