

**AMENDMENT TO ALLEGE USE
UNDER 37 CFR 2.76 WITH DECLARATION**

MARK: AMETHYST PREMIER COLLECTION & Design

CLASS: 003

SERIAL NO.: 90/097980

TO THE COMMISSIONER FOR TRADEMARKS:

APPLICANT NAME: Palm Beach Tan, Inc.

GOODS:

Applicant requests registration of the above-identified trademark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended). One specimen showing the mark as used in commerce is submitted with this amendment. Applicant is using the mark in commerce in connection with the following goods:

Tanning creams, lotions and gels; tanning skin creams, tanning lotions and tanning gels for accelerating, enhancing, intensifying and extending tans; after tanning gels; body and facial bronzers; all the foregoing containing amethyst in Class 003

DATE OF FIRST USE:

Date of first use of mark anywhere in Class 003: at least as early as 3/28/2022

Date of first use of mark in commerce which the U.S. Congress may regulate in Class 003: at least as early as 3/28/2022

Type of Commerce: Interstate Commerce

HOW MARK IS USED -- Mark is used on the goods, in packaging of the goods, labels and in other ways customary to the trade.

DECLARATION

- The applicant is the owner of the mark sought to be registered.
- 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.
- The specimens show 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 her own knowledge are true and that all statements made on information and belief are believed to be true.

Date 3/24/2022

PALM BEACH TAN, INC.

By: Shannon Naylor

Name: Shannon Naylor

Title: Director of Marketing