

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICATION FOR TRADEMARK REGISTRATION
UNDER SECTION 1(b)**

PRINCIPAL REGISTER

MARK : PORTA-NAILS
CLASSES : 06, 07, 08, 11 and 35

COMMISSIONER FOR TRADEMARKS:

Applicant Q.E.P. Co., Inc. is a Delaware corporation, whose address is 1001 Broken Sound Parkway NW, Suite A, Boca Raton, Florida 33487.

Applicant has a bona fide intention to use the mark shown in the accompanying drawing in commerce on or in connection with goods and services as follows:

NAILS; STAPLES; FLOORING NAILS AND STAPLES in Class 6;

POWER TOOLS, NAMELY, NAILERS AND CASES FOR SAME; POWER TOOLS, NAMELY, STAPLERS AND CASES FOR SAME; POWER BRAD NAILERS AND CASES FOR SAME; ELECTRIC MOTOR DRIVEN NAILING DEVICES; BATTERY DRIVEN NAILING DEVICES; HAND-HELD ELECTRIC AND BATTERY DRIVEN NAILING DEVICES; JIGS FOR POWER OPERATED ROUTERS; AIR COMPRESSORS; PARTS FOR COMPRESSED AIR TOOLS, NAMELY AIR HOSES AND REGULATORS in Class 7;

HAND TOOLS FOR DISPENSING, GUIDING, AND SEATING NAILS; HAND OPERATED SHEAR CUTTER TOOLS; SHEER CUTTER BLADES; FLOORING JACKS, NAMELY, FLOOR TIGHTENER AND STRAIGHTENER; HAND-OPERATED NAILERS AND STAPLERS FOR THE WOOD FLOORING AND CONSTRUCTION INDUSTRY; NAIL PUNCHES; AND PRODUCTS USED IN THE FLOORING AND CONSTRUCTION INDUSTRY in Class 8;

~~COMPRESSED AIR DRYER KITS, INCLUDING DESICCANT AIR DRYERS, AIR FILTERS AND FITTINGS in Class 11; and~~

Docket No. 68725/Q41

ONLINE RETAIL STORE SERVICES IN THE FIELD OF FLOOR FASTENING TOOLS AND WOOD WORKING TOOLS in Class 35;

and requests that the mark be registered in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946, as amended.

The mark is in standard characters and no claim is made to any particular font style, size, or color.

The literal element of the mark is the term PORTA-NAILS.

Applicant is the owner of U.S. Registration No. 1,380,047.

POWER OF ATTORNEY

Applicant hereby appoints the following members of the Bar and attorneys of the law firm Christie, Parker & Hale, LLP, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected with this application, including the execution of verifications or declarations for this document, or any other document, on the applicant's behalf:

David A. Dillard Thomas J. Daly Edward R. Schwartz John D. Carpenter Wesley W. Monroe David A. Plumley Gregory S. Lampert Mark Garscia Syed A. Hasan Robert A. Green Howard A. Kroll	Michael J. MacDermott Anne Wang Constantine Marantidis Gary J. Nelson Raymond R. Tabandeh Josephine E. Chang Jun-Young E. Jeon Brian K. Brookey David J. Steele Peter C. Hsueh Oliver S. Bajracharya	Lauren E. Schneider Daniel R. Kimbell Gary S. Dukarich G. Warren Bleeker Gabriel Fitch Tiffany A. Parcher Steven E. Lauridsen Patrick J. Orme Derek W. Yeung Jason C. Martone Joshua T. Chu	David W. Klinger Bruce A. Wagar Phyllis C. Simon Justin O. Ehresmann Shaun P. Lee Ryan M. Swank Faustina Y. Lee Eric C. Arnell Dustin R. Szakalski Walter G. Maxwell Richard A. Wallen
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The authority under this Power of Attorney of each person named above shall automatically terminate and be revoked upon such person ceasing to be a member or associate of or of counsel to that law firm.

Please address all correspondence and the registration to **CHRISTIE, PARKER & HALE, LLP, Post Office Box 29001, Glendale, California 91209-9001.**

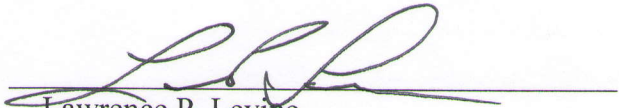
DECLARATION

I, the undersigned, declare that I am authorized to execute this application on behalf of said applicant; that applicant has a bona fide intention to use the mark in commerce on or in connection with the goods and services identified in this application, and that said applicant is entitled to use such mark in commerce; to the best of my knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form or in such near resemblance thereto as to be likely, when applied to or used in connection with the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive; that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Q.E.P. CO., INC.

Date MARCH 5, 2012

By


Lawrence P. Levine
Senior Vice President and General Counsel

MM/jlp

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