

APPLICATION FOR TRADEMARK REGISTRATION

(DECLARATION)

Mark: **LAMUSICA AND DESIGN**

Class No.: 35, 38, 41, 42

HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Spanish Broadcasting System, Inc.
A Corporation of the State of Delaware
7007 N.W. 77TH Avenue
Miami, Florida 33166

The above-identified Applicant has adopted and is using the trademark shown in the accompanying drawing in United States Commerce for **Promoting the concerts via the Internet; dissemination of advertising via the Internet, in International Class 35**; first used anywhere at least as early as 11/2013, was first used in interstate commerce at least as early as 11/2013, and is now in use in such commerce; **Communications services, namely, transmitting streamed sound and audio-visual recordings via the Internet; streaming of audio material on the Internet; streaming of video material on the Internet, in International Class 38**; first used anywhere at least as early as 11/2013, was first used in interstate commerce at least as early as 11/2013, and is now in use in such commerce; **Entertainment services in the nature of live visual and audio performances and musical, variety and news shows; entertainment in the nature of live audio performances, namely, musical performances; entertainment services, namely, providing ongoing radio and televisions programs in the field of music and entertainment via a global computer network, in International Class 41**; first used anywhere at least as early as 11/2013, was first used in interstate commerce at least as early as 11/2013, and is now in use in such commerce; **Hosting of digital music, video and entertainment content on the Internet, in International Class 42**; first used anywhere at least as early as 11/2013, was first used in interstate commerce at least as early as 11/2013, and is now in use in such commerce; 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. 15 U.S.C. 1051 (a), as amended.

The Applicant intends to use the mark on or in connection with such goods/services by applying it to tags, labels, packaging, containers, or point of sale displays, etc. for goods; and/or on advertising or promotional materials (including, but not limited to, flyers, brochures, menus, signs, internet website, etc.) for services. The following statements will also be submitted:

The English translation of "la musica" in the mark is "the music". Applicant is

also the owner of U.S. Trademark Registration Nos. 3546334 and 3560286. Applicant makes no claim to color in the feature of the mark.

Applicant appoints MALLOY & MALLOY, P.L., a firm composed of Jennie S. Malloy (a member of the Bar of the State of Florida), John Cyril Malloy, III (a member of the Bar of the State of Florida), Peter A. Matos (a member of the Bar of the State of Florida), John Fulton, Jr. (a member of the Bar of the State of Florida), Oliver A. Ruiz (a member of the Bar of the State of Florida), Meredith Frank Mendez (a member of the Bar of the State of Florida), William John Eagan (a member of the Bar of the State of Florida), James Ryan (a member of the Bar of the State of Florida), David Roncayolo (a member of the Bar of the State of Florida), Jessica Neer McDonald (a member of the Bar of the State of Florida), and Jonathan Woodard (a member of the Bar of the State of Florida), with offices at 2800 S.W. Third Avenue, Historic Coral Way, Miami, Florida 33129, to prosecute this application, to transact all business in connection therewith and to receive all correspondence including the registration certificate.

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; and To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

To the best of the signatory's knowledge and belief, no other persons, except, if applicable, 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/services 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 all statements made on information and belief are believed to be true.

Spanish Broadcasting System, Inc.

Signed: 

Print Name: Richard D. Lara

Title: EVP & General Counsel

Date: 1/14/2019