

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**APPLICATION FOR REGISTRATION OF A TRADEMARK OR SERVICE MARK**

**MARK:**



**CLASSES:** 5, 10, and 44

**APPLICANT:** Ferring B.V.

**ADDRESS:** Polaris Avenue 144  
Hoofddorp, 2132 JX  
Netherlands

**ENTITY:** a limited liability company organized and existing under the laws of the Netherlands

**OUR REF:** FRRG 2002307

The above-identified applicant has a bona fide intention to use the above mark in commerce on or in connection with the following goods and/or services, 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 under Section 1(b):

<b>Class</b>	<b>Goods and Services</b>
5	Pharmaceutical preparations and substances
10	Surgical and medical devices, instruments, and apparatus
44	Medical services

The mark consists of a double helix design with the top part in purple and the bottom part in red. The stylized wording FERGENE appears to the right of the double helix, with "FER" in purple and "GENE" in red. The colors red, purple, and dark red are claimed as a feature of this mark.

### ADDRESS FOR CORRESPONDENCE

Applicant requests that all correspondence in connection with this application be directed to its attorneys, the law firm of Fross Zelnick Lehrman & Zissu, P.C., 151 West 42<sup>nd</sup> St., 17<sup>th</sup> Floor, New York, New York 10036, Attention: Karen Lim (Telephone 212-813-5900).

### APPOINTMENT OF DOMESTIC REPRESENTATIVE

Fross Zelnick Lehrman & Zissu, P.C., 151 West 42<sup>nd</sup> St., 17<sup>th</sup> Floor, New York, New York 10036 (Telephone: 212-813-5900), is hereby designated applicant's representative upon whom notices or process in proceedings affecting the mark may be served.

### INTENTION AS OF FILING DATE

If this application is signed after the application filing date, the applicant verifies that it had a bona fide intention to use the mark in commerce on or in connection with the goods and services listed in this application as of the application filing date.

### DECLARATION

**I have read all of the statements below before signing.**

- **If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):**
  - 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.
- **If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):**
  - The signatory believes that the applicant is entitled to use the mark in commerce;
  - The applicant has a bona fide intention to use the mark in commerce 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.

**FERRING B.V.**

By:   
[Signature]

Name: Rachel Cockburn-Buhl  
[Typed or printed]

Title: Director Group Trademark

Date of signature: 25 February 2020