

DECLARATION UNDER § 2.20

To the Assistant Commissioner for Trademarks:

Applicant hereby makes this declaration under 37 C.F.R. § 2.20 in order to claim that Applicant's YELLOWSTONE BRAND SULFUR & Design mark has become distinctive of Applicant's goods and to prove that the mark has attained secondary meaning. The first use and first use in commerce occurred as early as August 14, 1964. Applicant declares the YELLOWSTONE BRAND SULFUR & Design mark has been used exclusively and continuously in commerce in connection with the services set forth in the present application by Applicant at least as early as the dates aforementioned. Applicant believes its mark YELLOWSTONE BRAND SULFUR & Design has become distinctive in the marketplace through its continuous use in commerce, its established reputation in its areas of usage, as well as its substantial advertising in interstate commerce.

The undersigned being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this declaration are true; all statements made of his knowledge are true; and all statements made on information and belief are believed to be true.

Date Jan 22, 2020

By 

Name DONALD LAWRENCE ZINK

Position President, Montana Sulphur & Chemical Co.