

For Review & Signature

Trademark/Service Mark Application, Principal Register

To the Commissioner for Trademarks:

MARK: DECAL (Standard Characters, see below)

DECAL

The literal element of the mark consists of DECAL. The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, Atlas Engineered Products Ltd., a corporation of Canada, having an address of
Unit 102
6551 Aulds Road
Nanaimo V9T6K2
Canada
docketing@rbs.ca

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 019: Engineered wood products, wood floor joists; non-metal floor trusses; nonmetal roof trusses; wood floor panels; non-metal wall panels; non-metal windows; wooden doors; wood beams;

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 1,985,914, filed 09/19/2019.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 037: Project management in the field of building construction;

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the

mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 1,985,914, filed 09/19/2019.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 040: Custom manufacturing of engineered wood products, wood floor joists, nonmetal floor trusses, non-metal roof trusses, wood floor panels, non-metal wall panels, non-metal windows, wooden doors, wood beams; Mill working; Building construction site assembly services; Waste management services;

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 1,985,914, filed 09/19/2019.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 042: Design, planning and civil engineering services in the field of building constructions;

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 1,985,914, filed 09/19/2019.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 045: Permitting, namely obtaining design, zoning and building permits for construction projects;

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the

mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 1,985,914, filed 09/19/2019.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

The owner's/holder's proposed attorney information: Michael Pampalone. Recognized Canadian attorney(s)/agent(s) is/are Trisha A. Doré of Richards Buell Sutton LLP (OED Canadian Authorized Representative). Michael Pampalone of Pampalone Law, is a member of the New York bar, admitted to the bar in 2005, bar membership no. 1234567, and the attorney(s) is located at

6695 Broadway
Merrillville, Indiana 46410
United States
718-388-0912(phone)
Michael@PampLaw.com

The docket/reference number is 49802-0003.

Michael Pampalone submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant hereby appoints Michael Pampalone of Pampalone Law

6695 Broadway
Merrillville Indiana 46410
United States
718-388-0912(phone)
Michael@PampLaw.com

as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

The applicant's current Correspondence Information:

Michael Pampalone

PRIMARY EMAIL FOR CORRESPONDENCE: Michael@PampLaw.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): tdore@rbs.ca;

kbinder@rbs.ca; lfacundo@rbs.ca

A fee payment in the amount of \$1375 will be submitted with the application, representing payment for 5 classes.

Declaration

Read the following statements before signing. Acknowledge the statements by signing below.

• **Basis:**

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.

And/Or

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.
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- 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.

Signature Section:

Signature: _____
Signatory's Name: _____ Melissa MacRae

NOTE: The signatory must provide their first and last name. Use the following format: Last

Name, First Name Middle Initial or Name, if applicable.

Signatory's Position: Interim CFO _____

Date Signed: March 12, 2020 _____