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# Trademark Electronic Application System

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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

## Trademark/Service Mark Application, Principal Register Handwritten Signature

### To the Commissioner for Trademarks:

**MARK:** GOLIATH (Standard Characters, see below )

# GOLIATH

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

The applicant, CITX4 Inc., a corporation of Canada, having an address of

175 Louis-Hébert suite E  
Mascouche, Québec J7K0R5  
Canada  
[uspto@robic.com](mailto:uspto@robic.com)

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 007: Ergonomic machine-tools used for improving the efficiency and the safety on construction sites, namely bending machines for metalworking, machine tool for broaching, drilling apparatus, tunnel boring machines, die-cutting and tapping machines, electrical drills.

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 1996092, filed 11/14/2019.

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 008: Ergonomic hand-operated tools for improving the efficiency and the safety on construction sites, namely marking and tracing instruments for use on constructions sites.

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 1996092, filed 11/14/2019.

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: Eric R. Moran. Other appointed attorneys are all attorneys affiliated with McDonnell Boehnen Hulbert & Berghoff LLP. Eric R. Moran of McDonnell Boehnen Hulbert & Berghoff LLP, is a member of the Illinois bar, admitted to the bar in 2001, bar membership no. \_\_\_\_\_, and the attorney(s) is located at

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300 South Wacker Drive  
Chicago, Illinois 60606-6709  
United States  
312-913-3302(phone)  
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moran@mbhb.com

Eric R. Moran 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 Eric R. Moran of McDonnell Boehnen Hulbert & Berghoff LLP

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Chicago Illinois 60606-6709  
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as applicant's representative upon whom notice or process in the proceedings affecting the mark may be served.

The applicant's current Correspondence Information:

Eric R. Moran

PRIMARY EMAIL FOR CORRESPONDENCE: moran@mbhb.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): uspto@robic.com

**Requirement for Email and Electronic Filing:** I understand that a valid email address must be maintained by the applicant owner/holder and the applicant owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$550 will be submitted with the application, representing payment for 2 class(es).

**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 and was in use in commerce as of the filing date of the application 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 was used on or in connection with the goods/services in the application as of the application filing date; 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 and had a bona fide intention to use the mark in commerce as of the application filing date 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.

**Signature Section:**

**NOTE:** The same person may sign the declaration on behalf of the other joint applicant(s), by merely making identical entries. The USPTO will presume that the one person who has signed was, in fact, authorized to sign on behalf of the other person(s).

Signature:  \_\_\_\_\_

Signatory's Name: Alexandra Roy

**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: Co-owner

Signatory's Phone Number: 418-554-8019

Date Signed: May 6th 2020

**NOTE TO APPLICANT:** When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the declaration language. Do **not** include the entire application, but do ensure that the declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.