

APPLICATION FOR TRADEMARK REGISTRATION

(DECLARATION)

Mark: HITZ & DESIGN

Class No.: 009, 041, 042

HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS  
Alexandria, Virginia 22314

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: **Downloadable mobile applications for use in making, recording, distributing and sharing music videos and; downloadable software providing access to musical video contests and information about music and musical artists, in International Class 009; Entertainment services, namely, conducting contests and incentive award programs designed to reward program participants who submit or compete in user-generated music videos, in International Class 041; Computer services, namely, creating an online community that permits registered users to make, record, distribute, share, view, and comment on music videos for sharing with others for entertainment purposes, in International Class 042;** and requests that said mark be examined for registration 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 trademark was first used anywhere at least as early as **December 12, 2016**, was first used in interstate commerce at least as early as **June 2, 2017**, and is now in use in such commerce.

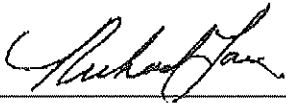
The mark is used by applying it to advertisements or promotional materials, including but not limited to, flyers, brochures, signs, internet website.

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), 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), Robert M. Downey (a member of the Bar of the State of Florida), William John Eagan (a member of the Bar of the State of Florida), Jonathan Woodard (a member of the Bar of the State of Florida), Cleo Suero (a member of the Bar of the State of Florida), and John Vander Wagen ( a member of the Bar of the State of Virginia) 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. here

Signed:  \_\_\_\_\_

Print Name: Richard D. Lara

Title: General Counsel

Date: August 30, 2022