

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Trademark Application
Mark: **CASE IN POINT**
Serial No.: 87/513,110
Applicant: The American College of Radiology
Atty Ref.: 14514-418395

Declaration to Perfect Application and Power of Attorney

Declaration

The undersigned declares that Applicant had adopted and was using, or using through applicant's related company or licensee, the mark shown in the drawing accompanying the application, in commerce on or in connection with the specified goods/services (see below), as of the application filing date of **June 30, 2017**; that the mark was first used *anywhere* on or in connection with the specified goods/services at least as early as the date(s) shown below; that the mark was first used in *U.S. commerce* on or in connection with the specified goods/services at least as early as the date(s) shown below; that the mark is in use in commerce on or in connection with the goods/services in the application; that the specimen(s) of use was/were in use as of the filing date of the application on or in connection with the specified goods/services; that the undersigned believes that Applicant is the owner of the trademark/service mark sought to be registered; that to the best of the declarant's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when applied to the goods or services of the other person, to cause confusion or mistake, or to deceive; and that all facts set forth in the application are true.

Applicant requests that the application filing basis for the goods/services specified below be established as follows: use of the mark in commerce under Trademark Act **Section 1(a)**, 15 U.S.C. §1051(a). The services identified in the application are:

“Providing continuing medical education programs in the field of radiology,” in International Class 41.

First use anywhere: at least as early as 2004; and
First use in U.S. commerce: at least as early as 2004.

Submitted herewith is at least one specimen of use showing the mark as used in commerce on or in connection with the above-identified services.

The undersigned declares and states that he/she is authorized to execute and sign this instrument on behalf of and for the said Applicant/Registrant; that 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 undersigned, 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 document 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.

Power of Attorney

Applicant hereby appoints Andrew D. Price, as well as Mark B. Harrison, Linda J. Zirkelbach, Rebecca A. Liebowitz, Halle B. Markus, Steven B. Powell, Catherine S. Mitros, and Paula E. Hopkins, all members of the bar of the District of Columbia or of their respective states, and the law firm of Venable LLP, and all having the building address 600 Massachusetts Avenue NW, Washington, DC 20001, as applicant's attorneys with full powers of association, substitution and revocation, to transact all business in the U.S. Patent and Trademark Office associated with the present application, including without limitation to prosecute the application and receive the certificate of registration.

Send all notices, official letters, documents, communications and other correspondence concerning this application to: Andrew D. Price, Venable LLP, P.O. Box 34385, Washington, D.C. 20043-9998, telephone no. (202) 344-8156, fax no. (202) 344-8300.

THE AMERICAN COLLEGE OF RADIOLOGY

Date: 7/12/2017

By: Thomas R. Hoffman

Name: Thomas R. Hoffman, Esq.

Title: Associate General Counsel