

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Marks: KNAUF (word mark) and KNAUF (stylized)
Serial Nos.: 79/237,599 and 79/237,600
Filed: June 18, 2018
Applicant: Knauf Gips KG
Examining Attorney: Bernice Middleton
Law Office 106

DECLARATION OF REGINA GABEL

I, Regina Gabel, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom, declare:

1. I am over the age of twenty-one and am otherwise competent to make this declaration.

2. All statements made herein based on my information and belief are believed to be true, and all other statements not so qualified are within my personal knowledge and are true and correct.

3. I am Legal Counsel of Gebr. Knauf KG (a German company), and I have the requisite legal authority to make and to sign this declaration on its behalf.

4. Gebr. Knauf KG owns, directly or indirectly, at least a controlling interest in Knauf Gips KG (hereinafter referred to as the "Applicant"), the entity that is named as the applicant in the above referenced applications currently pending before the Office.

5. Applicant is part of a large multinational family of companies, within which the KNAUF name has been in use since 1932 (including in the United States for over 40 years). The KNAUF name and mark are well-known in the United States and elsewhere and associated with the Knauf family of companies. More specifically, the Knauf family of companies was established in 1932, when brothers Alfons and Karl Knauf secured the mining rights to gypsum deposits in the Schengen community (Obermosel) in Germany. Today, the Knauf family of companies is one of the world's leading manufacturers of modern insulation materials, drylining systems, plasters and accessories, thermal insulation composite systems, paints, floor screed, floor systems, and

construction equipment and tools, with approximately 220 production facilities and sales organisations in approximately 80 countries, approximately 28,000 employees worldwide, and sales of approximately 7.2 billion Euro (in 2018). As a result, the KNAUF name and mark has acquired distinctiveness as an indication of origin, separate and apart from a surname.

6. Gebr. Knauf KG also owns, directly or indirectly, at least a controlling interest in the following other entities, which are affiliated companies to the Applicant: Knauf Insulation, LLC, which the owner of record of U.S. Trademark Reg. Nos. 1,888,480 and 2,907,234; Knauf AMF GmbH & Co. KG, which is the owner of record of U.S. Trademark Reg. No. 3,835,177; and Knauf Insulation Holding GmbH, which is the owner of record of U.S. Trademark Reg. No. 4,394,390 (the aforementioned registrations being collectively referred to hereinafter as the “cited registrations”).

7. By virtue of its ownership of at least a controlling interest in Applicant and its affiliated companies, Gebr. Knauf KG has corporate power and authority to control the manner and use of the KNAUF name and mark by all of the aforementioned entities as well as the quality of the goods and/or services provided by such entities under and in association with the KNAUF name and mark.

8. Gebr. Knauf KG does, in fact, exercise control over the manner and use of the KNAUF name and mark by the aforementioned entities as well as the quality of the goods and/or services provided by such entities under and in association with the KNAUF name and mark.

9. Thus, a “unity of control” over the nature and quality of the goods and/or services in connection with which the trademarks and/or service marks are used by all of the entities identified above, including Applicant, does in fact exist.

SIGNED on this the 21st day of November, 2019.

Gebr. Knauf KG
Am Bahnhof 7
97346 Iphofen

GEBR. KNAUF KG

By: 
i. V. Regina Gabel, Legal Counsel

JWR/pc