

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Digital Harmonic, LLC  
Serial Number: 88/230371  
Filing Date: December 14, 2018  
Mark: **DIGITAL HARMONIC**  
Examining Atty: Jeffrey S. DeFord  
Law Office: 115

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**DECLARATION**

1. I, Amanda Gates, being 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 may jeopardize the validity of this application or any resulting registration, declare that all statements made herein of my own knowledge are true; and all statements made herein on information and belief are believed to be true.

2. I am currently self-employed as a marketing consultant and have been engaged as a marketing consultant by Digital Harmonic, LLC. I have been working with Digital Harmonic for approximately four months.

3. I understand that Digital Harmonic, LLC. ("Digital Harmonic") is the owner of the **DIGITAL HARMONIC** trademark for

scientific research equipment and software for waveform and image analysis and characterization; sonar; radar apparatus; waveform and image analysis and characterization equipment, namely, waveform and image analyzers, for use in military, law enforcement, civil, scientific, and industrial applications; waveform and image analysis and characterization software for use in military, law enforcement, civil, scientific, and industrial applications, in **Class 9**; and

medical diagnostic equipment, namely, waveform and image analyzers, for waveform and image analysis and characterization in **Class 1**.

4. I am also currently employed with the U.S. Naval Academy Athletic Association, where I have been employed for two years. And previously I worked with the U.S. Naval Institute.

5. As a marketing consultant, I have worked with small business encryption software that was to be embedded on a hardened device (e.g., mobile phone or tablet) for the government, including for use by defense and first responder groups.

6. In previous professional experiences I have had exposure to software products that, similar to Digital Harmonic's software, are extremely technical and sophisticated. I also have experience in biometric product training.


7. I have worked with software programs developed and used for classified projects. Accordingly, I also have a great deal of experience with algorithms, tokenization and encryption, used to protect extremely sensitive data.

8. I am familiar with Digital Harmonic's sophisticated soundwave, image analysis and characterization equipment and understand how it functions and the use of algorithms in the transmission of those images and soundwaves.

9. DIGITAL HARMONIC is not a phrase/term I have heard used prior to exposure to my introduction to the company, Digital Harmonic, LLC, and I had no preconceived understanding of the meaning of "DIGITAL HARMONIC" as it applies to their products. Further, I am unaware of any significance of the phrase/mark DIGITAL HARMONIC in the marketing or defense industries except as that given by Digital Harmonic to its own products.

10. I do not believe that my peers or likely consumers of Digital Harmonic's products would understand that the mark DIGITAL HARMONIC immediately conveys direct information about the exact nature of the products.

11. I understand and recognize "DIGITAL HARMONIC," when viewed or encountered as a whole in connection with these products, is a term that has been coined by Digital Harmonic.

By:   
Name: Amanda Gates  
Title: Marketing Consultant  
Date: 11/14/19