

Declaration Pursuant to 37 C.F.R. 2.20

I, A. Reagan Fibbe, hereby declare that:

Attached is a true and correct copy of the Combined Declaration of Continued Use/Excusable Nonuse and Incontestability Under Sections 71 and 15 for the mark MASTERGLENIUM (US Trademark Registration No. 4386070), downloaded from TSDR on December 18, 2019.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that those statements are made with the knowledge 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 and any registration resulting therefrom.



Dated: December 18, 2019

By: _____

Name: A. Reagan Fibbe

Title: Attorney of Record, Texas Bar Member

Combined Declaration of Continued Use/Excusable Nonuse and Incontestability Under Sections 71 and 15

The table below presents the data as entered.

Input Field	Entered
REGISTRATION NUMBER	4386070
REGISTRATION DATE	08/20/2013
SERIAL NUMBER	79121393
MARK SECTION	
MARK	MASTERGLENIUM (see, https://tmng-al.uspto.gov/resting2/api/img/79121393/large)
ATTORNEY SECTION (new)	
NAME	Salvatore Sidoti
FIRM NAME	Curatolo Sidoti Co., LPA
INTERNAL ADDRESS	Suite 280
STREET	24500 Center Ridge Road
CITY	Cleveland
STATE	Ohio
POSTAL CODE	44145
COUNTRY	United States
PHONE	440-808-0011
FAX	440-808-0657
EMAIL	docket@patentandtm.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	COC.T4430
OTHER APPOINTED ATTORNEY	Joseph G. Curatolo, Vincent A. Cortese, Floyd Trillis III
CORRESPONDENCE SECTION (current)	
NAME	BASF SE
INTERNAL ADDRESS	Carl-Bosch-Str. 38
STREET	GVX/W C6
CITY	67056 Ludwigshafen am Rhein
COUNTRY	Germany
CORRESPONDENCE SECTION (proposed)	
NAME	Salvatore Sidoti
FIRM NAME	Curatolo Sidoti Co., LPA

INTERNAL ADDRESS	Suite 280
STREET	24500 Center Ridge Road
CITY	Cleveland
STATE	Ohio
POSTAL CODE	44145
COUNTRY	United States
PHONE	440-808-0011
FAX	440-808-0657
EMAIL	docket@patentandtm.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	COC.T4430
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	001
GOODS OR SERVICES	Chemical additives for concrete
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\791\213\79121393\xml1\S750002.JPG
SPECIMEN DESCRIPTION	product label
OWNER/HOLDER SECTION (current)	
NAME	Construction Research & Technology GmbH
INTERNAL ADDRESS	Dr.-Albert-Frank-Straße 32
STREET	83308 Trostberg
COUNTRY	Germany
OWNER SECTION (proposed)	
NAME	Construction Research & Technology GmbH
STREET	Dr.-Albert-Frank-Straße 32
CITY	Trostberg
ZIP/POSTAL CODE	83308
COUNTRY	Germany
LEGAL ENTITY SECTION (current)	
TYPE	GmbH
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Germany
PAYMENT SECTION	
NUMBER OF CLASSES	1
NUMBER OF CLASSES PAID	1
COMBINED §§ 71 & 15 FILING FEE	325
TOTAL FEE PAID	325
SIGNATURE SECTION	
SIGNATURE	/sas43921/

SIGNATORY'S NAME	Salvatore Sidoti
SIGNATORY'S POSITION	Attorney For Owner [Ohio bar]
DATE SIGNED	06/18/2019
SIGNATORY'S PHONE NUMBER	440-808-0011
PAYMENT METHOD	CC
FILING INFORMATION	
SUBMIT DATE	Tue Jun 18 08:35:28 EDT 2019
TEAS STAMP	USPTO/S71N15-XXX.XXX.XXX. XX-20190618083528721369-4 386070-6203b54e0633271a04 d10ab4b885d614814fcbf6611 227f2e185ace94dad1ba31c3- CC-8419-20190618082602571 343

**Combined Declaration of Continued Use/Excusable Nonuse and Incontestability Under Sections 71 and 15
To the Commissioner for Trademarks:**

REGISTRATION NUMBER: 4386070

REGISTRATION DATE: 08/20/2013

MARK: MASTERGLENIUM

The owner/holder, Construction Research & Technology GmbH, GmbH legally organized under the laws of Germany, having an address of
Dr.-Albert-Frank-Straße 32
Trostberg, 83308
Germany

is filing a Combined Declaration of Continued Use/Excusable Nonuse and Incontestability Under Sections 71 and 15.

For International Class 001, the mark is in use in commerce on or in connection with **all** of the goods/services, or to indicate membership in the collective membership organization, listed in the existing registered extension of protection for this specific class; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, and is still in use in commerce on or in connection with **all** goods/services, or to indicate membership in the collective membership organization, listed in the existing registered extension of protection for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services exists, or to indicate membership in the collective membership organization or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) product label.

[Specimen File 1](#)

The registrant's current Correspondence Information: BASF SE

Carl-Bosch-Str. 38
GVX/W C6
67056 Ludwigshafen am Rhein,
Germany (not authorized)

The registrant's proposed Correspondence Information: Salvatore Sidoti of Curatolo Sidoti Co., LPA

Suite 280
24500 Center Ridge Road
Cleveland, Ohio 44145
United States The docket/reference number is COC.T4430.

The phone number is 440-808-0011.

The fax number is 440-808-0657.

The email address is docket@patentandtm.com. (authorized)

The registrant hereby appoints Salvatore Sidoti and Joseph G. Curatolo, Vincent A. Cortese, Floyd Trillis III of Curatolo Sidoti Co., LPA
Suite 280

24500 Center Ridge Road
Cleveland, Ohio 44145
United States

to submit this Combined Declaration of Continued Use/Excusable Nonuse and Incontestability Under Sections 71 and 15 on behalf of the registrant. The docket/reference number is COC.T4430.

The phone number is 440-808-0011.

The fax number is 440-808-0657.

The email address is docket@patentandtm.com.

A fee payment in the amount of \$325 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

- Unless the holder/owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s).
- Unless the holder/owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services.
- The mark has been in continuous use in commerce for five consecutive years after the date of registration in the United States, and is still in use in commerce on or in connection with all goods/services listed in the existing registration.
- There has been no final decision adverse to the holder's/owner's claim of ownership of such mark for such goods/services, or to the holder's/owner's right to register the same or to keep the same on the register.
- There is no proceeding involving said rights pending and not finally disposed of either in the United States Patent and Trademark Office or in a court.
- 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 this submission and the registration, 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: /sas43921/ Date: 06/18/2019

Signatory's Name: Salvatore Sidoti

Signatory's Position: Attorney For Owner [Ohio bar]

Signatory's Phone: 440-808-0011

Mailing Address:

Curatolo Sidoti Co., LPA
24500 Center Ridge Road
Cleveland, Ohio 44145

Serial Number: 79121393

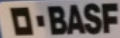
Internet Transmission Date: Tue Jun 18 08:35:28 EDT 2019

TEAS Stamp: USPTO/S71N15-XXX.XXX.XXX.XX-201906180835

28721369-4386070-6203b54e0633271a04d10ab

4b885d614814fcbf6611227f2e185ace94dad1ba

31c3-CC-8419-20190618082602571343



We create chemistry

MasterGlenium 7620



EN: Danger ES: Peligro FR: Danger

EN: Hazard Statement: H314 Causes severe skin burns and eye damage. **Precautionary Statement:** P280 Wear protective gloves/protective clothing/eye protection/face protection. P303+P361+P353 Wash with plenty of water. P305+P351+P338 IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses. If present and easy to do, continue rinsing. P310 Immediately call a POISON CENTER or doctor/physician. P303+P361+P353 IF ON SKIN OR HAIR: Take off immediately all contaminated clothing. Rinse skin with water/shower. P304+P340 IF INHALED: Remove person to fresh air and keep comfortable at rest. P307+P372+P373 IF SWALLOWED: Seek medical. Do NOT induce vomiting. P363 Wash contaminated clothing before reuse. P405 Store locked up. P501 Dispose of contents and container in accordance with local/regional waste collection procedures. **Other Hazard:** Product contains the following components and may cause an allergic skin reaction.

ES: Advertencias de peligro: H314 Provoca quemaduras graves en la piel y lesiones oculares graves. **Consejo de Prudencia:** P280 Llevar guantes/ropa de protección/gafas/máscara. **Consejo de Prudencia:** P303+P361+P353 Lavar con abundante agua. **Consejo de Prudencia:** P305+P351+P338 En caso de contacto con los ojos: Enjuagarse con agua abundantemente durante varios minutos. Quitar las lentes de contacto, si lleva y resulta fácil. Seguir aclarando. P310 Llamar inmediatamente al centro de información toxicológica P303+P361+P353 EN CASO DE CONTACTO CON LA PIEL (o el pelo): Quitar inmediatamente todas las prendas contaminadas. Quitar los zapatos. P307+P372+P373 EN CASO DE INGESTIÓN: Enjuagarse la boca. NO provocar el vómito. P363 Lavar las prendas contaminadas antes de volver a usarlas. P405 Guardar cerrada y bajo llave. P501 Eliminar el contenido según el punto de recogida de residuos especiales. **Otros peligros:** El producto contiene los siguientes componentes y puede causar algún tipo de reacción alérgica en la piel. **Vanguard 3003**

FR: Attention: H314 Provoque des brûlures de la peau et de graves lésions des yeux. **Conseil de Prudence:** P280 Porter des gants et vêtements de protection et protection faciale. **Conseil de Prudence:** P303+P361+P353 En cas de contact avec la peau: Rincer abondamment à l'eau. **Conseil de Prudence:** P305+P351+P338 En cas de contact avec les yeux: Rincer avec précaution à l'eau pendant plusieurs minutes. Enlever les lentilles de contact si la victime en porte et que leur retrait n'est pas difficile. Continuer à rincer. P310 Appeler immédiatement un CENTRE ANTIPOISON ou un médecin. P303+P361+P353 EN CAS DE CONTACT AVEC LA PEAU (ou les cheveux): Enlever immédiatement tous les vêtements contaminés. Rincer la peau à l'eau (ou se doucher). P304+P340 EN CAS D'INHALATION: Transporter la personne à l'extérieur et la maintenir dans une position où elle peut confortablement respirer. P307+P372+P373 EN CAS D'INGESTION: Rincer la bouche. NE PAS provoquer le vomissement. P363 Laver les vêtements contaminés avant réutilisation. P405 Garder sous clé. P501 Faire éliminer le contenu/recipient dans un point de collecte des déchets dangereux. **Autre danger:** Le produit contient les composants suivants et peut causer une réaction allergique cutanée. **Vanguard 3003**

WARNING: Cancer - www.P65Warnings.ca.gov
 BASF Corporation • 22796 Chagrin Blvd • Cleveland, OH 44122 USA • www.master-builders-solutions.basf.us
 BASF Canada Inc • 100 Billvinton Drive • Mississauga, ON L4R 6H1, CANADA • 1-800-386-1300
 BASF Mexicana S.A. de C.V. • Av. Insurgentes Sur 875 • Col. CD. De Los Deportes, C.P. 06716, MEXICO • +52 55 5238 2000



05.0 North America

MADE IN USA
HECHO EN USA
FABRIQUÉ AU

MATERIAL NUMBER: 50392473

LOT: 2A91500001

MFG DATE: 05/30/2019
Use by: 05/24/2020

NET/NETO: 495.6 (LB) 224.8 (KG)

EN: IN CASE OF EMERGENCY: Call CHEMTREC 800-424-9300 or +1 703-527-3887. ATTENTION: Read SDS before using. KEEP OUT OF THE REACH OF CHILDREN! FOR PROFESSIONAL USE ONLY. NOT FOR SALE TO OR USE BY THE GENERAL PUBLIC.

ES: EN CASO DE EMERGENCIA: Llame a CHEMTREC 800-424-9300 o +1 703-527-3887. ATENCIÓN: Lea HDS antes de usar. MANTENER FUERA DEL ALCANCE DE LOS NIÑOS! PARA USO PROFESIONAL. NO PARA LA VENTA O USO POR EL PUBLICO EN GENERAL.

FR: EN CAS D'URGENCE: Appeler CHEMTREC 800-424-9300 ou +1 703-527-3887. ATTENTION: Lire la FDS avant utilisation. TENIR HORS DE LA PORTEE DES ENFANTS! POUR USAGE PROFESSIONNEL. NOT FOR SALE OU L'UTILISATION PAR LE PUBLIC.

RTK: Acetic acid 64-19-7; acrylic acid 79-10-7



ROUTING SHEET TO POST REGISTRATION (PRU)

Registration Number: 4386070



Serial Number: 79121393



RAM Sale Number: 4386070

RAM Accounting Date: 20190618

Total Fees: \$325

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

Physical Location: - UNKNOWN

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

Transaction Date: 20190618

