

**Applicant:** *Designer Michael Todd, LLC*  
**Mark:** *MICHAEL TODD TRUE ORGANICS*  
**Serial Number:** *85609019*

**Declaration**  
**(Substitute Specimen)**

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark service mark sought to be registered, or, if the application is being filed under 15 U.S.C. 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; **that the substitute specimen submitted herewith was in use in commerce in association with the goods at least as early as the filing date of this application**; that the facts set forth in this application are true and that all statements made of his/her own knowledge are true and all statements made on information and behalf are believed to be true.

*Lewis Hendler*

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Lewis Hendler

September 20, 2012

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(Date)