

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: U.S. Trademark Application
Mark: **NOMA**
Serial No.: 87/312,025
Owner: Canadian Tire Corporation, Limited
Atty Ref.: 121773-412121

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

**Declaration to Perfect Application,
Power of Attorney, and Designation of Domestic Representative**

Declaration

The undersigned declares and states that he/she is authorized to execute and sign this instrument on behalf of and for the said 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; that the applicant has, and has had at least since the application filing date of **January 24, 2017**, a *bona fide* intent to use the mark in commerce on or in connection with the goods/services identified in the application (see below); that the applicant believed it was entitled to use the mark in commerce as of the application filing date; 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/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 be established as follows: Intent to use the mark in commerce under Trademark Act Section 1(b), 15 U.S.C. §1051(b), and with a further filing basis under Trademark Act Section 44(e), 15 U.S.C. §1126(e), based on Canadian Trademark Registration No. TMA309053, registered on December 6, 1985, for the following goods/services identified in the application:

Class 9 - Electric wire and cable, flood lamp kits, inspection lamps, portable reading lamps, electrical extension cords, electrical appliance cords and spare parts therefor; Battery cables, booster cables, ignition wiring sets, automotive drive shaft supports and spare parts therefor; Electric snow shovels and spare parts therefor; Christmas light sets, artificial Christmas trees, Christmas tree holders, Christmas decorations and spare parts therefor; Snow blowers, snow toboggans, lawnmowers, tillers, cultivators, garden tractors and spare parts therefor; Floodlights and replacement bulbs therefor, night lights, work lights and spare parts therefor, light bulbs, lamps; decorative electric patio, garden and deck lighting sets and spare parts therefor, electrical lighting strings having ornamental characteristics and spare parts therefor; moulded decorative covers for outdoor patio garden and deck

lighting sets; outdoor lighting strings and replacement bulbs therefor; lighting strings and replacement bulbs therefor; battery operated lights; miniature electric sockets, plugs and receptacles; electric controller devices for use with lighting strings; remote control light dimming fader units; extension lights; decorative electric lighting strings having ornamental characteristics and spare parts and accessories therefor; electric controller devices for use with lighting strings; music boxes for lighting strings; musical lighting strings; moulded illuminated outdoor displays; moulded illuminated indoor displays; illuminated wire frame seasonal decorations; illuminated Christmas tree tops, illuminated figurines, illuminated Christmas decorations, electric candelabras, miniature electric motors for use with seasonal decorations; decorative lights and decorations having a visual and/or aural output and component parts therefor; illuminated artificial decorative wreaths; decorative window lights, animated, illuminated figures and dolls; flasher plugs; illuminated ornaments; illuminated holiday displays; chiming bells; artificial shrubs, artificial decorative wreaths, artificial decorative wall trees; Christmas tree stands, decorative light covers for lighting strings, decorative light reflectors for indoor and outdoor lighting strings, hanging ornaments, wall decorations, non-illuminated figurines, music boxes, water globes; nativity scenes; bells; candlesticks, Tableau uses for wall, table and other decoration, non-illuminated Christmas decorations, wall plaques, non-illuminated Christmas tree tops, glass ornaments, hanging sachets, tinsel icicles, artificial garlands, artificial snow spray, Christmas stencils, glitter, tree bags, ornament hooks, styrofoam, glass and plush ornaments, aluminium foil, reflectors, honey-comb paper bells and candles, shredded foil, tree drapes, angel hair, wall decorations and Christmas signs; decorative bows and ribbons, foil and paper banners displaying holiday greetings; holiday centrepieces; seasonal gift items, namely, decorative ceramics; non-illuminated holiday displays; holiday inflatables; moulded indoor displays; moulded outdoor displays; non-illuminated wire frame seasonal decorations; merchandising displays, cardboard storage boxes, Christmas crackers, all occasion gift cards, gift package trims, gift tags, gift package decorations, stretch cord, ribbon, decorative yarn, gift bags, wrapping paper and foil lighting string storage holders, light clips, wire tacks, suction cups; Safety fuses; Electrical wiring devices, namely, convenience receptacles, multiple outlet adaptors, cord storage reels, extension cord reels, circuit interrupters, lights, outdoor cord adaptors, multiple outlet strips, replacement appliance plugs, interior wiring for appliances; cable assemblies; wiring harnesses; integrated harnesses; electrical cables; power receptacle posts; Electrical cables; refined copper; Automotive products, namely, spark plug ignition wires, plastic storage cases, booster and charging clamps, spark plug cable sets, coil leads, spark plug leads, spark plug cable sets, spark plug wire sets, battery adaptors, battery terminals and spare parts thereof, automotive wire, starter cable, trailer cable, solderless terminals, instant connectors, terminal connectors, block heater extension cords, dry cell batteries; Security lighting, namely, floodlights and replacement bulbs therefor, photoelectric switched floodlight kits, photocells, motion detector switched floodlights, and spare parts therefor; Electronic switching and power control devices, namely, electronic timers, sonic activated remote controllers, on/off flashers, timers, photoelectric outlets, radio frequency transmitters and receiver outlets, remote controlled light sockets, sound activated lights; outdoor timers with photocells; motion activated entry alarms; clocks; Christmas stockings, bottle bags,

Christmas tree skirts, Santa Claus suits, artificial beards, children's bibs, children's baby bottle covers, aprons; teddy bears and stuffed animals; toy soldiers; Halloween novelty items, namely, safety flashlights, window lights, lighted inflatable figures, decorative inflatable items, namely, pumpkins, skeletons, ghosts, witches, pumpkins and bats, wall plaques, decorative lighting strings and replacement bulbs therefor; lapel pins, window decorations, hinged decorations made of paper, table centrepieces, banners, decorative hair bands, battery operated lights, battery operated flying witch, spider webs, spiders, sound responsive animated figurines, noise makers responsive to motion detection; moulded decorative illuminated outdoor displays; moulded decorative outdoor displays; illuminated wire frame seasonal decorations; non-illuminated wire frame seasonal decorations; Miniature festive decorations, namely, lighted and unlighted miniature buildings, miniature street furniture, artificial Christmas trees; miniature Christmas ornaments, figurines, artificial snow, lamp posts, animals, fences, bridges and signs; miniature animated lit figures; miniature animated figures; miniature illuminated figures; miniature figures; Christmas corsages, novelty pins; tableware, namely, placemats, tablecloths, serving trays, serving platters, cookie tins, cake tins, napkin rings, coasters, napkins and tablecloths; children's activity books; Lighting accessories and spare parts therefor, namely, lamp cords, lamp/fixture sockets and spare parts therefor, lamp switches, lamp attachment plugs, glass shades and globes, lamp shades, fluorescent tubes, quartz halogen bulbs, tubular bulbs, anti-insect bulbs; lighting fixtures and spare parts therefor, track lights and spare parts therefor, lamps and spare parts therefor, picture lights and spare parts therefor, portable lamps, portable reading lamps, electric lamps, ceiling fans and electric lighting fixtures therefor; suspended lighted ceilings; wall sconces; electrical goods, namely, voltage surge protectors, voltage surge suppressors, transfer switches, splitters, electric heaters, photo-electric controls, programmable controllers, splice and termination kits, terminal and lugs, terminal blocks, transformers, under carpet wiring, voltage regulators, switches, plugs, plates, motor protection relays, transmitters and transducers, temperature controllers, electronic power supplies, programmable controllers, line voltage regulators, electronic modules, voltage convertors, wire wrappers and strippers; automotive vehicle accessories, namely, battery warmers, terminal cleaners, battery covers, electrolyte additives, terminal jelly, replacement terminals, battery and starter cables, carrying straps, terminal shrouds, battery chargers, checkers all for use in connection with batteries; engine block heaters, tank heaters, diesel fuel heaters, interior vehicle warmers, window fans, heavy duty engine heater, sump heaters, all-purpose fans, radiator hose heaters, dip stick heaters, clamp on heaters, propane engine heaters, window defoggers, oil pan heaters, circulation heaters, interior car and cab heaters; all-purpose fans; ice and snow windshield scrapers, ice and snow windshield brushes; brake cleaning fluid; automotive accessories, namely, ignition cable sets, heater parts, straps used in automotive equipment to ground the electrical currents to the body of the car, automotive light bulbs, sealed beam lamps and miniature light bulbs, wire, trouble lights and parts thereof; sporting goods, namely, interconvertible baby sleigh and wagon, non-motorized ski vehicles, snow throwers and spare parts therefor, lawn tractors and spare parts therefor, lawn mower housings, grass catchers, flexible line grass and weed trimmers, rotary powered lawn mowers, lawn edgers, hedge trimmers; barbecue cooking implements; garden

equipment, namely, manual lawn rollers, earth compactors, spreaders, pitch forks, weeders, pruners, garden sprayers, rakes, hoes, shovels, spades, axes, picks, grass shears, garden shears, lawn and garden bags; gardening gloves

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, Mark B. Harrison, Linda J. Zirkelbach, Rebecca Liebowitz, Halle B. Markus, Steven B. Powell, and Catherine S. Mitros, 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 575 7th Street, NW, Washington, DC 20004, 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, telephone no. (202) 344-8156, fax no. (202) 344-8300.

Designation of Domestic Representative

Venable LLP, whose postal address is P.O. Box 34385, Washington, DC 20043, is hereby designated as applicant's domestic representative upon whom notices or process in proceedings affecting the applied-for mark may be served.

CANADIAN TIRE CORPORATION, LIMITED

By: 

Name: CAROLINE KHACHENTOORI

Title: AVP, LEGAL COUNSEL

Date: 03/29/17