

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

APPLICANT : A.M.G. Medical Inc.

MARK : PROACTIVE

SERIAL NO. : 88/237,809

CLASS: : 10

**DECLARATION PURSUANT TO 37 C.F.R. 2.20**

I, Lori J. Shyavitz, of full age, hereby declare as follows:

1. I am an attorney at law of the Commonwealth of Massachusetts and the State of New York, and I am a partner in the firm of McCarter & English, LLP, counsel for applicant A.M.G. Medical Inc. (“Applicant”). I am authorized to make this Declaration on Applicant’s behalf.
2. Attached as Exhibit A are true and correct copies of excerpts of Applicant’s website.
3. Attached as Exhibit B are true and correct copies of listings from Amazon.com’s U.S. platform, offering Applicant’s products offered under Applicant’s PROACTIVE mark for sale.
4. Attached as Exhibit C is a true and correct copy of a product catalogue downloaded from the website [www.proactivemedical.com](http://www.proactivemedical.com).
5. Attached as Exhibit D is a true and correct copy of a printout from [www.dictionary.com](http://www.dictionary.com) for the term “proactive.”
6. Attached as Exhibit E are true and correct copies of printouts from the U.S. Patent

and Trademark Office's Trademark Status and Document Retrieval Database concerning U.S. Registration No. 4,668,309, U.S. Registration No. 4,451,945, U.S. Registration No. 3,332,225, and U.S. Registration No. 2,548,972.

7. Attached as Exhibit F is a true and correct copy of an invoice from Applicant to Amazon.com, which has been redacted to obscure pricing information and entries relating to other products.

All of the statements made by me herein are true, and were made with the knowledge 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.

/Lori J. Shyavitz/

Name: Lori J. Shyavitz  
Dated: September 13, 2019