

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KABBALAH CENTRE INTERNATIONAL, INC.
SERIAL NO: 88/164,061
FILED: January 16, 2019
MARK: KABBALAH ONE CI. 41

DECLARATION OF JULES REDLICH

I, Jules Redlich, state that:

1. I am the General Counsel and Authorized Signatory of Applicant Kabbalah Centre International, Inc. ("Applicant"). I hereby submit this Declaration in support of Applicant's claim of acquired distinctiveness in connection with the above-referenced Application.

2. I am directly involved in the day to day administration of Applicant's trademark matters.

3. Applicant has been using the term "KABBALAH" and its family of marks for over 28 years in connection with Applicant's goods and services, including educational services.

4. Applicant's world famous organization was founded in 1922 in Israel and teaches the ancient wisdom of Jewish spirituality and its mission includes the improvement of people's lives through the spiritual principles and teachings of Judaism. Applicant's organization is one of the most widely recognized religious groups in the world. Applicant's educational services are open to all persons and Applicant's classes are regularly attended by Jewish and non-Jewish persons alike.

5. Applicant's organization has attracted numerous celebrity students to attend its classes, such as Madonna, Demi Moore, Ashton Kutcher and Rosanne Barr (just to name a few). Many of Applicant's celebrity students have openly discussed their affiliation with Applicant in interviews and during public appearances over the years. Applicant has received a tremendous amount of unsolicited media coverage throughout the United States.

6. Applicant's various social media pages have amassed great numbers of followers and likes. For example, Applicant's Facebook® page has been liked by over 1,384,000 people and is followed by over 1,383,000 people, Applicant's Instagram® page has over 62,000 followers, Applicant's Twitter® has over 28,000 followers and Applicant's YouTube® Channel has over 22,000 subscribers. Printouts from each of Applicant's social media pages are attached hereto at **Exhibit A**.

7. In connection with Applicant's world famous organization, Applicant is the owner of numerous registration for its family of KABBALAH marks that it uses in connection with its goods and services. Based upon Applicant's substantial use and promotional efforts, these marks have acquired substantial consumer recognition and good will.

8. Applicant is the owner of the following United States Trademark and Service Mark Registrations on the Principal Register for its family of KABBALAH marks that cover highly related goods and services, many of which have achieved incontestable status:

<u>Reg. No.</u>	<u>Mark</u>	<u>International Class</u>
5,766,955	THE KABBALAH CENTRE and Design	16
5,766,952	THE KABBALAH CENTRE and Design	41
5,766,954	THE KABBALAH CENTRE and Design	45
5,077,099	THE 72 NAMES OF GOD KABBALAH and Design	9
5,077,098	KABBALAH CHILDREN'S ACADEMY and Design	41
5,067,942	THE KABBALAH CENTRE CHARITABLE CAUSES and Design	36
5,067,941	THE KABBALAH CENTRE CHARITABLE CAUSES	36
5,067,940	THE KABBALAH CENTRE ZOHAR PROJECT and Design	35
5,063,816	THE KABBALAH CENTRE and Design	41
5,063,811	KABBALAH UNIVERSITY and Design	45
4,920,736	KABBALAH CHILDREN'S ACADEMY EDUCATING THE MIND IGNITING THE SOUL	41
4,831,887	KABBALAH CENTRE PUBLISHING and Design	16
4,778,004	THE KABBALAH CENTRE and Design	16
4,706,328	THE KABBALAH CENTRE and Design	41
4,769,313	THE LIVING KABBALAH SYSTEM	9
4,252,840	KABBALAH WATER and Design	32
4,248,744	KABBALAH UNIVERSITY and Design	45
4,249,008	KABBALAH: THE BEST KEPT SECRET and Design	41

4,248,926	THE KABBALAH CENTRE LEARN TRANSFORM CONNECT and Design	41
4,103,949	THE KABBALAH MUSEUM and Design	45
4,256,416	KABBALAH UNIVERSITY	45
4,249,025	THE KABBALAH CENTRE	41
4,086,044	THE KABBALAH MUSEUM	45
4,450,030	KABBALAH PUBLISHING and Design	16
4,386,338	THE KABBALAH CENTRE	16
3,958,807	THE KABBALAH CENTRE LEARN TRANSFORM CONNECT and Design	9
3,958,806	THE KABBALAH CENTRE LEARN TRANSFORM CONNECT and Design	16
3,844,114	THE KABBALAH CENTRE LEARN TRANSFORM CONNECT and Design	41
3,705,292	THE KABBALAH CENTRE BOOKSTORE	35
3,672,040	KABBALAH: THE BEST KEPT SECRET	41
2,977,456	KABBALAH WATER	32
2,885,663	THE KABBALAH CENTRE and Design	41
3,061,462	THE POWER OF KABBALAH	41
2,383,241	THE KABBALAH CANDLE	11
2,381,449	THE KABBALAH COLLECTION and Design	11
2,499,273	KABBALAH	16
2,416,725	THE KABBALAH CENTRE and Design	16
2,264,214	THE KABBALAH CENTRE	16

Printouts from TESS of each of Applicant's above-references registrations are attached hereto at **Exhibit B**.

9. Applicant has invested a substantial amount of time, money and other resources advertising, promoting and marketing its goods and services provided under its THE KABBALAH CENTRE marks throughout the United States, including through use of its web site located at www.kabbalah.com.

10. As a result of Applicant's substantial advertising, marketing and promotional efforts, Applicant's family of KABBALAH marks has acquired substantial consumer recognition and good will.

11. Applicant's family of KABBALAH marks has become an important source indicator which identifies the quality goods and services provided by Applicant.

12. Additionally, Applicant has conducted annual advertising campaigns for its goods and services provided under its family of KABBALAH marks continuously for many years.

13. Applicant has expended substantial sums of money publishing advertisements in national publications such as The New York Times, The Los Angeles Times, The Jewish Journal, The Chicago Tribune and many others.

14. Applicant has additionally expended substantial sums of money conducting local advertising campaigns in cities throughout the United States and elsewhere throughout the world.

15. In addition, Applicant has advertised its goods and services provided and sold under its family of KABBALAH marks through direct mail and email campaigns, as

well as the widespread distribution of its newsletters (both in print and electronically), that have reached millions of people.

16. Applicant prominently advertises and promotes its goods and services provided under its family of KABBALAH marks on Applicant's web site, located at www.kabbalah.com. Applicant's web site receives a substantial amount of web traffic, receiving and over 5,000,000 page views per year. Moreover, Applicant's online store (located at store.kabbalah.com) through which many of Applicant's goods are sold, receives over 680,000 unique visitors per year. By virtue of the substantial traffic Applicant's website and online store receives, it is clear that countless consumers encounter and view Applicant's prominent usage of its family of KABBALAH marks online.

17. Applicant operates establishments under the name and mark THE KABBALAH CENTRE in major cities throughout the United States, including, for example, New York City, Los Angeles, Miami, Boca Raton and others.

18. Applicant also prominently utilizes its family of KABBALAH marks in connection with bookstores, satellite groups and/or study groups that it operates in other major cities throughout the United States, including Dallas, Boston, Washington DC, Houston, St. Louis, San Diego, Chicago, Cleveland, Minneapolis, Indianapolis, Las Vegas, San Francisco and others.

19. Applicant has conducted extensive marketing, promotional and advertising campaigns in each of the cities in which Applicant's THE KABBALAH CENTRE establishments and/or study groups are located.

20. In addition, when a search of “KABBALA ONE” is conducted on Google®, every reference on the first page of search results refers to Applicant.

21. For all of the foregoing reasons, it is beyond dispute that consumers have come to associate Applicant’s family of KABBALAH marks and by extension the mark KABBALAH ONE with Applicant.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, the 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.

Kabbalah Centre International, Inc.

Dated: October __, 2019

By: _____

Jules Redlich
General Counsel and Authorized Signatory