

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

Filing Date August 20, 2019 )  
Serial No. 88585328 ) Law Office 106  
Mark: SYNERGY )  
Applicant: Weaver Leather, LLC )  
Response to ) Examining Attorney: Jeffrey C. Coward  
Office Action Dated: September 30, 2019 )

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

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[lycans@ccj.com](mailto:lycans@ccj.com)

**AFFIDAVIT OF CARLOS MULLET**

STATE OF OHIO )  
 ) ss:  
COUNTY OF HOLMES )

I, Carlos Mullet, being first duly cautioned, hereby affirm, depose and state as follows:

1. I am of lawful age, under no disability and have personal knowledge as to the matters herein referred to.
2. I am the Chief Financial Officer for Weaver Leather, LLC.
3. Weaver Leather has been manufacturing products for horses since 1973. Although it produces a wide variety of horse related products, Weaver Leather does not manufacture horse shoes.
4. Weaver Leather focuses on products which are marketed directly to horse owners.
5. Horseshoes are largely purchased by farriers, who shod horses for others. Thus, the marketing for horseshoes is directed to farriers, rather than horse owners who buy Weaver Leather's products.
6. Weaver Leather does not sell its products directly to farriers or through FPD dealers, the dealer network that Farrier Product Distribution indicates that it uses.



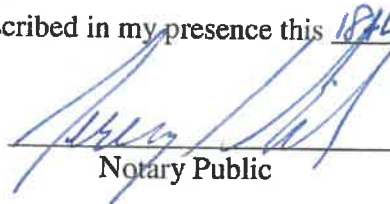
7. Weaver Leather markets its products directly to horse owners rather than those providing services to them, and sells its products through a wide variety of tack dealer and farm store retailers.
8. Over the 46 years it has been in business, Weaver Leather has yet to encounter a competitor who manufactures products for horse owners who also manufactures horseshoes.
9. Although Weaver Leather has been making products for use by horse owners for almost fifty years, it was unaware that the Farrier Product Distribution, Inc. had adopted the mark SYNERGY for horseshoes in 2008.
10. In the nearly two years since Weaver Leather began using its SYNERGY mark for saddle pads for horses, it has not been contacted by anyone who believed that Weaver Leather, LLC was affiliated with Farrier Product Distribution, Inc.

FURTHER AFFIANT SAYETH NAUGHT.



\_\_\_\_\_  
Carlos Mullet

Affirmed before me and subscribed in my presence this 18<sup>th</sup> day of October, 2019.



\_\_\_\_\_  
Notary Public

4831-5499-0648, v. 1



Jeremy S. Miller  
NOTARY PUBLIC  
STATE OF OHIO  
My Commission  
Expires 9/4/2024