

Application Serial No. 88059009

Trademark: SMOK

The mark has become distinctive of the goods and/or services through applicant's substantially exclusive and continuous use in commerce for at least the five years immediately before the date of this statement. From the year 2015 to the year 2019, the amount of advertising in U.S. is \$465320, and the amount of exhibition in U.S. is \$330259, the total amount is \$795579.

The applicant's acquired distinctiveness of the mark in U.S. commerce is shown by the following:

Exhibit I is the Proforma Invoice dated on August 3, 2015 and October 23, 2015, and the Print of Wire Transfer on September 9, 2015 and October 23, 2015 showing the amount of sales in 2015 amounting to \$32212.50;

Exhibit II is the pdf documents of conducting a search of wording smok in Google, and the searching result directly points to the goods of the mark SMOK;

Exhibit III is the pdf documents and the video of proof of conducting a search showing the popularity of the mark SMOK;

Exhibit IV is Customs Export Declaration Form of the People's Republic of China from the year 2015 to the year 2019 showing the exportation of the goods with the mark SMOK, and the English translation thereof;


Exhibit V is the website and the screenshot of sales of goods under the mark SMOK;

Exhibit VI is the photos of exhibition of goods under the mark SMOK in the year 2015 and 2016

Declaration

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. Section 1001, and that such willful false statements, and the like, 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. Section 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; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.


Name: OuYang Jurwei

Title: CEO

Shenzhen IVPS Technology Co. Ltd.

Date: