

DECLARATION OF JACOB BERUBE

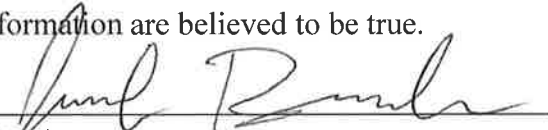
Serial No: 87/919,763
Mark: PURPLE
Applicant: Purple Innovation, LLC

I, Jacob Berube, declare under penalty as follows:

1. I am over the age of eighteen and competent to make this Declaration.
2. The facts stated in this Declaration are within my personal knowledge and are true.
3. I am the Web Director for Purple Innovation, LLC, the Applicant of record for the trademark application for the PURPLE mark.
4. I manage the website and webpages for Purple Innovation, LLC and track the visits to the website, page views, session times, *etc.*
5. The main website for the goods offered under the PURPLE mark is <https://purple.com> ("PURPLE Website"). At the PURPLE Website the PURPLE mark appears on every page, including the top of the home page. An image of the homepage is attached as Exhibit A.
6. Since August 1, 2017 to August 1, 2018 the PURPLE Website has received more than 34 million views with over 23 million unique visitors. In that same time there have been over 99 million pageviews with the average number of page views for visitor being 2.86.
7. Purple is the first result returned on several search engines such as Google, Bing and Yahoo search engines as evidenced in Exhibit B.

[Remainder of page intentionally left blank]

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. §1001, and that such willful false statement made jeopardize the validity of the application for any resulting registration, declares that all statements made of his or her own knowledge are true and that all statement made on information are believed to be true.


Signature

JACOB BERUBE
Name

WEB DIRECTOR
Title

8/30/2018
Date

Exhibit A

The screenshot shows the Purple website homepage. At the top, a purple navigation bar contains the Purple logo and menu items: MATTRESSES, PILLOW, ALL PRODUCTS, REVIEWS, BLOG, and SUPPORT. A pink banner below the navigation bar reads "EARLY LABOR DAY SALE: GET FREE SHEETS WITH ANY MATTRESS PURCHASE". The main content area has a dark blue background with the headline "Life's too short to be uncomfortable." and a video player featuring a woman with curly hair (Goldilocks) with a play button overlay. To the right of the video, there is a list of three bullet points, each with a green checkmark icon.

purple MATTRESSES PILLOW ALL PRODUCTS REVIEWS BLOG SUPPORT

EARLY LABOR DAY SALE: GET FREE SHEETS WITH ANY MATTRESS PURCHASE

Life's too short to be uncomfortable.

Goldilocks found a mattress that's just right, and now you can too.

- ✓ Purple has comfort products for your bedroom and booty
- ✓ Revolutionary technology is unlike anything else
- ✓ Each product was developed using hardcore science

Exhibit B

A screenshot of a Google search for the word "purple". The search results are displayed in a grid format. The top result is "Official Purple® Mattress Site | Explore The Science of Purple" with a link to purple.com. Below it are several other links related to Purple mattresses, including "Buy The Purple™ Mattress", "Seat Cushion Reviews", "Original vs New Mattress", and "Purple® Pillow Reviews". There is also a section for "Do Not Buy That Mattress! | Learn the Truth, Why Overpay?" and "Top 10 Mattresses™ Ranked 2018 | See This Review Before You Buy". On the right side of the search results, there is a card for "Purple Innovation" with a logo for "GLOBAL PARTNER ACQUISITION CORP" and a brief description of the company. Below the card is a Facebook profile picture and a map showing the location of Purple Innovation in Alamo, UT.

A screenshot of a Bing search for the word "Purple". The search results are displayed in a grid format. The top result is "Shop Purples on Amazon | Low Prices for Purples" with a link to amazon.com. Below it are several other links related to Purple mattresses, including "Best in Purple Prices. | Free Shipping. Save 70% Off." and "Purple - Wikipedia, the free encyclopedia". On the right side of the search results, there is a card for "Purple" with a map showing the location of Purple Innovation in Alamo, UT. Below the card is a Yelp review for Purple with a 4.5-star rating and a link to the company's official site.

purple



YAHOO!

purple mattress

Official Purple Mattress Site - Explore The Science of Purple

The Purple™ Mattress - Purple Not You Can

Purple FAQ - Purple Mattress Reviews

Nectar Mattress - Labor Day Mattress Sale - nectar.com

Top 10 Mattresses Ranked 2019 - Get The Top 10 Before You Buy

Purple at Amazon - Low Prices on Purple - Amazon.com

Purple - Official Site

Purple - Waped3

Purple - Mattress Reviews - Georbed.com



Purple Mattress

Official Purple Mattress Site - Explore The Science of Purple

The Purple™ Mattress - Purple Not You Can

Purple FAQ - Purple Mattress Reviews

Nectar Mattress - Labor Day Mattress Sale - nectar.com

Top 10 Mattresses Ranked 2019 - Get The Top 10 Before You Buy

Purple at Amazon - Low Prices on Purple - Amazon.com

Purple - Official Site

Purple - Waped3

Purple - Mattress Reviews - Georbed.com

Results