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2 143 Figueroa Street, Suite 14
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4 Attorney for Applicant

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

7 **Trademark: FLEXPRO**)
8 **Serial No.: 88455594**) **Trademark Attorney:**
9 **Filing Date: May 31, 2019**) **Salima Parmar Oestreicher**
10 **Applicant: Barta-Schoenewald, Inc.**) **Law Office: 108**

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12 **DECLARATION OF ANGELA SMALL BOOTH**

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14 I, Angela Small Booth, hereby declare as follows:

- 15 1. I, Angela Small Booth, am a licensed attorney in the State of California and am the
16 Attorney of Record for the U.S. Trademark Application No. 88455594 for FLEXPRO
17 (hereinafter the "Application"). I have personal knowledge of all matters stated herein.
18 2. Attachment A hereto is a true and correct copy of the search strategy performed by the
19 Examining Attorney for the present Application conducted on August 29, 2019 and
20 accessed and downloaded by me from www.uspto.gov on March 1, 2020.
21 3. Attachment B hereto is a true and correct copy of an advertisement for garden mulch at
22 Accessed <https://www.lowes.com/pl/Mulch-Landscaping-Outdoors/4294612789> on Feb.
23 21, 2020.
24 4. Attachment C hereto is a true and correct copy of an advertisement for chicken manure
25 accessed at [https://www.lowes.com/pd/Gardeners-1-cu-ft-Compost-Chicken-](https://www.lowes.com/pd/Gardeners-1-cu-ft-Compost-Chicken-Manure/3240886)
26 [Manure/3240886](https://www.lowes.com/pd/Gardeners-1-cu-ft-Compost-Chicken-Manure/3240886) and downloaded by me on Feb. 25, 2020.
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- 1 5. Attachment D hereto is a true and correct copy of an advertisement for glass cleaner
2 accessed at [https://www.lowes.com/pl/Glass-window-cleaners-Cleaning-
4 supplies/1920333672](https://www.lowes.com/pl/Glass-window-cleaners-Cleaning-
3 supplies/1920333672) and downloaded by me on Feb. 21, 2020.
- 5 6. Attachment E hereto is a true and correct copy of an advertisement for NFL licensed
6 merchandise accessed at [https://www.lowes.com/pl/NFL-fan-
8 shop/1740850835?refinement=4294398118](https://www.lowes.com/pl/NFL-fan-
7 shop/1740850835?refinement=4294398118) and downloaded by me on Feb. 21, 2020
- 9 7. Attachment F hereto is a true and correct copy of an advertisement for kitchen sinks
10 accessed at <https://www.lowes.com/c/Kitchen-bar-sinks-Kitchen> and downloaded by me
11 on Feb. 21, 2020.
- 12 8. Attachment G hereto is a true and correct copy of a search of the Lowes.com website for
13 "servo controller", accessed at [https://www.lowes.com/search?searchTerm=%22servo-
15 drive%22](https://www.lowes.com/search?searchTerm=%22servo-
14 drive%22) and downloaded by me on February 21, 2020, indicating there is no such
16 product offered for sale at lowes.com.
- 17 9. Attachment H hereto is a true and correct copy of a search of the Lowes.com website for
18 "servo drive", accessed at [https://www.lowes.com/search?searchTerm=%22servo-
20 drive%22](https://www.lowes.com/search?searchTerm=%22servo-
19 drive%22) and downloaded by me on February 21, 2020, indicating there is no such
21 product offered for sale at lowes.com.
- 22 10. Attachment I hereto is a true and correct copy of a search of the Lowes.com website for
23 "electronic controller", accessed at
24 <https://www.lowes.com/search?searchTerm=%22electronic+controller%> and downloaded
25 by me on February 21, 2020, indicating there is no such product offered for sale at
26 lowes.com.
- 27 11. Attachment J hereto is a true and correct copy of a search of the Lowes.com website for
28 "electronic servo motor controller", accessed at
<https://www.lowes.com/search?searchTerm=electronic+servo+motor+controllers> and

1 downloaded by me on February 21, 2020, indicating there is no such product offered for
2 sale at lowes.com.

3 I declare under penalty of perjury under the laws of the State of California and the laws of the
4 United States that the foregoing is true and correct. This Declaration was executed in the City of
5 Oak View and the State of California.
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7 /Angela Small Booth/
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Dated: March 1, 2020

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Attorney for Applicant