

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

Registrant: B&M Racing & Performance Products Inc.  
Mark: H HURST  
Registration Number: 2,785,750  
Registration Date: November 25, 2003  
Class: 12  
Our Ref.: BMRAC-002

**COMBINED DECLARATION OF USE IN COMMERCE and APPLICATION FOR  
RENEWAL OF REGISTRATION UNDER TRADEMARK ACT §§ 8 & 9  
(15 U.S.C. §§ 1058-1059)**

To the Commissioner for Trademarks:

The registrant, B&M Racing & Performance Products Inc., is a corporation duly organized and validly existing under the laws of the state of Delaware, having a mailing address at 100 Stony Point Rd Suite 125 Santa Rosa, California 95401.

Application for Renewal (Section 9)

The registrant requests that United States Trademark Registration Number 2,785,750 (the “Registration”) for the trademark H HURST (the “Mark”), originally registered on November 25, 2003, as evidenced by the records of the United States Patent and Trademark Office, be renewed in accordance with the provisions of Section 9 of the Trademark Act of 1946 (Lanham Act), as amended, 15 U.S.C. § 1059, for the following goods identified in the Registration, namely:

**Class 12**

Transmission controls, namely, shift levers for use in land vehicles.

Declaration of Use in Commerce (Section 8)

The registrant is using the Mark in interstate commerce on or in connection with all of the above-identified goods identified in the Registration as evidenced by the accompanying specimen showing the mark as currently in use in interstate commerce.

**Power of Attorney**

The registrant hereby revokes any and all powers of attorney previously granted by the registrant in connection with the Registration or any renewals thereof.

The registrant hereby appoints each of David O. Johanson, Esq., Rachelle A. Dubow, Esq., and Devon R. Sparrow, Esq., each of whom is an attorney at law and a member of the bar of the Supreme Judicial Court of the Commonwealth of Massachusetts, or any one of them acting singly, each of whose post office address is Bingham McCutchen LLP, One Federal Street, Boston, Massachusetts 02110, telephone number (617) 951-8000, as the registrant's attorneys, with full power of substitution and revocation, to file and prosecute this Combined Declaration of Use in Commerce and Application for Renewal of Registration, to transact all business in the Patent and Trademark Office in connection therewith, and to receive a certificate of renewal of registration.

Please direct all communications regarding this renewal application and/or the Registration to Rachelle A. Dubow, Esq. Communications may be in the form of electronic mail and should be sent to [rachelle.dubow@bingham.com](mailto:rachelle.dubow@bingham.com), or such other e-mail address as may be specified.

**DECLARATION**

The undersigned, being hereby warned 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 this instrument or any resulting registration or registration renewal, declares that he is properly authorized to execute this instrument on behalf of the registrant; he believes the registrant to be the owner of the above-identified registration; the trademark is in use in interstate commerce; all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

**B&M RACING & PERFORMANCE PRODUCTS INC.**

Dated: 12/10/12

By:   
\_\_\_\_\_  
Brian Appelgate  
President and CEO