# COMBINED DECLARATION OF USE IN COMMERCE/APPLICATION FOR RENEWAL OF REGISTRATION OF MARK UNDER SECTIONS 8 & 9(15 U.S.C. SECTIONS 1058 AND 1059)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: CARDIOVIT Reg. No.: 2,855,699 Reg. Date: June 22, 2004

Int. Class: 10

### TO THE COMMISSIONER FOR TRADEMARKS

Schiller Holding AG, a Corporation of Switzerland

Altgasse 68 6340 Baar Switzerland

The owner of the above identified registration is using the mark in commerce on or in connection with the goods recited in the registration, namely, 10: medical apparatus for use in diagnosing cardiac and vascular diseases. A specimen evidencing current use of the mark in commerce in connection with the goods identified above is submitted herewith. The registrant requests that the registration be renewed for the goods identified above.

#### POWER OF ATTORNEY

Registrant hereby appoints Jody H. Drake and the attorneys of SUGHRUE MION, PLLC, all members of the bar, of 2100 Pennsylvania Avenue, N.W., Washington, DC 20037, as our attorneys with power to prosecute this application to renew the above registration and to transact all business in the Patent and Trademark Office in connection therewith.

#### **DECLARATION**

The undersigned, being hereby warned that willful false statements and the like 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 this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her knowledge are true and all statements made on information and belief are believed to be true.

Schiller Holding AG

Alfred Schiller President & CEO

Date: