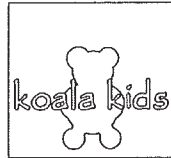


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REGISTRANT: TRU KIDS INC.

REGISTRATION NO.: 3,493,289

MARK:



REGISTRATION DATE: August 26, 2008

INTL. CLASS: 25

TO: Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

DECLARATION

The undersigned, Krystal Kim, hereby declares that:

1. She is Senior Paralegal of TRU KIDS INC. (hereinafter, "Registrant"), owner of the above-identified registration, and is properly authorized to execute this Declaration on behalf of Registrant.

2. Registrant is submitting the following explanation of excusable nonuse on or in connection with all of the goods listed in the Registration and incorporated herewith, namely, *"Baby and children's clothing, namely, coveralls, overalls, shirts, tee shirts, bodysuits, jeans, pants, knit pants, twill pants, knit and woven shorts, dresses, rompers, jumpers, underwear, swimwear, sweatshirts, soft sole shoes, hats, gloves, caps, buntings, jackets, shortalls, cloth bibs, layette and socks"* (International Class 25).

3. Upon information and belief, the last date the Registrant provided the goods under the mark was June 29, 2018.

4. The mark is not currently being used in commerce on all of the identified goods because the prior owner of the mark, Geoffrey, LLC, underwent Chapter 11 bankruptcy reorganization and Registrant emerged just last month from the bankruptcy.

5. Registrant is currently taking steps to resume use of the mark in connection with the goods listed in the registration. Registrant is moving forward with a plan for the trademarks and the new owners are actively working with potential partners to develop ideas for new stores in the United States and to resume use of the mark in the above-identified Registration in connection with the registered goods.

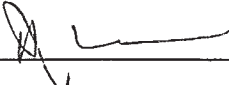
6. The signatory believes that Registrant expects to resume use of the mark in connection with all of the goods identified in the registration in 2019.

7. The nonuse of the mark is not due to an intention to abandon the mark, but is rather due to a temporary forced withdrawal from the mark. See McCarthy on Trademarks § 17:16; see also Electro Source, LLC v. Brandess-Kalt-Aetna Group, Inc., 458 F.3d 931 (9th Cir. 2006) ("If trademark protection were stripped the minute a company runs into financial trouble or decides to liquidate, the two cornerstone interests in trademark would be defeated-protection of the public through source identification of goods and protection of the registrant's investment in the trademark.")

8. To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements in this submission based on the signatory's own knowledge are true, and all statements in this submission made on information and belief are believed to be true.

TRU KIDS INC.

By: 
Name: Krystal Kim
Title: Senior Paralegal
Date: 2/26/19