

DECLARATION OF EXCUSABLE NON-USE UNDER 37 C.F.R. §7.37

I, Aston R. Lue, based on personal knowledge of the facts set forth herein, depose and state that:

1. I am over the age of eighteen and competent to attest to the matters set forth herein.
2. I am one of the founders and current managing member of Betty Brand Int'l, LLC ("Betty Brand").
3. Betty Brand is the owner of Trademark Registration No. 4478562 for BETTY ("the Mark") in Class 029 for condensed milk, and 032 for coconut milk.
4. Betty Brand is a Florida limited liability company authorized to do business in Florida, with an address of:

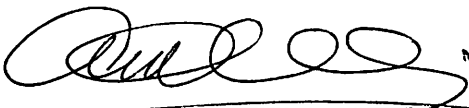
3675 NW 71st Street
Miami, Florida 33147

5. The Mark has been in use in commerce in association with the sale of condensed milk since at least as early as July 31, 2013, and continues to be used through the present day.
6. The Mark was in use in commerce in association with the sale of coconut milk since at least as early as August 15, 2013.
7. In 2020, Betty Brand was forced to find a new source for its coconut milk product due to changes in the marketplace.
8. Due to the circumstances surrounding the COVID-19 pandemic, it has been particularly difficult to conduct business as was done in the past, including visiting with company representatives, in person. Lockdowns, and travel restrictions has made it nearly impossible to conduct business as was done in the past.
8. Nevertheless, Betty Brand has already secured an alternative supplier and has placed an order for BETTY branded coconut milk that should arrive for distribution on Friday, August 7, 2020.
9. Betty Brand expects to be resume sales of its coconut milk goods as soon as it is able to distribute the new supplies that are due to arrive this week.

I declare under penalty of perjury that the foregoing is true and correct.

BETTY BRAND INT'L, LLC

Date: August 4, 2020

By: 
Aston R. Lue, Managing Member