

## Affidavit

I, David McKinney, hereby declare:

1. I am a member of the Board of Directors of the Thomas J. Watson Foundation, d/b/a Watson Foundation (“Watson Foundation”);
2. I have held my position since 1977 and have been actively engaged with the foundation since 1971.
3. Based on my position, I have personal knowledge of the WATSON trademark and its use;
4. The WATSON trademark has been in substantially exclusive and continuous use in commerce since 1968 in conjunction with the following services and is currently in use in commerce in conjunction with such services:

Administering international independent study programs

Providing grants for international independent study

Educational services to promote personal, professional, and cultural growth, namely, travel experiences in the nature of international independent study in the field of experiential learning through travel; Educational services to promote personal, professional, and cultural growth, namely, the organization of seminars, workshops, conferences, and events in the fields of career exploration, personal development, professional development, cultural development, and experiential learning, and the creation and distribution of education materials in connection therewith in printed format

5. The WATSON trademark has been in substantially exclusive and continuous use in commerce since 1999 in conjunction with the following services and is currently in use in commerce in conjunction with such services:


International internship and work placement services for the purposes of career exploration, professional development, and experiential learning

Providing grants for college level students to expand their personal and cultural experiences through professional level work, workshops, writing assignments, seminars, team projects, and cultural events

Educational services to promote personal, professional, and cultural growth, namely, providing internships in the fields of business, science, technology, research, humanities, government, politics, the arts, medicine, law, law enforcement, social services, journalism, architecture, and the environment; Educational services to promote personal,

professional, and cultural growth, namely, career counseling in the nature of advice concerning education options to pursue career opportunities; Educational services to promote personal, professional, and cultural growth, namely, work skills training and mentorship in the fields of business, science, technology, research, humanities, government, politics, the arts, medicine, law, law enforcement, social services, journalism, architecture, and the environment; Educational services to promote personal, professional, and cultural growth, namely, travel experiences in the nature of international independent study workshops, and classes, in the field of experiential learning through travel

6. Since 2014, the Watson Foundation has also provided webinars in the field of experiential learning through travel.
7. Since 1997, the Watson Foundation has created and distributed education materials in electronic format in connection with seminars, workshops, conferences, and events in the fields of career exploration, personal development, professional development, cultural development, and experiential learning.
8. Since 1968, the Watson Foundation has distributed \$60 million dollars for the Watson Foundation's programming and services under the WATSON mark;
9. The WATSON mark has become distinctive of the Watson Foundation's services set forth above by reason of the Watson Foundation's substantially exclusive and continuous use of the WATSON mark in commerce for 50 years in connection with such services and by reason of the extensive promotion and funding of the WATSON services for 50 years.



David McKinney

Board Member, Thomas J. Watson Foundation

Date: October 2, 2018

NEW YORK STATE)  
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COUNTY OF NEW YORK)

Before me:



Notary Public

**NADIL R. RAMUSEVIC**  
Notary Public, State of New York  
No. 01RA6019423  
Qualified in Queens County  
Commission Expires March 22, 2019