

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PPG INDUSTRIES OHIO, INC.

Examiner:

Serial No.: 86929041

Law Office:

Trademark: PERFORMA

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313 1451

SUPPLEMENTAL 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 the application or document or any registration resulting therefrom, declares as follows:

All statements made herein by the undersigned of his/her own knowledge are true and all statements made on information and belief are believed to be true. The undersigned is properly authorized to execute this application on behalf of the applicant.


If the application is being filed based on actual use in commerce under 15 U.S.C. 1051(a),

- The undersigned believes the applicant to be the owner of the mark sought to be registered and that no one else, to the best of his or her knowledge and belief, has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when applied to the goods or services of the other person, to cause confusion or mistake, or to deceive;
- The applicant is using the mark shown in the drawing in commerce on or in connection with the goods and/or services listed in the application and the mark was in such use as of the filing date of the application; or

If the application is being filed under an intent to use and/or a foreign application or registration under 15 U.S.C. 1051(b), 1126(d) or 1126(e),

- The undersigned believes the applicant to be entitled to use the mark sought to be registered in commerce and that, to the best of his/her knowledge and belief, no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive;
- The applicant has a *bona fide* intention to use the mark in commerce on or in connection with the goods or services listed in the application and the applicant has had such *bona fide* intention to use the mark as of the application filing date.


Signature


Date

Name: Rita Bergstrom

Title: Assistant Secretary