

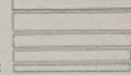
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.: 88202504

Examining Attorney: Heather Schubert



Trademark:



(the "VANS Trapezoid Mark")

Law Office: 103



Applicant: Vans, Inc.

Office Action Date: September 23, 2019

Filing Date: November 21, 2018


Attorney Ref. No.: 990.409.11

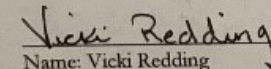
DECLARATION PURSUANT TO SECTION 2(f) OF THE LANHAM ACT

1. I, Vicki Redding, am the Vice President – Product Management (Apparel) for Applicant, Vans, Inc. ("Vans"). I am directly involved in, and am completely familiar with the development, marketing, and sale of products bearing the VANS Trapezoid Mark. I submit this declaration in support of Vans' above application to register the VANS Trapezoid Mark.
2. Founded in 1966 in Anaheim, California, by Van Doren brothers Paul and Jim, along with partners Gordon Lee and Serge Delia, Vans has grown from its roots in Southern California to become one of the most well-known and groundbreaking footwear, apparel, and accessory companies in the United States and indeed the world.
3. Vans' products are widely recognized and extremely popular. The company has achieved recognition as ranking among the world's greatest and most recognizable brands. For decades, Vans has consistently used its iconic trademarks in connection with footwear, apparel, accessories, and related services. These trademarks are known throughout the world as source indicators of Vans' high-quality products and services. Over the years, Vans has used its distinctive trademarks to sell tens of millions of units of apparel and accessories in the United States.
4. The VANS house mark and the stylized mark , which are part of the VANS Trapezoid Mark, have been in use for more than fifty years, since at least as early as 1969 for footwear, apparel, accessories, and related services. The VANS house mark is included in more than forty U.S. federal trademark and service mark registrations, including U.S. Registration Nos. 1861882 and 1353939 for the mark , in use in commerce since 1969 for clothing and apparel. The VANS house mark and the stylized version of this mark are immediately recognizable to consumers for their trademark significance when presented in

any size or placement on garments. Considering the popularity of the VANS brand, it is my opinion that the VANS mark is well-known and famous in the context of its peer brands.



5. The registered  mark forms a relevant portion of the VANS Trapezoid Mark and this registered mark has become distinctive of Vans' goods, namely, "apparel, namely, tops" under Section 2(f) of the Lanham Act, 15 U.S.C. § 1052(f), by reason of Vans' exclusive and continuous use of this registered mark in commerce for more than fifty years before the date on which Vans has made a claim of distinctiveness with respect to the VANS Trapezoid Mark.
6. The VANS Trapezoid Mark has acquired distinctiveness and is entitled to registration pursuant to Section 2(f) of the Lanham Act, 15 U.S.C. § 1052(f), because Vans has made exclusive and continuous use of this mark in U.S. commerce for more than thirty years, since at least as early as December 31, 1986. As a result, the VANS Trapezoid Mark functions to identify the source of Vans products, including tops.
7. In view of the foregoing, Vans respectfully requests that the VANS Trapezoid Mark be registered to enable it to enjoy the presumptions that its marketplace activities merit and to permit Vans to retain exclusivity as against future copiers.
8. I, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that all statements made above of my knowledge are true and that all statements made on information and belief are believed to be true.



Name: Vicki Redding

Title: Vice President – Product Management (Apparel)
Vans, Inc.

3-20-2020

Date