

**UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

In Re the Trademark Application:)
Serial No.: 88/942,410)
Applicant: Black Girl Sunscreen LLC)
Trademark: BLACK GIRL SUNSCREEN)
Filing Date: June 1, 2020)
Class: 3, 35)
Office Action Mailing Date: March 11, 2021)
_____)

DECLARATION UNDER 37 C.F.R. §2.20

The below signed declares as follows:

1. I, Shontay Lundy, am the Founder and CEO of Black Girl Sunscreen LLC (“Applicant”) and have been employed by Applicant since 2016. I have personal knowledge or information and belief regarding the matters asserted below and am authorized to execute this declaration on behalf of Applicant in support of its application to register the BLACK GIRL SUNSCREEN mark shown above.
2. Founded in 2016, Applicant sought to provide sunscreen that does not leave a white residue on skin and to educate people of color of all ages and genders on the need to wear sunscreen. Applicant sells its sunscreen preparations and other products on its website at <https://www.blackgirlsunscreen.com/>.
3. As a result of its continuous and substantially exclusive use since at least as early as August 15, 2017, significant press, and extensive sales, the BLACK GIRL SUNSCREEN mark has become widely recognized by consumers as the source of applicant’s sunscreen preparations and online retail services.
4. On information and belief, the total number of visits to Applicant’s website, which prominently features the BLACK GIRL SUNSCREEN mark, from October 2017 through September 9, 2021 has been 4.1 million page views.
5. In 2019, Applicant entered into a partnership with the Target Corporation, making its sunscreen preparations available in numerous Target stores nationwide as well as on www.target.com. In addition in 2021, Applicant entered into a partnership with Ulta Beauty, Inc., making its sunscreen preparations available in additional numerous Ulta Beauty stores nationwide as well as on <https://www.ulta.com/>.

6. Representative examples of the consumer and third-party recognition of the BLACK GIRL SUNSCREEN mark are attached, as follows:
- a. Attached as **Exhibit A** is a true and correct copy of an article from *Allure* published March 27, 2021 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.allure.com/story/black-girl-sunscreen-make-it-matte-spf-45-review>
 - b. Attached as **Exhibit B** is a true and correct copy of an article from *Business Insider* published Oct 2, 2020 referring to the BLACK GIRL SUNSCREEN mark and the company's **\$5 million valuation**, see: <https://www.businessinsider.com/meet-shontay-lundy-founder-of-black-girl-sunscreen-2020-9>
 - c. Attached as **Exhibit C** is a true and correct copy of an article from *Glamour* published June 8, 2020 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.glamour.com/story/black-girl-sunscreen-review>
 - d. Attached as **Exhibit D** is a true and correct copy of an article from *Good Morning America* published May 28, 2020 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.goodmorningamerica.com/shop/story/gma-deals-steals-kickstart-summer-fun-70906142>
 - e. Attached as **Exhibit E** is a true and correct copy of an article from *The Cut* published August 31, 2018 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.thecut.com/2018/08/black-girl-sunscreen-was-this-summer-viral-beauty-product.html>
 - f. Attached as **Exhibit F** is a true and correct copy of an article from *Stylecaster* published June 30, 2021 referring to the BLACK GIRL SUNSCREEN mark, see: <https://stylecaster.com/beauty/black-girl-sunscreen-review/>
 - g. Attached as **Exhibit G** is a true and correct copy of an article from *Vogue* referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.vogue.com/sponsored/article/meet-the-woman-behind-black-girl-sunscreen>
 - h. Attached as **Exhibit H** is a true and correct copy of an article from *Refinery29* published May 13, 2018 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.refinery29.com/en-us/sunscreen-for-dark-skin>
 - i. Attached as **Exhibit I** is a true and correct copy of an article from *Marie Claire* published May 10, 2018 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.marieclaire.com/beauty/a20649082/best-sunscreen-for-dark-skin-black-girl-sunscreen/>
 - j. Attached as **Exhibit J** is a true and correct copy of an article from *NBC News* published August 20, 2020 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.nbcnews.com/news/nbcblk/sunscreen-dark-skin-tones-n1237144>

- k. Attached as **Exhibit K** is a true and correct copy of an article from *Elle* published March 19, 2021 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.elle.com/beauty/g22607578/best-sunscreen-for-black-people/>
- l. Attached as **Exhibit L** is a true and correct copy of an article from *Cosmopolitan* published February 16, 2021 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.cosmopolitan.com/style-beauty/beauty/g35490539/black-owned-sunscreen-brands/>
- m. Attached as **Exhibit M** is a true and correct copy of an article from *Today Show* published February 23, 2021 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.today.com/shop/self-care-black-women-t209593>
- n. Attached as **Exhibit N** is a true and correct copy of an article from *Essence* published May 13, 2019 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.essence.com/lifestyle/travel/3-black-owned-sunscreens-you-need-to-travel-with-this-memorial-day-weekend/>
- o. Attached as **Exhibit O** is a true and correct copy of an article from *PopSugar* published April 22, 2018 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.popsugar.com/beauty/Sunscreen-Darker-Skin-Black-Girl-Sunscreen-Review-44739007>
- p. Attached as **Exhibit P** is a true and correct copy of an article from *Women's Health* published June 3, 2020 referring to the BLACK GIRL SUNSCREEN mark, see: <https://www.womenshealthmag.com/life/g32742898/black-owned-wellness-brands/>
- q. Attached as **Exhibit Q** is a true and correct copy of a printout of Applicant's Instagram profile referring to the BLACK GIRL SUNSCREEN mark and showing **146,000** followers, see: <https://www.instagram.com/blackgirlsunscreen/>

The undersigned 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 document or any registration resulting therefrom, declares that all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

Date: September 10, 2021



Shontay Lundy
 Founder and CEO,
 Black Girl Sunscreen LLC