# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 

## Mark: PUBLIX

Serial No.: 88/318120
Class: 16 and 21

Applicant: Publix Asset Management Company

## DECLARATION OF MARK R. IRBY

I, Mark R. Irby, declare as follows:

1. I am president of Publix Asset Management Company and have been on its board of directors since the company was formed in 2001. I also am employed by that company's parent, Publix Super Markets, Inc. I have been vice president of marketing for Publix Super Markets, Inc., since 1989. As such, I have personal knowledge of the scope of the use of the PUBLIX house mark and of records concerning that mark.
2. Publix Super Markets, Inc., is a retail grocery-store company that operates more than 1,200 stores. Publix Super Markets, Inc., is employee owned and is one of the ten largest grocery-store companies in the United States. Our retail sales in 2018 totaled more than $\$ 36$ billion.
3. The PUBLIX house mark appears on approximately 5,700 products. Exhibit A to this declaration is a true and correct list of PUBLIX house mark products in classes 16 and 21. Exhibits B through M contain true and correct copies of photographs of PUBLIX house mark products in those classes.
4. 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 submission or any registration resulting therefrom, I declare that I am properly authorized to execute this document on behalf of the owner, that all statements made of my own knowledge are true, and that all statements made upon information and belief are believed to be true.


Date

Exhibit A
ted By Dept ID, Sub-Dept ID, Category ID, Business Unit ID, Family Group ID (Ascending)
ate Label Products by Product Level (Dept, Sub-Dept, Category, Business Unit, Family Group and Item)







Exhibit B
tle: http://www.publix.com/product-catalog/productisting?query=Publix\&count=96\&page=8fiters=nationalbrands\%3A\%3APublix\&filters=fauxtaxonomy\%3A\%3ANon-Foods\%2FHousehold Paper and Plastic Time: 10-17-2018, 11121:10




-Estimated prices effective at time of order only and may be subject to variation at time of pickup.
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Additional nutrition information available upon request. (Go to product detail page for each product.)


Exhibit C

## Publix

SHOP ONLINE PRODUCTS \& SERVICES SAVINGS RECIPES \& PLANNING PHARMACY \& WELLNESS


## Product Description

8.75 inches $\times 8.33$ inches. You can rely on our softness and strength. Perhaps you need something to wipe the sweat from your brow, the tears from your eyes, or the makeup from your face. Thanks to the invention of the acial tissue in 1920 America, you no longer have to sully your pristine handkerchief. And when you have the sniffles, a clean, dry tissue is much more hygienic. Publix Facial Tissues are soft enough for the tenderest nose, yet strong enough to handle the mightiest sneeze. Rely on... Show More

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Exhibit D
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(P) Store Locator

## Publix

SHOPONLINE PRODUCTS\&SERVICES SAVINGS RECIPES\&PLANNING PHARMACY \& WELLNESS

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## overview

## Product Description

8.75 inches $\times 8.33$ inches. You can rely on our softness and strength. Perhaps you need something to wipe the sweat from your brow, the tears from your eyes, or the makeup from your face. Thanks to the invention of the acial tissue in 1920s America, you no longer have to sully your pristine handkerchief. And when you have the sniffles, a clean, dry tissue is much more hygienic. Publix Facial Tissues are soft enough for the tenderest nose, yet strong enough to handle the mightiest sneeze. Rely on... Show More

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Exhibit E

## Publix.

SHOPONLINE PRODUCTS\& SERVICES SAVINGS RECIPES\& PLANNING PHARMACY \& WELLNESS


## Overview

Product Description
11.5 in $\times 12.5$ in. Pretty Useful: High-quality, attractive, strong and absorbent, these Publix napkins are ideal for setting the table, protecting your lap and keeping your hands face free of food. They also make a good plate when you're on the go. Keep some in the car and at the office: you never know when the opportunity to snack may arise. Consider creative ways to present these pretty napkins. Wrap them around individual silverware settings. Press them into empty drinking glasses with the co... Show More

Warning

Any paper product can burn if used improperly in microwave or conventional ovens. Observe precautions in the microwave oven owner's manual. In case of fire, turn microwave off and leave door closed. To avoid danger of injury or suffocation, keep this plastic packaging away from babies and children.

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Exhibit F


Exhibit G


Exhibit H

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\log ^{\ln } \mid \operatorname{Sign} U_{p} \quad \text { Store Locator }
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## Overview

## Product Description

2862 -ply sheets per roll. $4.0 \mathrm{in} \times 4.0 \mathrm{in}$. Introduced to the US in the mid- 19 th century, bathroom tissue became accepted when indoor plumbing was introduced. As late as the 1930's it was still being advertised as splinter-free - so much for the good old days. Today you can depend on Publix Bathroom Tissue to be cloudsoft, and still strong and absorbent. Let's end the debate about the correct way to place bathroom tissue on the roll: Offer the user a tissue by placing the free end away from the... Show More

Warning

To avoid danger of suffocation, keep this plastic bag away from babies and children. Do not use in cribs, bed s, carriages, or playpens.

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Exhibit J

## Publix．

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SHOP ONLINE PRODUCTS \＆SERVICES SAVINGS RECIPES \＆PLANNING
PHARMACY\＆WELINESS


Product Description
$0.941 .7 \mathrm{in} \times 7-3 / 4 \mathrm{in}(17.7 \mathrm{~cm} \times 19.6 \mathrm{~cm}) .48$ bags with a million different uses．Use them to store and tote practically anything．Toys．Stamps．Makeup．Photos．Recipe cards．Hair elastics．Picture hooks．Crayons． Business cards．CDs．Snacks．Game pieces．Film．Memorabllia．Craft supplies．Doll accessories．Safety pins． Stickers．Steel wool pads．Postcards．Baby wipes．Small gift cards．Temporary tattoos．Batteries．Buttons． Paper clips．Coupons．First aid supplies．Matches．Cotton swabs．Perf．．．Show More

Warning

Caution：As with any other household product，do not let small children use without supervision．To avoid danger of suffocation，keep all plastic bags away from babies，children，and pets．Do not use plastic bags in cribs，beds，strollers，or playpens．

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Exhibit K

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Product Description
$3.78 \mathrm{lt} 10-9 / 16 \mathrm{in} \times 10-3 / 4$ in $(26.8 \mathrm{~cm} \times 27.3 \mathrm{~cm})$. Easy to open and close, these bags feature a two-track closure that forms a double lock. So you can rest assured that whatever you've sealed in will stay in. These bags have countless uses. Be sure to keep plenty on hand. Abetter way to marinate or bread food. Save time effort, and mess, reducing the number of dishes that need to be washed. Instant pastry bag. Fill the bag, squeeze out air, seal, and snip off one bottom corner. Cleanup's a c... Show More

Warning

Caution: As with any other household product, do not let small children use without supervision. To avoid danger of suffocation, keep all plastic bags away from babies, children, and pets. Do not use plastic bags in cribs, beds, strollers, or playpens.

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Product Description
3.78 It ． $10-9 / 16 \mathrm{in} \times 10-3 / 4 \mathrm{in}(26.8 \mathrm{~cm} \times 27.3 \mathrm{~cm})$ ．Freeze with ease！Publix Freezer Bags feature a double－ track closure that makes them a cinch to open and close．Peeled bananas．Blanched vegetables．Meatballs． Brownies．Blueberries．Ice cubes of pesto，soup stock，or tomato paste for recipes．Cubes of fruit juice for drinks．Soft－leaf herbs．Homemade muffins．Grapes（stems removed）．Pancakes（use wax paper to separate）， Cookie dough．Ground beef patties（individually wrapped in plastic）．Indi．．．Show More

Warning

Caution：As with any other household product，do not let small children use without supervision．To avoid danger of suffocation，keep all plastic bags away from babies，children，and pets．Do not use plastic bags in cribs，beds，strollers，or playpens．

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Exhibit M

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Product Description
sqft ( $24 \mathrm{ftt} \times 15$ in). Waterproof, greaseproof, and biodegradable. Can be used in-freezer, microwave oven, or conventional oven up to 400 degrees $F$. Line pans and cookie sheets with parchment paper for non-stick baking and easy cleanup. Works great in conventional or microwave ovens. Healthier cooking with no need to rease pans. A great non-stick surface for breads and candies. Line plates for cakes, desserts, or molded salads. publix.com. Publix Guarantee: Complete satisfaction. Product of... Show More

Warning

Cutting edge is sharp. Avoid contact. As with other consumer products, do not let children use without supervision. Never use in toaster oven, under broiler, or in halogen light ovens. Do not touch parchment paper to open flame or heating elements.

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