

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK EXAMINING DIVISION**

APPLICANT: Snap Inc.)
)
TRADEMARK: SNAP) Regina C. Hines
) Trademark Examining Attorney
SERIAL NO.: 87/982,529) Law Office 114
)
CLASSES: 42, 45)

RESPONSE TO OFFICE ACTION

Applicant Snap Inc. (“Snap”), by and through counsel, responds to the Office Action issued on August 14, 2020 (the “Office Action”).

I. INTRODUCTION

In the Office Action, the Examining Attorney contends the mark on the specimen submitted on December 9, 2019 (the “Specimen”) disagrees with the mark on the drawing because the Specimen displays the SNAP mark with the non-distinctive term “KIT”. The Examiner also contends that the Specimen does not demonstrate use of the mark in connection with the claimed services in Classes 42 and 45 because the Specimen does not show “how the applicant will render user authentication services to access online software applications” in Class 42, or “that the potential consumer is actually purchasing the ability to license intellectual property” as a Class 45 service. Finally, the Examiner contends that Snap’s mark does not function as a service mark as used on the Specimen because it does not show how the mark is used in connection with the applied-for services. For the reasons set forth below, Snap respectfully submits that the Specimen demonstrates use of the SNAP mark in connection with the applied-for services and shows the SNAP mark in use in connection with the applied-for services.

II. ARGUMENT

Snap respectfully disagrees with the Examiner's position that the trademark depicted on the Specimen does not support the applied-for SNAP mark because inclusion of the term KIT does not alter the SNAP mark's commercial impression and serves no source-identifying function. Snap further submits that the Specimen demonstrates use of SNAP in commerce in Classes 42 and 45 because it constitutes advertising of the applied-for mark *in connection with* the rendering of services. Applicants are not required to demonstrate *how* those services will be rendered for a specimen to be acceptable.

A. The Specimen Is Acceptable Because a Distinct Commercial Impression Attaches to SNAP *per se*.

The applied-for mark is SNAP and the Specimen shows SNAP alongside the non-distinctive term "kit" which refers to the variety of Snap's services. As the Specimen shows, "kit" is used in connection with other terms such as Bitmoji Kit, Login Kit, Creative Kit, Story Kit, and Ad Kit, all of which reinforces the lack of source-identifying significance of "kit" in this context. Rather, because SNAP is the dominant element that conveys the commercial impression, and because that commercial impression of the SNAP mark is not materially altered by the presence of the "kit" term, the mark as depicted in the Specimen agrees with that on the drawing and the Specimen should be accepted.

1. The SNAP Mark is Not Mutilated Because SNAP Conveys the Dominant Commercial Impression—Separate and Distinct from "Kit."

Although the Office Action does not explicitly state so, the Examiner's argument is essentially one of trademark mutilation: "When the representation on a drawing does not constitute a complete mark, it is sometimes referred to as 'mutilation' of the mark. This term indicates that essential and integral subject matter is missing from the drawing." TMEP

§ 807.12(d). Snap respectfully disagrees with the Examiner’s assertion because essential and integral subject matter is not missing from the drawing; instead, the mark on the drawing is a substantially exact representation of the mark as used on the Specimen albeit with an additional non-distinctive term, in accordance with 37 C.F.R. § 2.51(b) and TMEP § 807.12:

The question of whether an applicant has “mutilated” its trademark and attempted to register only a part is usually resolved by the “separate commercial impression test:” does the designation sought for registration create a commercial impression separate and apart from other material appearing with it?

3 MCCARTHY ON TRADEMARKS AND UNFAIR COMPETITION § 19:59 (4th ed. 2013) (hereinafter “MCCARTHY”). Moreover, “an applicant has some latitude in selecting the mark it wants to register. **The mere fact that two or more elements form a composite mark does not necessarily mean that those elements are inseparable for registration purposes.** An applicant may apply to register any element of a composite mark if that element presents, or will present, a separate and distinct commercial impression apart from any other matter with which the mark is or will be used on the specimen.” TMEP § 807.12(d) (emphasis added).

In re Miami University is instructive. 123 U.S.P.Q.2d 1075, 2017 WL 3485664 at *2 (T.T.A.B. 2017). In that case, the University of Miami sought registration of its mascot, Sebastian the Ibis, as shown on the left, with the specimen shown on the right:



The Trademark Examining Attorney refused registration on the ground that the University of Miami's specimen did not show use in commerce of the mark depicted in the drawing. *Id.* at *1. In reversing the Examining Attorney's refusal to register, the Trademark Trial & Appeal Board (the "Board") found that the design of the ibis created a "separate and distinct commercial impression" from letters and wording such as "U" and "MIAMI" as depicted on the specimens because "the overall display on the specimens creates the commercial impression of the [applied-for] personified ibis." *Id.* at *4. With respect to other graphical amendments, such as the absence of stripes on the ibis' sweater in the drawing depicted on the specimen, the Board concluded this to be a "minor alteration that does not create a new and different mark with a different commercial impression from the matter show in the specimens." *Id.*

In reaching this decision the Board reviewed other cases where the presence of additional wording in the specimen was held not to create a different commercial impression from the applied-for mark. *Id.* at *3. A few of these examples are below.

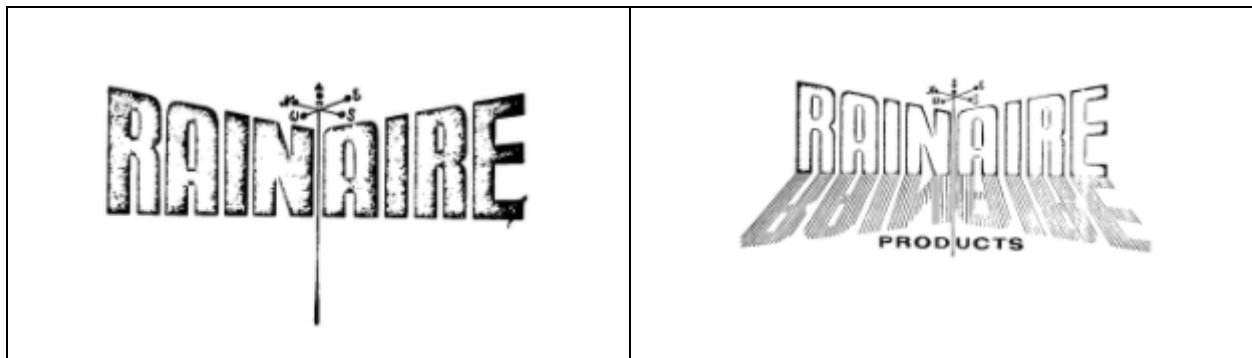


- Specimen showing supported registration of PSYCHO, *In re Big Pig Inc.*, 81 U.S.P.Q.2d 1436 (T.T.A.B. 2006) (holding word PSYCHO registrable apart from accompanying words and designs in specimen);



- Specimen showing supported registration of , *In re Sterno, Inc.*, 137 U.S.P.Q. 328 (T.T.A.B. 1963) (finding subject matter of application creates a commercial impression separate and apart from applicant’s word mark STERNO and other matter appearing on label in specimen).

In re Schecter Brothers Modular Corporation is also instructive. 182 U.S.P.Q. 694, 1974 WL 19961 (T.T.A.B. 1974). In that case, applicant Schecter Brothers sought to register the mark RAINAIRE as shown on the left, with the specimen shown on the right:



The Trademark Examining Attorney refused registration on the ground that separating “the shadow image of the word portion . . . creates a separate commercial impression than as actually used.” *Id.* at *1. The Board reversed the Examining Attorney’s refusal, explaining that “purchasers of the goods are not likely to repeat that word mark or be impressed thereby only if it is repeated in the shadow image form.” *Id.* The Board also explained that the applicant’s existing registration for RAINAIRE as a plain word mark was “indicative of what applicant basically considers its mark to be.” *Id.* Thus, the Board considered “what [was] sought to be

registered and the matter shown in the specimens [as] basically the same marks creating the same impressions.” *Id.*

Snap submits that it has not applied to register a “mutilated” version of its mark and that SNAP creates a commercial impression separate and apart from the “kit” term appearing with it on the Specimen. Snap uses and has registered SNAP alone as its house mark, as well as in connection with SNAP-formative marks for a variety of its offerings. Representative examples of Snap’s family of SNAP marks include without limitation: SNAP ORIGINALS subject of US Reg. No. 5,773,967; SNAP CHANNEL subject of US Serial No. 4,967,313; SNAP PUBLISHER subject of US Reg. No. 5,578,626. True and correct copies of the registration certificates for the forgoing registrations are attached hereto as **Exhibit A**.

Snap has extensively promoted and distributed its mobile application and related goods and services in connection with its SNAP mark. In support of these offerings, Snap has registered its SNAP house mark for a variety of goods and services including without limitation in Classes 9, 38, 41, and 45. *See e.g.*, Reg. Nos. 4,345,533; 6,096,795; 5,771,270; and 4,111,564. True and correct copies of the registration certificates for the forgoing registrations are attached hereto as **Exhibit B**. As a result of Snap’s extensive use and promotion SNAP in connection with its various offerings, the SNAP house mark is understood by consumers as the singular source of SNAP-branded goods and services. Accordingly, the inclusion of a descriptive term—including “kit”—does not alter that commercial impression.

In *In re University*, the applied-for ibis design was held to itself convey a separate and distinct commercial impression such that other elements depicted in the eventual specimen, *e.g.*, U MIAMI and various design variations, because such “minor alteration[s]” did not vary the commercial impression. *See* 2017 WL 3485664 at *2. Here, the element to be registered—

SNAP—creates a separate and distinct commercial impression such that the term “kit”, particularly as used in the context of the Specimen, does not alter the commercial impression.

Thus, the Specimen supports registration of SNAP.

Indeed, Snap’s *multiple* existing registrations and use of SNAP as its company name and house mark demonstrate what Snap “considers its mark to be”. Because Snap has latitude to select the mark it wants to register, this SNAP *per se* filing is yet another instance of Snap taking active steps, i.e., applying to register, its house mark. This was also the case in *In re Schechter Brothers*, where registration of RAINAIRE was found appropriate despite inclusion of PRODUCTS and a shadow design depicted in the specimen. *See* 1974 WL 19961.

Because inclusion of the non-distinctive term “kit” does not result in mutilation of the SNAP mark, the Specimen should be accepted and the application approved for publication.

2. The Specimen Should Be Accepted Because Use of the Mark Alongside Non-distinctive Matter Shows Use of the Mark in Commerce.

Both the Board and courts routinely reject arguments that a trademark owner’s use of its mark alongside non-distinctive matter prevents accrual of trademark rights because such use can show use of the mark in commerce. For example, in the *Plus Prods. v. Pharmavite Pharm. Corp.* opposition, the Board rejected an abandonment counterclaim where the word “PLUS” in the marks PROTEIN PLUS and YEAST PLUS was both “the dominant part of opposer’s trade name” and “the basic common element of opposer’s trademarks, either . . . by itself or in combination with other terms to form marks such as ‘PROTEIN PLUS’ and ‘YEAST PLUS.’” 221 U.S.P.Q. 256, 259 (T.T.A.B. 1984). In *Plus Products*, goods “sold under the ‘PLUS’ trademark [had] been extensively promoted and advertised,” *id.*, with PLUS continuously used and registered as a trademark—without inclusion of the non-dominant “PROTEIN” and “YEAST” terms. In rejecting the abandonment counterclaim, the Board held that because PLUS

was the dominant part of the mark and the basic common element in the marks at issue, the counterclaimant's use of PLUS would lead consumers to view even the PLUS-formative marks as emanating from the same source. *Id.*

In re Raychem Corp. informs a similar conclusion. 12 U.S.P.Q.2d 1399, 1399-1400 (T.T.A.B. 1989). In *Racyhem*, the Board held that a specimen depicting TR06AI-TINEL-LOCK-RING 07/22/87 supported registration of TINEL-LOCK because the alpha-numeric part number and "generic designation" of "Ring" were "not essential to the commercial impression of 'TINEL-LOCK' as a trademark . . . and play[ed] no integral role in forming the portion of applicant's mark which distinguishes applicant's goods from those of others." *Id.* Therefore, it was acceptable for the applicant to leave those numbers off the drawing of mark, because consumers would look to the dominant TINEL-LOCK term as the source identifier. *Id.* The same is true here, where the Specimen shows a number of "kits" including a SNAP kit.

Furthermore, both the Board and federal courts have routinely held that where a term is purely descriptive, it adds little to the commercial impression because descriptive matter by default does not act as a source identifier—functionally rendering a mark *with* the descriptive term a legal equivalent of a mark *without* the descriptive term. In *Am. Security Bank v. Am. Security & Trust Co.*, 571 F.2d 564, 567 (C.C.P.A. 1978), the marks AMERICAN SECURITY and AMERICAN SECURITY BANK (disclaiming "BANK") were held as legal equivalents because "the word "bank" is purely descriptive and adds nothing to the origin-indicating significance of the source-indicating term. *Id.* The court also reasoned that "the fact that both are used for banking services" weighed in favor of finding the marks AMERICAN SECURITY and AMERICAN SECURITY BANK legal equivalents, *id.* at 556, and that [c]ustomers using the services would know they were dealing with a bank" upon seeing AMERICAN SECURITY

without BANK appended, in part because consumers were familiar with banking services being offered under the AMERICAN SECURITY mark. *Id.* at 557.

In short, descriptive terms lack origin-indicating significance. *See Am. Sec. Bank v. Am. Sec. Trust & Co.*, 571 F.2d at 567. Because “kit” is descriptive, it renders SNAP KIT the legal equivalent for SNAP—as held in *American Security Bank*, where AMERICAN SECURITY was deemed the legal equivalent of AMERICAN SECURITY BANK. *See id.* There, consumers were familiar with the banking services offered by American Security, regardless of the term BANK. *Id.* Here, consumers associate SNAP-branded offerings with SNAP, with or without descriptive matter. Indeed, consumers that encounter SNAP as used on the Specimen are likely to associate the offerings with Snap because they are seeking out Snap’s authentication and intellectual property licensing services for utilization in their own applications, implying a certain degree of sophistication and trust in the SNAP brand.

Likewise in *Nat’l Bakers Service, Inc. v. Hain Pure Food Co.*, the Board found that HOLLYWOOD and HOLLYWOOD HEALTH FOODS were legal equivalents because purchasers “would perceive both marks as HOLLYWOOD and would not be deterred from this perception by the descriptive words ‘health foods.’” 207 U.S.P.Q. 701, 707 (T.T.A.B. 1980). The Board took into consideration whether inclusion of the descriptive term “alters to any substantial degree the nature and character of the dominant portion” of the mark, namely HOLLYWOOD. *Id.* Because it did not, the terms were legal equivalents that point to the same source.

Here, SNAP is the foundational element of Snap’s trademarks, by itself and as the distinctive component of Snap’s family of marks, including marks such as SNAP ORIGINALS,

SNAP CHANNEL, SNAP PUBLISHER, and others. Snap’s composite marks do not impair its ample rights in the SNAP mark alone.

As in the cases described above, SNAP is the dominant common element of the use shown on the Specimen. *See Plus Prod.*, 221 U.S.P.Q. at 259. As in *Plus Products*, Snap uses its *dominant* stand-alone term in extensive promotion and advertisement,. *See Exhibit B; Plus Prod.*, 221 U.S.P.Q. at 259. As in *Raychem*, where the extraneous terms included in the specimen were “not essential to the commercial impression” of the core mark, “kit” is not essential to the commercial impression formed by SNAP. *Id.* Thus, leaving the non-distinctive term “kit” off the drawing is appropriate, because just like in *Raychem*, consumers will see the dominant SNAP term as the source identifier.

In sum, SNAP is the dominant term as shown on the Specimen. It creates a commercial impression separate and apart from the non-distinctive term “kit”—which does not have source-identifying significance. Thus, SNAP forms the relevant commercial impression, and the Specimen should be accepted and the Application approved for publication.

B. The Specimen Demonstrates Use of the Mark in Connection with Claimed Services Because it Shows Use in Connection with Class 42 Authentication Services and Class 45 Intellectual Property Licensing.

Snap respectfully disagrees that the “the specimen does not show the applied-for mark as actually used in commerce” because it does not show “authentication services for computer software applications” in Class 42 or “licensing of intellectual property as a service to others” in Class 45.

Instead, the Specimen shows offerings that allow consumers to access authentication services for their apps, including the “Login Kit” feature. *See Specimen at 1, 2, 5, & 6; Exhibit C* (<https://kit.snapchat.com/login-kit>) (accessed February 15, 2021) (“secure and temporary

login” feature available through the Login Kit feature within SNAP KIT). It also demonstrates how Snap is offering intellectual property licensing services for others by providing app components for consumers to add to their own apps. Consumers can use these authentication and licensing components to “add [users’] favorite features to [their] app” and “build [their] business”—thereby providing limited licenses to incorporate user-created avatars, graphical icons, symbols, fanciful designs, comic phrases, and graphical depictions of people, places, and things into those consumers’ own offerings. *See* Specimen at 1, 5. These elements constitute intellectual property that Snap makes available to and licenses to Snap’s consumers. *See Exhibit D* (<https://kit.snapchat.com/ad-kit>) (*accessed February 15, 2021*) (Ad Kit allows developers to offer advertising services to third parties, which will in turn utilize the developers’ intellectual property).

Thus, because the Specimen shows use of Snap’s authentication and intellectual property licensing offerings under SNAP, it should be accepted and the application approved for publication.

C. The SNAP Mark Functions as a Service Mark Because it Advertises Snap as the Source of Claimed Services.

The Examiner also states the mark, as used on the Specimen “does not function as a service mark” because it does not show how SNAP “will be used in connection with the services identified in the application” nor does it “indicate the source of the applicant’s services.”

Specimen for service marks must show a “direct association between the mark and the service.” TMEP § 1301.02. The mark as displayed on the specimen “must be used in a way that makes a commercial impression separate and apart from the other elements of the advertising matter or other material upon which it is used, such that the designation will be recognized by

prospective purchasers as a source identifier.” *In re C.R. Anthony Co.*, 3 U.S.P.Q.2d 1894 (TTAB 1987); *see* TMEP § 1301.02.

As discussed in Section B, above, the Specimen shows use of SNAP in connection with authentication services for computer software applications in Class 42 and licensing of intellectual property as a service for others in Class 45. SNAP is featured in the stand-alone element on the Specimen header, in the primary title displayed on the Specimen (“SNAP KIT: DEVELOPER TOOLS FOR SNAPCHAT”), and in the text included on the Specimen, where it is discussed as the overall offering (“With Snap Kit, you can add their favorite features to your app, . . .”). *See* Specimen at 1, 5. Furthermore, as discussed in Section A above, the Specimen shows use of SNAP as a source identifier, with “kit” being descriptive and therefore not adding to the origin-indicating significance of the mark, leaving SNAP as the source indicator.

Thus, because the Specimen shows SNAP as a service mark for the applied-for coverage, it should be accepted and the application approved for publication.

III. CONCLUSION

As described herein, inclusion of the non-distinctive term “kit” (disclaimed in Snap’s filing for SNAP KIT) does not alter the mark’s commercial impression, with SNAP forming the dominant impression. Furthermore, the Specimen does indeed show use of SNAP in commerce in Classes 42 and 45; and SNAP functions as a service mark. Based on the foregoing, the Specimen should be accepted and the application approved for publication.

EXHIBIT A

United States of America

United States Patent and Trademark Office

SNAP ORIGINALS

Reg. No. 5,773,967

Registered Jun. 11, 2019

Int. Cl.: 9, 41

Service Mark

Trademark

Principal Register

Snap Inc. (DELAWARE CORPORATION)
2772 Donald Douglas Loop North
Santa Monica, CALIFORNIA 90405

CLASS 9: Software for streaming audiovisual and multimedia content via the internet

FIRST USE 10-10-2018; IN COMMERCE 10-10-2018

CLASS 41: Entertainment services in the nature of ongoing television series in the fields of comedy, crime, documentary, drama, horror, mystery, news, and romance; entertainment services in the nature of development, creation, production, distribution, and post-production of television shows and multimedia entertainment content; production and distribution of television shows; providing online non-downloadable video clips and other multimedia digital content in the nature of television episodes, shorts, graphics, and images containing audio, video, artwork, and/or text from or related to an ongoing television series; providing non-downloadable television shows via a video-on-demand transmission service

FIRST USE 10-10-2018; IN COMMERCE 10-10-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "ORIGINALS"

SER. NO. 88-150,480, FILED 10-10-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

SNAP CHANNEL

Reg. No. 4,967,313

SNAPCHAT, INC. (DELAWARE CORPORATION)
63 MARKET STREET
VENICE, CA 90291

Registered May 31, 2016

Int. Cls.: 9, 38, 41 and 42

FOR: COMPUTER SOFTWARE FOR THE COLLECTION, EDITING, ORGANIZING, MODIFYING, TRANSMISSION, STORAGE AND SHARING OF DATA AND INFORMATION; COMPUTER SOFTWARE FOR STREAMING AUDIO-VISUAL MEDIA CONTENT VIA A GLOBAL COMPUTER NETWORK AND TO MOBILE AND DIGITAL ELECTRONIC DEVICES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FIRST USE 1-27-2015; IN COMMERCE 1-27-2015.

FOR: TELECOMMUNICATION SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF DATA, MESSAGES, GRAPHICS, IMAGES AND INFORMATION; PROVIDING ACCESS TO COMPUTER, ELECTRONIC AND ONLINE DATABASES; BROADCASTING SERVICES OVER COMPUTER OR OTHER COMMUNICATION NETWORKS, NAMELY, UPLOADING, POSTING, DISPLAYING, TAGGING AND ELECTRONICALLY TRANSMITTING DATA, INFORMATION, MESSAGES, GRAPHICS AND IMAGES, WHERE THE AFORESAID CONTENT HAS BEEN UPLOADED, POSTED AND TAGGED BY OTHERS; TELECOMMUNICATION SERVICES, NAMELY, ELECTRONIC TRANSMISSION OF DATA, PHOTOS, MUSIC AND VIDEOS; BROADCASTING AND STREAMING OF AUDIO-VISUAL MEDIA CONTENT; TRANSMISSION OF DOWNLOADABLE AUDIO-VISUAL MEDIA CONTENT, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 1-27-2015; IN COMMERCE 1-27-2015.

FOR: PROVIDING ONLINE AUDIO-VISUAL ENTERTAINMENT INFORMATION VIA A GLOBAL COMPUTER NETWORK IN THE FIELDS OF MOTION PICTURES, TELEVISION PROGRAMMING, VIDEOS, MUSIC VIDEOS AND MUSIC; PROVIDING INFORMATION VIA A GLOBAL COMPUTER NETWORK IN THE FIELD OF ENTERTAINMENT; CREATION, DEVELOPMENT, PRODUCTION AND DISTRIBUTION OF ENTERTAINMENT CONTENT, NAMELY, MULTIMEDIA CONTENT, ANIMATIONS, VIDEO FOOTAGE, TEXT, STILL IMAGES, VIDEOS, AND ONGOING SERIES FEATURING COMEDY, DRAMA, MUSICAL ENTERTAINMENT, SPORTS, HEALTH AND WELLNESS, AND NEWS BROADCASTS ONLINE OR DISTRIBUTED TO MOBILE ELECTRONIC DEVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).



Michelle K. Lee
Director of the United States
Patent and Trademark Office

Reg. No. 4,967,313 FIRST USE 1-27-2015; IN COMMERCE 1-27-2015.

FOR: HOSTING OF DIGITAL CONTENT ON THE INTERNET; HOSTING ONLINE WEB FACILITIES FOR OTHERS FOR MANAGING AND SHARING ONLINE CONTENT; APPLICATION SERVICE PROVIDER (ASP) SERVICES, NAMELY, HOSTING COMPUTER SOFTWARE APPLICATIONS OF OTHERS; APPLICATION SERVICE PROVIDER (ASP) FEATURING SOFTWARE TO ENABLE OR FACILITATE THE UPLOADING, DOWNLOADING, STREAMING, POSTING, DISPLAYING, LINKING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION OVER COMMUNICATION NETWORKS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 1-27-2015; IN COMMERCE 1-27-2015.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHANNEL", APART FROM THE MARK AS SHOWN.

SER. NO. 86-559,807, FILED 3-10-2015.

ELIZABETH KAJUBI, EXAMINING ATTORNEY

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

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You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

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United States of America

United States Patent and Trademark Office

SNAP PUBLISHER

Reg. No. 5,578,626

Registered Oct. 09, 2018

Int. Cl.: 42

Service Mark

Principal Register

Snap Inc. (DELAWARE CORPORATION)
63 Market Street
Venice, CALIFORNIA 90291

CLASS 42: Providing temporary use of a non-downloadable web-based software application for use in designing advertising, marketing, and promotional content and materials

FIRST USE 7-17-2017; IN COMMERCE 7-17-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "PUBLISHER"

SER. NO. 87-693,210, FILED 11-21-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office

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Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT B

United States of America
United States Patent and Trademark Office

Snap

Reg. No. 4,345,533

Registered June 4, 2013

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

HIPSTAMATIC, LLC (CALIFORNIA LIMITED LIABILITY COMPANY), FORMERLY
SYNTHETIC, LLC
74 LANGTON STREET
SAN FRANCISCO, CA 94103

FOR: COMPUTER APPLICATION SOFTWARE FOR SMARTPHONES, CELL PHONES, PDA
DEVICES, AND TABLET COMPUTERS, NAMELY, SOFTWARE FOR ACCESSING, VIEWING,
INTERACTING WITH AND DOWNLOADING CONTENT FROM ELECTRONIC MAGAZINES
AND WEBSITES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 5-29-2012; IN COMMERCE 5-31-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-639,822, FILED 5-31-2012.

BILL DAWE, EXAMINING ATTORNEY



Sean Street Lee

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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United States of America

United States Patent and Trademark Office

SNAP

Reg. No. 6,096,795

Registered Jul. 07, 2020

Int. Cl.: 38

Service Mark

Principal Register

Snap Inc. (DELAWARE CORPORATION)
2772 Donald Douglas Loop North
Santa Monica, CALIFORNIA 90405

CLASS 38: Telecommunications services, namely, electronic transmission of photos, videos, music, audio, graphics, animations, images, artwork, multimedia content, data and information in the field of entertainment; providing access to computer, electronic and online databases; broadcasting services over the internet and other communication networks, namely, uploading, posting, displaying, tagging, and electronically transmitting photos, videos, graphics, animations, multimedia content, images and data; streaming, broadcasting, webcasting and transmitting audio, video, graphics, photos, and audio-visual media content over the internet or other communication networks; providing electronic bulletin boards for the transmission of messages among users concerning user-defined content; providing electronic bulletin boards for the transmission of messages in the field of general interest

FIRST USE 6-21-2017; IN COMMERCE 6-21-2017

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-673,615, FILED 11-06-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

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- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

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United States of America

United States Patent and Trademark Office

SNAP

Reg. No. 5,771,270

Registered Jun. 04, 2019

Int. Cl.: 41

Service Mark

Principal Register

Snap Inc. (DELAWARE CORPORATION)
2772 Donald Douglas Loop North
Santa Monica, CALIFORNIA 90405

CLASS 41: Creation, development, production and distribution of entertainment media content, namely, multimedia content featuring photographs, videos, artwork, text, graphics, images, and news; film and video production; multimedia entertainment services in the nature of recording, production, post-production and distribution services in the fields of television, film and multimedia entertainment

FIRST USE 10-10-2018; IN COMMERCE 10-10-2018

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 87-980,668, FILED 11-06-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

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United States of America

United States Patent and Trademark Office

SNAP

Reg. No. 4,111,564

SNAP INC. (DELAWARE CORPORATION)
63 MARKET STREET
VENICE, CA 90291

Registered Mar. 13, 2012

Amended Sep. 05, 2017

CLASS 45: On-line social networking services

Int. Cl.: 45

FIRST USE 12-17-2007; IN COMMERCE 12-17-2007

Service Mark

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

Principal Register

SER. NO. 85-368,311, FILED 07-11-2011



Joseph Matol

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

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Requirements in Successive Ten-Year Periods*

What and When to File:

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Grace Period Filings*

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EXHIBIT C

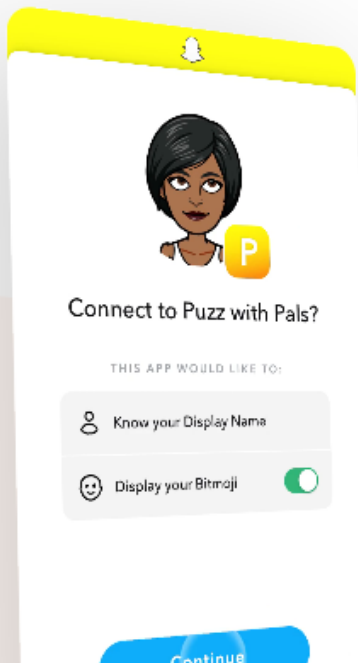


Login Kit

Identity Made Easy

Integrate in fun new ways — both in your app and ours — or as a secure and temporary login. [Explore Docs](#) ›

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Identity

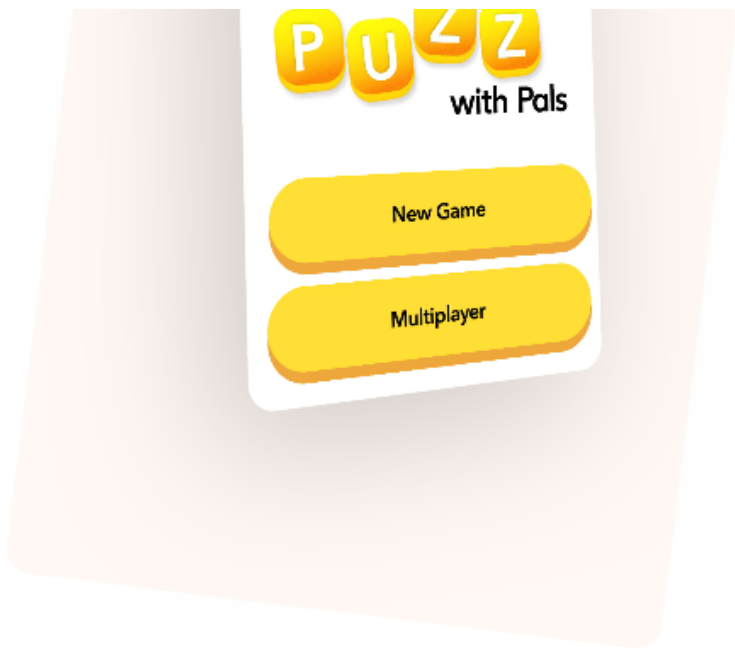
Make Logging in a Snap

Let your community use their Snapchat account as a quick way to sign up and log in. Your users can even bring their Bitmoji to your app or website!

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Scan to Log In NEW

Whether your presence is on desktop, console, or other



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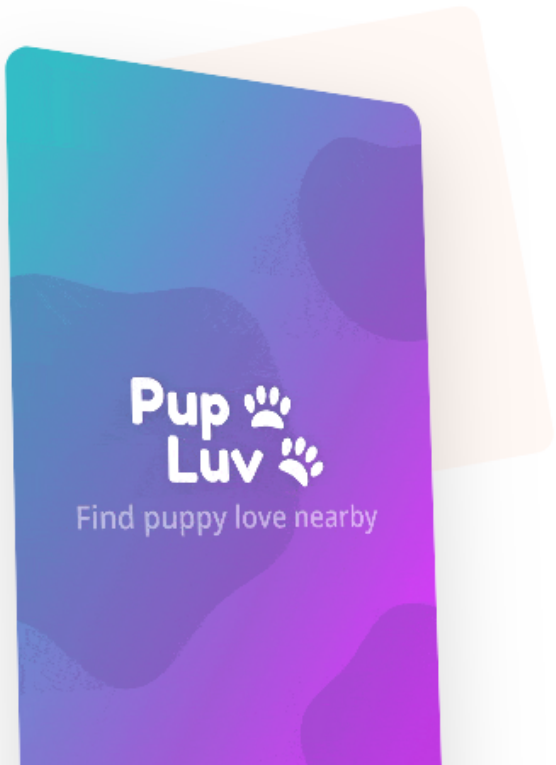
Scan to Log In NEW

Whether your presence is on desktop, console, or other platforms, make logging in easy via Snapcodes.

[Explore Docs >](#)

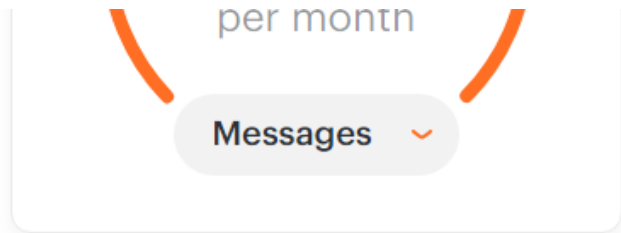
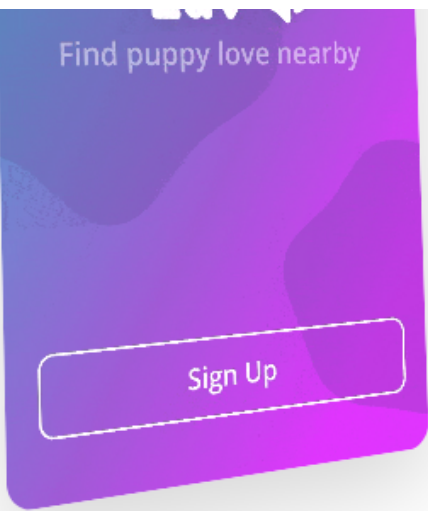
Verify With Snapchat Never Pay for SMS Verifications Again

Leave the phone verifying (and associated costs!) to us. If one of your users authenticated their phone with Snapchat within the past year, we'll verify them for you. [Explore Docs >](#)



\$0
per month
Messages

Always Free for You



Always Free for You
Whether you want to verify a few hundred SMS messages or a few billion, Verify with Snapchat is free to use.

Frequently Asked Questions

Why should I use Login Kit?

Which data is being shared between Snapchat and my app?

How does Verify with Snapchat work?

Can I use Login Kit together with other login solutions?

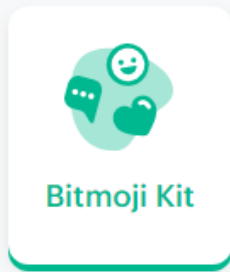
Explore Even More Possibilities With Snap Kit

Snap Kit lets developers like you integrate some of Snapchat's best features across your platform.

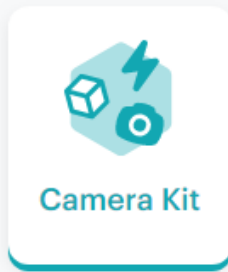




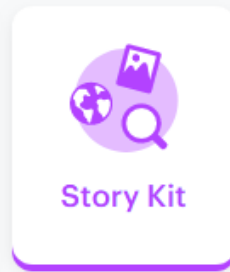
Creative Kit



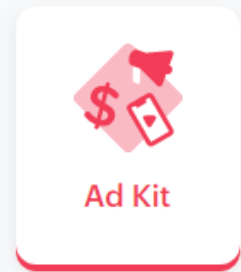
Bitmoji Kit



Camera Kit



Story Kit



Ad Kit

Put Your App in Front of Millions of Snapchatters

Choose a Snap Kit, and start reaching a community that keeps in touch with their friends every day!

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Build the Future of Snap Kit

Join us in building incredible new product experiences using Snapchat's most-innovative technology.

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Join us in building incredible new product experiences using Snapchat's most-innovative technology.

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English



EXHIBIT D



Ad Kit

Monetizing Your App Made Easy

Bring a ready-made advertising solution — and
advertisers — right to your app.

[Request Access →](#)

Snap Audience Network Ads That Make an Impression

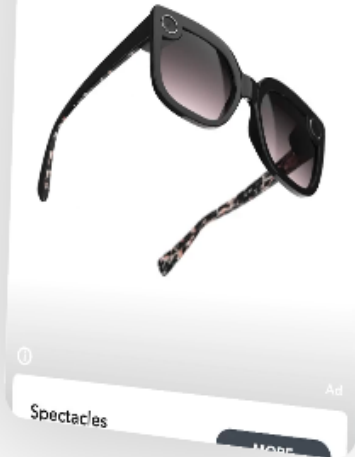
Earn revenue by integrating full screen, high-impact Snap Ads and other IAB formats, right into your platform — advertisers included. We'll focus on bringing a high-quality ad experience to your community, so you can focus on

You're the winner!



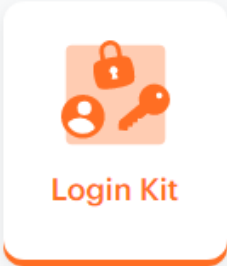
Jenn M.
232 points

Earn revenue by integrating full screen, high-impact Snap Ads and other IAB formats, right into your platform — advertisers included. We'll focus on bringing a high-quality ad experience to your community, so you can focus on building a great app!

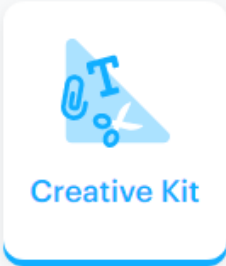


Explore Even More Possibilities With Snap Kit

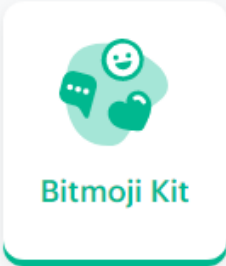
Snap Kit lets developers like you integrate some of Snapchat's best features across your platform.



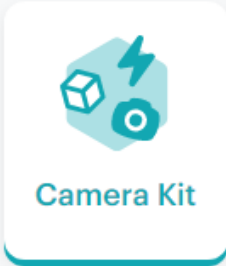
Login Kit



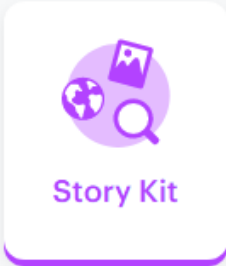
Creative Kit



Bitmoji Kit



Camera Kit



Story Kit

Put Your App in Front of Millions of Snapchatters

Choose a Snap Kit, and start reaching a community that keeps in touch with their friends every day!

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Put Your App in Front of Millions of Snapchatters

Choose a Snap Kit, and start reaching a community that keeps in touch with their friends every day!

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Build the Future of Snap Kit

Join us in building incredible new product experiences using Snapchat's most-innovative technology.

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Snap Kit

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English 