

September 18, 2018

Via Electronic Mail
Original to Follow

Ms. Amy Starr Myers
Chief Marketing Officer
Summer Classics
3140 Pelham Parkway
Pelham, AL 35124

RE: US Trademark Registration No. 5,559,146
WENDY JANE BY GABBY

Dear Amy:

I am pleased to enclose for your files the **original** trademark registration certificate for WENDY JANE BY GABBY which now bears Registration No. 5,559,7146. This mark has a registration date effective as of September 11, 2018. You should maintain this registration in a location of safe keeping as a title document.

Now that the mark is federally registered, Gabriella White, LLC should use one or all of the following official designations in connection with each use of the mark:

- 1) The symbol “®”
- 2) “Registered in the U.S. Patent and Trademark Office” or
- 3) “Reg. U.S. Pat. & TM Off.”

These designations serve as notice that the mark is protected by a federal registration, and will allow Gabriella White, LLC to recover profits and damages should Gabriella White, LLC have the occasion to bring legal action against an infringer of the mark.

The registration is for an initial period of ten (10) years, but will be canceled automatically by the U.S. Patent and Trademark Office unless Gabriella White, LLC. files an affidavit of continued use between the fifth and sixth anniversary of the registration date (September 11, 2023 to September 11, 2024). The registration must also be renewed every ten years from the registration date of September 11, 2018 (September 11, 2028). We will docket these dates on our docket, however we do not assume responsibility for notifying clients of deadlines so far in the future, so we recommend that the registrant calendar the deadlines as well. Failure to make these

required filings and pay the necessary fees will result in cancellation of the registration. Please note that if Gabriella White, LLC does not continue to use the mark, it risks losing these rights in the mark.

If any mark is sold or otherwise transferred, or if the business name, address, state of incorporation or ownership is changed, a formal record of this should be filed with the USPTO. Failure to file a proper transfer or to update information can have an adverse effect on the mark and its registration.

Rights to a trademark are ultimately protected through its continued use and diligent objection to the use of confusingly similar marks by third parties. In order to identify third party trademarks which may be confusingly similar to a client's mark, we often order a professional "watching" service to monitor all applications filed with the USPTO concerning the marks. The reason for monitoring potentially conflicting marks is that the USPTO does not always succeed in rejecting the registration of marks which are confusingly similar to registered marks. You should note, however, that the watching service is merely a supplement to, and not a substitute for, your own attention to the use of confusingly similar marks.

From time to time, you may receive correspondence and request for payment for certain organizations regarding payment for registration and/or maintenance of your trademarks. Your trademarks have been officially registered with the United States Patent and Trademark Office; please review such solicitations with caution. If you should receive any such notifications, please contact me.

Congratulations on the issuance of this registration. If you have any questions or concerns please let me know.

Sincerely,



Joseph S. Bird, III

JSB/jct

Enclosure

United States of America

United States Patent and Trademark Office

WENDY JANE BY GABBY

Reg. No. 5,559,146

Registered Sep. 11, 2018

Int. Cl.: 20

Trademark

Principal Register

Gabriella White, LLC (DELAWARE LIMITED LIABILITY COMPANY)
3140 Pelham Parkway
Pelham, ALABAMA 35124

CLASS 20: Throw pillows

FIRST USE 9-6-2017; IN COMMERCE 9-6-2017

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

The name(s), portrait(s), and/or signature(s) shown in the mark identifies WENDY JANE WHITE, whose consent(s) to register is made of record.

SER. NO. 87-601,680, FILED 09-08-2017



Andrei Iancu

Director of the United States
Patent and Trademark Office



Please note that U.S. Customs & Border Protection (CBP), a bureau of the Department of Homeland Security, maintains a trademark recordation system for marks registered at the United States Patent and Trademark Office. Parties who register their marks on the Principal Register may record these marks with CBP, to assist CBP in its efforts to prevent the importation of goods that infringe registered marks. The recordation database includes information regarding all recorded marks, including images of these marks. CBP officers monitor imports to prevent the importation of goods bearing infringing marks, and can access the recordation database at each of the 317 ports of entry.

In October 2005, CBP released the **Intellectual Property Rights e-Recordation (IPRR)** system. This new system allows right holders to electronically file IPR recordation applications, thus significantly reducing the amount of time normally required to process paper applications. Some additional benefits of the new system include:

- Elimination of paper applications and supporting documents.
- Copies of the certificate issued by the registering agency (U.S. Patent and Trademark Office or the Copyright Office) are retained by the right holder, not submitted to CBP.
- Payment by credit card (preferred), check or money order.
- Ability to upload images of the protected work or trademark, thus obviating the need to send samples to CBP.
- Reduced time from filing of the application to enforcement by field personnel.

Information about how to obtain a recordation, and about CBP's **Intellectual Property Rights** (<https://www.cbp.gov/trade/priority-issues/ipr/protection>) border enforcement program, is available at CBP's web site, www.cbp.gov. Or, go directly to the **CBP recordation page**.