

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

In Re the Application of:)
)
Applicant: Facebook, Inc.)
)
Mark: FACEBOOK)
)
Serial No.: 78920322)
)
International Class: 35,38,41,42,45)
)
)
_____)

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

DECLARATION IN SUPPORT OF SUBSTITUTE SPECIMEN [37 C.F.R. § 2.20]

I, Richard Nessary, Associate General Counsel of Facebook, Inc. (“Applicant”), declare as follows:

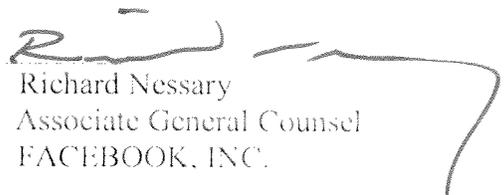
The substitute specimen submitted in response to the Office Action dated September 23, 2010 and attached hereto is currently in use and was in use in commerce prior to the expiration of the deadline for filing the Statement of Use. The specimen is a page from Applicant’s website which reflects use of Applicant’s mark in connection with the provision of on-line searchable databases in the field of collegiate life concerning college athletics.

DECLARATION

The undersigned, 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 he is properly authorized to execute this Declaration on behalf of the applicant, he believes the applicant to be the owner of the mark sought to be registered, and all statements made on his own knowledge are true and all statements made on information and belief are believed to be true.

Date: 9.24.2010

By: 
Name: Richard Nessary
Title: Associate General Counsel
FACEBOOK, INC.