

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: General Atomics Aeronautical Systems, Inc.

Filed: August 25, 2011

Mark: THREE-DIMENSIONAL CONFIGURATION
OF THE PREDATOR® UNMANNED
AERIAL VEHICLE

Ser. No.: 85407213

Our Ref.: 202102-396618

Cimmerian Coleman
Examining Attorney
Law Office 102

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

DECLARATION UNDER 37 C.F.R. SECTIONS 2.20 AND 2.41(a)

The below-signed declares as follows:

1. I am a Vice President of Applicant, General Atomics Aeronautical Systems, Inc., and am authorized to make this Declaration on behalf of the Applicant. Applicant has used the applied-for mark continuously and exclusively in the United States in commerce since at least as early as July 3, 1994.
2. Applicant has spent approximately \$500,000-\$900,000 per year for the last ten years on advertising the PREDATOR® series of unmanned aerial vehicles and systems (commonly referred to as "UAV" or "UAS").
3. Applicant's products, including PREDATOR® UAVs, are not commodities which are marketed to the general public.
4. Applicant's products are sold to government agencies, such as the Department of Defense and the Department of Homeland Security.
5. Marketing activities for PREDATOR® UAVs typically consist of presentations to a discrete group of sophisticated purchasers, such as United States government agencies, governmental authorities, and government officials (both civilian and military) who authorize defense purchases or homeland security purchases.
6. Applicant's advertising and promotional materials are typically distributed at military shows, air shows, and directly to government agencies and Members of Congress and their staff during the defense acquisition process.

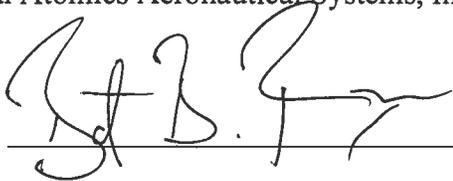
7. Applicant provides display models of the PREDATOR® UAV for display at museums, military facilities, government agencies, air shows and conferences.
8. The applied-for mark has acquired distinctiveness through Applicant's significant advertising efforts during its approximately eighteen (18) years of continuous and exclusive use of the mark.

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.

Dated: June 19, 2012

General Atomics Aeronautical Systems, Inc.

By:



Barton B. Roper, Vice President