

# **EXHIBIT 6**

Exhibit 1

2-1

16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF	)	
CLM DESIGN, INC. (d/b/a	)	Janice O'Lear
Son International)	)	Trademark Attorney
FOR: ROUND BEACH TOWEL	)	Law Office V
DESIGN	)	

*Handwritten:* Filed 5-16-08

DECLARATION

1. I am the Vice President and Secretary of the applicant, CLM Design, Inc., and have been intimately involved in the design, production, promotion, sales, and financing of the round beach towel since its inception in August of 1985.
  
2. As a result of my involvement with CLM Design, Inc. and as part of my duties as Vice President, I am familiar with the entire beach towel industry including the products of competitors, the distribution channels of competitors, the general sales efforts of competitors, and the purchasing habits and tendencies of potential customers.

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3. CLM Design adopted a beach towel having a round shape so that the original, distinctive and peculiar appearance of its beach towel would distinguish it from the beach towels of others and identify the beach towel as coming from a single source, namely Son International.
4. The round beach towel has been, and is, the only product marketed by CLM Design, Inc. and all of the company's time, energy, and resources have been devoted to successfully marketing the round beach towel. All of CLM Design, Inc.'s business is conducted under the assumed name of Son International, except with respect to certain administrative matters (e.g. taxes and governmental filings).
5. The round shape of the CLM Design, Inc. beach towel is distinctive compared to all other beach towels and the round shape distinguishes the CLM Design product from other brands of beach towels.
6. The round towel design identifies the CLM Design, Inc. towel from distances at which the normal person would be unable to read a label or name appearing on the towel. This is an important factor because beach towels are frequently displayed in point of sale promotions which are placed at some distance away from the potential customer.

7. CLM Design, Inc.'s use of the round beach towel mark has been substantially exclusive and continuous since the inception of the product.
8. CLM Design, Inc. has emphasized the round shape of its towels in all of the sales activities and promotional materials. CLM Design identifies the round shape of the beach towel as a trademark of Son International.
9. Sales of CLM Design, Inc.'s round beach towel have been made throughout the United States. The round beach towel has been sold in approximately 155 retail stores (many of which have multiple store locations, such as Bloomingdale's, Jordan Marsh, Burdines, and Woodward & Lothrop) in at least 32 states, Puerto Rico, the U.S. Virgin Islands and the District of Columbia.
10. The shape of the round beach towel of CLM Design, Inc. has acquired the ability to indicate the source or origin of the product and has developed substantial goodwill due in part to extensive publicity. For example, the following television shows, all of which are broadcast nation-wide, featured the round beach towel:

The Tonight Show starring Johnny Carson  
The Oprah Winfrey Show  
The Sally Jesse Raphael Show  
Entertainment Tonight  
Good Morning America  
MTV

These shows noted that the shape of the round beach towel is unique and distinctive, and identified the source of the product as being Son International.

11. Newspapers have published articles on the round beach towel. These newspapers are distributed across the country, and include, but are not limited to, the following:


Los Angeles Times	Chicago Sun-Times
New York Daily News	Newsday (NY)
Providence Journal (RI)	Tampa Tribune
Los Angeles Daily News	USA Today

These articles noted that the round shape of the beach towel is unique. The articles identified the source of the round beach towel as Son International.

12. CLM Design, Inc. has sponsored many events throughout the nation, including the Professional Surfing Association of America's 12-event tour for 1987, and spring break events at Fort Lauderdale and Daytona Beach, such as the National Collegiate Athletic Association Intramural Sports Championships and "The MTV Live From Spring Break Weekend." At such events, CLM Design has prominently displayed its round beach towel. Such prominent display has increased the public awareness of the round shape of the beach towel as being a trademark of Son International.

13. The round beach towel is recognized as indicating the source or origin of the product as Son International. Son International is known to retailers and purchasers as "the company that makes the round beach towel."
14. All statements made herein of my knowledge are true, and all statements made on information and belief are believed to be true. The statements contained herein have been made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Date: September 17, 1987

  
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Glen E. Grunwald  
Vice President & Secretary  
for CLM Design, Inc.