

703000000473

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

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WAIT

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MAIL

(Business Entity Name)

(Document Number)

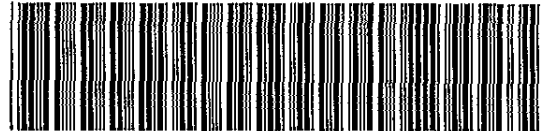
Certified Copies _____

Certificates of Status _____

Special Instructions to Filing Officer:

789/747/740/671
(37) Pest
Control

Office Use Only



600015441586

04/09/03--01071--003 **87.50

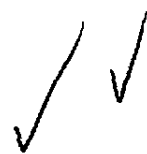
Middleton Pest
Control (37)



Must disclaim
"Pest Control"

Same as Fed

~~W03-10321~~



703-473

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
03 APR 24 AM 9:41



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

April 11, 2003

NANCY S. FREEMAN, ESQUIRE
P.O. BOX 880
WINTER PARK, FL 32790-0880

SUBJECT: MIDDLETON PEST CONTROL
Ref. Number: W03000010321

We have received your document for MIDDLETON PEST CONTROL and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

Class(es) (37) would appear applicable to your specific mark. Please delete the class(es) you have on line 2 (d) and insert the pertinent class(es) (37).

Your mark contains word(s)/design(s) that must have a disclaimer. All geographical terms, such as cities, states, countries, and designs of same, must be disclaimed. Some commonly used words and corporate suffixes must also be disclaimed. You must disclaim the following term(s) by completing the disclaimer statement found in #2 of Part III of the application: PEST CONTROL

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6918.

Nanette Causseaux
Corporate Specialist Supervisor

Letter Number: 403A00021751

WINDERWEEDLE, HAINES,
WARD & WOODMAN, P.A.

ATTORNEYS AT LAW

MAIN TELEPHONE (407) 423-4246
WWW.WHWW.COM

Please Reply To:

Winter Park Office

SONIA THOMAS

E-mail: sthomas@whww.com

April 17, 2003

Division of Corporations
Nanette Causseaux
Corporate Specialist Supervisor
P.O. Box 6327
Tallahassee, FL 32314

Re: Middleton Pest Control

Dear Ms. Causseaux:

Enclosed please find a copy of your letter to our office dated April 11, 2003 regarding the "Middleton Pest Control" mark and the original Service Mark Application.

We have disclaimed "Pest Control" and have corrected the class of the mark as specified and are returning the application for proper filing.

If you should require anything further, please feel free to contact Nancy Freeman directly at 407-246-8411.

Sincerely,



Sonia Thomas
Legal Administrative Assistant

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
03 APR 24 AM 9:41

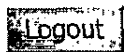


UNITED STATES PATENT AND TRADEMARK OFFICE



TESS was last updated on Fri Apr 11 04:08:18 EDT 2003

[PTO HOME](#) [TRADEMARK](#) [TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSER DICT](#) [BOTTOM](#) [HELP](#)



Please logout when you are done to release system resources allocated for you.

Record 1 out of 1**Check Status**

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



Since 1952

Middleton
PEST CONTROL, INC.

Inside. Outside. We treat you with care.

Word Mark MIDDLETON PEST CONTROL INC. INSIDE. OUTSIDE. WE TREAT YOU WITH CARE. SINCE 1952

Goods and Services IC 042. US 100 101. G & S: Lawn care, landscape gardening, namely, lawn fertilization, shrub fertilization, and tree fertilization. FIRST USE: 19980100. FIRST USE IN COMMERCE: 19980300

IC 037. US 100 103 106. G & S: Termite and pest control services, namely, inside pest control, lawn spray, shrub spray, tree spray, and the capture, relocation and exclusion of wild animals from structures, including opossums, raccoons, squirrels, rodents, snakes, pigeons, and wild boars. FIRST USE: 19980100. FIRST USE IN COMMERCE: 19980300

Mark (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Drawing Code

Design Search Code 011525 032108 032124

Serial Number 75520435

Filing Date July 13, 1998

Published for Opposition February 8, 2000

Registration Number 2346523

Registration

Date May 2, 2000
Owner (REGISTRANT) Middleton Pest Control, Inc. CORPORATION FLORIDA 6357
Edgewater Drive Orlando FLORIDA 32810
Attorney of Record NANCY S. FREEMAN
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE " SINCE 1952" and
"PEST CONTROL, INC." APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

[PTO HOME](#)[TRADEMARK](#)[TESS HOME](#)[NEW USER](#)[STRUCTURED](#)[FREE FORM](#)[BROWSE DICT](#)[TOP](#)[HELP](#)

APPLICATION FOR THE REGISTRATION OF A TRADEMARK OR SERVICE MARK

PURSUANT TO CHAPTER 495, FLORIDA STATUTES

TO: Division of Corporations
Post Office Box 6327
Tallahassee, FL 32314

Name & address to whom acknowledgment should be sent:

Nancy S. Freeman, Esq.

P.O. Box 880

Winter Park, FL 32790-0880

(407) 423-4246

Daytime Telephone number

PART I

1. (a) Applicant's name: Middleton Pest Control, Inc.

(b) Applicant's business address: 1900 33rd Street

Orlando, FL 32839-8856

City/State/Zip

(c) Applicant's telephone number: ()

☐ Individual

☒ Corporation

☐ Joint Venture

☐ Other:

☐ General Partnership

☐ Limited Partnership

☐ Union

If other than an individual,

(1) Florida registration number: 552357 (2) Domicile State: Florida

(3) Federal Employer Identification Number: 59-1792752

2. (a) If the mark to be registered is a service mark, the services in connection with which the mark is used:
(i.e., furniture moving services, diaper services, house painting services, etc.)

Pest control services, termite control services, lawn and shrub care

services, fertilizer service,

(b) If the mark to be registered is a trademark, the goods in connection with which the mark is used:
(i.e., ladies sportswear, cat food, barbecue grills, shoe laces, etc.)

(c) The mode or manner in which the mark is used: (i.e., labels, decals, newspaper advertisements, brochures, etc.)

advertisements, brochures

(Continued)

(d) The class(es) in which goods or services fall:

37

PART II

1. Date first used by the applicant, predecessor, or a related company (must include month, day and year):

(a) Date first used anywhere: November 23 1977 (b) Date first used in Florida: November 23 1977

PART III

1. The mark to be registered is: (If logo/design is included, please give brief written description which must be 25 words or less.)

MIDDLETON PEST CONTROL

English Translation _____

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM "PEST CONTROL"
"APART FROM THE MARK AS SHOWN."

I, Jill Klein, being sworn, depose and say that I am the owner and the applicant herein, or that I am authorized to sign on behalf of the owner and applicant herein, and no other person except a related company has the right to use such mark in Florida either in the identical form or in such near resemblance as to be likely to deceive or confuse or to be mistaken therefor. I make this affidavit and verification on my/the applicant's behalf. I further acknowledge that I have read the application and know the contents thereof and that the facts stated herein are true and correct

Middleton Pest Control, Inc.

Typed or printed name of applicant JILL KLEIN

Jill Klein Chief Financial Officer
Applicant's signature or authorized person's signature
(List name and title)

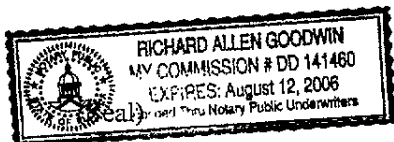
FILED
STATE
SECRETARY OF CORPORATIONS
DIVISION OF CORPORATIONS
03 APR 24 AM 9:41

STATE OF FLORIDA

COUNTY OF ORANGE

On this 25 day of MARCH, 2003, JILL KLEIN personally appeared before me,

☒ who is personally known to me ☐ whose identity I proved on the basis of _____



Richard Allen Goodwin
Notary Public Signature

RICHARD ALLEN GOODWIN
Notary's Printed Name

My Commission Expires: 8-12-2006

FEE: \$87.50 per class

MOSQUITO REDUCTION AND SUPPRESSING PROGRAM

MOSQUITO BIOLOGY AND HABITS

- The females have an elongated proboscis (mouth part), which is firm and is usually adapted for piercing and sucking blood, which is needed to start the reproductive cycle.
- There are four life stages: egg, larva, pupa, and adult. The female mosquito, (according to the species) may deposit her eggs on water, on the sides of containers where water will soon cover them, or on damp soil where they must undergo a maturing process before they can hatch when flooded by rainfall or high tides.
- Generally mosquitoes can be divided into three major breeding groups: permanent water breeders, floodwater breeders and artificial container/tree hole breeders. After the tiny eggs hatch, the larvae begin to feed on very small plant and animal particles, most larva breath air at the surface of the water they inhabit. In a short time they become pupa, which do not feed, (this is the resting stage of development and is brief). When the pupa is mature, it becomes an adult mosquito and flies away in search of a mate and in the case of the female a blood meal to start the reproductive cycle. The blood meal is taken from a preferred host, which is usually an animal.
- Most species are active and bite mainly in the early evening.
- Florida mosquitoes breed mainly in the spring and summer when the temperatures and rainfall are ideal for development.



MOSQUITOES AS A HEALTH CONCERN IN FLORIDA

- West Nile Virus, which is transmitted by mosquito's, to humans, birds and horses can cause encephalitis (i.e. inflammation of the brain) and, in the most severe cases, death. At this time there is no definitive treatment for West Nile Virus. Prevention via appropriate mosquito control measures is the key to keeping your family, horses & livestock virus free. While Middleton cannot guarantee the absence of mosquito borne illnesses, our mosquito management service does reduce the mosquito population.
- A chief medical concern in Florida at the present time is the possibility of an arthropod-born encephalitis epidemic. Viruses of Eastern Equine Encephalitis, Western Equine Encephalitis, and St. Louis Encephalitis have been found in mosquitoes in the state.
- Secondary infections may result from scratching mosquito bites. And there are people who are allergic to the bites.



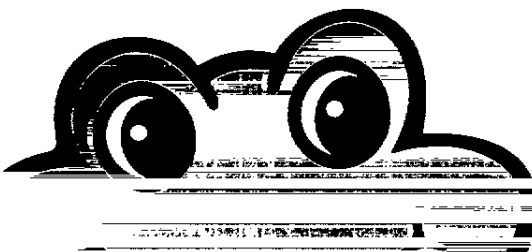
TREATMENT PROGRAM

- Step One:** Inspection of the property to identify mosquito-breeding sites. Consulting with the homeowner on proper methods of eliminating breeding sites. Treatment of breeding sites using a larvicide when necessary.
- Step Two:** Rapid reduction of adult population around the home. This will be accomplished by treating the lawn and shrubs with a contact adulticide monthly (April – September) to reduce the adult mosquito population on the property.
- Optional:** The use of a mechanical device (mosquito trap) can help to suppress the adult population between treatment applications. Middleton service is not dependent on these mechanical devices.

BENEFITS

- Reduction of mosquito population on the property.
- Identification and elimination of mosquito breeding sites on the property.
- A supplement to city and county mosquito control program to help enhance those control procedures.
- While there is no retreatment in between the monthly applications we do offer a satisfaction guarantee or your money back for your last mosquito treatment.

Middleton Lawn & Pest Control has been serving the residents of Florida since 1952. Our staff of over 300, including one of the nation's premier PhD Entomologists, serves over 50,000 customers.



Since 1952

Middleton®
LAWN & PEST CONTROL

Call 1-866-FLA-FROG or see our ad in the Yellow Pages
under Pest Control or visit our web site

WWW.MIDDLETONPEST.COM