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BURGESS, HARRELL, MANCUSO, OLSON & COLTON, P.A.

Attorneys at Law

James H. Burgess, Jr.* Donald J. Harrelloo R. Lynette Mancuso*** Paul E. Olson** John A. Colton Mara Levy La Porta *Board certified civil trial lawyer

*Also admitted in Pennsylvania

**Board certified real estate lawyer

*Certified circuit and family court mediator

June 9, 2004

Department of State Registration Section Division of Corporations Post Office Box 6327 Tallahassee, Florida 32314

Re:

Service Mark Application

Applicant: Siesta Bar/Grill, Inc.

Daiguiri Deck (with design of two dolphins swimming & jumping)

Dear Sir or Madam:

Enclosed please find the original and one copy of the Application for Registration of a Trademark or Service Mark, for the above-referenced applicant, along with three (3) specimens showing the mark in use.

Also enclosed is a check payable to the Florida Department of State in the amount set forth below for the following fees:

Service Mark Filing Fee

\$87,50

Please file the enclosed and return evidence of filing to me. Please return all correspondence and communications, and direct all questions or comments, to the undersigned.

Yours truly,

Donald J. Harrell

For the firm

enc(s)

cc: client w/enc(s)

File# 1321-003



FLORIDA DEPARTMENT OF STATE Glenda E. Hood Secretary of State

June 17, 2004

DONALD J. HARRELL, ESQUIRE BURGESS, HARRELL, ET AL. 1776 RINGLING BLVD. SARASOTA, FL 34236

SUBJECT: DAIQUIRI DECK AND DESIGN OF TWO DOLPHINS SWIMMING &

JUMPING IN WATER

Ref. Number: W04000023470

We have received your document for DAIQUIRI DECK AND DESIGN OF TWO DOLPHINS SWIMMING & JUMPING IN WATER and your check(s) totaling \$87.50. However, the document has not been filed and is being retained in this office for the following:

Although we received your application and check(s), no specimens were included. Section 495.031(5), F.S., requires every trademark and/or service mark application to be accompanied by three specimens (or examples). Please submit three specimens for each class of registration. (NOTE: Letterhead, stationery, envelopes, invoices and mailing labels are not accepted.)

We need three permanent specimens, which may be the same or different. TYPED, HANDWRITTEN or PHOTOCOPIED MATERIALS ARE NOT ACCEPTABLE. We do not accept specimens which have been ALTERED or DEFACED. ANY SIZE SPECIMENS ARE ACCEPTABLE. If your mark falls under the classification of a trademark (classes 1-34), we need the labels, tags, decals, containers, boxes, wrappers or 3 LEGIBLE photographs of the goods or products with the specimen affixed. IF YOUR MARK FALLS UNDER THE CLASSIFICATION OF A SERVICE MARK (CLASSES 35-42), WE NEED SPECIMENS FROM WHICH WE CAN DETERMINE THE SERVICE(S) BEING RENDERED. We will accept magazine and-or newspaper advertisements, brochures or business cards. If business cards are submitted, we must be able to determine the services being rendered. If your mark falls under the classification of both a trade and service mark, we need specimens for both. WE WILL NOT ACCEPT LETTERHEAD STATIONERY, ENVELOPES OR INVOICES AS SPECIMENS.

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

'APPLICATION FOR THE REGISTRATION OF A TRADEMARK OR SERVICE MARK PURSUANT TO CHAPTER 495, FLORIDA STATUTES

10.	Post Office Box 6327 Tallahassee, FL 32314			
			ess to whom acknowled	gment should be sent:
		Donald J.	Harrell, Esq.	<u>,</u>
		1776 Ringling Blvd. Sarasota, FL 34236		
		941	366-3700	
		PART I	phone number	
1 (a)) Applicant's name: SIESTA BAR/GRILL, II			
				
(b)) Applicant's business address: 5250 OCEA	N BLVD.		
	SARASOTA	FLORIDA	34242	
(c)	Applicant's telephone number: (941) 34	6-1664	City/State/Zip	
	Individual Corporation		Joint Venture	Other:
	General Partnership Limited Partners	hip / [Union	
If other	er than an individual,			
(1) Flo	lorida registration number: P93000006172		(2) Domicile State:	FLORIDA
(3) Fe	ederal Employer Identification Number: 65-0	389284		
2. (a)	If the mark to be registered is a service mark, (i.e., furniture moving services, diaper service	the services in	n connection with whiting services, etc.)	nich the mark is used:
Rest	staurant and bar services			
(b)) If the mark to be registered is a trademark, the (i.e., ladies sportswear, cat food, barbecue grill	s goods in cor ls, shoe laces,	nection with which i , etc.)	ne mark is used:
n/a				
-				
(c)	The mode or manner in which the mark is use	d:(i.e., labels,	decals, newspaper a	dvertisements, brochures, etc.)
busir	iness cards, brochures, newspaper advert	isements, n	nenus	
	((Continued)		

(d) The class(es) in which goods or services fa	il:				
(42) Miscellaneous					
•	PART II				
- " " -	r, or a related company (must include month, day a	and year):			
(a) Date first used anywhere: 1/20/93	(b) Date first used in Florida: 1/20/9	3			
The mark to be registered is: (If logo/design must be 25 words or less.) DAIQUIRI D	PART III a is included, please give brief written description of ECK (logo includes two dolphins swimming & jumping)	which g in water)			
English TranslationN/A					
2. DISCLAIMER (if applicable)					
NO CLAIM IS MADE TO THE EXCLUSIVE					
	" APART FROM THE MARK	AS SHOWN.			
the right to use such mark in Florida either in the identic be mistaken therefor. I make this affidavit and verifical application and know the contents thereof and that the fa		lated company has ve or confuse or to			
	RELL, as authorized representative	2 230			
	Typed or printed name of applicant				
	ignature or authorized person's signature				
ELORIDA	(List name and title)	-			
STATE OF		= ::			
COUNTY OF SARASOTA		5			
On this 8th day of June appeared before me,	, 2004 , DONALD J. HARRELL	personally			
who is personally known to me w	hose identity I proved on the basis of				
STACI A. WALSH MY COMMISSION # DD 281408 EXPIRES: February 21, 2008 Bonded Thru Notary Public Underwriters	Notary Fubile Signature	1			
Craig Bridges Bar Manager	00101100				
	Commission Expires: 02/21/08 87.50 per class				

Phone (941) 349-8697 Fax (941) 346-3170 Cell (941) 915-1574 gpetramale@aol.com

5254 Ocean Boulevard

DAIQUIRI DECK Siesta Key

867.30 per cias