

# To 700000/500

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(Requestor's Name)

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(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City/State/Zip/Phone #)

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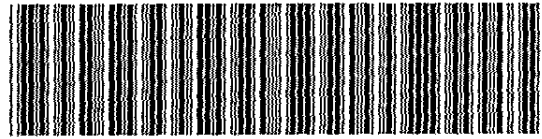
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107-49940

No First Bank  
2056592

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

07 OCT 26 AM 11:29

FILED

**COVER LETTER**

**TO:** Registration Section  
Division of Corporations

**SUBJECT:** FIRST BANK and Design  
(Mark to be registered)

The enclosed Trademark/Service Mark Application, specimens and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to the following:

William E. Noonan, Esq.  
(Name of Person)

William E. Noonan, Esq.  
(Firm/Company)

POB 07338  
(Address)

Fort Myers, FL 33919  
(City/State and Zip Code)

For further information concerning this matter, please call:

William E. Noonan, Esq. at ( 239 ) 481-0900  
(Name of Person) (Area Code & Daytime Telephone Number)

**MAILING ADDRESS:**  
Registration Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

**STREET/COURIER ADDRESS:**  
Registration Section  
Division of Corporations  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, FL 32301

**(NOTE:** The information contained in this cover letter will be included in the permanent record and will be available to the general public.)



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

October 9, 2007

WILLIAM E. NOONAN, ESQUIRE  
P.O. BOX 07338  
FT. MYERS, FL 33919

SUBJECT: FIRST BANK AND DESIGN OF THE WORDS "FIRST BANK"  
ITALICIZED TYPESTYLE WITH A STYLIZED NUMERAL "1" BETWEEN  
THOSE WORDS; UNDERLINING ATTACHED TO THE NUMERAL EXTENDS  
BENEATH THE WORDS  
Ref. Number: W07000049940

We have received your document for FIRST BANK AND DESIGN OF THE WORDS "FIRST BANK" ITALICIZED TYPESTYLE WITH A STYLIZED NUMERAL "1" BETWEEN THOSE WORDS; UNDERLINING ATTACHED TO THE NUMERAL EXTENDS BENEATH THE WORDS and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

We must deny registration pursuant to sections 495.021(1)(f) and 495.181, Florida Statutes. There is a federal registration on file with the U.S. Patent and Trademark Office for "FIRST BANK", Registration Number "2056592", for the same or similar name and class(es).

We will reconsider registration with a disclaimer for the term "FIRST BANK" as a whole.

Pursuant to s. 495.035(5), F.S., this application will be considered abandoned if the applicant fails to reply or resubmit the corrected/amended application within three months from date of this letter.

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

Nanette Causseaux  
Document Specialist Supervisor

Letter Number: 007A00059171

WILLIAM E. NOONAN  
ATTORNEY AT LAW  
8250 COLLEGE PARKWAY, SUITE 202  
POST OFFICE BOX 07338  
FORT MYERS, FLORIDA 33919

(239) 481-0900  
FAX: 481-0993

PATENTS, TRADEMARKS  
& COPYRIGHTS

LICENSING AND  
LITIGATION

October 23, 2007

Nanette Causseaux  
Florida Department of State  
Division of Corporations  
Post Office Box 6327  
Tallahassee, FL 32314

RE: Application for Service Mark Registration  
For: First Bank and Design  
Docket No. FBC201  
Ref. Number W07000049940

Dear Ms. Causseaux:

I am enclosing the referenced trademark application, which incorporates the change you have requested. Please note that notwithstanding the required disclaimer, applicant does not waive its common law rights in and to the term "FIRST BANK."

Please do not hesitate to let me know if you have any questions. Thank you for your continued assistance.

Very truly yours,



William E. Noonan  
WEN/sc

Enclosures

**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

**PART I**

1. (a) Applicant's name: First Bank

(b) Applicant's business address: 300 E. Sugarland Highway  
Clewiston FL 33440  
City/State/Zip

If different, Applicant's mailing address: PO Box 1237  
Clewiston FL 33440  
City/State/Zip

(c) Applicant's telephone number: (863) 983-8191

Individual     Corporation     Joint Venture     Limited Liability Company  
 General Partnership     Limited Partnership     Union     Other: \_\_\_\_\_

If other than an individual,

(1) Florida registration/document number: 011<sup>537</sup>~~357~~ ✓ (2) Domicile State: Florida

(3) Federal Employer Identification Number: 590242465

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.)

Banking services

(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 specific way the mark is applied to the good(s) or used in advertising:(i.e., labels, decals, newspaper advertisements, brochures, etc.)

printed, broadcast and internet advertisements; printed promotional brochures;  
signage

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

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(Continued)

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: March 1, 2004 (b) Date first used in Florida: March 1, 2004

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.)

The words "First Bank" in italicized typestyle with a stylized numeral "1" between those words; Underlining attached to the numeral extends beneath the words.

English Translation \_\_\_\_\_

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM "~~Bank~~ First Bank" APART FROM THE MARK AS SHOWN.

I, Donald G. Shivers

*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 to the best of my knowledge no other person except a related company has registered this mark in this state or has the right to use such mark in Florida either in the identical form thereof or in such near resemblance as to be likely, when applied to the goods or services of such other person to cause confusion, to cause mistake or to deceive. 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.*

Donald G. Shivers

Typed or printed name of applicant

*Donald G. Shivers, J.P.*

Applicant's signature  
(List name and title)

STATE OF Florida

COUNTY OF Henry

On this 18th day of September, 2007, Donald G Shivers, JP personally appeared before me,

who is personally known to me  whose identity I proved on the basis of \_\_\_\_\_



(Seal)

*Michele A. Stevens*

Notary Public Signature

MICHELE A. STEVENS

Notary's Printed Name

My Commission Expires: 3/16/2008

FILED  
07 OCT 26 AM 11:59  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

FILING FEE: \$87.50 per class

- Home (NEW)
- On-Line Banking
- On-Line Applications
- Visa/MasterCard
- Check Orders
- Brokerage Services
- Trust Services
- Bank Rates
- Branches
- Product & Services
- Branch Location
- Links
- Privacy Statement
- Admission
- About Us
- Contact Us
- Employees Only

# www.**First<sup>1</sup>Bank**.net

Pioneer Bank of the Everglades

New!! On-Line Banking is now available. [Click here](#) to enter.



We are proud of our continuous, growing service to Hendry, Glades and now Lee Counties. We have been the Pioneer Bank that continues to Pioneer New Services.

We are pleased to announce that First Bank has opened its new bank building in Fort Myers located at 11741 Palm Beach Blvd., just west of the Verandah Shopping Plaza. A broad line of retail, business and investment banking products are available at the Fort Myers location. We invite you to visit or please call (239) 437-8191.

**Welcome to the First Bank web site.** Our goal is to provide you with useful information about our bank that we hope makes it easier for you to do business with us.

First Bank has been serving the people of the Glades since 1922. We specialize in meeting all the financial needs of our customers.

### Site Introduction

At this site, you will learn more about the products and services we offer. You'll also find out how we can meet your financial needs.

### E-Mail Disclaimer

Please do not send us an e-mail containing confidential financial information. **E-MAILS ARE NOT SECURE** and sending confidential information could lead to identity theft.

Please call our customer service department regarding any request.

Clewiston:	863-983-8191
LaBelle	863-675-4242
Moore Haven	863-946-1515
Fort Myers	239-437-8191

At various places through out our Web Site, you will encounter a yield symbol. It is to alert you to important information you should read before continuing. Please point your cursor at the symbol to read the information that pops up.

#### Site Navigation:

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### Contact Us

Feel free to browse around this site. If you have comments or questions about our bank or simply need more information and want to [contact us](#) immediately, click on the contact button on any page within this site or call us by phone at 863-983-8191. Thanks for visiting, and we look forward to serving you.



Member FDIC



An Equal Housing Lender



**First Bank**  
300 E Sugarland Highway  
Clewiston, FL 33440

Phone: (863) 983-8191



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