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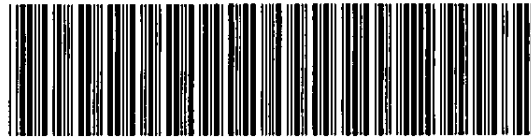
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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

11 NOV 22 PM 1:34

FILED

N. CAUSSEUX

NOV 22 2011

EXAMINER

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: GO YO!

(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 R. Graefe, Esq.

(Name of Person)

Fisher Zucker, LLC

(Firm/Company)

21 South 21st Street

(Address)

Philadelphia, PA 19103

(City/State and Zip Code)

For further information concerning this matter, please call:

William Graefe

(Name of Person)

at (215) 825-3115

(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.)



BUSINESS LAWYERS

November 9, 2011

Via UPS

Registration Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, Florida 32301

Lane Fisher*

Jeffrey Zucker*

F. Joseph Dunn*

David J. Allsman*

Frank A. Reino*

Janaki Parmar*

William Graefe, Jr.*

Maria Jose Morinigo*

Gregg Perchick*

*member PA and NJ bars

*member PA, NJ and WI bars

Re: GO YO! State Trademark Application – Go Yo Franchise Corp.


Dear Sir or Madam:

This office represents Go Yo Franchise Corp. (the "Applicant"). Enclosed please find the Applicant's application to register the trademark GO YO! (the "Mark") in connection with frozen yogurt in Class 30, along with a check in the amount of \$87.50 to cover the state's filing fee for one class. Please be advised that Applicant is submitting three copies of a picture of a cup/container bearing Applicant's Mark as a specimen of the Mark being used in commerce (the "Specimen"). The Specimens clearly show Applicant's Mark displayed on the container, as well as Applicant's frozen yogurt product in the container itself. Pictures of the container are being sent in as Specimens as directed in the application because the actual container is too bulky for mailing.

Please call me if you have any questions regarding the enclosed application, and we look forward to receiving notice that the Mark has been registered with the state.

Very truly yours,

FISHER ZUCKER LLC

By: 
William R. Graefe

Enclosures

21 S. 21st Street
Philadelphia, PA 19103
P: 215.825.3100
F: 215.825.3101

811 Church Road
Suite 105
Cherry Hill, NJ 08002
P: 856.665.5253
F: 856.488.2108

www.fisherzucker.com

A limited liability company formed in the Commonwealth of Pennsylvania





FLORIDA DEPARTMENT OF STATE
Division of Corporations

November 17, 2011

WILLIAM R. GRAEFE, ESQUIRE
FISHER ZUCKER, LLC
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103

SUBJECT: GO YO!
Ref. Number: W11000058427

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

Please note there is a pending registration for the same or a similar mark with the U.S. Patent and Trademark Office. Chapter 495, Florida Statutes, does not allow this office to deny a Florida mark due to a pending federal registration. Therefore, we will register the mark in the state of Florida if you wish to proceed with its registration. However, we strongly suggest that you reconsider your registration. The registration of mark with the Florida Department of State is a ministerial act intended solely for the purpose of providing public notice of the registrant's ownership rights. The right of ownership of any mark is based on the use of a mark in the ordinary course of trade and is not based on a grant by the Florida Department of State. Therefore, it will be the owner's responsibility, not that of the Florida Department of State, to defend it should a case of infringement arise as a result of the mark's Florida registration.

Please notify this office in writing if you would like this office to proceed with your filing.

List only the mark to be registered in #1 of Part III. Please delete any informational statements, explanations, etc. you may have included.

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: 311A00026111



November 21, 2011

Via UPS and Facsimile to (850) 245-6030

Attn: Ms. Nanette Causseaux
Registration Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, Florida 32301

Lane Fisher*

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Maria Jose Morinigo*

*member PA and NJ bars

*member PA, NJ and WI bars

Re: GO YO! State Trademark Application - Go Yo Franchise Corp.: Request to Proceed with Filing Application

Dear Ms. Causseaux:

As you know, this office represents Go Yo Franchise Corp. (the "Applicant"). Enclosed please find the Applicant's application to register the trademark GO YO! (the "Mark") in connection with frozen yogurt in Class 30, which was previously submitted to your office via UPS on November 9, 2011. The application materials were returned to our office with a note that the same Mark was pending registration on the Principal Register of the USPTO. Please be advised that: (i) U.S. Application No. 85/191064 for the mark GO YO! (and design) is owned by an affiliate of the Applicant; and (ii) Applicant has been granted a license to use, and license others to use, this design mark.

In light of the foregoing, the purpose of this letter is to inform you that the Applicant wishes to proceed with this filing at your earliest convenience. Also, please note we have enclosed an update form of application that removes any informational statements from Part III, Section 1 of the application. Please call me at (215) 825-3100 if you have any questions regarding the enclosed application, and we look forward to receiving notice that the Mark has been registered with the state.

Very truly yours,

FISHER ZUCKER LLC

By: _____

William K. Graefe

Enclosures

21 S. 21st Street
Philadelphia, PA 19103
P: 215.825.3100
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www.fisherzucker.com

A limited liability company formed in the Commonwealth of Pennsylvania



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

FILED
11 NOV 22 PM 1:34
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

PART I

1. OWNER/APPLICANT: Enter the name and address of the individual or the business entity to be listed as the owner of the Trademark and/or Service Mark on the records of the Florida Department of State.

(a) Owner's/Applicant's name: Go Yo Franchise Corp.
(b) Owner's/Applicant's business address: 1000 N. Congress Ave., Suite 120
Boynton Beach, Florida 33426
City/State/Zip

If different, Owner's/Applicant's mailing address: _____
City/State/Zip

(c) Owner's/Applicant's telephone number: () _____

Check the appropriate box to indicate the Owner/Applicant is a(n):

- Individual Corporation Joint Venture Limited Liability Company
 General Partnership Limited Partnership Union Other: _____

If the Owner/Applicant is a business entity, the business entity must have an active filing or registration on file with the Florida Department of State. If the Owner/Applicant is not an individual, enter the business entity's Florida registration/document number in #1, the state or country under the laws of which the business entity is currently formed, organized or incorporated under in #2, and the entity's federal employer identification number (EIN) in #3.

(1) Florida registration/document number: P11000015203
(2) Domicile State or Country: Florida
(3) Federal Employer Identification Number: 27-5013911

2. (a) SERVICE MARK: If the owner/applicant is using the name, logo, design and/or slogan being registered in connection with a type of service, the mark is a service mark. If the mark is a service mark, the applicant/owner must list the specific service(s) the mark is being used in connection with. For example: furniture moving services, diaper services, house painting services, wholesale and retail sales of tractor equipment, etc. If the owner/applicant is using the mark to identify services available in the market place, enter the specific service(s) being rendered here:

(Note: List only those services currently being rendered by the owner/applicant. Do not include future services.)

Not Applicable for purposes of this application.

2. (b) TRADEMARK: If the owner/applicant is using the name, logo, design and/or slogan being registered in connection with an actual product manufactured by the owner/applicant or on the owner/applicant's behalf, the mark is a trademark. If the mark is a trademark, the applicant/owner must list the specific product(s) the name, logo, design and/or slogan is being used to identify. For example: ladies sportswear, cat food, barbecue grills, shoe laces, etc. If the owner/applicant is using the name, logo, design and/or slogan to identify goods available in the market place, enter the specific product(s) the name, logo, design and/or slogan is being used to identify:

(Note: List only those product(s) currently available. Do not include future products.)

Frozen yogurt.

2. (c) HOW IS THE NAME, LOGO, DESIGN AND/OR SLOGAN CURRENTLY USED:

SERVICE MARKS: If the name, logo, design and/or slogan are/is being used in connection with a type of service, you must specify the form(s)/mean(s) of advertisement the applicant/owner is using to advertise the services to the general public. For example: newspaper advertisements, business cards, brochures, flyers, pamphlets, menus, etc. If the mark is being used in connection with a type of service, state how the name, logo, design and/or slogan are/is being used in advertising here:

Not applicable for purposes of this application.

TRADEMARKS: If the name, logo, design and/or slogan are/is being used to identify a product manufactured by or for the applicant/owner, you must specify how the mark is applied or affixed to the actual product or its packaging. For example: a tag, label, imprinted or engraved on the actual product, etc. If the mark is being used in connection with a specific product, state how the name, logo, design and/or slogan is applied or affixed to the actual product(s) or the packaging:

The Mark is displayed on all containers that hold the frozen yogurt product (i.e., the enclosed cup/bowl).

2. (d) FEE(S) AND CLASS(ES): There are a total of 45 classes or categories in which all products or services must be categorized. The fee to register a mark is \$87.50 per class. Make check payable to Florida Department of State.

List the class(es) which apply to the product(s) and/or service(s) listed in 2(a) and/or 2(b) above:

Class 30

PART II

1. You must state the date the name, logo, design and/or slogan was first used in the state of Florida, and, if it was used in another state or country, the date you first used the name, logo, design and/or slogan in the other state or country. Enter the month, day, and year the name, logo, design and/or slogan was first used by the applicant/owner, the predecessor, or a related company in Florida. If the name, logo, design and/or slogan has been used in another state or country, then you must also enter the month, day, and year the name, logo, design and/or slogan was/were used in another state or country, when applicable.

Note: The Florida Statutes require a mark to be in use prior to registration.

(a) Date first used in other state or country, if applicable: June 10, 2010

(b) Date first used in Florida: June 10, 2010

PART III

ENTER NAME, LOGO, DESIGN AND/OR SLOGAN BEING REGISTERED:

1. Enter the name, a brief description of the logo or design, and/or the slogan you are registering. The description of the logo and/or design must be 25 words or less. List the exact name, slogan, and/or description of the logo/design here: (NOTE: The name, logo, design and/or slogan listed in this section must match the exact name, logo, design and/or slogan listed on your specimens or examples.)

The phrase "GO YO!" with certain design elements.

Provide the English translation of any and all terms listed #1 above, when applicable: _____

2. DISCLAIMER STATEMENT (if applicable):

Your mark may include a word or design that is commonly used by others. Commonly used terms or designs must be disclaimed. When you disclaim a specific term or design, you are acknowledging this term is commonly used by others and that you do not claim the exclusive right to use the disclaimed term or design. All geographical terms and representations of cities, states or countries must be disclaimed (i.e., Miami, Orlando, Florida, the design of the state of Florida, the design of the United States of America, etc.). Corporate suffixes and terms readily associated with the specific product(s) and/or(s) service being provided must also be disclaimed.

Enter all terms listed in #1 above which require a disclaimer in the space provided below:

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM(S)" _____

_____ "APART FROM THE MARK AS SHOWN.

3. ATTACH OR INCLUDE THREE SPECIMENS OR EXAMPLES OF THE TRADEMARK OR SERVICE MARK BEING REGISTERED

Chapter 495, F.S., requires you to submit three specimens (samples or examples) of the mark in use. You must submit three specimens FOR EACH CLASS listed in Part I #2(d). The name, logo, design and/or slogan on the specimens must be identical to the name, logo, design and/or slogan being registered. You may provide three identical specimens or three different specimens. For each service mark class (classes 35-45), you may provide three newspaper advertisements, business cards, brochures, flyers, or any combination thereof. For each trademark class (classes 1-34), you may provide three tags, labels, boxes, etc. or any combination thereof. Photographs of bulky specimens are acceptable if the mark being registered and the good(s) or product(s) are clearly legible.

SIGNATURE OF APPLICANT/OWNER AND NOTARIZATION:

I, Kim Price (President of Applicant), 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.

Go Yo Franchise Corp.

Typed or printed name of applicant

Kim Price President

Applicant's signature
(List name and title)

STATE OF Florida

COUNTY OF Palm Beach

Sworn to and subscribed before me on this 4 day of November, 2011, Kim Price
(Name of Individual Signing)

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

(Seal)

[Signature]

Notary Public Signature

Jose Menendez

Notary's Printed Name



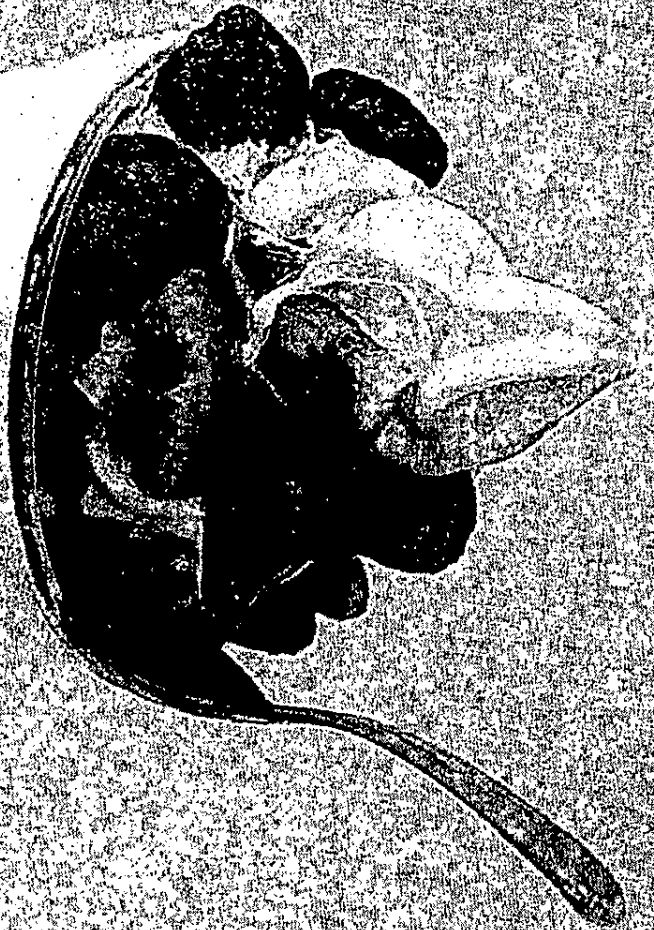
JOSE M. MENENDEZ
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE124741
Expires 8/24/2015

My Commission Expires: 8/24/2015

FILING FEE: \$87.50 per class

FILED
11 NOV 22 PM 1:34
SECRETARY OF STATE
PALM BEACH, FLORIDA

Go Yo!



OFFICIAL SPECIMEN