

T12000000218

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

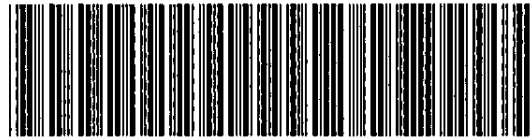
PICK-UP WAIT MAIL

(Business Entity Name)

W12-11639

(Document Number)

Certified Copies _____ Certificates of Status _____



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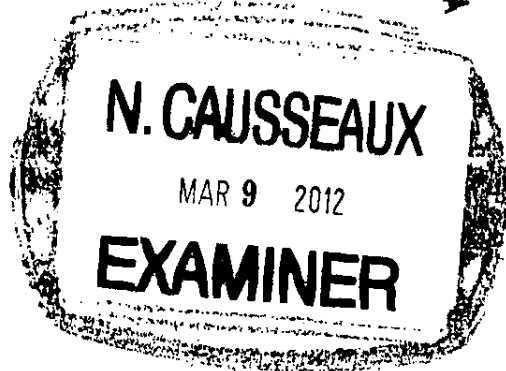
T12-218

Same owner as 704-853

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

12 MAR -9 AM 11:34

FILED



Special Instructions to Filing Officer:

789/304/740/6260
Raw Bar

If the Design is to be part of your reg please remove the Parentheses or delete the design from Part III

Office Use Only

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Daiquiri Deck Raw Bar
(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:

Donald J. Harrell, Esq.
(Name of Person)

Burgess, Harrell et al.
(Firm/Company)

1776 Ringling Blvd.
(Address)

Sarasota, FL 34236
(City/State and Zip Code)

For further information concerning this matter, please call:

Staci Walsh, CP, FRP at (941) 3663700
(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

February 29, 2012

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

SUBJECT: DAIQUIRI DECK RAW BAR & LOGO (TWO DOLPHINS SWIMMING
& JUMPING IN WATER)
Ref. Number: W12000011639

We have received your document for DAIQUIRI DECK RAW BAR & LOGO (TWO DOLPHINS SWIMMING & JUMPING IN WATER) and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

If the Design is to be part of the registration please remove the parentheses or delete the design from Part III of the application.

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: "RAW BAR"

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) 245-6051.

Nanette Causseaux
Document Specialist Supervisor

Letter Number: 912A00008165

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

FILED
12 MAR -9 AM 11:34
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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

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: SIESTA BAR/GRILL, INC.

(b) Owner's/Applicant's business address: 5250 OCEAN BLVD.

SARASOTA, FL 34242

City/State/Zip

If different, Owner's/Applicant's mailing address: SAME

City/State/Zip

(c) Owner's/Applicant's telephone number: (941) 346-1664

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: P93000006172 ✓

(2) Domicile State or Country: FLORIDA

(3) Federal Employer Identification Number: 65-0389284

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.)

Restaurant and bar services

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.)

N/A

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:

business cards, brochures, newspaper advertisements, menus, internet advertisements,
radio advertisements

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:

N/A

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 43

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: N/A

(b) Date first used in Florida: 03/01/2009

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.)

DAIQUIRI DECK RAW BAR & logo includes two dolphins swimming & jumping in water

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

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) "Raw Bar"

"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, RUSSELL MATTHES, 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.

RUSSELL MATTHES

Typed or printed name of applicant

Applicant's signature
(List name and title)

STATE OF FLORIDA

COUNTY OF SARASOTA

Sworn to and subscribed before me on this 24 day of February, 2012, Russell Matthes
(Name of Individual Signing)

FILED
12 MAR -9 AM 11:04
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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

(Seal)



Notary Public Signature

Staci A. Walsh

Notary's Printed Name

My Commission Expires: 2/21/16

FILING FEE: \$87.50 per class

Snacketizers

CALAMARI
Calamari lightly breaded and deep fried. Served with spicy sauce. \$9.95

COCONUT SHRIMP
Whiter gold shrimp breaded in our coconut account butter. Served with Caribbean dipping sauce. \$9.95

CRISPY CHICKEN FINGERS
Crispy strips of all white breast meat. Served with honey mustard or BBQ sauce. \$9.95

MARYLAND CRAB CAKES
Two (2) large crab cakes, deep fried with a light coating. Served with our Caribbean dipping sauce. \$9.95

BUFFALO SHRIMP
Breaded in our special pepper sauce, then battered and fried. Available mild, medium, hot or "It's Crazy!" Served with celery sticks and blue cheese sauce. \$9.95

BAHAMIAN CONCH FRITTERS
Old style recipe. Deep fried and served with our Caribbean dipping sauce. \$9.95

FLORIDA GATOR BITES
Fresh chunks of Florida gator tail, breaded and fried to perfection. Served with our Caribbean dipping sauce. \$9.95

BUFFALO-STYLE CHICKEN WINGS
One pound of wings deep fried, then tossed in our special pepper sauce. Available mild, medium, hot or "It's Crazy!" Served with celery sticks and blue cheese sauce. \$9.95

CHEESE STICKS
Fried to order. Dipped in a garlic buttery sauce. Served with sauce. \$9.95

PEPPER-CRUSTED TUNA
Fresh tuna coated with mixed peppers and powdered rice. Served with green garnish and Marabli Soy Sauce. \$9.95

BONELESS WINGS
Golden crisp, all-white meat boneless wings with medium, hot, The Devil or "It's Crazy!" \$9.95

NACHOS
Crispy tortilla topped with cheese, jalapeno, green onions and jalapenos. Served with salsa & sour cream (add Black Hot \$1.95, mild cheese, cheddar, hot or medium \$2.95) \$9.95

"BLACKENED MAHI BITES"
Fresh, bite-sized mahi mahi blackened and served with our Caribbean dipping sauce. \$9.95

JUMBO FRIED FLORIDA OYSTERS
One dozen jumbo oysters served with cocktail sauce. \$9.95

BLACKENED YELLOWTAIL HAMACHI TACOS
Black and yellowtail served with lettuce, tomatoes and jalapeno sauce. \$9.95

HUMUS PLATTER
Spiced garbanzo beans served with tomatoes, cucumber, olive and warm flatbread. \$9.95

LOBSTER FONDUE
The portion of Maine lobster in a lobster cheese sauce. Served with a garlic potato bread. \$9.95



Desserts

Key Lime Pie	\$9.95	Vanilla Ice Cream	\$9.95
French Fries	\$4.95	Hot Chocolate	\$3.95
Hot Spicy Chocolate	\$4.95	Chocolate	Small \$2.95, Large \$3.95

An 18% Gratuity may be added to parties of 8 or more.
Split Menu Charge \$1.95

Oysters & Clams

OYSTERS ON THE HALF SHELL

Served with a choice of three dipping sauces. \$10.95 per oyster.

STEAMED OYSTERS

Deposited with butter and garlic sauce. \$10.95 per oyster.

BLUE POINT OYSTERS - 1/2 doz
Fresh, bite-sized oysters. \$12.95
12.95 1/2 doz 2.00 single

KUMAMOTO OYSTERS - 1/2 doz
Deep fried oysters, topped with jalapeno sauce. \$12.95
12.95 1/2 doz 2.25 single

APALACHICOLA OYSTERS - 1/2 doz
Deep fried oysters, topped with jalapeno sauce. \$12.95
12.95 1/2 doz 2.00 single

DEEP BAY OYSTERS - 1/2 doz
Deep fried oysters, topped with jalapeno sauce. \$12.95
12.95 1/2 doz 2.00 single

EAGLE CREEK OYSTERS

Deep fried oysters, topped with jalapeno sauce. \$12.95
12.95 1/2 doz 2.00 single

OYSTERS ROCKEFELLER

Baked with spices, butter and bread.

OYSTERS OR CLAM CASINO

Baked with breadcrumbs, Parmesan and parmesan.

OYSTERS MIGNONETTE

Served cold with tomato, pepper, shallots and Champagne vinegar.

OYSTERS MOSCOW

Served cold with sour cream and capers and onions.

BLUE POINT OYSTERS \$14.95 1/2 doz • KUMAMOTO \$16.95 1/2 doz
DEEP BAY OYSTERS \$14.95 1/2 doz • EAGLE CREEK OYSTERS \$13.95 1/2 doz
APALACHICOLA OYSTERS \$14.95 1/2 doz • CLAM CASINO \$13.95 1/2 doz

...and More

PEEL-AND-EAT SHRIMP
Deep fried oysters, topped with jalapeno sauce. \$9.95
9.95 1/2 doz 1.00 single

STEAMED MUSSELS
Deposited with butter. \$9.95

ALASKAN KING CRAB LEGS
Served with a choice of three dipping sauces. \$9.95

STEAMED CLAMS
Served with a choice of three dipping sauces. \$9.95

TUNA AND MANGO TARTARE
Served with a choice of three dipping sauces. \$9.95

SHRIMP, SCALLOP, & CALAMARI CEVICHE
Served with a choice of three dipping sauces. \$9.95

RAW BAR MEDLEY
Served with a choice of three dipping sauces. \$9.95

APALACHICOLA OYSTER SHOOTERS \$3.99

THE ORIGINAL
Oyster shooters with Blue Point oysters.

GRAIN IN MY BRAIN
Oyster shooters with grain in my brain.

OYSTERIZER
Oyster shooters with oysterizer.

LA COSA OSTRA
Oyster shooters with La Cosa Ostra.

BLK CANEER'S BAIT
Oyster shooters with Blk Caneer's Bait.

GATOR ATTACK
Oyster shooters with Gator Attack.

©2010 DAIQUIRI DECK. All rights reserved. This menu is subject to change without notice. Prices and availability may vary. Some items may be unavailable at certain times. Please call for more information.



Siesta Key
5250 OCEAN BOULEVARD SIESTA KEY | SARASOTA, FL 34242

St. Armands
325 JOHN RINGLING BLVD. | SARASOTA, FL 34236

www.daiquirideck.com

OFFICIAL SPECIMEN

112000000218