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APR 10 2013

N. CAUSSEAU

COVER LETTER

TO: Registration Section  
Division of Corporations



SUBJECT: \_\_\_\_\_  
(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:

Peter A. Chiabotti

\_\_\_\_\_  
(Name of Person)

Akerman Senterfitt

\_\_\_\_\_  
(Firm/Company)

222 Lakeview Avenue

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

Suite 400

\_\_\_\_\_  
(City/State and Zip Code)

WPB

33401

For further information concerning this matter, please call:

Peter A. Chiabotti

\_\_\_\_\_  
(Name of Person)

561

653-5000

at (

\_\_\_\_\_) \_\_\_\_\_  
(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.)

Docket Number: 10692-1



FLORIDA DEPARTMENT OF STATE  
Division of Corporations

March 20, 2013

PETER A. CHIABOTTI, ESQUIRE  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, SUITE 400  
WEST PALM BEACH, FL 33401

SUBJECT: GERBER COLLISION & GLASS & DESIGN WITH "GERBER"  
ABOVE "COLLISION & GLASS" AND INCLUDES TWO BOOMERANG SHAPES  
EXTENDING BETWEEN "GERBER" TO "GLASS"  
Ref. Number: W13000015923

We have received your document for GERBER COLLISION & GLASS & DESIGN WITH "GERBER" ABOVE "COLLISION & GLASS" AND INCLUDES TWO BOOMERANG SHAPES EXTENDING BETWEEN "GERBER" TO "GLASS" and your check(s) totaling \$87.50. However, the document has not been filed and is being retained in this office for the following:

In lieu of returning your document, we have corrected the disclaimer statement on your document. We have inserted the term(s) "COLLISION" "GLASS" in your disclaimer statement. A disclaimed term is still considered part of your mark. You simply do not claim the exclusive right to the use of the disclaimed term(s) apart from your mark.

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

You may comply with this request via fax. Please fax correction(s) to the attention of the undersigned examiner at 850-245-6030.

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: 513A00006333



Peter A. Chiabotti  
Shareholder

Akerman Senterfitt  
222 Lakeview Avenue  
Fourth Floor  
West Palm Beach, FL 33401  
Tel: 561.653.5000  
Fax: 561.659.6313

Dir: 561.671.3608  
peter.chiabotti@akerman.com

April 9, 2013

Via Facsimile: (850) 245-6030

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

Re: Registration of GERBER COLLISION & GLASS and Design  
Ref. Number W13000015923  
Letter Number: 513A00006333  
Akerman Ref. 10692-1 (0256265)

Dear Ms. Causseaux:

In response your correspondence of March 20, 2013 (attached), requiring a disclaimer of "COLLISION" and "GLASS," please proceed with entering the following disclaimer:

"No claim is made to the exclusive right to use "COLLISION" and "GLASS"  
apart from the mark as shown."

If you have any questions or need additional information, I can be reached at (561) 671-3608.

Sincerely yours,

AKERMAN SENTERFITT

A handwritten signature in black ink, appearing to read "Peter A. Chiabotti".

Peter A. Chiabotti

PAC/akm  
Enclosures

akerman.com

BOCA RATON DALLAS DENVER FORT LAUDERDALE JACKSONVILLE LAS VEGAS LOS ANGELES MADISON MIAMI NAPLES  
NEW YORK ORLANDO PALM BEACH SALT LAKE CITY TALLAHASSEE TAMPA TYSONS CORNER WASHINGTON, D.C.  
WEST PALM BEACH

{26188654;1}

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. 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: Master Collision Repair Inc.

(b) Owner's/Applicant's business address: 26615 State Road 54 #2

Lutz, Florida 33559

City/State/Zip

If different, Owner's/Applicant's mailing address: \_\_\_\_\_

City/State/Zip

(c) Owner's/Applicant's telephone number: 813 762-0011

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: P07000114519 ✓

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 650834249

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.)

Collision repair, autobody and auto glass repair and replacement

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.)

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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:

Website, in printed materials and on signage

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**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:

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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:

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**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: September 15, 2004

(b) Date first used in Florida: June 30, 2012

**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.)

As shown below, the mark consists of the words "GERBER COLLISION & GLASS, with "GERBER"

above "COLLISION & GLASS," and includes two boomerang shapes extending between

"GERBER" to "GLASS."



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)

"Collision," "Glass"

"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, DAN DOTT, being sworn, depose and say ~~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.~~

MASTER COLLISION REPAIR, INC.

Typed or printed name of applicant

Applicant's Signature

(List name and title)

Dan Dott, Secretary

~~STATE OF~~ PROVINCE OF MANITOBA

~~COUNTRY OF~~ CANADA

Sworn to and subscribed before me on this 12 day of March, 2013 Dan Dott  
(Name of Individual Signing)

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

(Seal)

Notary Public Signature

Gregory J. Tallon, a Notary Public in and  
for the Province of Manitoba.

My Commission Expires: Unlimited as to time

FILING FEE: \$87.50 per class

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13 APR -9 AM 11:30  
STATE  
TALLAHASSEE, FLORIDA



The Boyd Group

Boyd Autobody &amp; Glass

Gerber Collision &amp; Glass

Gerber National Glass Services



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Employment

# 97%

## Customer Satisfaction Rating

(and some much more than that)

**Beep Beep!**

Gerber is highly wreck-ommended.

1 2 3 4 5 6 7



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## Gerber is highly wreck-ommended

### Collision Repair / Auto Body / Auto Glass

For over seventy years, vehicle owners have trusted their automotive collision and auto glass repairs to Gerber Collision & Glass. Quality workmanship backed by our Lifetime Guarantee and outstanding customer service are just a couple of the reasons why our customers choose to bring their vehicles to Gerber. What started as a single auto glass and trim shop in Chicago has grown to be part of the largest **collision auto body** and **windshield auto glass repair** company in North America.

### Collision Auto Body Repair & Windshield Auto Glass Services

Whether you need our collision auto body repair services or auto glass repair and windshield replacement work, we will ensure that the repair is done right the first time. At Gerber Collision & Glass, our company philosophy is simple: "WOW Every Customer... Be the Best". We are a team that is dedicated and committed to our mission, to continuous improvement, and to delivering superior value to our customers.

**Find a Collision Auto Body & Auto Glass Repair Center**

## Our Services



Book Auto Glass Appointment



Book Collision Repair Appointment



## Recent Company News

**February 20, 2013**

Gerber Collision & Glass Opens New Repair Centers in Washington and Florida

**December 13, 2012**

Gerber Collision & Glass Opens New Repair Center in Florida

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