



FLORIDA DEPARTMENT OF STATE
Division of Corporations

September 18, 2015

TIMES PUBLISHING COMPANY
JENNY SHEA
490 FIRST AVE. SOUTH
ST. PETERSBURG, FL 33701

SUBJECT: PART III INCOMPLETE (DAY STARTER)
Ref. Number: W15000062147

We have received your document for PART III INCOMPLETE (DAY STARTER) and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

In Part III, you must write the exact wording of the mark. If the mark includes a logo or design, a brief written description must be provided.

Class(es) 16 would appear applicable to your specific mark. Please delete the class(es) you have on line 2 (d) and insert the pertinent class(es) 16.

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.

Karen A Saly
Regulatory Specialist II

Letter Number: 815A00019790

Florida Trend

THE MAGAZINE OF FLORIDA BUSINESS

Karen A. Saly
Division of Corporations
PO Box 6327
Tallahassee, FL 32314

Ref. Number: W15000062147
Letter Number: 815A00019790

Dear Ms. Saly,

I am writing in response to letter 815A00019790 regarding the trademark for Day Starter. The corrected application and a file copy are enclosed.

If you have any questions or require further information I can be reached at 727-892-2657.

Sincerely,



Jenny Shea

RECEIVED

15 OCT 12 PM 3:33

REGISTRATION DIV.
TALLAHASSEE, FL 32314

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Day Starter

(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:

Jenny Shea

(Name of Person)

Times Publishing Company

(Firm/Company)

490 First Avenue South

(Address)

St. Peterburg, FL 33701

(City/State and Zip Code)

For further information concerning this matter, please call:

Jenny Shea

(Name of Person)

at (727) 892-2657

(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.)

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

FILED

2015 OCT 12 PM 4:38

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: Times Publishing Company

(b) Owner's/Applicant's business address: 490 First Avenue South

St. Petersburg, FL 33701

City/State/Zip

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

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: 111977

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 59-0482470

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.)

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.)

Email newsletter of general interest

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TALLAHASSEE, FLORIDA

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:

TRADEMARKS: If the name, logo, design and/or slogan are/is being used to identify a product manufactured by or fore 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 the title of the daily email newsletter and appears in the email subject line and as the title of the newsletter.

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:

16

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: 11/13/2009

(b) Date first used in Florida: 11/13/2009

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TALLAHASSEE, FLORIDA

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.)

Daystarter

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, Andrew P. Corty

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.

Andrew P. Corty

Typed or printed name of applicant

Andrew P. Corty

Applicant's signature
(List name and title)

STATE OF Florida

COUNTY OF Pinellas

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Sworn to and subscribed before me on this 21 day of August, 2015, Andrew P. Corty
(Name of Individual Signing)

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



Jennifer Shea
Notary Public Signature
Jennifer Shea
Notary's Printed Name

My Commission Expires: May 19, 2019

FILING FEE: \$87.50 per class

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Top News

Gov. Rick Scott's office was intimately involved in Planned Parenthood investigation

By Andrew Adams Times Herald Contributor Daveau
 Gov. Rick Scott's office penned statements for health officials during a Planned Parenthood investigation.



PolitiFact: 6 things to know about the Iran nuclear deal

By Linda Gu Times Staff Writer
 PolitiFact breaks down the 159 pages that will continue to incite debate.



Hillsborough regulators will stop ticketing Uber, Lyft drivers until October hearing

By Claire Johnson Times Staff Writer
 But Hillsborough also wants the state's help with regulations.



Bondi pledges to clear Florida's 'thousands' of untested rape kits

By Anna M. Thayer Times Staff Writer
 It's unclear how long the job might take or how much it could cost.



Top Sports News

Winston, Mariota exchange praise before Bucs-Titans opener

By Peter Gould Times Staff Writer
 The top two picks play up their mutual admiration, downplay hype of facing off in their NFL debuts.



Odorizzi dazzles, Rays hit four homers in rout of Tigers (w/video)

By Mike Logan Times Staff Writer
 The righty says the pitching has to step up, then delivers



Tyler Johnson rounds into form for Lightning training camp

By Mike Logan Times Staff Writer



ACL tears don't



necessarily derail the recruiting process

By Matt Thomas Times Staff Writer
 Perseverance and patience usually pay off for elite athletes.

Top Features News

Eden Shireen, not Ed Sheeran, talks music and name recognition

By Jay Giedde Times Pop Music Columnist



Fall concert preview: Taylor Swift, Janet Jackson, Luke Bryan and more

By Jay Giedde Times Pop Music Columnist



At venues big and small, a bounty of good concerts is headed our way. Grab the credit card and take your pick, then make your pick (and purchase).

Top things to do in Tampa Bay for Sept. 10

Times staff



SHOWS of NOTE

Tampa Bay Times

Emails control message

6 things to know about Iran deal

Bondi pledges to clear rape kits

Winston, Mariota exchange praise before Bucs-Titans opener

Odorizzi dazzles, Rays hit four homers in rout of Tigers (w/video)

Tyler Johnson rounds into form for Lightning training camp

ACL tears don't necessarily derail the recruiting process

Eden Shireen, not Ed Sheeran, talks music and name recognition

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