

T1700000531

(Requestor's Name)

(Address)

W17-29956

(Address)

(City/State/Zip/Phone #)

PICK-UP WAIT MAIL

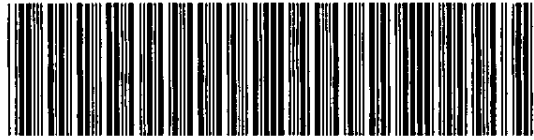
(Business Entity Name)

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
2017 MAY -5 AM 9:28

N. CAUSSEUX

MAY 9 2017



CBS
51 West 52nd Street
NEW YORK, NEW YORK 10019

Jim Cioli
Trademark Database Administrator
Tel (212) 975-2212
Fax (212) 975-0111
e-mail: james.cioli@cbs.com

April 3, 2017

VIA UPS

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

**RE: Florida State Service Mark Application for POWER 96 and Lightning Design (Class 41)
[WPOW – Miami]**

Dear Sir or Madam:

Please find enclosed herewith the following items regarding the above referenced service mark application:

1. Application for service mark registration;
2. Three (3) samples of use;
3. A check in the amount of \$87.50 to cover the application fee

Thank you for your assistance.

Yours very truly,


Jim Cioli

Enc.

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: POWER 96 and Lightning 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:

Jim Cioli

(Name of Person)

CBS Corporation

(Firm/Company)

51 West 52nd Street, 15th Fl

(Address)

New York, NY 10019

(City/State and Zip Code)

For further information concerning this matter, please call:

Stacy Puelo

(Name of Person)

at (212) 975-3632

(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

April 7, 2017

*accept
Specimens*

JIM CIOLI
CBS CORPORATION
51 WEST 52ND STREET
NEW YORK, NY 10019

SUBJECT: POWER 96 & DESIGN OF THE WORDS WITH PART OF THE "W"
IN "POWER" ACCENTED TO REPRESENT A LIGHTNING BOLT
Ref. Number: W17000029956

We have received your document for POWER 96 & DESIGN OF THE WORDS WITH PART OF THE "W" IN "POWER" ACCENTED TO REPRESENT A LIGHTNING BOLT and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

You must list a more specific service in #2(a) in Part I of the application.

The specimens provided this office are not acceptable; we need three permanent specimens, **which may be the same or different**. We do not accept camera ready copies. We do not accept specimens which have been altered or defaced in any manner. In order to register your service mark, we need specimens from which we can determine the services being rendered. We will accept brochures, newspaper, or magazine advertisements, or business cards. If business cards are used, we must be able to determine from the business card the services offered. The mere mark, address, city, etc., on the business card, brochure, or advertisement is not acceptable -- we must be able to look at the specimens provided and be able to determine the services being rendered. We need specimens for each class of registration. We DO NOT accept letterhead, stationery, envelopes, invoices or mailing labels.

Please attach your specimens to a copy of this letter or to your corrected application, if it was returned to you for correction(s), and return it/them to this office for processing.

We do not accept specimens that have been created or altered by Photoshop or any other similar software.

Must list the type of "RADIO PROGRAMMING" you are providing.

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



CBS
51 West 52nd Street
NEW YORK, NEW YORK 10019

Stacy Puleo
Trademark Paralegal
Tel (212) 975-3632
Fax (212) 975-0111
e-mail: stacy.puleo@cbs.com

May 3, 2017

VIA UPS

Florida Department of State
Division of Corporations
PO Box 6327
Tallahassee, Florida
Attn: Nanette Causseaux

Re: **Response to Refusal and New Service Mark Application for
POWER 96 AND DESIGN OF THE WORDS WITH PART
OF THE "W" IN "POWER" ACCENTED TO REPRESENT
A LIGHTNING BOLT
Your Ref.: W17000029956**

Dear Nanette,

As per our previous conversation, and in response to your refusal letter dated April 7, 2017, a copy of which is enclosed, applicant submits the following:

1. Amended New Service Mark Application for POWER 96 and Design...in Class 41, with updated section 2(a).

As we discussed, our original submitted specimen is acceptable and our check in the amount of 87.50 for the filing fee is being held at your office. Kindly send all correspondence in connection with the above matter to me at 51 West 52nd Street, 15th Floor, Trademark Department, New York, NY 10019.

Sincerely,



Stacy Puleo

Enc.

4924075

RECEIVED
2017 MAY -5 PM 3:00
FLORIDA DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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: CBS Radio Stations Inc.

(b) Owner's/Applicant's business address: 1271 Avenue of the Americas, 44th Floor
New York, New York 10020

If different, Owner's/Applicant's mailing address: 51 West 52nd Street
New York, New York 10019

(c) Owner's/Applicant's telephone number: 212, 975-3632

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: F95000005560 ✓
(2) Domicile State or Country: Delaware
(3) Federal Employer Identification Number: 04-3196245

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.)

Entertainment services, namely, audio programming services featuring news, music and
entertainment for dissemination via radio broadcast and streaming on the global
communication network.

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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.)

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:

on promotional and advertising materials; on radio station vehicle

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:

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:

41

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: August 31, 2016

(b) Date first used in Florida: August 31, 2016

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 words "POWER 96" with part of the "W" in "Power" accented to represent a lightning bolt.

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, Rebecca Borden, 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.

Rebecca Borden, Vice President and Assistant Secretary

Typed or printed name of applicant

Rebecca Borden

Applicant's signature
(List name and title)

STATE OF New York

COUNTY OF New York

Sworn to and subscribed before me on this 31st day of March 2017 Rebecca Borden
(Name of Individual Signing)

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

James R. Cioli
Notary Public Signature

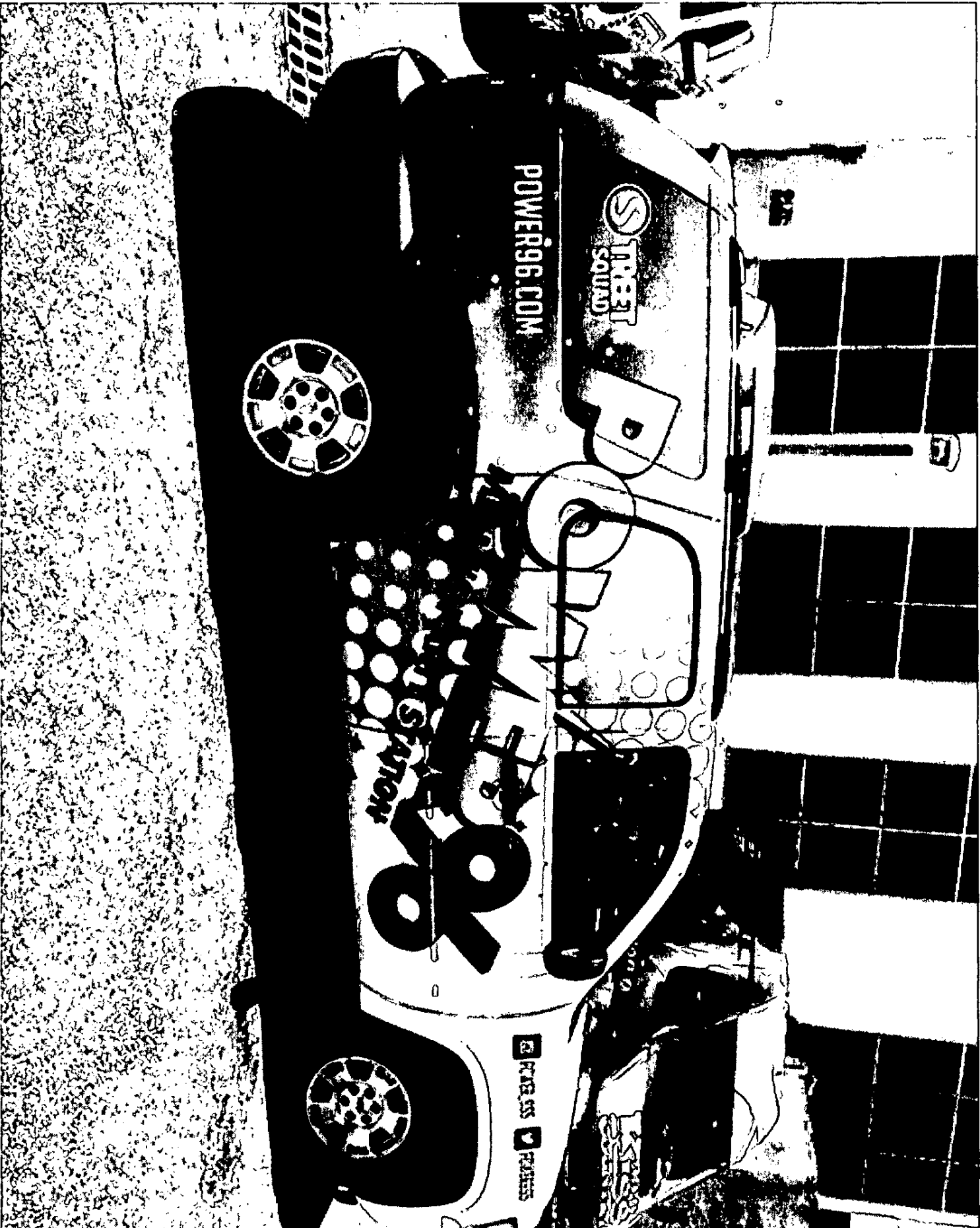
James R. Cioli
Notary's Printed Name

(Seal) **JAMES R. CIOLI**
Notary Public, State of New York
No. #01CI6116462
Qualified in Westchester County
Certificate Filed in New York County
Commission Expires Oct. 4, 2020

My Commission Expires: October 4, 2020

FILING FEE: \$87.50 per class

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