

T99000000729

SANDLER, TRAVIS & ROSENBERG, P.A.

ATTORNEYS AT LAW
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April 26, 1999

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†BOARD CERTIFIED IMMIGRATION & NATIONALITY LAW

Florida Department of State
Trademark Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

Via Federal Express

900002853899--0
-04/27/99--01085--006
*****87.50 *****87.50

Re: Application for Service Mark Registration - BIGA (Stylized) class 42

Dear Trademark Examiner:

Enclosed please find an originally executed Application for Service Mark Registration, a copy of the Application, a check in the amount of \$87.50 representing the application fee, three specimens of the mark and a separate drawing page indicating a clear representation of the mark.

We have also enclosed a self-addressed, postage-paid return post card which we would appreciate your stamping with the date of receipt of this Application as part of our internal tracking system.

Thank you for your attention to this matter and please feel free to contact the undersigned or Lauren V. Perez, Senior Paralegal should you have any questions.

789/751 /708/672

Biga's
1,877,266

LVP/tm
Enclosures
s:/tiffany/office/15242/corresp/stateapp.lu

Name Availability	
Document Examiner	NJC
Updater	NJC
Updater Verifier	NJC
Acknowledgement	NJC
W. P. Verifier	NJC

10

Sincerely,
SANDLER, TRAVIS & ROSENBERG, P.A.

By:
Tiffany Martinez
Executive Assistant

SECRETARY OF STATE
TALLAHASSEE, FLORIDA
99 JUN 14 AM 10:27
FILED



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State

May 6, 1999

TIFFANY MARTINEZ
SANDLER, TRAVIS & ROSENBERG PA
THE WATERFORD, 5200 BLUE LAGOON DRIVE
MIAMI, FL 33126-2022

SUBJECT: BIGA (STYLIZED 42), BIGA (42), BIGA (30), BIGA (STYLIZED 30),
BIGA (AND DESIGN 30) AND BIGA (AND DESIGN 30)
Ref. Number: W99000010610

We have received your document for BIGA (STYLIZED 42), BIGA (42), BIGA (30), BIGA (STYLIZED 30), BIGA (AND DESIGN 30) AND BIGA (AND DESIGN 30) and your check(s) totaling \$525.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

We must deny registration pursuant to sections 495.021(1)(f) and 495.181, Florida Statutes. There is a federal registration on file with the U.S. Patent and Trademark Office for BIGA'S, Registration Number 1,877,266, for the same or similar name and class(es).

Enclosed is an application for refund.

If you have any questions concerning the filing of your document, please call (850) 487-6918.

Nanette Causseaux
Corporate Specialist Supervisor

Letter Number: 599A00024750

*Called CB Breads, Inc.
Reel & frame # office gave them*

SANDLER, TRAVIS & ROSENBERG, P. A.

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June 3, 1999

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OF COUNSEL

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DALLAS
DETROIT
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CONSULTING SERVICES

Via Federal Express

Ms. Nanette Causseaux
Corporate Specialist Supervisor
Florida Department of State
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

**Re: Letter Number 599A00024750 - BIGA Trademark Applications
BIGA stylized - 42; BIGA - 42; BIGA and Design - 42; BIGA stylized - 30;
BIGA - 30; BIGA and Design - 30**

Dear Ms. Causseaux:

In response to your letter dated May 6, 1999, enclosed is an Abstract of Title obtained directly from the U.S. Patent and Trademark Office evidencing that the owner of the BIGA'S federal registration, number 1877266, is El Globo of North America, Inc., the same applicant named on the six (6) above referenced applications. Accordingly, there is no federal bar to registration of these matters.

In light of the foregoing, we are enclosing the six applications for re-submission. We request you use the same specimens as well as the same check as were sent with the six applications on April 26, 1999 which you confirmed were in your possession today.

We look forward to receiving your confirmation that these applications will proceed through the registration process especially insofar as registration has now been delayed since the original filing date of 4/27/99.

SANDLER, TRAVIS & ROSENBERG, P. A.

· Ms. Nanette Causseaux

Florida Department of State

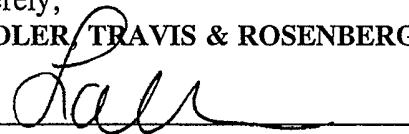
June 3, 1999

Page 2

Please feel free to contact the undersigned should you have any questions or concerns.

Sincerely,
SANDLER, TRAVIS & ROSENBERG, P.A.

By: _____



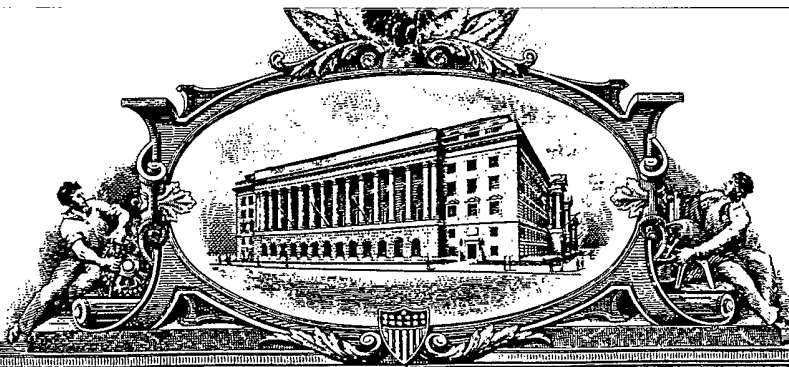
Lauren V. Perez
Senior Paralegal

LVP/tm

Enclosures

s:/tiffany/office/15242/correspo/cass0602.ltr

GG 050020



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

May 24, 1999

THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE ASSIGNMENT RECORDS OF ALL DOCUMENTS FOUND OF RECORD AS OF THE DATE OF THIS CERTIFICATION FOR:

TRADEMARK APPLICATION: 74/422,536

FILING DATE: August 05, 1993

REGISTRATION NUMBER: 1,877,266

REGISTRATION DATE: January 31, 1995



By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS

P. SWAIN

Certifying Officer

ASSIGNMENT FOR TRADEMARK REGISTRATION NUMBER: 1877266 PAGE1

SERIAL NUMBER: 747422536 DATE FILED : 08/05/1999
REGISTRATION NUMBER: 1877266 DATE REGISTERED: 01/31/1999
STATUS: RECORDED DOCUMENT DATE IN ASGN : 05/22/1999
NUMBER OF PAGES: 033
MARK: BIAH S DATE MAILED : 07/07/1999
REEL: 1366 FRAME: 0439 DATE RECORDED : 04/17/1999
REGISTRANT: C.B. Breads, Inc.

ASSIGNOR: C.B. BREADS, INC. DATE SIGNED : 04/07/1999
ADDRESS : DATE ACKNOWLEDG:
ENTITY : CORPORATION CITIZENSHIP: CALIFORNIA

ASSIGNEE: NASSI BERNSTEIN COMPANY, INC.
ADDRESS : 23622 CALABASAS ROAD
SUITE 300
CALABASAS, CA 91302
ENTITY : CORPORATION CITIZENSHIP: CALIFORNIA

PRESS ANY LINE TO CONTINUE.
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 05/24/99 17:11
STRATEGY HERE:

ASSIGNMENT FOR TRADEMARK REGISTRATION NUMBER: 1877266 PAGE1

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

PRESS ANY LINE TO CONTINUE. ENTER IF WERE TO PAGE BACKWARDS
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 05/24/99 17:11
STRATEGY HERE:

ASSIGNMENT FOR TRADEMARK REGISTRATION NUMBER: 1877266 PAGE:

NEEL: 1803 FRAME: 0876 DATE RECORDED : 07/01/1990
REGISTRANT: U.S. BREADS, INC.

ASSIGNOR: NABBI BERNSTEIN COMPANY, INC. DATE SIGNED: 05/01/1990
ADDRESS : DATE ACKNOWLEDG:
ENTITY : CORPORATION CITIZENSHIP: CALIFORNIA

ASSIGNEE: BIGA CORPORATION
ADDRESS : 515 WEST 42ND STREET
MIAMI BEACH, FL 33140
ENTITY : CORPORATION CITIZENSHIP: FLORIDA
BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

PRESS EXIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 05/24/99 17:12
STRATEGY HERE:

ASSIGNMENT FOR TRADEMARK REGISTRATION NUMBER: 1877266 PAGE:

NEEL: 1803 FRAME: 0854 DATE RECORDED : 07/01/1990
REGISTRANT: U.S. BREADS, INC.

ASSIGNOR: BIGA CORPORATION DATE SIGNED: 06/12/1990
ADDRESS : DATE ACKNOWLEDG:
ENTITY : CORPORATION CITIZENSHIP: FLORIDA

ASSIGNEE: EL GLOBO OF NORTH AMERICA, INC.
ADDRESS : 9012 N.W. 105TH WAY
MEXLEY, FL 33178
ENTITY : CORPORATION CITIZENSHIP: FLORIDA
BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNMENTS RECORDED PRIOR TO 1/1/55 ARE NOT CONTAINED IN THIS DATA BASE.

LAST PAGE ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 05/24/99 17:11
STRATEGY HERE:

Florida Department of State, Jim Smith, Secretary of State

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

Name & address to whom
acknowledgement should be sent:
Sandler, Travis & Rosenberg, P.A.

5200 Blue Lagoon Drive, Suite 600

Miami, Florida 33126

(305) 267-9200

Daytime Telephone number

PART I

1. (a) Applicant's name: El Globo of North America, Inc.
- (b) Applicant's business address: 9012 N.W. 105th Way
Miami, Florida Zip: 33178
- (c) Applicant's telephone number: (305) 884-2606

Individual Corporation Joint Venture Other: _____
 General Partnership Limited Partnership Union

If other than an individual,

- (1) Florida registration number: P93000018008 ✓
- (2) Federal Employer Identification Number: 65 0408081
Florida
- (3) Domicile State: _____

2. (a) If the mark to be registered is a service mark, the services in connection with which the mark is used: (i.e., furniture moving services, diaper services, house painting services, etc.)

bakery retail services

- (b) If the mark to be registered is a trademark, the goods in connection with which the mark is used: (i.e., ladies sportswear, cat food, barbeque grills, shoe laces, etc.)

- (c) The mode or manner in which the mark is used: (i.e., labels, decals, newspaper advertisements, brochures, etc.)

The mark is used on product packaging, containers, menus and advertising common to the trade.

(Continued)

A WORD OR TWO ON FAT, SUGAR AND SALT

By now, most of our customers know that the breads we bake are made in the traditional European artisan manner. That means using only our natural starter, unbleached and unbromated flours and filtered water. To our flavored breads and our specialty breads we add ingredients like herbs, nuts, raisins or seeds. But we never add fat of any kind at all -- with the notable exceptions of our rich, yeasty brioche and challah made with butter and eggs, and our foccacia drizzled with olive oil.

For those of our customers who choose not to or cannot eat sugar, we are happy to tell you that many of our breads are made without sweetener of any kind. Please consult our brochure "A Guide To The Great Breads of Biga" which denotes our sugar-free and fat-free breads. As to salt, it does appear in scant amounts in all of our breads. It is a necessary ingredient in the chemistry of artisan made bread. Our bread would not rise properly without it and would assume an off-color, sort of greyish pallor.

On the pastry side, our famous low-fat chocolate walnut cookie is made without any butter or oil and has only the miniscule amount of fat found in cocoa powder! The same is true of our popular low-fat chocolate muffin. Our kitchens are now busy testing new formulas, more low-fat and sugar-free treats, so that we can offer you the best of these kinds of products to be found anywhere.

Bal Harbour Shops

9700 Collins Avenue (305) 866-2250

Coral Gables:

305 Alcazar Avenue (305) 446-2111

Key Biscayne:

The Square (305) 365-0800

Miami Beach:

1080 Alton Road (305) 535-1008

South Miami:

5868 Sunset Drive (305) 667-9333

Boca Raton: Glades Plaza

2200 West Glades Road (561) 447-8688



WHERE BAKING
IS STILL AN ART

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TABLE TALK

BIGA'S NEWS AND NOTES
ABOUT WHAT'S HAPPENING
IN THE WORLD OF FINE FOOD.

MAY 1998

ISSUE XIII

OF ALL the special occasions throughout the year, nothing is closer to our hearts than Mother's Day. All of us at Biga want to please Mom and when you see our menu, you'll agree that any one of our desserts will make her day. But with all due respect to Mom, there are 30 other days in May and we have some delicious ideas for all of them. We're bringing in the bounty of the season — fresh fruits and berries and we'll be featuring them in some fabulous desserts all through this merry month.

—Eduardo Laposse