

T99000000725
SANDLER, TRAVIS & ROSENBERG, P.A.

ATTORNEYS AT LAW

THE WATERFORD

5200 BLUE LAGOON DRIVE

MIAMI, FL 33126-2022

(305) 267-9200

FAX (305) 267-5155

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April 26, 1999

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OF COUNSEL

SANDLER & TRAVIS
TRADE ADVISORY SERVICES
DALLAS
DETROIT
SACRAMENTO
CONSULTING SERVICES

*NOT ADMITTED IN FL
*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

600002853886--0
-04/27/99--01085--002
*****87.50 *****87.50

Re: Application for Trademark Registration - BIGA and Design class 30

Dear Trademark Examiner:

Enclosed please find an originally executed Application for Trademark 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.

(10)

LVP/tm
Enclosures
s:/tiffany/office/15242/correspondence/app.1tr

Name Availability	
Document Examiner	NJC
Updater	NJC
Updater Verifier	NJC
Assignment	NJC

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

By:

Tiffany Martinez
Executive Assistant

WASHINGTON, D.C.

NEW YORK

ATLANTA

BALTIMORE

SAN FRANCISCO

MEXICO CITY

*OFFICE KNOWN AS SANDLER, TRAVIS & ROSENBERG AND GLAD & FERGUSON, P.C.

99 JUN 14 AM 10:33
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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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OF COUNSEL

SANDLER & TRAVIS
TRADE ADVISORY SERVICES
DALLAS
DETROIT
SACRAMENTO
CONSULTING SERVICES

June 3, 1999

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 550026

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 PAGE:

SERIAL NUMBER: 747422536 DATE FILED: 08/05/1994
REGISTRATION NUMBER: 1877266 DATE REGISTERED: 01/01/1995
STATUS: RECORDED DOCUMENT DATE IN REGN: 08/23/1994
NUMBER OF PAGES: 2000 DATE MAILED: 07/07/1994
MARK: BREAD DATE RECORDED: 04/17/1994
REEL: 1350 FRAME: 0439
REGISTRANT: C.B. BREADS, INC.

ASSIGNOR: C.B. BREADS, INC. DATE SIGNED: 04/07/1994
ADDRESS: DATE ACKNOWLEDG:
ENTITY: CORPORATION CITIZENSHIP: CALIFORNIA

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

PRESS ANY LINE TO CONTINUE.
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 05/24/99 17:14
STRATEGY HERE:

ASSIGNMENT FOR TRADEMARK REGISTRATION NUMBER: 1877266 PAGE:

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL.

PRESS ANY LINE TO CONTINUE. ENTER IF HERE TO PAGE BELOW
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 05/24/99 17:14
STRATEGY HERE:

ASSIGNMENT FOR TRADEMARK REGISTRATION NUMBER: 1877266 PAGE:

REEL: 1603 FRAME: 0876
REGISTRANT: C.B. Breads, Inc.

DATE RECORDED : 07/01/1991

ASSIGNOR: MASSI BERNSTEIN COMPANY, INC.
ADDRESS :
ENTITY : CORPORATION CITIZENSHIP: CALIFORNIA
DATE SIGNED : 05/01/1991
DATE ACKNOWLED:

ASSIGNEE: BIGA CORPORATION
ADDRESS : 615 WEST 42ND STREET
MIAMI BEACH, FL 33140
ENTITY : CORPORATION CITIZENSHIP: FLORIDA
BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

PRESS XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 05/24/99 1711
STRATEGY HERE:

ASSIGNMENT FOR TRADEMARK REGISTRATION NUMBER: 1877266 PAGE:

REEL: 1603 FRAME: 0854
REGISTRANT: C.B. Breads, Inc.

DATE RECORDED : 07/01/1991

ASSIGNOR: BIGA CORPORATION
ADDRESS :
ENTITY : CORPORATION CITIZENSHIP: FLORIDA
DATE SIGNED : 06/12/1991
DATE ACKNOWLED:

ASSIGNEE: EL GLOBO OF NORTH AMERICA, INC.
ADDRESS : 9012 N.W. 105TH WAY
MEDLEY, 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 1711
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.

200 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.

9012 N.W. 105th Way

(b) Applicant's business address:

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.)

(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.)

baked goods

(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)

(d) The class(es) in which goods or services fall:

30

PART II

1. Date first used by the applicant, predecessor, or a related company (must include month, day and year):

11/23/93

(a) Date first used anywhere:

(b) Date first used in Florida: 11/23/93

PART III

1. The mark to be registered is: (If logo/design is included, please give brief written description which must be 25 words or less.)

BIGA in stylized letters within a box with a drawing of a baker putting bread in an oven underneath.

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM "

" APART FROM THE MARK AS SHOWN.

I, Norman Enriquez, 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 no other person except a related company has the right to use such mark in Florida either in the identical form or in such near resemblance as to be likely to deceive or confuse or to be mistaken therefor. 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.

El Globo of North America, Inc.

Typed or printed name of applicant

Norman A. Henriquez, V.P.
Applicant's signature or authorized person's signature
(List name and title)

STATE OF Florida

COUNTY OF Miami-Dade

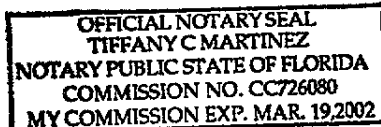
On this 21 day of April, 1999, Norman Enriquez personally appeared before me,

☒

who is personally known to me

☐

whose identity I proved on the basis of



[Signature]
Notary Public Signature

Notary's Printed Name

Seal

My Commission Expires: _____

FEE: \$87.50 per class

TABLE TALK

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

SEPTEMBER 1998

ISSUE XVI



WHERE BAKING
IS STILL AN ART

Labor Day marks the end of Summer and the onset of Fall. So disregard the heat if you can. We are. As you will see in our Rosh Hashanah menu, we have started making good use of the bounty of the Autumn season. The new crop of harvest-fresh fruits and nuts has arrived on our doorstep and is enabling us to create some very special new breads and pastries. So forget about the 90+ degree heat outside and start thinking about the wonderful Biga delights that await you in the festive holiday months ahead.

—Eduardo Laposse

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
Macy's at the Falls:
(305) 278-3383
Boca Raton: Glades Plaza
2200 West Glades Road (561) 447-8688

© 1998 BIGA CORPORATION





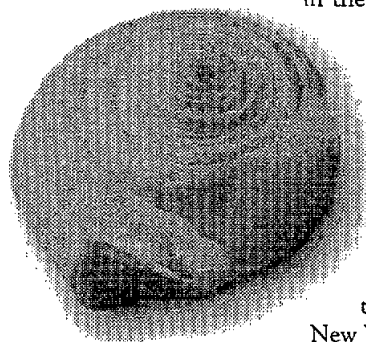
OUR NEW BIGA CALENDAR

We're so excited about the new season that we're planning something special for almost every day. To help you keep track of it all, we are going to have a calendar of events every month in each of our stores. Please take one so you'll know when you can take advantage of our special prices, tastings and visits from notable food writers and chefs who will be sharing their culinary experiences.

DAIRY-FREE CHALLAH

One of our most cherished personal recipes, a challah that has graced our table and has been part of so many wedding blessings of friends and family alike, has been "scaled up," as we say in the bakery business, so that we can produce this lovely bread for this year's Rosh Hashanah holiday. Made

in the turban shape tradition for Rosh Hashanah, without butter or milk, it has the freshest, lightest texture and a taste that puts other challahs to shame. From our house to yours, may it add a very special touch to the joy of the Jewish New Year.



ROSH HASHANAH MENU

We have created some beautiful desserts sure to bring a joyous flourish to your holiday table.

White and Dark Chocolate Mousse Cake

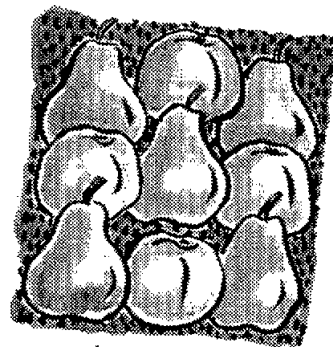
The superb taste of this festive, dramatic looking cake is made all the more delectable by the contrasting taste of ultra smooth and rich white chocolate and dark, mellow and intense bittersweet chocolate.

\$25.95

Caramelized Apple, Pear and Plum Tart

Biga's farmhouse fresh dessert of choice autumn fruits, sliced and slowly sauteed with creamery butter and sugar to a glistening caramelized sweetness. A picture perfect pastry tart.

\$24.95



Nut Brittle Tart

Cream, honey and sugar are simmered to a luscious caramel and poured over a jumble of walnuts, almonds and other wonderful new crop nutmeats.

\$17.50

Applejack Cake

Nothing evokes the homey, cozy atmosphere of Fall more than a dessert such as our moist apple walnut cake full of those irresistible aromas of cinnamon and spice.

\$25.95

Chocolate Souffle Cake

No Biga dessert menu could possibly be complete without our well-loved signature chocolate souffle cake — simply the very best.

small \$10.95 large \$21.95

Nana's Raisin and Almond Honey Cake

Tradition. We plump the raisins, toast the almonds and fold them into this moist honey-laced poundcake perfumed with spices and memories.

small \$5.95 large \$12.95



Steffi's Old-World Rugelah

We have no doubt these are the best rugelah you have ever tasted. Tucked inside each buttery pastry is a choice of apricot or raspberry preserves with dried fruits and nuts. Wrapped and ribboned for holiday giving.

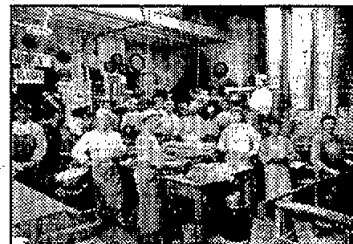
Halvah Shortbread

These unusual and very delicious cookies are made with sesame seed paste, brown sugar and lots of other yummy ingredients. Dressed for the holidays in a festive cello bag.

LA BIGA.

BAKING TO A LATIN BEAT!

Few cities are as enriched as Miami with such ethnic diversity. People have come here from all the world over bringing with them the culinary delights of their native countries. This is particularly true of the Latins in our community whose restaurants and festivals bring so much pleasure to all of us. Few bakeries have more historic ties to this vibrant community than Biga whose parent company — El Globo — has been in the bakery business for over 100 years in Latin America. So it is with great pride that we introduce a new concept in bakeries that brings together the best of the Old World and the best of the New. We're calling this novel enterprise La Biga but we do not intend it to be strictly for the Latins among us. Our goal is to have La Biga introduce everyone to the many delights that our multi-cultural community offers: wonderful artisan-made breads and pastries, along with specialties from Cuba, Venezuela, Colombia, Nicaragua, Argentina, Brazil, Mexico, Spain and virtually every other Spanish-speaking country.



Our first La Biga is now open in Kendall, at 12190 N. Kendall Dr. A second is opening soon on Coral Way at 27th Avenue. We hope you'll stop in to enjoy this exciting new bakery idea.

