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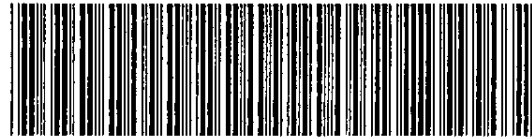
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11 MAY -6 AM 11:55
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

N. CAUSSEAU

MAY 10 2011

EXAMINER

LOTT & FISCHER, PL

INTELLECTUAL PROPERTY

Reply to Leslie J. Lott, Esq.
ljlott@lottfischer.com
(305) 448-7089

May 4, 2011

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

Via Express Mail
No.: EM 560268230 US

Re: Application for the Registration of a Trademark or Service Mark
Applicant: BRC Hospitality LLC
Mark: **SERGIO'S SINCE 1975 FRESH CUBAN CAFE** (written in fanciful cursive)
Our File No.: 19032-1-8400

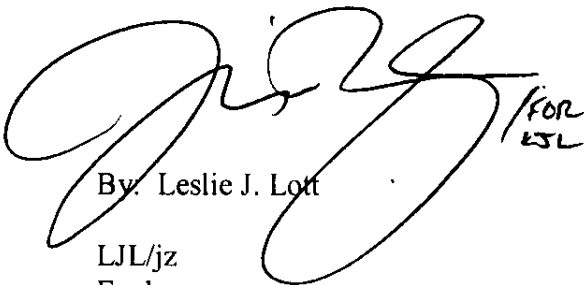
Ladies and Gentlemen:

We enclose for filing the original and one photocopy of applicant's Application for the Registration of a Trademark or Service Mark, three specimens (menu), and our firm's Trust Account check payable to "Florida Department of State" in the amount of \$87.50, representing the filing fee for an application in one class.

Please forward the registration certificate to our office, or call or correspond with us if there should be any question about this application.

Very truly yours,

LOTT & FISCHER

for
LJL
By: Leslie J. Lott
LJL/jz
Enclosures

INTELLECTUAL PROPERTY LAW:

PATENTS · TRADEMARKS · COPYRIGHTS
THE INTERNET · ENTERTAINMENT LAW
TRANSACTIONAL & LITIGATION MATTERS
DOMESTIC & INTERNATIONAL REPRESENTATION

355 ALHAMBRA CIRCLE
SUITE 1100
CORAL GABLES, FLORIDA 33134
305.448.7089 TELEPHONE
305.446.6191 FACSIMILE
WWW.LOTTFISCHER.COM

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COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: SERGIO'S SINCE 1975 FRESH CUBAN CAFE (written in a fanciful cursive font)
(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:

Leslie J. Lott, Esq.
(Name of Person)

Lott & Friedland, P.A.
(Firm/Company)

Post Office Drawer 141098
(Address)

Coral Gables, Florida 33114-1098
(City/State and Zip Code)

For further information concerning this matter, please call:

Leslie J. Lott at (305) 448-7089
(Name of Person) (Area Code & Daytime Telephone Number)
305-446-6191

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

TO: Division of Corporations
Post Office Box 6327
Tallahassee, FL 32314

FILED
11 MAY -6 AM 11:55
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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: BRC Hospitality LLC
(b) Owner's/Applicant's business address: 9230 SW 40th Street, Suite D
Miami, Florida 33165
City/State/Zip

If different, Owner's/Applicant's mailing address: _____
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: L07000011397 ✓
(2) Domicile State or Country: Florida
(3) Federal Employer Identification Number: 261276520

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.)

Restaurant 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.)

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:

Menus

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:

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:

043

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: May 31, 1975

(b) Date first used in Florida: May 31, 1975

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.)

SERGIO'S SINCE 1975 FRESH CUBAN CAFE

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) "Since 1975" "Fresh"
"Cuban" "Cafe" "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, Blanca Cabrera, 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.

Blanca Cabrera

Typed or printed name of applicant

Blanca Cabrera
Applicant's signature
(List name and title)

STATE OF Florida

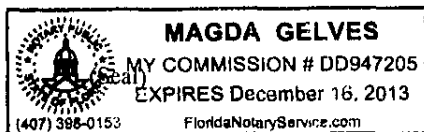
COUNTY OF Miami-Dade

FILED
11 MAY -6 AM 11:55
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

Sworn to and subscribed before me on this 13 day of April 2011 Blanca Rosa Cabrera
(Name of Individual Signing)

☒ who is personally known to me ☒ whose identity I proved on the basis of Driver License

C1166076556211



Magda Gelves
Notary Public Signature
Magda Gelves
Notary's Printed Name

My Commission Expires: Dec 16, 2013

FILING FEE: \$87.50 per class



FRESH • CUBAN • CAFE

OFFICIAL SPECIMEN

Take Out / Delivery Available

Party Platters

Call us to coordinate the catering for your next family or office gathering.



Ask about our new *Two for Tú*

menu option:

CHOOSE a premium 1/2 sandwich:

Cuban Croqueta Preparada, Muffuletta or Cuban Sandwich

PLUS your choice of:

small daily soup, garden of citrus salad,
avocado (thin sliced green plantain chips), or black beans

ALL FOR THE SAME PRICE AS A FULL SIZE SANDWICH!

LOCATIONS INCLUDE:

Cafe - Walmart Supercenter: 9300 NW 77 Ave., Hialeah Gardens, FL 33016 ph. 305.362.1234

Restaurant - Coral Gables: 3252 Coral Way, Coral Gables, FL 33145 ph. 305.529.0047

Restaurant - Bird Road: 9330 Bird Road, Miami, FL 33156 ph. 305.552.9626

Cafe & Restaurant - Kendall: 13550 SW 120th St, Suite 400, Miami, FL 33186 ph. 305.278.2024

305.362.1234
www.sergios.com

Breakfast

*All egg whites, additional sides and extras will incur an additional charge for breakfast entrée after 11am.

Sergio's Country Breakfast 5.49

Two eggs your style, fried or scrambled, with our signature ham, bacon or chorizo (pork sausage), tostada (Cuban toast), and café con leche (coffee with milk).

El Mezclado 5.49

Our scrambled egg recipe made with two scrambled eggs on the grill together with ham, cooked to perfection. Served with tostada (Cuban toast), coffee or café con leche (coffee with milk).

Breakfast Sandwich Meal 4.49

Scrambled or fried egg with bacon, cheese, and café con leche (coffee with milk).

Famous Pan con Tortilla

Cuban-style omelet served on Cuban bread. Choose from:

The Original: Full: 5.60 Half: 3.99

Ham, onions and potato.

The South Beach: Full: 6.25 Half: 4.25

Spinach, turkey, egg whites, onions, green peppers and tomatoes.

The Miami: Full: 5.99 Half: 4.15

Maduros (fried sweet plantains), onions and potato sticks.

The American: Full: 5.75 Half: 4.10

Bacon, tomato, green peppers, onions and potato sticks.

Breakfast Sides

Cuban Toast 95

Bacon or Ham 1.55

Hashbrowns 99

Sergio's Mini Egg Quiche 2.55

Pastelitos 90

Sandwiches

Pan con Bistec 6.15

Our famous steak sandwich...thin-sliced grilled steak with grilled onions, tomatoes, and potato sticks on Cuban bread.

Croqueta Preparada 6.50

Ham, pork, two croquettes, Swiss cheese, pickles and mustard, prepared on Cuban Bread.

Medianoche 5.60

The classic combination of sliced pork, ham, Swiss cheese, pickles and mustard on sweet bread.

El Cubano Regular 6.15

An all-time favorite...ham, pork and Swiss cheese with a touch of pickles and mustard on Cuban bread.

Sergio's Frita 3.50

A mildly spicy Cuban hamburger cooked on the grill and garnished with onions, potato sticks and a touch of ketchup. A must try!

Sandwich de Pollo 6.50

White chicken breast served with lettuce, tomato and mayonnaise on our Cuban bread.

Pan con Lechón 6.15

Pork, pork and more pork, grilled with onions and a mojito sauce, served on Cuban bread. An institution!

Desserts

Sergio's Arroz con Leche 2.95

Sweet rice pudding sprinkled with cinnamon.

Flan 2.95

Homemade sweet Cuban custard tart with caramelized sugar sauce.

Torreja 2.95

Sweet Cuban toast glazed with honey.

Sergio's Kids

All items are 5.75 and include fountain drink and choice of small black beans, soup, French fries or salad (12 years or younger).

Chicken Fingers

Burger

Grilled Cheese

Ham & Cheese Sandwich (Bocadito)

Salads

Garden or Caesar Salad 3.75

Add tuna salad for 2.00.

Chicken Caesar Salad 6.75

Our special marinated chicken, romaine lettuce and Caesar dressing, topped with our special potato sticks and parmesan cheese.

Sergio's Grilled Chicken Salad 6.99

Grilled chicken breast on top of our Spring mix with blue cheese, walnuts, red onions and dried cranberries.

Soups

Sopa de Pollo 2.99

Abuela's chicken soup recipe made from scratch.

Cream of Malanga Soup 3.49

Entrees

Add a fountain drink for 75¢. All entrees include rice and beans. Rice and beans can be substituted for a side of maduros (fried sweet plantains), side Caesar or garden salad, or French fries for no additional charge.

Bistec de Pollo a La Plancha 6.99

Juicy chicken breast cooked on the grill.

Sergio's Palomilla 6.99

Our famous Cuban-cut, juicy steak seared on the grill and served with onions. * A best seller.

Lechon Asado 6.99

Fresh pork marinated with our Sergio's mojito sauce.

El Dorado Mahi-Mahi Filet 8.55

A moist mahi filet in your choice of grilled or blackened.

Chicken Fingers 6.99

Chicken tenders with French fries and our honey mustard.

Breaded Chicken or Steak Chicken: 6.99 Steak: 7.50

Marinated and breaded with our grandma's recipe.

Vaca Frita 6.99

Shredded beef and sliced onions seared and marinated in our secret garlic sauce.

Anytime Sides

Empanadas 1.75

Croquetas 99

Maduros 1.99

Fries 1.99

Tostones 2.50

Black Beans 1.40

White Rice 1.75

Mariquitas 2.00

Beverages

Fountain Soda 1.45

Coke, Diet Coke, Sprite, Fanta, Nestea. One refill per customer.

Latin Sodas & Juices 1.45

Iron Beer, Materva, Jupiña, and Malta.

Batidos 3.55

Shakes in your choice of: banana, wheat, mamey, vanilla, chocolate & strawberry.

Homemade Juices

Carrot-Orange, Watermelon 2.99

Orange Juice 2.55

Specialty Coffees & Teas

Café Cubano 70

Cuban espresso.

Café con Leche 1.40

Cuban espresso with milk.

Cortadito 94

Cuban espresso with a splash of frothy milk.

American Coffee 1.55

Hot Tea 1.55

*Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of food-borne illness. Especially if you have certain medical conditions.