

TI 200000052

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

PICK-UP WAIT MAIL

(Business Entity Name)

W12-570

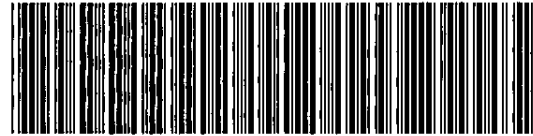
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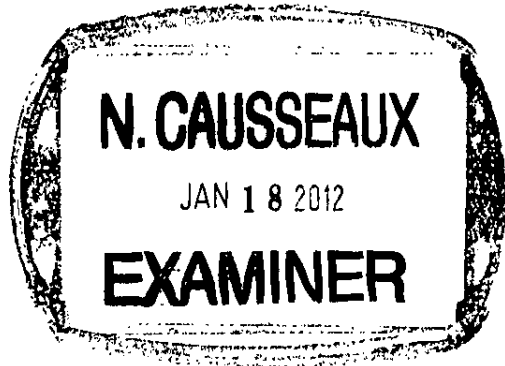
12/27/11--01053--011 **87.50

*Same
owed as
T11-987
& pending
w/USPTO
85492926*

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

12 JAN 17 AM 10:34

FILED



THE LIVINGSTON FIRM
ATTORNEYS AT LAW

PATENTS • TRADEMARKS • COPYRIGHTS
FRANCHISE AND RELATED BUSINESS LAW

Edward M. Livingston *†
Erica L. Loeffler
Bryan L. Loeffler *

963 TRAIL TERRACE DRIVE
NAPLES, FLORIDA 34103

"We Protect Your Creativity"®

Telephone: 239-262-8502
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Toll Free: 800-548-4332

* Registered US Patent Attorney
† Board Certified in Intellectual Property Law

December 20, 2011

www.thelivingstonfirm.com

Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Re: Registration of a Servicemark
Mark: SELL YOUR CAR TO US EVEN IF YOU DON'T BUY FROM US
Applicant: EVOLUTION AUTO SALES, LLC
Our File No.: 11-8052

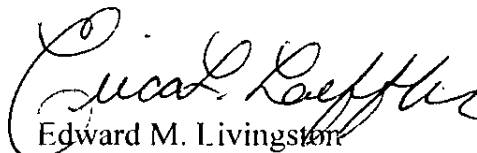
Dear Sir or Madam:

Enclosed find the original and one copy of an application for the registration of a servicemark for EVOLUTION AUTO SALES, LLC using the mark SELL YOUR CAR TO US EVEN IF YOU DON'T BUY FROM US. Attached to the application are three (3) specimens showing use of the mark. Also enclosed is a check in the amount of \$87.50 to cover the filing fee for one (1) class.

Please forward the filing receipt and any correspondence with regard to this Application to the undersigned.

Thank you very much for cooperation in this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,


Edward M. Livingston
Erica L. Loeffler

EML/dms

Enclosures- Servicemark app. (original & 1 copy); Specimens (3); and Check
pc: Applicant (w/enc.)



FLORIDA DEPARTMENT OF STATE
Division of Corporations

January 5, 2012

EDWARD M. LIVINGSTON, ESQUIRE
THE LIVINGSTON FIRM
963 TRAIL TERRACE DRIVE
NAPLES, FL 34103

SUBJECT: SELL YOUR CAR TO US EVEN IF YOU DON'T BUY FROM US
Ref. Number: W12000000570

We have received your document for SELL YOUR CAR TO US EVEN IF YOU DON'T BUY FROM US and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

The notary public's acknowledgement is incomplete. The seal, signature, and expiration date must be affixed. A notary public cannot notarize his own signature.

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) 245-6918.

Nanette Causseaux
Document Specialist Supervisor

Letter Number: 712A00000192

THE LIVINGSTON FIRM
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January 12, 2012

Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Re: State of Florida Registration of a Servicemark
Mark: "SELL YOUR CAR TO US EVEN IF YOU DON'T BUY FROM US"
Applicant: Evolution Auto Sales, LLC
Our File No.: 11-8052

Dear Sir or Madam:

Enclosed please find the original application for the registration of a servicemark for Evolution Auto Sales, LLC, using the mark "SELL YOUR CAR TO US EVEN IF YOU DONT BUY FROM US" that we had inadvertently sent with the notary public's acknowledgement incomplete (a copy of your letter dated January 5, 2012 is also enclosed).

Please forward the filing receipt and any correspondence with regard to this Application to the undersigned.

Thank you very much for cooperation in this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,



Edward M. Livingston
Erica L. Loeffler

EML/kmf

Enclosures: Original application
SOF Letter dated January 5, 2012

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

FILED ✓
12 JAN 17 AM 10:34
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: Evolution Auto Sales, LLC

(b) Owner's/Applicant's business address: 1300 Rinehart Rd.
Sanford, FL 32771
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: L10000104865 ✓

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 273695151

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.)

automobile dealership

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:

newspaper advertisements, brochures, flyers, pamphlets, website, and other ways customary in the industry

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:

35

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: 12/15/2011

(b) Date first used in Florida: 12/15/2011

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.)

SELL YOUR CAR TO US EVEN IF YOU DON'T BUY FROM US

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, Erica L. Loeffler, 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.

Erica L. Loeffler
Typed or printed name of applicant

Erica L. Loeffler, attorney for applicant
Applicant's signature
(List name and title)

FILED
12 JAN 17 AM 10:34
NOTARY PUBLIC STATE OF FLORIDA
TALLAHASSEE, FLORIDA

STATE OF Florida

COUNTY OF Collier

Sworn to and subscribed before me on this 12th day of January 2012, ERICA L. LOEFFLER
(Name of Individual Signing)

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

(Seal)

Kathleen M. Ferrary
Notary Public Signature
KATHLEEN M. FERRARY
Notary's Printed Name

My Commission Expires: APRIL 26, 2013

NOTARY PUBLIC-STATE OF FLORIDA
Kathleen M. Ferrary
Commission #DD883714
Expires: APR. 26, 2013
BONDED THRU ATLANTIC BONDING CO., INC.

FILING FEE: \$87.50 per class

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