

T18000000478

(Requestor's Name)

(Address)

W18-39109

(Address)

(City/State/Zip/Phone #)

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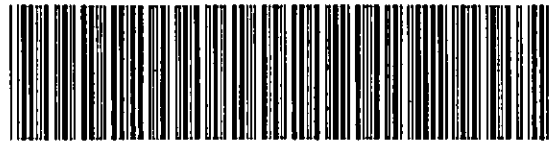
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SECRETARY OF STATE
DIVISION OF CORPORATIONS
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N. CAUSSEAU

MAY - 7 2018

Holland & Knight

10 St. James Avenue | Boston, MA 02116 | T 617.523.2700 | F 617.523.6850
Holland & Knight LLP | www.hklaw.com

Elizabeth R. Burkhard
(617) 573-5850
elizabeth.burkhard@hklaw.com

April 19, 2018

VIA OVERNIGHT MAIL

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

Re: Application for the Registration of a Trademark or Service Mark
Mark: 800 BEANS (logo)
Our Ref: 525179.00550

Dear Sirs:

Enclosed please find an Application for the Registration of a Trademark or Service Mark, along with a check in the amount of \$87.50 for the filing fee.

Also enclosed is a copy of this letter. Kindly date stamp the copy and return it in the enclosed self-addressed envelope.

Please do not hesitate to contact me with any questions.

Sincerely yours,



Elizabeth R. Burkhard

ERB/leo

Enclosures

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: 800 BEANS COFFEE BAR (logo)

(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:

Elizabeth Burkhard

(Name of Person)

Holland & Knight LLP

(Firm/Company)

10 St. James Avenue, 11th Fl.

(Address)

Boston, MA 02116

(City/State and Zip Code)

For further information concerning this matter, please call:

Elizabeth Burkhard

(Name of Person)

at (617) 573-5850

(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 25, 2018

ELIZABETH BURKHARD, ESQUIRE
HOLLAND & KNIGHT LLP
10 ST. JAMES AVENUE, 11TH FLOOR
BOSTON, MA 02116

SUBJECT: 800 BEANS COFFEE BAR & DESIGN "800 BEANS" IN STYLIZED
LETTERING BELOW A LINE WITH A COFFEE CUP WITH STEAM COMING
OUT OF IT ABOVE "E" IN "BEANS" & A LINE BELOW "800 BEANS" "COFFEE
BAR" SMALLER
Ref. Number: W18000039109

We have received your document for 800 BEANS COFFEE BAR & DESIGN "800 BEANS" IN STYLIZED LETTERING BELOW A LINE WITH A COFFEE CUP WITH STEAM COMING OUT OF IT ABOVE "E" IN "BEANS" & A LINE BELOW "800 BEANS" "COFFEE BAR" SMALLER and your check(s) totaling \$87.50. However, the document has not been filed and is being retained in this office for the following:

In lieu of returning your document, we have corrected the disclaimer statement on your document. We have inserted the term(s) "COFFEE BAR" in your disclaimer statement. A disclaimed term is still considered part of your mark. You simply do not claim the exclusive right to the use of the disclaimed term(s) apart from your mark.

If you agree with the corrections needed and would like this office to proceed with your filing, please notify this office in writing or by fax at 850-245-6030 to the attention of the undersigned.

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) 245-6051.

Nanette Causseaux
Regulatory Specialist II Supervisor

Letter Number: 618A00008553

Holland & Knight

10 St. James Avenue | Boston, MA 02116 | T 617.523.2700 | F 617.523.6850
Holland & Knight LLP | www.hknlaw.com

TO:		
Nanette Causseaux	Florida Department of State – Division of Corporations	(850) 245-6030
NAME	COMPANY/FIRM	FAX NUMBER
		(850) 245-6051
CITY	STATE	TELEPHONE NUMBER
FROM:		
Elizabeth R. Burkhard	(617) 573-5850	2
NAME	TELEPHONE	TOTAL PAGES (Including Cover Sheet)

FOR THE RECORD:

DATE: May 1, 2018	URGENCY: <input type="checkbox"/> SUPER RUSH <input type="checkbox"/> RUSH <input checked="" type="checkbox"/> REGULAR
FAXED BY:	FILE #: 525179.00550 Client Name:
CONFIRMED: <input type="checkbox"/> YES <input type="checkbox"/> NO	Name: Time:

If you did not receive all of the pages or find that they are illegible, please call 617.523.2700

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MESSAGE:

RE: 800 BEANS COFFEE BAR
Letter Number: 618A00008553
Ref. Number: W18000039109

Dear Nanette,

We agree with the correction to add "COFFEE BAR" to the disclaimer statement. Please proceed with the filing.

Do not hesitate to contact me with any questions.

RECEIVED

MAY - 1 PM 1:55

DEPARTMENT OF STATE
DIVISION OF CORPORATIONS
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: Waterford Core Operating L.P.

(b) Owner's/Applicant's business address: 800 N.W. 62nd Avenue
Miami, FL 33126

City/State/Zip

If different, Owner's/Applicant's mailing address: _____

City/State/Zip

(c) Owner's/Applicant's telephone number: 305 , 267-0465

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: B15-289
(2) Domicile State or Country: Delaware
(3) Federal Employer Identification Number: 475587163

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.)

Coffee shop and snack bar 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:

The mark is used on signage on the Applicant's coffee shop premises, sleeves for coffee cups, and on aprons, shirts and hats worn by staff.

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:

Class 43

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: n/a

(b) Date first used in Florida: April 2, 2018

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.)

800 BEANS COFFEE BAR logo, where 800 BEANS appears in stylized lettering below a line with
a stylized coffee cup with steam coming out of it disposed on the line above the E in BEANS, and with
a line below 800 BEANS having COFFEE BAR in smaller lettering disposed in a break in the line below part
of the B, the E, and part of the A of BEANS, and with a stylized coffee bean disposed on either end of 800 BEANS.

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)"

Coffee Bar

_____"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, Charles Russo, 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.

Charles Russo, Assistant Secretary

Typed or printed name of applicant

Charles Russo, Assistant Secretary

Applicant's signature
(List name and title)

FILED
SECRETARY OF STATE
DIVISION OF CORPORATE REGISTRATION
2018 APR 30 PM 2:52

STATE OF Florida

COUNTY OF MIAMI DADE

Sworn to and subscribed before me on this 24 day of April, 2018, Charles Russo
(Name of Individual Signing)

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

(Seal)



[Signature]
Notary Public Signature

Notary's Printed Name

My Commission Expires: _____

FILING FEE: \$87.50 per class

