

T03000000 405

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

PICK-UP WAIT MAIL

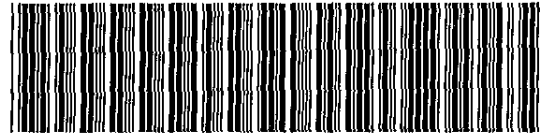
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

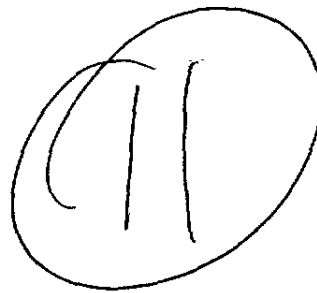
Office Use Only



800009076448

University Place & slogan
"A very special place to call
home" & des. of Fleur de lis (42)

12/05/02--01069--011 **87.50



W02-34346

✓✓

T03-405

FILED STATE
SECRETARY OF CORPORATIONS
DIVISION OF CORPORATIONS
03 APR -4 PM 1:38



LEWIS, LONGMAN & WALKER, P.A.
ATTORNEYS AT LAW

REPLY TO: Tallahassee

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December 3, 2002

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

RE: University Place
Service Mark Application

Dear Ms. Causseaux:

On behalf of University Place Joint Venture and University Place, attached is the application for the registration of a service mark for University Place and the fee of \$87.50. I have also enclosed service mark specimens as required by the application.

If you have any questions regarding this application, please contact me immediately at 850-222-5702.

www.llw-law.com

Jacksonville Office
9428 Baymeadows Road
Suite 625
Jacksonville, Florida 32256
(904) 737-2020
Fax: (904) 737-3221

Tallahassee Office
Post Office Box 10788 (32302)
125 South Gadsden Street
Suite 300
Tallahassee, Florida 32301
(850) 222-5702
Fax: (850) 224-9242

West Palm Beach Office
1700 Palm Beach Lakes
Boulevard, Suite 1000
West Palm Beach, Florida
33401
(561) 640-0820
Fax: (561) 640-8202

Sincerely,

Laura Feagin

cc: Amanda Brackett

Enclosures



FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State

December 6, 2002

LAURA FEAGIN, ESQUIRE
LEWIS, LONGMAN & WALKER, PA
P.O. BOX 10788
TALLAHASSEE, FL 32302

SUBJECT: UNIVERSTIY PLACE AND SLOGAN: "A VERY SPECIAL PLACE TO
CALL HOME" AND DESIGN OF FLEUR DE LIS
Ref. Number: W02000034346

We have received your document for UNIVERSTIY PLACE AND SLOGAN: "A
VERY SPECIAL PLACE TO CALL HOME" AND DESIGN OF FLEUR DE LIS and
your check(s) totaling \$87.50. However, the enclosed document has not been
filed and is being returned for the following correction(s):

Written approval and clearance of the terms "UNIVERSITY" and "COLLEGE"
must be obtained from the Department of Education, pursuant to section
246.121(4), Florida Statutes. The address is :

Department of Education
Board of Independent Colleges
107 W. Gaines St.
Room 209, Collins Bldg.
Tallahassee, FL 32399
(850) 488-8695

In Part I 1. (a) you need to list the correct name of the corporation, as shown on
records. We show the name as "NEAL COMMUNITIES, INC.".

Your mark contains word(s)/design(s) that must have a disclaimer. All
geographical terms, such as cities, states, countries, and designs of same, must
be disclaimed. Some commonly used words and corporate suffixes must also be
disclaimed. You must disclaim the following term(s) by completing the disclaimer
statement found in #2 of Part III of the application: UNIVERSITY PLACE, HOME

We need three permanent specimens, which may be the same or different.
TYPED, HANDWRITTEN or PHOTOCOPIED MATERIALS ARE NOT
ACCEPTABLE. We do not accept specimens which have been ALTERED or
DEFACED. ANY SIZE SPECIMENS ARE ACCEPTABLE. If your mark falls
under the classification of a trademark (classes 1-34), we need the labels, tags,
decals, containers, boxes, wrappers or 3 LEGIBLE photographs of the goods or
products with the specimen affixed. IF YOUR MARK FALLS UNDER THE
CLASSIFICATION OF A SERVICE MARK (CLASSES 35-42), WE NEED
SPECIMENS FROM WHICH WE CAN DETERMINE THE SERVICE(S) BEING

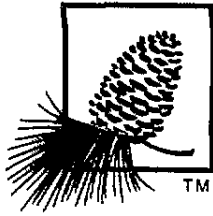
RENDERED. We will accept magazine and-or newspaper advertisements, brochures or business cards. If business cards are submitted, we must be able to determine the services being rendered. If your mark falls under the classification of both a trade and service mark, we need specimens for both. WE WILL NOT ACCEPT LETTERHEAD STATIONERY, ENVELOPES OR INVOICES AS SPECIMENS.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6918.

Nanette Causseaux
Corporate Specialist Supervisor

Letter Number: 202A00064914



LEWIS, LONGMAN & WALKER, P.A.
ATTORNEYS AT LAW

REPLY TO: Tallahassee

January 24, 2003

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VIA U.S. MAIL

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Fax: (561) 640-8202

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

RE: University Place -- Service Mark Application
Reference Number: W02000034346

Dear Ms. Causseaux:

On behalf of the above referenced service mark application, please consider this letter a request to extend the application resubmission deadline by 60 days. This application has not been abandoned.

On December 3, we submitted a service mark application on behalf of University Place. Although we have addressed the issues raised in your December 6 letter, we need additional time in order to be agendaed for a Florida Board of Education meeting and to receive its approval. It has taken us some time to receive the appropriate information and documents regarding their approval process. It's my understanding that the earliest our request will be agendaed is at the Board of Education's March meeting.

A 60-days extension will allow us the time to receive approval and submit the appropriate consent form from the Board of Education, the revised application, and the required specimens, by April 4. Although during our phone conversation today you indicated that the extension should be for 30 days, we know at this time that a 30-day extension will not give us the adequate time needed for approval. If a longer extension is a problem, please call me as soon as possible.

If you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

Laura Feagin

cc: Amanda Brackett
Enclosures



FLORIDA DEPARTMENT OF STATE
Ken Detzner
Secretary of State

January 29, 2003

LAURA FEAGIN, ESQUIRE
LEWIS, LONGMAN & WALKER, PA
P.O. BOX 10788
TALLAHASSEE, FL 32302

SUBJECT: UNIVERSTIY PLACE AND SLOGAN: "A VERY SPECIAL PLACE TO
CALL HOME" AND DESIGN OF FLEUR DE LIS
Ref. Number: W02000034346

We are granting additional 60 days with the understanding that your corrected application will be submitted at that time.

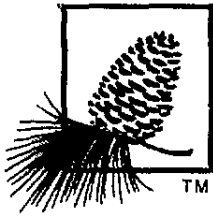
You failed to make the correction(s) requested in our previous letter.

Written approval and clearance of the terms "UNIVERSITY" and "COLLEGE" must be obtained from the Department of Education, pursuant to section 246.121(4), Florida Statutes. The address is :

Department of Education
Board of Independent Colleges
107 W. Gaines St.
Room 209, Collins Bldg.
Tallahassee, FL 32399
(850) 488-8695

Your mark contains word(s)/design(s) that must have a disclaimer. All geographical terms, such as cities, states, countries, and designs of same, must be disclaimed. Some commonly used words and corporate suffixes must also be disclaimed. You must disclaim the following term(s) by completing the disclaimer statement found in #2 of Part III of the application: UNIVERSITY PLACE, HOME

We need three permanent specimens, which may be the same or different. TYPED, HANDWRITTEN or PHOTOCOPIED MATERIALS ARE NOT ACCEPTABLE. We do not accept specimens which have been ALTERED or DEFACED. ANY SIZE SPECIMENS ARE ACCEPTABLE. If your mark falls under the classification of a trademark (classes 1-34), we need the labels, tags, decals, containers, boxes, wrappers or 3 LEGIBLE photographs of the goods or products with the specimen affixed. IF YOUR MARK FALLS UNDER THE CLASSIFICATION OF A SERVICE MARK (CLASSES 35-42), WE NEED SPECIMENS FROM WHICH WE CAN DETERMINE THE SERVICE(S) BEING RENDERED. We will accept magazine and-or newspaper advertisements, brochures or business cards. If business cards are submitted, we must be able to determine the services being rendered. If your mark falls under the classification



LEWIS, LONGMAN & WALKER, P.A.
ATTORNEYS AT LAW

REPLY TO: Tallahassee

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April 4, 2003

VIA HAND DELIVERY

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

RE: University Place
Service Mark Application – W02000034346

Dear Ms. Causseaux:

On behalf of Neal Communities, Inc., please consider the attached revised application for the registration of a service mark for University Place. On December 3, 2002, we had submitted an application and the fee of \$87.50. We received a letter from your office on December 6 stating that there was additional information required and that we had 30 days to reapply. Because of some delay caused with dealing with the Department of Education, we have had to ask for additional extensions.

First, your letter stated that we needed to have written approval and clearance from the Department of Education in order to use the term "University". It has taken several months in order to get a response from the Department of Education on whether we could use the term. On March 31, 2003, we finally received a letter from the Department of Education (Department) that states that we are not required to obtain permission to use the term in the State of Florida, as approval from the Commission is "necessary only under the Commission's jurisdiction." Since our request is for the purpose of a residential development, approval is not appropriate. Needless to say, we are surprised and concerned regarding the Department's response. This unnecessary requirement has delayed this application by three months. Attached for your review is the letter from the Department.

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SECRETARY OF STATE
DIVISION OF CORPORATIONS
03 APR -4 PM 1:38

Second, your letter stated that we needed to use the correct name of the corporation on the application. Previously, the application stated University Place Joint Venture. The revised application reflects the correct name of the corporation, "Neal Communities, Inc."

Third, your letter stated that our disclaimer statement found in #2 of Part III of the application needed to include "University Place, Home." The revised application's disclaimer statement now states those words.

Fourth, you requested three permanent specimens. We have included for your review several business cards, a newspaper advertisement, and a community brochure. Within the community brochure, there are additional specimens provided.

I hope the revised application and attached documents satisfies all of the outstanding issues with this application. Because of the lengthy delay caused by the Department of Education, we hope that we can receive of a response regarding this application as soon as possible.

If you have any questions regarding this application, please contact me immediately at 850-222-5702.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Feagin". The signature is fluid and cursive, with a prominent loop at the end.

David E. Ramba
Laura J. Feagin

cc: Amanda Brackett

Enclosures



FLORIDA DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

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Commissioner of Education



March 31, 2003

David E. Ramba
Laura J. Feagin
Post Office Box 10788
125 South Gadsden Street, Suite 300
Tallahassee, FL 32301

SUBJECT: NEAL COMMUNITIES INC.'S

Dear Mr. Ramba:

On behalf of the Commission for Independent Education, Neal Communities, Inc. is not required to obtain permission to use the term "UNIVERSITY" in the State of Florida. Approval from the Commission is necessary only under the Commission's jurisdiction. By University Place, located in Manatee County, registering as a corporation with the Florida Secretary of State for the purpose of residential development, pursuant to Florida Statute Section 1005.3(4), approval from the Commission for Independent Education is not necessary for this process.

If you have any further questions, please feel free to contact me at (850) 488-8695.

Sincerely,

Samuel Ferguson

Executive Director
Commission for Independent Education

SAMUEL L. FERGUSON
*Executive Director, Commission for Independent Education
Accountability, Research, and Measurement*

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 acknowledgment should be sent:

Neal Communities, Inc.

3711 Cortez Road West, Suite 300

Bradenton, FL 34210

(941) 756-0677

Daytime Telephone number

PART I

1. (a) Applicant's name: Neal Communities, Inc.

(b) Applicant's business address: 3711 Cortez Road West, Suite 300

Bradenton, FL 34210

City/State/Zip

(c) Applicant's telephone number: (941) 756-0677

Individual

Corporation

Joint Venture

Other:

General Partnership

Limited Partnership

Union

If other than an individual,

(1) Florida registration number: 612045

(2) Domicile State: Florida

(3) Federal Employer Identification Number: 65-1137379

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.)

Real Estate Development

(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, barbecue grills, shoe laces, etc.)

N/A

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

Advertising, labels, brochures, signs, collateral materials

(Continued)

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

37

PART II

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

(a) Date first used anywhere: 6/1/02 (b) Date first used in Florida: 6/1/02

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.)

"fleur de lis" similar graphic within circle with three lines

"University Place" "A Very Special Place To Call Home"

green and metallic gold colors, Bauer Bodoni Font

English Translation

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM "University Place, Home" APART FROM THE MARK AS SHOWN.

I, Patrick K. Neal, 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

Neal Communities, Inc.

Typed or printed name of applicant

Patrick K. Neal

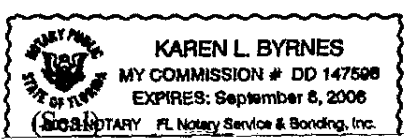
Applicant's signature or authorized person's signature (List name and title)

STATE OF Florida
COUNTY OF Manatee

On this 23rd day of December, 2002, Patrick K. Neal personally appeared before me,

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

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
03 APR -4 PM 1:08



Karen L. Byrnes
Notary Public Signature
KAREN L. BYRNES

Notary's Printed Name

Commission Expires: 9-08-06

PAUL JOHNSON, CSP
New Home Specialist
pjohnson@nealcustomhomes.com



8011 Springmarsh Drive, University Park, FL 34201 • Phone (941) 360-1231
Fax (941) 360-2012 • Toll Free 1-866-360-1231 • www.universityplace-fl.com
University Park Lifestyles, Inc.

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