

T03000001239

(Requestor's Name)

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(City/State/Zip/Phone #)

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(Business Entity Name)

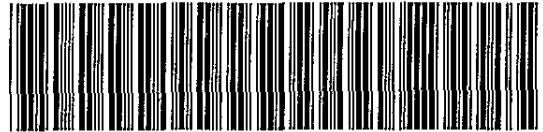
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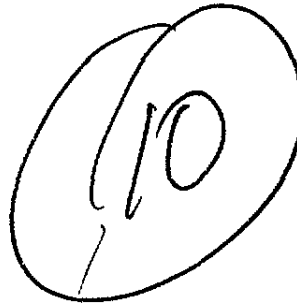
Office Use Only



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07/02/03--01063--002 **87.50

Aim High & des.
(42)



~~W03-19192~~

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T03-1239

FILED
STATE
DIVISION OF CORPORATIONS
03 SEP 30 AM 9:30

BRINKLEY, MCNERNEY, MORGAN, SOLOMON & TATUM, LLP

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** REGISTERED PATENT ATTORNEY
♦ BOARD CERTIFIED CITY, COUNTY &
LOCAL GOVERNMENT LAWYER
□ BOARD CERTIFIED TAX LAWYER

July 1, 2003

TRADEMARK REGISTRATION SECTION
DIVISION OF CORPORATIONS
409 E. GAINES STREET
TALLAHASSEE FL 32399

Via Federal Express

Re: State of Florida
Application for the Registration of Trademark
AIM HIGH & Design; Our File No. 8385-02754

Gentlemen:

I am enclosing the following documentation in connection with the filing of the trademark for **AIM HIGH & Design**:

1. Original Application for the Registration of a Service Mark for the referenced mark;
2. A check in the amount of \$87.50 made payable to the Division of Corporations for the filing fee;
3. Two (2) specimens (advertisement) for **AIM HIGH & Design**

Please furnish this office with evidence of the filing of this trademark application once same has been processed. Thank you for your attention to this matter.

Very truly yours,



Kevin P. Crosby

KPC/cm
Enclosures

G:\WPFILES\firm\Kpc\FORMS\Trademark\STATE OF FLORIDA\appin-4toffl.1
7/1/03



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

July 8, 2003

KEVIN P. CROSBY, ESQUIRE
BRINKLEY, MCNERNEY, ET AL.
19TH FL., SUN SENTINEL BUILDING
FT. LAUDERDALE, FL 33301-2209

SUBJECT: AIM HIGH AND DESIGN OF A WOMAN FACE AND ARM AND THE
BODY SHAPE AS A BOW
Ref. Number: W03000019192

We have received your document for AIM HIGH AND DESIGN OF A WOMAN
FACE AND ARM AND THE BODY SHAPE AS A BOW and your check(s) totaling
\$87.50. However, the enclosed document has not been filed and is being
returned for the following correction(s):

In Part II(1) a & b we need a month, a day, and a year for the date the mark was
first used anywhere and for the date it was first used in Florida.

The specimens provided this office are not acceptable; we need three permanent
specimens, which may be the same or different. We do not accept photocopies
or camera ready copies. We do not accept specimens which have been altered
or defaced in any manner. In order to register your service mark, we need
specimens from which we can determine the services being rendered. We will
accept brochures, newspaper, or magazine advertisements, or business cards. If
business cards are used, we must be able to determine from the business card
the services offered. The mere mark, address, city, etc., on the business card,
brochure, or advertisement is not acceptable -- we must be able to look at the
specimens provided and be able to determine the services being rendered. We
need specimens for each class of registration. We DO NOT accept letterhead,
stationery, envelopes, invoices or mailing labels.

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
Document Specialist Supervisor

Letter Number: 603A00040268

BRINKLEY, MCNERNEY, MORGAN, SOLOMON & TATUM, LLP

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- * BOARD CERTIFIED REAL ESTATE LAWYER
- ++ BOARD CERTIFIED MARITAL AND FAMILY LAWYER
- ** REGISTERED PATENT ATTORNEY
- ◇ BOARD CERTIFIED CITY, COUNTY &
LOCAL GOVERNMENT LAWYER
- BOARD CERTIFIED TAX LAWYER

August 14, 2003

MS. NANETTE CAUSSEAU
CORPORATE SPECIALIST SUPERVISOR
DIVISION OF CORPORATIONS
P O BOX 6327
TALLAHASSEE FL 32314

Via Express Mail

Re: State of Florida
Application for the Registration of Service Mark
AIM HIGH & DESIGN; Our File No. 8385-02754
Your Ref. No: W03000019192

Dear Ms. Causseaux:

Pursuant to your request, I am enclosing the following documentation in connection with the filing of the service mark for **AIM HIGH & DESIGN**:

1. The Amended original Application for the Registration of a Service Mark for the referenced mark in the name of North Broward Hospital District; and
2. Three (3) original specimens; and
3. A copy of your letter of July 8, 2003.

The application has been amended by way of addition of the dates of use and the description of the design. No further amendments have been made to the application.

Please accord this application a filing date of July 2, 2003, the date it was received by your office.

Please furnish this office with evidence of the filing of this trademark application once same has been processed. Thank you for your attention to this matter.

Very truly yours,



Kevin P. Crosby

KPC/ca
Enclosures
cc: Valerie J. Burton (Conrad & Scherer, LLP)
G:\WPFILES\clients\Nrb\Brow02754-SM-Aim High\OA resp wpd
8/14/03



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

August 19, 2003

KEVIN P. CROSBY, ESQUIRE
BRINKLEY, MCNERNEY, ET AL.
19TH FL., SUN SENTINEL BUILDING
FT. LAUDERDALE, FL 33301-2209

SUBJECT: AIM HIGH AND DESIGN OF A WOMAN FACE AND ARM AND THE
BODY SHAPE AS A BOW
Ref. Number: W03000019192

We have received your document for AIM HIGH AND DESIGN OF A WOMAN FACE AND ARM AND THE BODY SHAPE AS A BOW and your check(s) totaling \$87.50. However, the document has not been filed and is being retained in this office for the following:

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

The specimens provided this office are not acceptable; we need three permanent specimens, which may be the same or different. We do not accept photocopies or camera ready copies. We do not accept specimens which have been altered or defaced in any manner. In order to register your service mark, we need specimens from which we can determine the services being rendered. We will accept brochures, newspaper, or magazine advertisements, or business cards. If business cards are used, we must be able to determine from the business card the services offered. The mere mark, address, city, etc., on the business card, brochure, or advertisement is not acceptable -- we must be able to look at the specimens provided and be able to determine the services being rendered. We need specimens for each class of registration. We DO NOT accept letterhead, stationery, envelopes, invoices or mailing labels.

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
Document Specialist Supervisor

Letter Number: 403A00047077

BRINKLEY, McNERNEY, MORGAN, SOLOMON & TATUM, LLP

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LOCAL GOVERNMENT LAWYER
^o BOARD CERTIFIED TAX LAWYER

September 22, 2003

Ms. Nanette Causseaux
Document Specialist Supervisor
Florida Department of State
Division of Corporations
PO Box 6327
Tallahassee, FL 32314

03 SEP 30 AM 9:31
RECEIVED
DIVISION OF CORPORATIONS
FLORIDA DEPARTMENT OF STATE

Re: Aim High and Design of a Woman Face and Arm and the Body Shape as a Bow
Ref No.: W03000019192
Our File No. 8385-02754

Dear Ms. Causseaux:

We have received your letter of August 19, 2003. The specimens which we provided with our submission of August 14, 2003 are originals of pages taken directly from the client's workbook which is provided to patients of applicant at the time Applicant renders hospital and health care services to those patients. The documents specifically describe an aspect of the services provided under the Mark. Further, the specimens provided were three (3) originals specimens: they were neither photocopies nor camera ready copies. The specimens provided had not been altered or defaced in any manner.

As can be seen from the first specimen provided, which was a letter addressed "Dear Aim High Participant", the services associated with this Mark are hospital and health care services. It can be clearly seen from the specimens that health care services, including treatment and the provision of information regarding breast cancer, are the services with which the Mark is associated. According to the Trademark Manual of Examining Procedures ("TMEP"), "a specimen that shows the Mark as used in the course of performing the services is generally acceptable". TMEP

§1301.04(b). Where the record shows that the Mark is used in performing "as opposed to advertising" the services, are reference to the services on the specimen itself may not be necessary. TMEP §1301.04(b).

The Trademark Trial and Appeal Board held that specimens consisting of computer printouts displaying the Mark "GLOBAL GATEWAY" as it appeared on the computer terminal in the course of the applicant's rendering of services relating to data transmission were sufficient. *In re: Metriplex, Inc.*, 23 USPQ 2d.1315 (TTAB 1992). The specimens submitted in the instant application more clearly indicate the nature of the services with which the Mark is associated than those at issue in *In re Metriplex*. Since the specimens previously submitted fulfill all requirements, applicant respectfully requests that the specimens be considered sufficient.

Please accord this application a filing date of July 2, 2003, the day it was received by your office.

Please furnish this office with evidence of the filing of this trademark application once same has been processed. Thank you for your attention to this matter.

Very truly yours,



Kevin P. Crosby

KPC/si

G:\WPFiles\clients\NorthBrow\02754-SM-Aim High\nanette causeaux ltr 082803.wpd

(Continued)

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

INTERNATIONAL CLASS 042

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: 10/7/02 (b) Date first used in Florida: 10/7/02

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.)

AIM HIGH and Design (is a woman face and arm and the body shape as a bow). (Fancifully depicted woman comprised of a pair of arms, a face & a body formed from a piece of ribbon).

English Translation _____

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM " _____
" APART FROM THE MARK AS SHOWN.

I, WIL TROWER, 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

NORTH BROWARD HOSPITAL DISTRICT

Typed or printed name of applicant

[Signature]

Applicant's signature or authorized person's signature

(List name and title) WIL TROWER, CHIEF EXECUTIVE OFFICER

STATE OF Florida

COUNTY OF Broward

On this 8 day of May, 2003, W.L. Trower personally appeared before me,

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

(Seal)



My Commission Expires: _____

[Signature]

Notary Public Signature

Maryanne C. Wing

Notary's Printed Name

FEE: \$87.50 per class

03 SEP 30 AM 9:31
DIVISION OF REGISTRATIONS
STATE OF FLORIDA



Dear Aim High Participant:

Welcome to Aim High! This program was implemented to help breast cancer patients become more informed about breast cancer and its treatments.

We at Aim High know that a patient who is informed about breast cancer and its treatments, experience less anxiety and side effects during treatment. Enclosed in this folder, you will find your personal copy of the information covered throughout this program.

Let me congratulate you on your first step to being a breast cancer survivor!

Warmest regards,

Nicholas Tranakas, M.D., Medical Director
Comprehensive Breast Center