

105000000299

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

(Business Entity Name)

(Document Number)

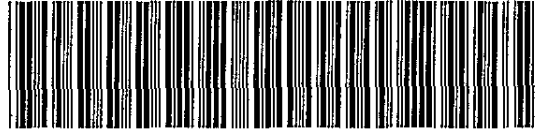
Certified Copies

Certificates of Status

Special Instructions to Filing Officer:

789/1158/1708/1671

After further review we
will grant res with the
following corrections.



900041346999

09/27/04--01009--005 **87.50

FILED
SECRETARY OF STATE
DIVISION OF INFORMATION
05 MAR -3 PM 12:48

File
per
3/3/05
nc

404-35893
105-299



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

September 28, 2004

DAVID REEL
GROUNDSCAPES OF FLORIDA, INC.
804 VICTORIA STREET
BRANDON, FL 33510

SUBJECT: GROUNDSCAPES AND CANARY ISLAND DATE PALM WITH
SETTING SUN IN BACKGROUND
Ref. Number: W04000035893

We have received your document for GROUNDSCAPES AND CANARY ISLAND DATE PALM WITH SETTING SUN IN BACKGROUND and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

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: "GROUNDSCAPES"

If the term "OF FLORIDA, INC." is to be part of your registration, it must be included in Part III of the application.

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: 404A00056751



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

October 4, 2004

Attention: Nanette Causseaux

Dear Ms. Causseaux,

Thank you for speaking to me today about the name that we have been wanting to trademark/service mark-Groundscapes.

In 1992, we changed our name to Groundscapes of Florida, Inc. as shown on the enclosed letter dated 11/9/1992 from the Florida Department of State.

We have done business since that time, and now we are wanting to protect our company from similarly named companies in the same line of business. We noticed that your 1st paragraph, Section 1 General Information mentions that First in Use, First in Right seems to be appropriate.

We request that further consideration be given to our request, and ask that you further instruct us as to how to better perfect the exclusive right to use that name, specifically, Groundscapes. Please be aware that we also are the owners of the Florida Corporation, Groundscapes Maintenance Corp., and there is no conflict with ourselves. However, one inquiry that we pulled offline from your data base seems to be a conflict directly to our name, and is listed as Groundscapes, mailing address 1202 Begonia Drive, Holiday, Florida. To me, this seems that it should not have been allowed by the Department of State, because from what I understand from your information sheets, a disclaimer has to be made for all geographical terms, such as cities, states, etc., and since that is so, then our own original corporate name of Groundscapes of Florida, Inc. would be therefore shortened to merely, Groundscapes.

Please advise us, as we do not want to sign a waiver giving away the name Groundscapes. We feel that this is a unique name, and it was not known to have been in use before we began using it by virtue of the date stamps that we notice on the other Groundscapes usages.

Sincerely,

David M. Reel
Registered Agent
Groundscapes of Florida,
Inc.
804 Victoria Street
Brandon, Florida, 33510



FLORIDA DEPARTMENT OF STATE
Jim Smith
Secretary of State

November 9, 1992

GROUND CONTROL
4801 LYNN OAKS CIR.
DOVER, FL 33527

Re: Document Number V54475

The Articles of Amendment to the Articles of Incorporation of GROUND CONTROL OF TAMPA BAY, INC. which changed its name to GROUND SCAPES OF FLORIDA, INC., a Florida corporation, were filed on November 9, 1992.

Should you have any questions regarding this matter, please telephone (904) 850-487-6050, the Amendment Filing Section.

Tawana McClellan
Corporate Specialist
Division of Corporations

Letter Number: 79: A00004471

WWW.DOS.STATE.FL

850.488-9000
new name



FLORIDA DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

November 10, 2004

DAVID REEL
LANDSCAPES OF FLORIDA, INC.
804 VICTORIA STREET
BRANDON, FL 33510

SUBJECT: LANDSCAPES AND CANARY ISLAND DATE PALM WITH
SETTING SUN IN BACKGROUND
Ref. Number: W04000035893

We have received your document for LANDSCAPES AND CANARY ISLAND
DATE PALM WITH SETTING SUN IN BACKGROUND and your check(s) totaling
\$87.50. However, the enclosed document has not been filed and is being
returned for the following correction(s):

As stated in our previous correspondence and our telephonic conversation today,
the term "LANDSCAPES" must be disclaimed. Your document is being
returned as requested. Please review this matter with your attorney and notify
this office accordingly.

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) 245-6911.

Brenda Tadlock
Senior Section Administrator

Letter Number: 004A00064338



**GROUNDSCAPES
OF FLORIDA, INC.
804 Victoria Street, Brandon, Florida 33510**

December 15, 2004

**Florida Department of State
Division of Corporations
P. O. Box 6327
Tallahassee, Florida 32314**

ATTENTION: Brenda Tadlock, Senior Section Administrator

**SUBJECT: Groundscapes and Canary Island Date Palm with
setting sun in background**

Ref. Number: W04000035893

Dear Brenda:

**Enclosed you will find two of the listed companies using the name
'Groundscapes' in their operation who have answered our written request
to disclaim their use of that name. We have written to the others with a
more urgent request before filing a lawsuit forcing the issue before a judge
to decide the case.**

**We are still pursuing our desire to have the sole right to use 'Groundscapes'
in Florida, based on "First in Use, First in Right" general rule as stated in
your guidelines.**

Please keep this file open.

Sincerely,

A handwritten signature in black ink that reads "David M. Reel". The signature is fluid and cursive, with a long horizontal stroke at the end.

**David M. Reel
Groundscapes of Florida, Inc.**



GroundscapeS
of Florida, Inc.

804 Victoria Street, Brandon, Florida 33510

PH: 813-689-2228

Fax: 813-651-3072

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

Attention: Brenda Tadlock, Senior Section Administrator
Subject Reference W04000035893

Dear Mrs. Tadlock,

Enclosed you will find another of the listed companies using the name 'Groundscapes' in their operation who has answered our written request to disclaim their use of that name. One of the others located in Cocoa Beach, Florida has advised me that they have changed their name, and they will send me a copy of that next week.

We have previously filed a request for the name Groundscapes, Inc., and was rejected perhaps because of this enclosed fictitious name. If this cancellation enclosed will clear the way for our requesting the additional corporate name that we are striving to have exclusive rights to in Florida, please allow this to be processed. We believe that you still have the paperwork there in your office.

We will continue to file the completed paperwork with you as we receive them from the other companies that have responded to us.

Sincerely,

A handwritten signature in cursive script that reads "David Reel".

David Reel

Registered Agent

Groundscapes of Florida, Inc.

State Department



Groundscapes

of Florida, Inc.

804 Victoria Street, Brandon, Florida 33510

PH: 813-689-2228

Fax: 813-651-3072

December 27, 2004

Groundscapes
1202 Begonia Drive
Holiday Florida 34691

Dear Sirs,

On November 10, 2004, we wrote to you concerning your use of the name 'Groundscapes' as you are currently registered with the State of Florida shown in the address listed above. In that letter, we requested an acknowledgement from you as to whether or not you would voluntarily agree to stop using the name, as we are pursuing the exclusive use of that name based on the rights outlined in the guidelines put out by the State of Florida enclosed within.

To this date, we have not heard from your company as to your intent, and we are again requesting this to be relayed to us right away, as we will begin legal procedures by the first of January if we have not heard from you.

Again, there is nothing personal about this, but it is strictly business. We have actively used this name since 1992, and we are expanding to other areas of Florida, and we simply do not want any confusion over the names.

I have enclosed a copy of the form the State of Florida recognizes to dissolve a name for your use. If you are willing to complete this form and return it to us, we will file it and pay the fees associated with it.

We would very much like to conclude this matter without having to involve the legal course of action through the court system, due to the costs involved, but please understand that we are serious about this, and will pursue all means necessary to resolve it.

Cordially,

David Reel

David Reel
Registered Agent
Groundscapes of Florida, Inc.

1/7/05
DAVID,

I AGREE TO STOP USING
GROUNDSCAPES. PLEASE FILE
APPLICATION WITH THE STATE.

THANKS.
[Signature]



Groundscapes
OF FLORIDA, INC.
804 Victoria Street, Brandon, Florida 33510

February 3, 2005

Division of Corporations
P. O. Box 6327
Tallahassee, Florida 32314

Attention: Brenda Tadlock, Senior Section Administrator

RE: Wo4000035893

Dear Brenda,

Over the past few months, I have forwarded various registration cancellations to you of other companies that were using the name 'Groundscapes' in their name; who have agreed to for purposes of our being able to use that name exclusively in Florida.

To date, we believe that all have cancelled, or are inactive, and we remain the sole existing Groundscapes. With this letter, we are again asking for the State of Florida to accept our application for the service mark **Groundscapes**, and further, we want to move to change our name to Groundscapes, Inc. The fictitious entity Groundscapes has cancelled that name usage at our request. Groundscapes Maintenance is an affiliated corporation of our, but if necessary, we will dissolve that name too, just to make this change necessary. We were able to effect all of the cancellations without having to bring suit, thereby saving us considerable expense.

I thank you for your help. Please advise by phone or mail whatever further you may require.

Sincerely,

David M. Reel
Groundscapes of Florida, Inc.

DMR

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:

David Reel
Groundscapes of Florida, Inc.
804 Victoria Street
Brandon, Florida 33510
(813) 689-2228
Daytime Telephone number

PART I

1. (a) Applicant's name: Groundscapes of Florida, Inc

(b) Applicant's business address: 804 Victoria Street
Brandon, FL 33510
City/State/Zip

(c) Applicant's telephone number: (813) 689-2228

☐ Individual ☒ Corporation ☐ Joint Venture ☐ Other:
☐ General Partnership ☐ Limited Partnership ☐ Union

If other than an individual,

(1) Florida registration number: 999-10628 (2) Domicile State: FLORIDA

(3) Federal Employer Identification Number: 59-3562497

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.)

Landscape installation, landscape design, lawn irrigation
lawn & landscape maintenance, water features

(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.)

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

Advertisements, brochures, BUSINESS CARDS, T-SHIRTS, MAGNETIC
DECALS, DECALS, COFFEE MUGS, PHONE BOOK ADVERTISEMENTS

(Continued)

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

42

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: 7/29/92 (b) Date first used in Florida: 7/29/92

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.)

LANDSCAPES

Logo - Canary Island Date Palm with setting sun in background.

English Translation _____

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM " OF FLORIDA, INC. " APART FROM THE MARK AS SHOWN.

I, CAROL QUESADA, 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

CAROL QUESADA

Typed or printed name of applicant

Carol Quesada, V.P.

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

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
05 MAR -3 PM 12:48

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

On this 21 day of SEPTEMBER, 2004, CAROL QUESADA personally appeared before me,

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

(Seal)

DAVID M. REEL
Notary Public, State of Florida
My comm. exp. Oct. 6, 2007
Comm. No. CC877197

David M. Reel

Notary Public Signature

DAVID M. REEL
Notary Public, State of Florida
My comm. exp. Oct. 6, 2007
Comm. No. CC877197

My Commission Expires: _____

FEE: \$87.50 per class



David M. Reel
President

(813) 689-2228
(813) 651-3072 Fax
804 Victoria Street
Brandon, FL 33510
groundscapesofflorida.com

Commercial & Residential
Landscape Designs
Installations • Palms
Water Features • Bamboo