

T06000000919

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(Business Entity Name)

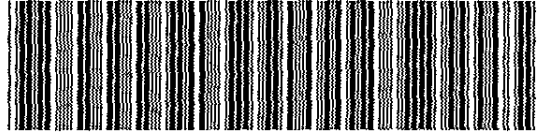
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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

✓

Kenneth D. Suzan
Senior Associate
Direct Dial: 716.848.1245
ksuzan@hodgsonruss.com



June 28, 2006

Via Express Mail: ER 952429090 US

Division of Corporations
Florida Department of State
Post Office Box 6327
Tallahassee, FL 32314

Dear Sir or Madam:

Re: Application for the Registration of
Service Mark - KING'S GOURMET MARKET
Our File No.: 045328.00001

Enclosed please find for filing with the Division of Corporations:

1. Original and one copy of application for the registration of a service mark;
2. Specimens covering Classes 35 (3 specimens per class);
3. A check payable to the Florida Department of State in the amount of \$87.50 covering one class.

Please do not hesitate to contact the undersigned should you have any questions.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kenneth D. Suzan".

Kenneth D. Suzan

KDS/dsc
Enclosures
cc: Janice L. Griffin, Esq. (via E-mail)

BFLODOCS 1579761 v1



FLORIDA DEPARTMENT OF STATE
Division of Corporations

July 5, 2006

KENNETH D. SUZAN, ESQUIRE
HODGSON RUSS LLP
ONE M&T PLAZA, SUITE 2000
BUFFALO, NY 14203-2391

SUBJECT: KING'S GOURMET MARKET
Ref. Number: W06000029941

We have received your document for KING'S GOURMET MARKET 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.

You must disclaim the term(s) "GOURMET" in addition to the term(s) already disclaimed. Please amend #2 in Part III 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) 245-6918.

Nanette Causseaux
Document Specialist Supervisor

Letter Number: 906A00043562

Kenneth D. Suzan
Senior Associate
Direct Dial: 716.848.1245
ksuzan@hodgsonruss.com



July 18, 2006

BY EXPRESS MAIL

Division of Corporations
Post Office Box 6327
Tallahassee, FL 32314
Attn: Nanette Causseaux

Dear Ms. Causseaux:

Re: New United States Trademark/Service Mark Application for
Mark: KING'S GOURMET MARKET
In the name of: King's Gourmet Markets, LLC
Ref. No.: W06000029941
Letter No.: 906A00043562
Our Ref.: 045328.00002

Enclosed please find the amended Application For The Registration Of A
Trademark or Service Mark and a copy of your letter dated July 5, 2006.

We addressed all conditions stated in your letter and believe that this application
is in condition to proceed to registration.

If there are any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth D. Suzan", written over a horizontal line.

Kenneth D. Suzan

KKS/mlm
Enclosures

045328/00002 BFLODOCS 1598175v1

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:

Kenneth D. Suzan, Esq.

Hodgson Russ LLP

One M&T Plaza, Suite 2000, Buffalo, NY 14203

(716) 856-4000
Daytime Telephone number

PART I

1. (a) Applicant's name: King's Gourmet Markets, LLC

(b) Applicant's business address: 5473 Grand Park Place

Boca Raton, Florida 33486

City/State/Zip

If different, Applicant's mailing address: _____

City/State/Zip

(c) Applicant's telephone number: (561) 368-2600

☐ Individual

☐ Corporation

☐ Joint Venture

☒ Other Limited Liability
Company

☐ General Partnership

☐ Limited Partnership

☐ Union

If other than an individual,

(1) Florida registration/document number: L05000091930 ✓ (2) Domicile State: Florida

(3) Federal Employer Identification Number: 65-1260147

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.)
offering

Retail grocery store services, catering, flowers, bakery, beer/wine, cheese, fish, meat,
produce, housewares, healthfood, vitamins, liquors, prepared foods, cafe, restaurant, deli,
gourmet foods, groceries.

(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.)

Newspaper advertisements and Internet Web Site advertisements.

(Continued)

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

Class 35

FILED
06 JUL 25 PM 12:06
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

PART II

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

January 1, 1979

(a) Date first used anywhere: (b) Date first used in Florida: January 1,

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.)

KING'S GOURMET MARKET

English Translation

2. DISCLAIMER (if applicable)

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

I, Jeffrey Sussman, 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

King's Gourmet Markets, LLC

Typed or printed name of applicant

[Signature]
Applicant's signature
(List name and title)

STATE OF FLORIDA

COUNTY OF PAIM BEACH

On this 31 day of May, 2006, Jeffrey Sussman, member personally appeared before me,

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

(Seal)

[Signature]
Notary Public Signature

Notary's Printed Name

Janice L. Griffin

My Commission Expires:

My Commission DD120028

Expires June 30, 2008

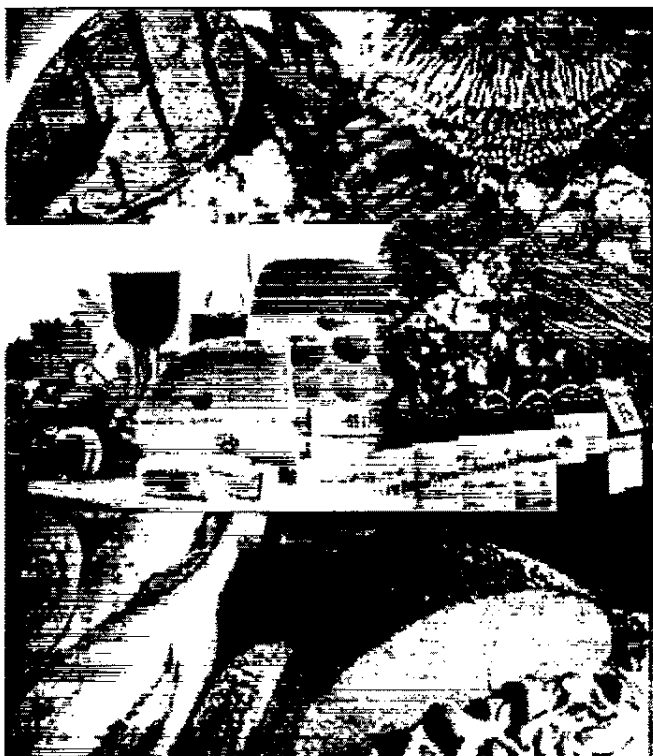
FEE: \$87.50 per class



DAILY LUNCH SPEC
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561.368.2600

Catering | Prepared Foods | Sandwich Counter | Bakery | Deli | Meat | Grocery | Wine | Fishery | Produce



Tour of Departments

King's Gourmet Market invites you to enjoy our stunning array of farm fresh produce, enticing, taste as good as look desserts, and fresh from the oven breads and rolls.

Our sparkling seafood department is second to none in quality and variety. We feature prime and certified Angus beef, fresh American lamb and veal, and Bell and Evans chilled all natural chickens.

Recently we've added 100's of new specialty and national products, as well as everyday staple items, to make your one stop everyday specialty market. Shop King's Boca's best quality and service for 27 years.

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SPECIALS

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CERTIFIED ANGUS USDA CHOICE
SKIRT STEAK 8.99/lb
SELECT CHARDONNAY 14.99
SAVE \$5

PROMOZIONE DELLE VENDITE

The PREMIUM QUALITY STORE

Kings
GOURMET MARKET

5 1/2" RPK BEEF STEAK 7.99/lb
TOMATOES 7.99/lb
PREMIUM EXTRA LARGE GEORGIA PEACHES 1.49/lb

FRESH CUT ON PREMISE
FLOWS IN FRESH

GROUPE 9.99/lb
FILLET

DAYSHIRE LOBSTER
BISQUE 3.99

FRESH CUT ON PREMISE

LIVE MAINE LOBSTERS 9.99/lb
1.5 LB. AVG.

LITTLETON'S CLAMS 3.99/dozen

LIVE MAINE LOBSTERS 12.99/lb
2+ LB. AVG.

GOLDENST ALL NATURAL BONELESS & SKINLESS CHICKEN BREAST 1.99/lb

CERTIFIED ANGUS USDA CHOICE BONE FAT FREE GROUND SIRLOIN 2.99/lb

CERTIFIED ANGUS USDA CHOICE EYE OR SIRLOIN ROAST 2.99/lb

MARINO PARRAS AMERICAN BAGED CENTER CUT LAMB STEAK 4.99/lb

LUNDY'S LEAN & TENDER COUNTRY STYLE RIBS 2.49/lb

INTRODUCING NATURAL CERTIFIED ANGUS BEEF

FRESH HARVEST CALIFORNIA JUMBO & SIZE VERY SWEET CANTALOUPE 2.99/\$5

CALIFORNIA JUMBO & SIZE HONEY DEW 3.99/lb

TEXAS SUGAR SWEET SEEDLESS WATERMELON 4.99/lb

CALIFORNIA ANDY BOY BIG HEAD ROMAINE LETTUCE 99¢/lb

FIRST OF THE SEASON JERSEY BLUEBERRIES 2.99/1/2 GAL PINT

ENTREES HOME MADE FROM OUR KITCHEN

SPLIT PEA SOUP 6.99/QT

GRILLED CHICKEN BREAST 7.99/lb

BROCCOLI RABE 3.99/lb

HOUSE GRILLED LONDON BROIL 6.99/lb
CERTIFIED ANGUS BEEF

CHEESE HOUSE MADE ON PREMISES FRESH MOZZARELLA 6.99/lb

BAKED IN OUR OVENS

DEEP OVEN 10" KEY LIME PIE 6.99

100% WHOLE WHEAT BREAD 1.99/loaf

DELI FRESH SLICED TO ORDER CERTIFIED ANGUS USDA CHOICE HOUSE ROASTED ROAST BEEF 6.99/lb

TURKEY BREAST 6.99/lb
BONE'S HEAD OVEN GOLD

HORMEL DELUNGO GENOA SALAMI 5.99/lb

WINE

Markham Merlot save \$5 13.99

Yangara Estate Shiraz 92 pts. save \$6 19.99

Stonestreet Merlot save \$6 14.99

Franciscan Sauvage Chardonnay save \$10 26.99

Gloria Ferre Chardonnay save \$7 10.99

Paul Hobb "Richard dinner" Chardonnay 69.99

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A WORLD OF GOURMET FOOD JUST A MOUSE CLICK AWAY

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DANISH ASSORTED FLAVORS YOGURT 5.99/QT

WHILE SUPPLIES LAST DIVELLA PASTA 7.99/box

COLAVITA 17 OZ. BALSAMIC VINEGAR 3.99

PRODUCT OF ITALY COLAVITA EXTRA VIRGIN OLIVE OIL 5.99/1/2 GAL

CLICK ON OVER TO OUR NEW REDESIGNED WEBSITE: WWW.KINGSGOURMETMARKET.COM