

109000001154

(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 Office

2880
789/6367/304/747/6260
(43)
P/s. provide us with
written confirmation
if you wish to continue
w/this reg

Office Use Only



000161434300

10/15/09--01017--010 **87.50

~~1009-46014~~

109-1154

FILED
09 NOV -6 AM 10:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

N. CAUSSEAU

NOV 6 2009

EXAMINER

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Relish
(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:

Desirée S. Tobin
(Name of Person)

Relish, Inc.
(Firm/Company)

233 S. Federal Highway #925
(Address)

Boca Raton, FL 33432
(City/State and Zip Code)

For further information concerning this matter, please call:

Daniel Tobin at (561) 350-8111
(Name of Person) (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

October 15, 2009

DESIREE S. TOBIN
RELISH INC.
233 S. FEDERAL HIGHWAY #925
BOCA RATON, FL 33432

SUBJECT: RELISH & DESIGN OF THE WORD "RELISH" SPELLED OUT IN LOWERCASE LETTERS, A CAPITAL "R" IS SUPERIMPOSED OVER THE WORD "RELISH"

Ref. Number: W09000046014

We have received your document for RELISH & DESIGN OF THE WORD "RELISH" SPELLED OUT IN LOWERCASE LETTERS, A CAPITAL "R" IS SUPERIMPOSED OVER THE WORD "RELISH" and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

Please note there is a pending registration for the same or a similar mark with the U.S. Patent and Trademark Office. Chapter 495, Florida Statutes, does not allow this office to deny a Florida mark due to a pending federal registration. Therefore, we will register the mark in the state of Florida if you wish to proceed with its registration. However, we strongly suggest that you reconsider your registration. The registration of mark with the Florida Department of State is a ministerial act intended solely for the purpose of providing public notice of the registrant's ownership rights. The right of ownership of any mark is based on the use of a mark in the ordinary course of trade and is not based on a grant by the Florida Department of State. Therefore, it will be the owner's responsibility, not that of the Florida Department of State, to defend it should a case of infringement arise as a result of the mark's Florida registration.

Please provide us with "WRITTEN CONFIRMATION" if you want to go forward with this mark registration.

You have indicated in number 1(c) of Part I of the application that the owner and applicant of the mark will be a business entity and not an individual. Therefore, you must delete the individual's name listed in number 1(a) of Part I and insert the correct name of the appropriate business entity.

Class(es) "43" would appear applicable to your specific mark. Please delete the

class(es) you have on line 2 (d) and insert the pertinent class(es) "43".

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) 245-6918.

Nanette Causseaux
Document Specialist Supervisor

Letter Number: 809A00033091

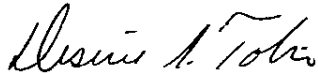
Nov. 2, 2009

To Whom It May Concern:

I would like to move forward with registering the enclosed service mark with the State of Florida. Suggested corrections have been made to the application.

In addition, an additional correction, which was not mentioned in the letter, was made to Part III, No. 1. The subject of the mark application should now read: "A capital 'R' & design of the 'R' with Relish & design of the word 'relish' spelled out in lowercase letter superimposed over the 'R'.

Thank you,

A handwritten signature in cursive script, appearing to read "Desiree S. Tobin".

Desiree S. Tobin
Relish, Inc.

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

RECEIVED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA
NOV - 6 AM 10:00

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: Belish, Inc.

(b) Owner's/Applicant's business address: 233 S. Federal Highway #925
Boca Raton, FL 33432
City/State/Zip

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

(c) Owner's/Applicant's telephone number: (561) 414-1996

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: PD8000067357

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 26-4748951

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.)

Restaurant

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, 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 name, logo, design and/or slogan 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 service mark is displayed here on Relish's menu.

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 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:

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: _____

(b) Date first used in Florida: Feb. 7, 2008

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.)

Belish is spelled-out in lowercase letters. A capital "R" is
placed in back.

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) "_____
" 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, Desirée S. Tobin, 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.

Typed or printed name of applicant

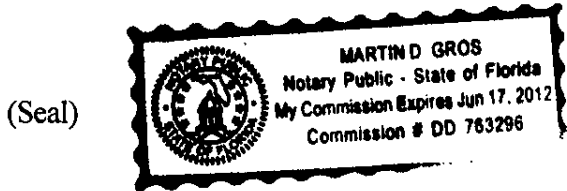
Desirée S. Tobin, Owner
Applicant's signature
(List name and title)

FILED
09 NOV - 6 AM 10:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

STATE OF FLORIDA
COUNTY OF Palm Beach

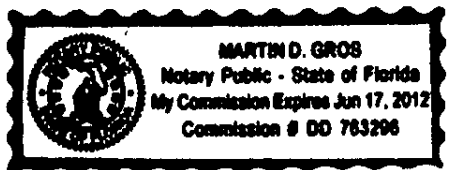
On this 12 day of October, 2009,
appeared before me, personally

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



Martin D. Gros
Notary Public Signature
Martin D. Gros
Notary's Printed Name

My Commission Expires: _



FILING FEE: \$87.50 per class

Seasoned Hand Cuts

Fresh Cut Classic Fries / Shoe String
Onion Rings / Half and Half
With your choice of Seasoning Salt

3.75

Selection of House Made Seasoning Salts

Sea Salt & Ground Pepper /
Szechwan Peppercorn Salt /
Smoked Pimenton Salt / Cumin Chile
Salt / Truffled Salt /
Smoked Chardonnay Salt

Beverages

Soda

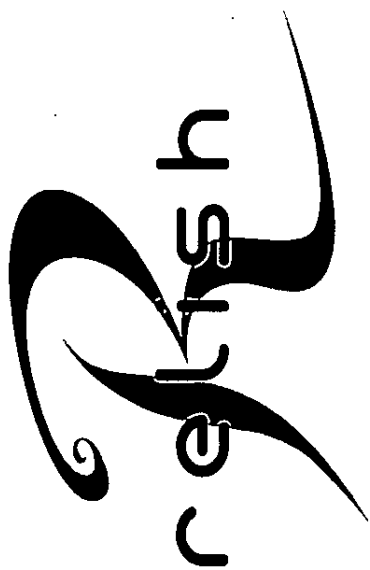
Coca-Cola / Root Beer / Orange /
Cream / Ginger Ale / Black Cherry

1.95

Iced Teas

China White / Pomegranate / Spicy
Mango / Blackberry / Mojito / Kiwi /
Blood Orange

2.25



Mini Burgers 3 / 6 / 9

3 ounces of seasoned ground beef, turkey, or wild mushroom /
rooms /
cheese / 2 relishes / brioche bun

6- / 10- / 14-

Cheeses

Horseradish Cheddar / Aged Swiss / Creamy Blue /
All American "American" / Fresh Mozzarella

Additional Cheese 1- (per set of 3)

Relishes

Smoked Tomato Ketchup / Sweet Balsamic Onions /
Avocado Relish / Housemade Garlic Pickles / Three Pepper
Chutney / Pesto / Horseradish Sour Cream / Wild
Mushroom Confit / Harissa Mayonnaise / Pink Pickled
Onions / Chimichurri / Ginger Plum Relish / Applewood
Smoked Bacon Remoulade / Steakhouse Iceberg "Slaw"

Extra Relish .75 (great for dipping!)

Warm Mini Cookie Dippers

Chocolate Chip / Inside Out
Chocolate Chip / Sugar / Peanut
Butter / Carrot

½ dozen minis with 1 dip /
1 dozen minis with 2 dips

3.95 / 6.95

Sweet Relish Cookie Dips

Vanilla Bean Cream / Nutella /
Seedless Raspberry Preserves /
Dulce de Leche / Marshmallow
Cream / Rich Chocolate Fudge /
Cream Cheese Frosting

Extra dip .75

Milk Shakes

French Vanilla / Fresh Strawberry /
Dark Chocolate / Hazelnut /
Peanut Butter & Jelly / Banana /
Neapolitan / Orange Creamsicle

4.75