

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Lowell Homes

(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:

S. Lani Kahn Drody

(Name of Person)

Lowell Homes, Inc.

(Firm/Company)

80 SW 8th Street, Suite 1870

(Address)

Miami, FL 33130

(City/State and Zip Code)

For further information concerning this matter, please call:

S. Lani Kahn Drody

(Name of Person)

at (305) 577-8550 ext. 23

(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.)

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

10 JAN 26 PM 3:00
FILED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

PART I

1. OWNER/APPLICANT: Enter the name and address of the individual or the business entity to be registered 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: Lowell Homes, Inc.

(b) Owner's/Applicant's business address: 80 SW 8th Street, Suite 1870

Miami, FL 33130
City/State/Zip

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

City/State/Zip

(c) Owner's/Applicant's telephone number: (305) 577-8550

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: H13311 ✓

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 59244660

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.)

Homebuilding services, Real Estate Development Services, Real Estate Brokerage Services,

Real Estate Sales Services, Real Estate Marketing Services

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, you 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 mark 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:

Newspaper, Business Cards, Stationary, Brochures, Flyers, Internet, Websites, Email, Signs,
Magazines, Print Media, Radio, Labels, Direct Mail, Forms

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 the 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:

36 and 37

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: July 23, 1984

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.)

LOWELL HOMES

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)" Homes
" 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, S. Lawrence Kahn, III., 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.

Lowell Homes

Typed or printed name of applicant

[Signature]

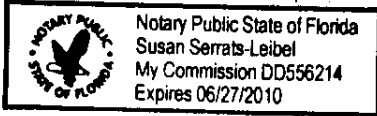
Applicant's signature
(List name and title)

FILED
JAN 26 PM 3:00
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

On this 25 day of JANUARY 2010, S. L. KAHN, III personally appeared before me,

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



(Seal)

[Signature]
Notary Public Signature

SUSAN SERRATS
Notary's Printed Name

My Commission Expires: 6/27/10

FILING FEE: \$87.50 per class

SW 15 PLACE

OFFICIAL SPECIMEN

class 36



PROVENCE
IMMEDIATE OCCUPANCY
NOW OPEN
LOWELL HOMES INC.COM

DESIGNER DECORATED MODELS ARE NOW FOR SALE
THERE'S NOTHING ORDINARY
AND OUR MODELS ARE EXTRAORDINARY



OFFICIAL SPECIMEN

Class
36

No other luxury homes compare.

**SELLING OUT IN RECORD TIME OUR
DECORATOR MODELS ARE NOW FOR SALE**

With just a few of our prime homesites remaining, Lowell Homes is now offering these unique furnished designer models for sale. This exclusive gated neighborhood of 81 spacious homes feature concrete block construction with a poured concrete second floor. These unique 4, 5, and 6 bedroom estate homes range in size from 3,625 to more than 4,400 square feet under air. Lowell Homes is proud to bring this cutting edge, never before seen design. Visit us today and you're home to stay.



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BY LOWELL HOMES

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(ADJACENT TO BREAKERS WEST) FROM THE \$700'S TO \$900'S

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A FEW LAKEFRONT HOMESITES REMAIN TO MAKE YOUR HOME SELECTION



**Lowell
Homes**



MODELS OPEN DAILY FROM 10:00 A.M. UNTIL 5:30 P.M.
DIRECTIONS TO SALES OFFICE:

From I-95, exit Okeechobee Blvd and go west past the Turnpike 3 miles and
Worthington by Lowell Homes will be on the left. From the Turnpike take the
Okeechobee exit and go west 3 miles, Worthington by Lowell Homes will be on the left

Financing provided by
CHASE

www.lowellhomes.com

**GRAND
OPENING!
FURNISHED MODELS!**

OFFICIAL SPECIMEN

class 37

Villa

SAN REMO

BY LOWELL HOMES

The best of CORAL GABLES and SOUTH MIAMI just outside your door



URBAN CONDOMINIUMS from the \$200's

Right in the heart of one of Miami's most desirable hot spots, Villa San Remo combines charming condominiums with a superior location to create an incomparable South Florida lifestyle.

These newly remodeled one & two bedroom urban condominiums are ready for move-in.

Each home reflects true elegance and luxury with intimate designs and sophisticated standard features such as Thermafoil Apple-Wood kitchen cabinets, granite countertops, listello accent tiles and stainless steel appliances.

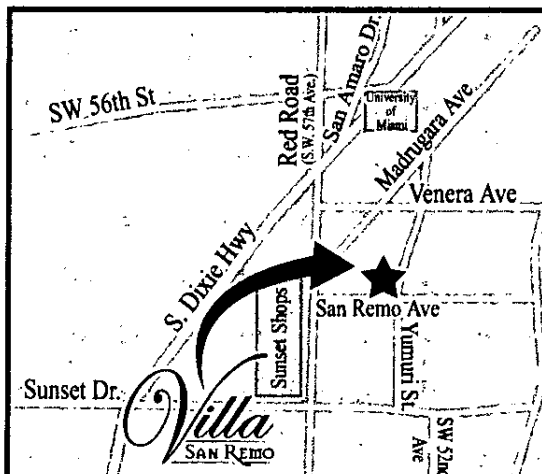
At Villa San Remo, you will enjoy the convenience of being just steps away from nearby restaurants, boutique shops, movie theaters, gourmet markets, and schools. Plus, you will live close to Miami's most upscale and high-energy areas, including South Beach, Coconut Grove, Downtown Miami, and Key Biscayne.



**Lowell
Homes**

www.lowellhomesinc.com

ORAL REPRESENTATIONS CANNOT BE RELIED UPON AS CORRECTLY STATING THE REPRESENTATIONS OF THE DEVELOPER. FOR CORRECT REPRESENTATIONS, REFERENCE SHOULD BE MADE TO THE DOCUMENTS REQUIRED BY SECTION 718.503, FLORIDA STATUTES, TO BE FURNISHED BY A DEVELOPER TO A BUYER OR LESSEE.



TO VISIT TAKE US1 TO RED ROAD (S.W. 57TH AVENUE), HEAD SOUTH ON RED ROAD. TURN LEFT ON SAN REMO AVENUE. VILLA SAN REMO IS 1/8 MILE DOWN AT THE END OF THE STREET ON YOUR LEFT. THE SALES OFFICE IS ON THE 3RD FLOOR IN UNIT E-9

OFFICE OPEN M/W/F/S/S
10:00 A.M. UNTIL 5:30 P.M.
CALL NOW FOR INFORMATION
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CHASE

