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N. CAUSSEAU

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EXAMINER

110-1297

**COVER LETTER**

**TO:** Registration Section  
Division of Corporations

**SUBJECT:** DOG DAY AFTERNOON

(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:

Nancy S. Freeman, Esquire

(Name of Person)

Winderweedle, Haines, Ward & Woodman, P.A.

(Firm/Company)

329 Park Avenue North - 2nd floor

(Address)

Winter Park, Florida 32789

(City/State and Zip Code)

For further information concerning this matter, please call:

Nancy S. Freeman

(Name of Person)

at ( 407 ) 246-8411

(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

November 18, 2010

NANCY S. FREEMAN, ESQUIRE  
WINDERWEEDLE, HAINES, WARD & WOODMAN, P.  
329 PARK AVENUE NORTH, 2ND FLOOR  
WINTER PARK, FL 32789

SUBJECT: DOG DAY AFTERNOON  
Ref. Number: W10000054239

We have received your document for DOG DAY AFTERNOON and your check(s) totaling \$175.00. However, the document has not been filed and is being retained in this office for the following:

*In lieu of returning your document, we have corrected your document to reflect the appropriate class(es). Your mark falls under class(es) "43, 44, & 43".*

There is a balance due of \$87.50.

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: 810A00027133

WINDERWEEDLE, HAINES,  
WARD & WOODMAN, P.A.

ATTORNEYS AT LAW

MAIN TELEPHONE (407) 423-4246  
WWW.WHWW.COM

Please Reply To:

Winter Park Office

**Nancy S. Freeman**

Direct Dial: (407) 246-8411  
E-mail: nfreeman@whww.com

December 9, 2010

Ms. Nanette Causseaux  
Florida Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

RE: Ref. No. W10000054239  
DOG DAY AFTERNOON

Dear Ms. Causseaux:

As requested in your letter dated November 18, 2010, please find enclosed this firm's check no. 45553 in the amount of \$87.50, representing payment of an additional filing fee for trademark registration application for DOG DAY AFTERNOON. If you need additional information or documentation to process this application, please let me know.

Thank you for your assistance in this matter.

Sincerely,



Nancy S. Freeman

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

FILED  
10 DEC 15 AM 9:55  
TALLAHASSEE, FL 32314

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: Dog Day Afternoon, Inc.

(b) Owner's/Applicant's business address: 1015 Sligh Boulevard

Orlando, Florida 32806  
City/State/Zip

If different, Owner's/Applicant's mailing address: Same as above

City/State/Zip

(c) Owner's/Applicant's telephone number: ( 407 ) 835-9200

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: P98000097063 ✓

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 59-3544093

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.)

Dog day care with community and individual play, consisting of dog boarding

on a daily or hourly basis, and overnight dog boarding, dog grooming, pet sitting

and dog walking services; retail store services featuring pet-related products;  
business consultation relating to strategy, marketing and operation of pet-related  
businesses.

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:

Business cards, flyer, pamphlets, website

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:

Class 35, Class 43, Class 44

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: December 15, 1998.

(b) Date first used in Florida: December 15, 1998

## 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.)

DOG DAY AFTERNOON

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)" DOG  
" 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, Emily A. Schlansky, 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.

Dog Day Afternoon, Inc.

Typed or printed name of applicant

Emily A. Schlansky, President  
Applicant's signature (Lastname and title)

STATE OF FLORIDA

COUNTY OF ORANGE

On this 10 day of November, 2010, Emily A. Schlansky as President personally appeared before me, of Dog Day Afternoon, Inc.

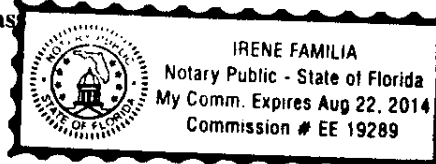
☒ who is personally known to me ☐ whose identity I proved on the basis of \_\_\_\_\_

(Seal)

Irene Familia  
Notary Public Signature  
Irene Familia  
Notary's Printed Name

My Commission Expires: 8/22/2014

FILING FEE: \$87.50 per class





OFFICIAL SPECIMEN  
TM/SM REG. #

yes, mom, I PLAY  
with dogs  
FOR a LIVING!

Creating a successful pet care facility  
for start-up and established businesses



dog day afternoon  
where dogs have fun!

Voted best  
pet service  
Wash 2004

- Group seminars
- Individual consulting packages
- Job shadowing
- Investing opportunities
- Affiliate programs

class  
35

OFFICIAL SPECIMEN  
TM/SM REG. #

class  
43 &  
44



**Voted #1**  
Pet Service by  
"WESH-2"

**BOARDING**

**DOGGIE DAYCARE**

**GROOMING**



**dog day afternoon**  
where dogs have fun!™