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W14-9418

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TALLAHASSEE, FLORIDA

03/10/14--01028--007 **87.50

FEB 25 2014 ✓

N. CAUSSEAU

COVER LETTER

T14-207

TO: Registration Section
Division of Corporations

SUBJECT: The Gelato Carte
(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:

Diana Tamayo
(Name of Person)

The Gelato Carte, Inc.
(Firm/Company)

14630 Chatsworth Manor Circle
(Address)

Tampa, FL 33626
(City/State and Zip Code)

For further information concerning this matter, please call:

Diana Tamayo at (727) 423-2007
(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

February 12, 2014

DIANA TAMAYO
THE GELATO CARTE, INC.
14630 CHATSWORTH MANOR CIRCLE
TAMPA, FL 33626

SUBJECT: THE GELATO CARTE
Ref. Number: W14000009418

We have received your document for THE GELATO CARTE and your check(s) totaling \$87.50. 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 & 30".

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) 245-6051.

Nanette Causseaux
Regulatory Specialist II Supervisor

Letter Number: 914A00003239

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
FEB 24 PM 1:30
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

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: The Gelato Carte, Inc.

(b) Owner's/Applicant's business address: 7000 Bryan Dairy Rd, #A11
Largo, FL 33777
City/State/Zip

If different, Owner's/Applicant's mailing address: 14630 Chatsworth Manor Circle
Tampa, FL 33626
City/State/Zip

(c) Owner's/Applicant's telephone number: (727) 423-2007

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: P11000008477 ✓

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 27-4645638

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.)

Mobile gelato cart for catering of gelato and sorbet
products at social and corporate events. Mobile frappe
and soft-serve gelato and sorbet machine for events.

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.)

Gelato, Sorbet, Soft-serve Gelato/Sorbet, Frappe/Frozen Drinks
Smoothies

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, Flyers, Flavor List, Place Cards provided at
tables at events, Website (www.TheGelatoCarte.com),
membership in professional organization (National Association of Catering
and Events - NACE)

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:

The Gelato Carte label is affixed to trays of gelato and sorbet when
made and delivered to events. Name/logo is adhered to our actual carts
that we serve from at events (cannot be removed). Gelato and sorbet is
served in cups with our name/logo printed on them.

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 43 + 30

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: January 25, 2011

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.)

The Gelato Carte - Logo is comprised of same exact words,
in black script - angled

Provide the English translation of any and all terms listed #1 above, when applicable: Gelato is the
Italian word for ice cream

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) "Gelato"
"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, Diana Tamayo, 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.

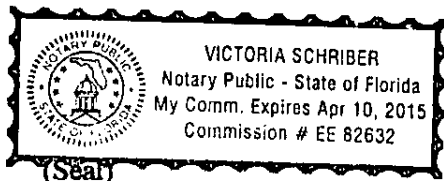
Diana Tamayo
Typed or printed name of applicant
Diana Tamayo President
Applicant's signature
(List name and title)

STATE OF Florida
COUNTY OF Pinellas

FILED
14 FEB 24 PM 1:30
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

On this 30 day of February, 2014, Diana L. Tamayo personally appeared before me,

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



[Signature]
Notary Public Signature
Victoria Schriber
Notary's Printed Name

My Commission Expires: April 10, 2015

FILING FEE: \$87.50 per class

OFFICIAL SPECIMEN
TM/SM REG.#

*The
Gelato
Carte*

Gelato Ingredients: Whole Milk, Sugar, Cream, Natural Flavors or Fresh Fruits, Milk Powders, Dextrose, Stabilizers and Emulsifiers.

Sorbetto Ingredients: Fresh Fruit, Water, Sugar, Dextrose, Lemon Juice, Stabilizers and Emulsifiers.

Warning: All flavors may contain nuts.

Best by:

5 litre (1.2 gal.)

www.TheGelatoCarte.com

class 30



Mobile Gourmet Gelato Catering

Sarasota • Tampa Bay • Orlando



*Italy's Finest, Made with Passion and
Served with Style*

Delight your guests with an array of delicious gelato and sorbet flavors for any event or occasion. We deliver a pristine gelato cart, and an attendant will serve your guests for 1½ hours.

Cups, spoons and napkins are included.

Call 727-423-2007

Diana@TheGelatoCarte.com

www.TheGelatoCarte.com

OFFICIAL SPECIMEN