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03/25/14--01017--008 **87.50

NO
2676784
Trojans

FILED
14 APR 28 AM 10:30
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

APR 29 2014

N. CAUSSEUX

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: Hialeah Miami Lakes Trojans along with the design of the Trojans
(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:

Walter J. Harvey, Esq.
(Name of Person)

The School Board of Miami-Dade County, Florida
(Firm/Company)

1450 NE 2nd Avenue Suite 430
(Address)

Miami Florida 33132
(City/State and Zip Code)

For further information concerning this matter, please call:

Walter J. Harvey, Esq. at (305) 995-1304
(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

April 3, 2014

WALTER J. HARVEY, ESQUIRE
TEH SCHOOL BOARD OF MIAMI-DADE CO. FLORI
1450 NE 2ND AVENUE, SUITE 430
MIAMI, FL 33132

SUBJECT: HIALEAH-MIAMI LAKES SENIOR HIGH SCHOOL TROJANS &
DESIGN OF ARMORED MAN
Ref. Number: W14000021377

We have received your document for HIALEAH-MIAMI LAKES SENIOR HIGH SCHOOL TROJANS & DESIGN OF ARMORED MAN and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

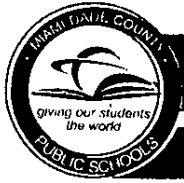
We must deny registration pursuant to sections 495.021(1)(f) and 495.181, Florida Statutes. There is a federal registration on file with the U.S. Patent and Trademark Office for "TROJANS", Registration Number "2676784", for the same or similar name and class(es).

Pursuant to s. 495.035(5), F.S., you have three months in which to reply to this letter denying registration should you desire to do so. If you choose not to respond, your application will be considered abandoned in accordance with section 495.035(5), F.S.

If you have any questions concerning the filing of your document, please call 850-245-6051.

Nanette Causseaux
Regulatory Specialist II Supervisor

Letter Number: 714A00007198



Miami-Dade County Public Schools

giving our students the world

Superintendent of Schools

Alberto M. Carvalho

School Board Attorney

Walter J. Harvey

Miami-Dade County School Board

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Susie V. Castillo

Carlos L. Curbelo

Dr. Wilbert "Tee" Holloway

Dr. Martin Karp

Dr. Marta Pérez

Raquel A. Regalado

Date: April 18, 2014

TO: Ms. Nanette Causseaux
Document Specialist Supervisor
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

RE: School Board of Miami-Dade County, Florida; Registration of "Hialeah-Miami Lakes Trojans and design of the Trojans" design mark, reference number: W14000021377

Dear Ms. Causseaux:

In response to your April 3, 2014 correspondence regarding the "Hialeah-Miami Lakes Trojans and design of the Trojans" mark and our various phone and email interactions, please find enclosed our modified "Hialeah-Miami Lakes Trojans and design of the Trojans" application. Consequently, the application has numerous changes, including the removal of Part I 2(a) and additions to Part I 2(b) and Part I 2(c). Please note that an additional update has been made to page 3 of 4; Part II 1(b), Part III 1, and the addition of the disclaimer statement.

Should you have any questions or need additional information, please do not hesitate to contact our offices.

Thank you for your time and consideration,
Walter J. Harvey, Esq.

APPLICATION FOR THE REGISTRATION OF A TRADEMARK OR SERVICE MARK
PURSUANT TO CHAPTER 495, FLORIDA STATUTES

14 APR 28 AM 10:30
FILED
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

TO: Division of Corporations
Post Office Box 6327
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: The School Board of Miami-Dade County, Florida

(b) Owner's/Applicant's business address: 1450 NE 2nd Avenue Suite 430

Miami Florida 33132

City/State/Zip

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

City/State/Zip

(c) Owner's/Applicant's telephone number: (305) 995-1304

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: Political Subdivision of Florida

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: _____

(2) Domicile State or Country: _____

(3) Federal Employer Identification Number: 59-6000572

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.)

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.)

Apparel marked and promoted in connection with Hialeah-Miami Lakes Senior High School and its athletic team; namely, t-shirts, pants, footwear, hats and caps, athletic uniforms, school uniforms, hooded pullovers, jackets, jerseys, sports jerseys, sweat pants, sweaters.

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:

TRADEMARKS: If the name, logo, design and/or slogan are/is being used to identify a product manufactured by or fore 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 trademark will be imprinted or affixed on pants, footwear, hats and caps, athletic uniforms, school uniforms, hooded pullovers, jackets, jerseys, sports jerseys, sweat pants, sweaters and other apparel for Hialeah-Miami Lakes Senior High School.

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 25.

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: Not applicable.

(b) Date first used in Florida: 07/01/1971

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.)

Hialeah-Miami Lakes Trojans along with the design of the Trojan:

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): Trojans, Hialeah,
Miami Lakes "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, Walter J. Harvey, Esq., 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.

Walter J. Harvey, Esq.

Typed or printed name of applicant

[Handwritten Signature]

Applicant's signature
(List name and title)

School Board Attorney

STATE OF Florida

COUNTY OF Miami-Dade

Sworn to and subscribed before me on this 11th day of April, 2014, Walter J. Harvey
(Name of Individual Signing)

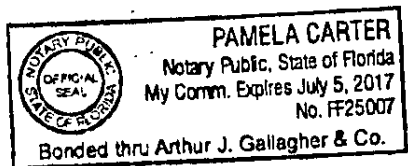
who is personally known to me whose identity I proved on the basis of _____

[Handwritten Signature]

Notary Public Signature

Notary's Printed Name

(Seal)



My Commission Expires: _____

FILING FEE: \$87.50 per class

FILED
14 APR 28 AM 10:30
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

