

T170000002/5

(Requestor's Name)

(Address)

(Address)

W16-83290
(City/State/Zip/Phone #)

☐ PICK-UP ☐ WAIT ☐ MAIL

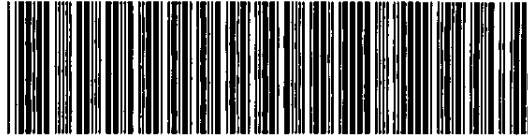
(Business Entity Name)

(Document Number)

Certified Copies _____ Certificates of Status _____

Special Instructions to Filing Officer:

Office Use Only



300288915773

T17-215

03/11/16--01021--025 **87.50

17 FEB 28 PM 12:23
SECRETARY OF STATE
DIVISION OF CORPORATIONS

N. CAUSSEAU

MAR 1 - 2017

COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: EMPIRE TITLE SERVICES, INC.
(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:

KIMBERLEE J. DE BIASE
(Name of Person)

EMPIRE TITLE SERVICES, INC.
(Firm/Company)

20801 BISCAYNE BLVD., SUITE 300
(Address)

AVENTURA, FL 33180
(City/State and Zip Code)

For further information concerning this matter, please call:

KIMBERLEE J. DE BIASE at (305) 931-4400
(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

December 13, 2016

KIMBERLEE J. DE BIASE
EMPIRE TITLE SERVICES, INC.
20801 BISCAYNE BLVD., SUITE 300
AVENTURA, FL 33180

SUBJECT: EMPIRE TITLE SERVICES
Ref. Number: W16000083290

We have received your document for EMPIRE TITLE SERVICES and your check(s) totaling \$87.50. However, the enclosed document has not been filed and is being returned for the following correction(s):

Class(es) "36" would appear applicable to your specific mark. Please delete the class(es) you have on line 2 (d) and insert the pertinent class(es) "36".

In Part II(1) a & b we need a month, a day, and a year for the date the mark was first used anywhere and for the date it was first used in Florida.

Your mark contains word(s)/design(s) that must have a disclaimer. All geographical terms, such as cities, states, countries, and designs of same, must be disclaimed. Some commonly used words and corporate suffixes must also be disclaimed. You must disclaim the following term(s) by completing the disclaimer statement found in #2 of Part III of the application: "TITLE SERVICES"

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: 916A00026461



December 2, 2016

Florida Department of State
Registration Section
Division of Corporations
Clifton Building
Attn: Nanette Causseaux
2661 Executive Center Circle
Tallahassee, FL 32301

RE: Empire Title Services, Inc.
Application for Registration

Dear Nanette:

For your review, I have enclosed an application for registration, several specimens, and your most recent letter to me. As you may recall, I enclosed a check for \$87.50 along with a renewal application back in August. I would like to transfer the use of that fee from the renewal application for Empire Title & Escrow, which is no longer in use, to the registration application for Empire Title Services, Inc.

Please let me know if you need anything further.

Sincerely,

Kimberlee J. De Biase, Esq.

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

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
17 FEB 28 PM 12:23

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: EMPIRE TITLE SERVICES, INC.
(b) Owner's/Applicant's business address: 20801 BISCAYNE BLVD., SUITE 300
AVENTURA, FL 33180
City/State/Zip

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

(c) Owner's/Applicant's telephone number: 305 931-4400

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: P99000071056
(2) Domicile State or Country: FLORIDA
(3) Federal Employer Identification Number: 65-0940322

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.)

TITLE, ESCROW & CLOSING 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:

BUSINESS CARDS, FLYERS, WEBSITE, LETTERHEAD AND ENVELOPES

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

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: AUGUST 4, 1999

(b) Date first used in Florida: AUGUST 4, 1999

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.)

EMPIRE TITLE SERVICES

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) "**TITLE SERVICES**"

"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, RICHARD BREGER, 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.

RICHARD BREGER

Typed or printed name of applicant

[Signature]
Applicant's signature
(List name and title)

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Sworn to and subscribed before me on this 23 day of FEBRUARY, 2017, RICHARD BREGER
(Name of Individual Signing)

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

(Seal)

[Signature]
Notary Public Signature

KIMBERLEE J. DE BIASE
Notary's Printed Name

My Commission Expires: 10/28/18

FILING FEE: \$87.50 per class



Kimberlee Joanne De Biase
Commission # FF172390
Expires: OCT 28, 2018
BONDED THRU
1ST FLORIDA NOTARY, LLC

RECEIVED
DIVISION OF CONSUMER PROTECTION
FEB 28 PM 12:23



Real Estate Agent Tip of the Month

THE NEW CLOSING DISCLOSURE FORM COMING OCTOBER 2015!!

What is changing?

- The new closing statement form, called the Closing Disclosure (CD), will be used on loan applications taken for new mortgages after October 3, 2015. The lender, not the closing agent, will prepare and deliver the CD.
- The CD must be delivered to the buyer (now known as "the consumer") at least three (3) business days prior to the scheduled closing date. Most lenders will send the CD to the consumer via regular U.S. Mail which requires that an additional three (3) days be added to the waiting period.
- The CD sent to the consumer will not include "seller's side" charges or credits. The closing agent, not the lender, is responsible for completing and delivering the seller's side of the CD. The CD must be delivered to the seller at or before closing; the three (3) day rule does not apply to sellers.
- Real Estate Agents will not receive an advance copy of the CD before it is delivered to the consumer. The lender will send the CD to the consumer and the closing agent only. The lender may also restrict the closing agent's ability to send a copy of the CD to real estate agents, so you may need to obtain a copy from the consumer.
- The following three (3) changes to the CD after delivery to the consumer trigger the need for re-disclosure and a new three (3) day waiting period:
 1. Inaccurate APR;
 2. Different loan product; or
 3. Addition of a pre-payment penalty.

What do Real Estate Agents need to do?

- Communicate to the closing agent all of your buyer paid charges ten (10) to fourteen (14) days prior to the scheduled closing date.
- Provide the closing agent with your real estate company's state license number and your real estate license number for the CD.
- Consider two (2) pre-closing walk-throughs. Changes and adjustments affecting the value of the property (as determined by the lender) may trigger additional disclosure and review periods. Therefore, you may want to have the first inspection seven (7) to ten (10) days in advance of the scheduled closing date and a second inspection on the day of closing.
- Negotiate realistic contract terms. A closing within thirty (30) days from date of contract may no longer be a viable option.

In what kinds of transactions is the CD not required?

Reverse Mortgages
HELOCs or Home Equity Lines of Credit
Commercial Loans
Cash deals

The statements made herein are for informational purposes only and are not intended as professional legal or tax advice.

Compliments of Empire Title Services



Real Estate Agent Tip of the month

Paragraph 12 of the As-is Contract ***(AS-IS -2, Rev. 8/13)***

PROPERTY INSPECTION; RIGHT TO CANCEL: This paragraph provides the buyer a period of time to inspect the property and determine whether the property is acceptable; during this time the buyer may terminate the contract and the deposit paid shall be returned to buyer.

Important points to keep in mind:

- *This paragraph includes the discovery of violations or other code matters that may appear on the municipal and county lien search.*
- *The "lien search" can take up to 2 weeks.*

Problem: We are seeing 10 day inspection periods

*Our office strongly suggests the buyer either request a **longer inspection period**, allowing enough time to review the lien search, or the real estate agent preparing the contract write as an additional term, **"Seller will close out all existing open permits and/or code violations prior to closing"**.*

Please keep in mind, open permits and code violations are not title issues, nevertheless, if not taken care of they can and will result in liens.

Compliments of
Empire Title Services

OFFICIAL SPECIMEN



20801 Biscayne Boulevard
Suite 300
Aventura, FL 33180

Phone: 305-931-4400
Toll Free: 800-780-5760
Fax: 305-935-2771
www.empiretitleservices.com



Kimberlee De Biase
Attorney
kim@empiretitleservices.com