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LIVINGSTON LOEFFLER

ATTORNEYS AT LAW

PATENT ♦ TRADEMARK ♦ COPYRIGHT ♦ FRANCHISE
Procurement & Litigation

Edward M. Livingston*†
Erica L. Loeffler
Bryan L. Loeffler*†

963 Trail Terrace Drive
Naples, FL 34103

Telephone: 239-262-8502
Facsimile: 239-261-3773
Toll Free: 800-548-4332
Email: ip@lliiplaw.com

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June 30, 2017

Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, FL 32314

Re: Registration of a Servicemark
Mark: "FLORIDA BLUEBERRY FESTIVAL"
Applicant: The Florida Blueberry Festival, Inc.
Our File No.: 17-9333

Dear Sir or Madam:

Enclosed find the original and one copy of an Application for the Registration of a Servicemark for The Florida Blueberry Festival, Inc., using the mark "FLORIDA BLUEBERRY FESTIVAL". Attached to the Application are three (3) specimens showing use of the mark. Also enclosed is a check in the amount of \$87.50 to cover the filing fee for one (1) class.

Please forward the filing receipt and any correspondence with regard to this Application to the undersigned.

Thank you very much for cooperation in this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,



Edward M. Livingston
Erica L. Loeffler

EML/kmf

Enclosures: Servicemark Appl'n. (original & 1 copy); Specimens (3); and Check

pc: Applicant (w/enclosures)



FLORIDA DEPARTMENT OF STATE
Division of Corporations

July 11, 2017

EDWARD M. LIVINGSTON, ESQUIRE
LIVINGSTON LOEFFLER
963 TRAIL TERRACE DRIVE
NAPLES, FL 34103

SUBJECT: FLORIDA BLUEBERRY FESTIVAL
Ref. Number: W17000057075

We have received your document for FLORIDA BLUEBERRY FESTIVAL 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 the disclaimer statement on your document. We have inserted the term(s) "BLUEBERRY FESTIVAL" in your disclaimer statement. A disclaimed term is still considered part of your mark. You simply do not claim the exclusive right to the use of the disclaimed term(s) apart from your mark.

If you agree with the corrections needed and would like this office to proceed with your filing, please notify this office in writing or by fax at 850-245-6030 to the attention of the undersigned.

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: 417A00013956

LIVINGSTON LOEFFLER

ATTORNEYS AT LAW

PATENT ♦ TRADEMARK ♦ COPYRIGHT ♦ FRANCHISE
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Edward M. Livingston*†
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July 19, 2017

Florida Department of State
Division of Corporations
ATTN: Nanette Causseaux
P.O. Box 6327
Tallahassee, FL 32314

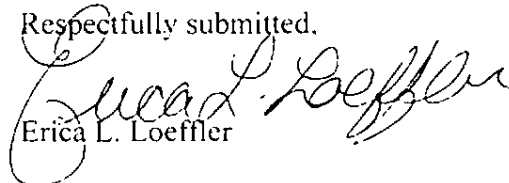
Re: Trademark Application
For: "FLORIDA BLUEBERRY FESTIVAL"
Ref. No.: W17000057075
Our File No.: 17-9333

Dear Ms. Causseaux:

In response to your Letter Number 417A00013956, a copy of which is attached hereto, we are in agreement with the insertion of the term "BLUEBERRY FESTIVAL" in the disclaimer statement for the above referenced mark. Please proceed with the processing and registration of this application.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact the undersigned directly.

Respectfully submitted,


Erica L. Loeffler

ELL/kmf

Enclosure: Letter No. 417A00013956

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

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 Florida Blueberry Festival, Inc.

(b) Owner's/Applicant's business address: 201 Howell Avenue

Brooksville, FL 34601

City/State/Zip

If different, Owner's/Applicant's mailing address: P.O. Box 308

Brooksville, FL 34605

City/State/Zip

(c) Owner's/Applicant's telephone number: ()

Check the appropriate box to indicate the Owner/Applicant is an:

☐ 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: N10000007959 ✓

(2) Domicile State or Country: Florida

(3) Federal Employer Identification Number: 27-2967017

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.)

Charitable fundraising services by means of organizing and conducting annual festivals featuring food and entertainment

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:

advertisements, business cards, flyers, website, and other means customary in the industry

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:

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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: May 31, 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.)

FLORIDA BLUEBERRY FESTIVAL

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) "

Blueberry Festival

_____, "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, Erica L. Loeffler

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.

The Florida Blueberry Festival, Inc.

Typed or printed name of applicant

Erica L. Loeffler Esq. Attorney-in-Fact
Applicant's signature
(List name and title)

STATE OF Florida

COUNTY OF Collier

Sworn to and subscribed before me on this 30 day of June 2017, ERICA L. LOEFFLER
(Name of Individual Signing)

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

(Seal)



Kathleen M. Ferrary
Notary Public Signature
KATHLEEN M. FERRARY
Notary's Printed Name

My Commission Expires: APRIL 26, 2021

FILING FEE: \$87.50 per class

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Florida
Blueberry Festival
BROOKSVILLE

(index.php)

Thank You to all of our 2017 Florida Blueberry Festival Entertainment!

The Florida Blueberry Festival serves up a medley of entertainment on two separate stages that jam throughout the weekend with a variety of concert performances for your enjoyment.

Check Back Soon to See of Our **Exciting** 2018 Line-up!



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Florida
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BROOKSVILLE

(index.php)

Florida Blueberry Festival Photo Gallery

Photos from the Official Florida Blueberry Festival



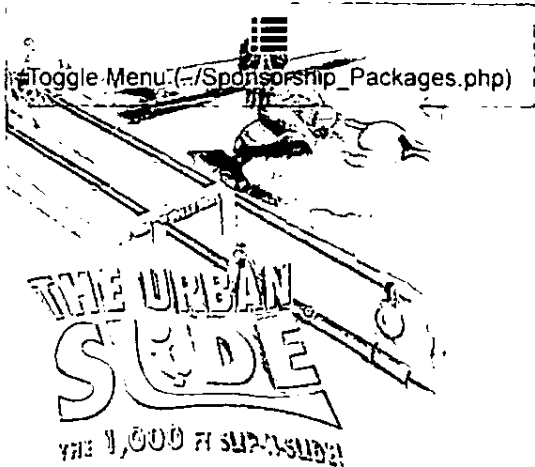
Florida Blueberry Festival, Inc. • 201 Howell Avenue, Brooksville, Florida 34601

Phone 352-754-4173 • Fax 352-593-5919 • <https://www.facebook.com>

/FloridaBlueberryFestival)

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Website Design The Visual Spectrum (<http://visualspectrum.com/>)



The 2017 Annual Florida Blueberry Festival

THANK YOU to everyone who joined us this year for the Festival.

We appreciate your support and hope to see you next year!

Thank you to the 2017 Florida Blueberry Festival sponsors

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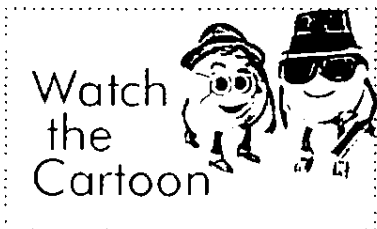
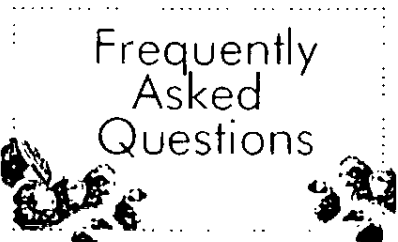
<http://www.islandgrovewine.com>



<http://www.islandgrovenursery.com>




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Florida Blueberry Festival, Inc. • 201 Howell Avenue, Brooksville, Florida 34601

Phone 352-754-4173 • Fax 352-593-5919 •  ([https://www.facebook.com](https://www.facebook.com/FloridaBlueberryFestival)

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