

T21000000863

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

(Business Entity Name)

(Document Number)

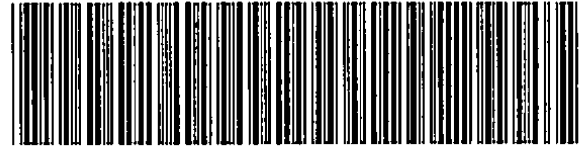
Certified Copies _____

Certificates of Status _____

Special Instructions to Filing Officer:

W21-106921

Office Use Only



800368908148

07/22/21--01020--026 **950.00

FILED
2021 AUG 19 PM 4:03
TALLAHASSEE, FL

R 3415
SEP 2021



FLORIDA DEPARTMENT OF STATE
Division of Corporations

July 29, 2021

BENJAMIN WILLARD
500 OCEAN CAFE, INC
401 S. COUNTY RD. #2454
PALM BEACH, FL 33480

SUBJECT: 500 OCEAN CAFE PALM BEACH FINEST
Ref. Number: W21000106921

We have received your document for 500 OCEAN CAFE PALM BEACH FINEST and your check(s) totaling \$350.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

You must list a more specific service in #2(a) in Part I of the application.

You must list a more specific product in #2(b) in Part I of the application.

In Part I(2)(c) you must state how the mark is being used. If the mark is a trademark, you can cite labels, decals, tags, imprints on goods, etc. If the mark is a service mark, you can cite business cards, newspaper advertisements, TV and radio advertisements, etc.

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: "PALM BEACH"

Although we received your application and check(s), no specimens were included. Section 495.031(5), F.S., requires every trademark and/or service mark application to be accompanied by three specimens (or examples). Please submit three specimens for each class of registration. (NOTE: Letterhead, stationery, envelopes, invoices and mailing labels are not accepted.)

We need three permanent specimens, **which may be the same or different.** TYPED or HANDWRITTEN MATERIALS ARE NOT ACCEPTABLE. We do not accept specimens which have been ALTERED or DEFACED. ANY SIZE SPECIMENS ARE ACCEPTABLE. If your mark falls under the classification of a trademark (classes 1-34), we need the labels, tags, decals, containers, boxes, wrappers or 3 LEGIBLE photographs of the goods or products with the specimen affixed. IF YOUR MARK FALLS UNDER THE CLASSIFICATION OF A SERVICE MARK (CLASSES 35-45), WE NEED SPECIMENS FROM WHICH WE CAN DETERMINE THE SERVICE(S) BEING RENDERED. We will accept magazine

RECEIVED

AUG 10 2021

and-or newspaper advertisements, brochures or business cards. If business cards are submitted, we must be able to determine the services being rendered. If your mark falls under the classification of both a trade and service mark, we need specimens for both. **WE WILL NOT ACCEPT LETTERHEAD STATIONERY, ENVELOPES OR INVOICES AS SPECIMENS.**

Please attach your specimens to a copy of this letter or to your corrected application, if it was returned to you for correction(s), and return it/them to this office for processing.

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.

Karen A Saly
Regulatory Specialist II

Letter Number: 221A00017877

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

FILED

2021 AUG 19 PM 4:00
TALLAHASSEE, FL 32314

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: 500 Ocean Cafe, Inc

(b) Owner's/Applicant's business address: 510 E. Ocean Avenue, Suite 107

Boynton Beach, FL 33435

City/State/Zip

If different, Owner's/Applicant's mailing address: 401 S. County Road, # 2454

Palm Beach, FL 33480

City/State/Zip

(c) Owner's/Applicant's telephone number: (561) 396-2704

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: P20000072445

(2) Domicile State or Country: Florida, USA

(3) Federal Employer Identification Number: 85-2757891

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.)

coffee shop services, serving food and drinks, retail sales of products

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 marketplace, 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.)

water bottles, mugs, tote bags, tumbler.

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, 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:

building signage, building doors, windows, wall arts, website, company apps, social media pages,

business cards, menu boards, employee uniforms, tote bags, mugs, tumblers, bottled water, face mask

TRADEMARKS: If the name, logo, design and/or slogan are/is being used to identify a product manufactured by 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 packaging:

building signage, building doors, windows, wall arts, website, company apps, social media pages,

business cards, menu boards, employee uniforms, tote bags, mugs, tumblers, bottled water, face mask

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:

Classes: 18, 21, 35 and 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: n/a

(b) Date first used in Florida: July 25, 2020

FILED
2021 AUG 19 PM 4:03
CLERK OF DISTRICT COURT
11th JUDICIAL CIRCUIT
PALM BEACH COUNTY, FLORIDA

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 company logo and branding which says "500 Ocean Cafe Palm Beach Finest"

Provide the English translation of any and all terms listed #1 above, when applicable: Logo/branding is already in

English.

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)" Palm Beach, cafe

" 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, Quetel Ostervial, 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.

Quetel Ostervial
Typed or printed name of applicant
[Signature]
Applicant's signature
(List name and title)

FILED
2021 AUG 12 PM 4:09
CLERK OF DISTRICT COURT
JACKSONVILLE, FLORIDA

STATE OF FLORIDA
COUNTY OF Palm Beach

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this (numeric date) this 10th day of July, 2021, by Quetel Ostervial
numeric date month year name of person making statement



TASHANA ST. FLEUR
Notary Public
State of Florida
Comm# HH146638
Expires 6/28/2025

Tashana St. Fleur
Notary Public's Signature
Tashana St. Fleur
Notary Public's Printed Name

Personally Known ☐ OR Produced Identification ☒ FL DL
Type of Identification Produced: FL DL

FILING FEE: \$87.50 per class





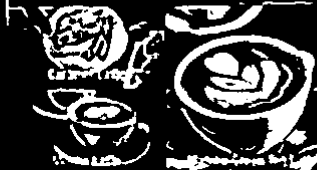
500
Ocean Café

SKIP THE LINES
ORDER ON OUR WEBSITE OR OUR
APP FOR PICKUP OR DELIVERY

FOLLOW US ON:



Earn points by following us
www.500oceancafe.com





MENU



Search

SPARKLING
WATER

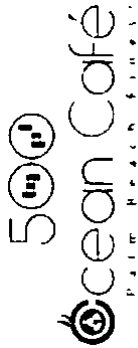
MILK

GREEN TEAS

POPCORN &
CHIPS

PICK UP
510 E Ocean Ave #107

\$6.30 ¹



MENU LOCATIONS

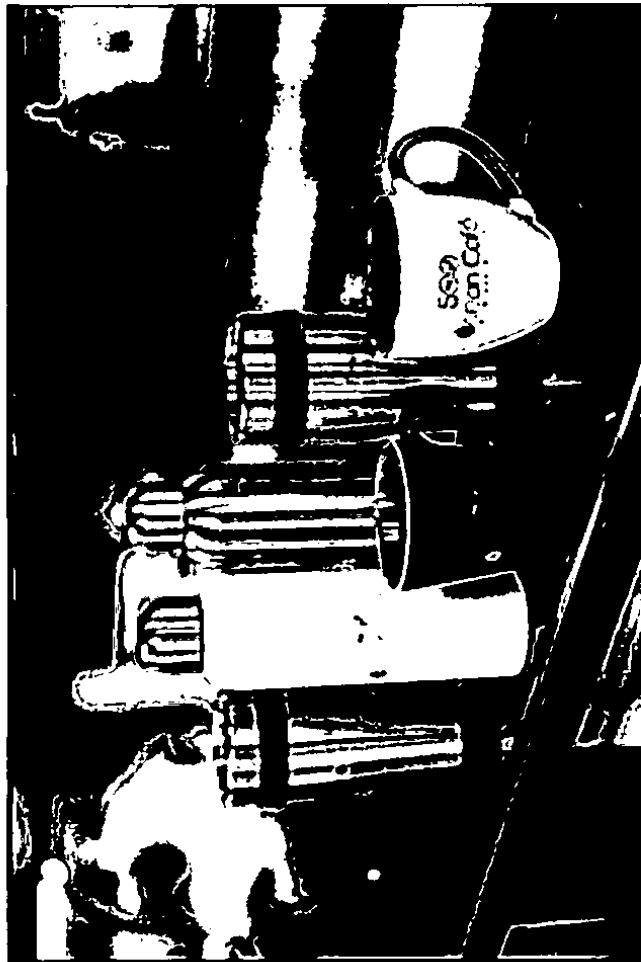
PICKUP or DELIVERY? [select here](#)

SPARKLING WATER	MILK	GREEN TEAS	POPCORN & CHIPS	FRUITS & NUTS	BISCOTTI
-----------------	------	------------	-----------------	---------------	----------

SPARKLING WATER

SPINDRIPT GRAPEFRUIT SPARKLING WATER	SPINDRIPT RASPBERRY LIME SPARKLING WATER	ETHO:
\$2.45	\$2.45	







500+
Ocean Café
PO Box 100000
San Diego, CA 92110

