

# T95 00000 1425

September 29, 1995

Florida Department of State  
Trademark Registration Section  
Division of Corporations  
P. O. Box 6327  
Tallahassee, Florida 32314

FILED  
SEP 27 1995  
500001600325  
-10/04/95-01021--005  
\*\*\*\*175.00 \*\*\*\*175.00

Re: Service mark - ABC Fine Wine & Spirits

Dear Sir/Madam:

Enclosed please find an application for a servicemark for ABC Liquors, Inc. I have also enclosed a fully executed power of attorney for John F. Bennett, or any attorney of the Fishback, Dominick, Bennett, Stepter, Ardaman & Bonus law firm so they may act on behalf of ABC Liquors, Inc. Please forward all correspondence regarding ABC Liquors, Inc.'s application for the registration of the above service mark to the aforementioned attorneys at 170 East Washington Street, Orlando, Florida 32801.

Thank you for your attention in this matter.

Yours very truly,

*Charles E. Bailes, III*

Charles E. Bailes, III  
President

LAE/lb

Enclosures

789/747/740/762/671

35039 *Fine Wine & Spirits*

(.672)

W95-19814

Name	
Availability	<i>up up</i>
Document Examiner	NJC
Updater	NJC
Updater Verifier	NJC
Acknowledgement	NJC
W. P. Verifier	NJC



FLORIDA DEPARTMENT OF STATE

Sandra B. Mortham  
Secretary of State

October 5, 1995

John F. Bennett, Esquire  
170 E. Washington St.  
Orlando, FL 32801

SUBJECT: ABC FINE WINE & SPIRITS  
Ref. Number: W95000019814

We have received your document for ABC FINE WINE & SPIRITS and your check(s) totaling \$175.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

Class(es) (35 and 39) would appear applicable to your specific mark. Please delete the class(es) you have on line 2 (d) and insert the pertinent class(es) (35 and 39).

The specimens provided this office are not acceptable; we need three permanent specimens. We do not accept photocopies or camera ready copies. We do not accept specimens which have been altered or defaced in any manner. In order to register your service mark, we need specimens from which we can determine the services being rendered. We will accept brochures, newspaper, or magazine advertisements, or business cards. If business cards are used, we must be able to determine from the business card the services offered. The mere mark, address, city, etc., on the business card, brochure, or advertisement is not acceptable -- we must be able to look at the specimens provided and be able to determine the services being rendered. We need specimens for each class of registration.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (904) 487-6918.

Nanette Causseaux  
Corporate Specialist Supervisor

Letter Number: 395A00045181

LAW OFFICES  
**FISHBACK, DOMINICK, BENNETT, STEPTER,**  
**ARDAMAN & BONUM**  
170 EAST WASHINGTON STREET  
ORLANDO, FLORIDA 32801-2391

G. BEN FISHBACK (1983-1983)

MARA F. AHLENS  
A. RYAN ARDAMAN  
JOHN F. BENNETT  
PHILIP F. BONUM  
JULIAN R. DOMINICK  
LISA A. ESPOSITO  
MARR FLEMING FISHER  
DAVID S. McDONALD  
CHARLES R. STEPTER, JR.

TELEPHONE (407) 485-2700  
FAX (407) 485-2863

November 22, 1995

Ms. Nanette Causseaux  
Corporate Specialist Supervisor  
Florida Department of State  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

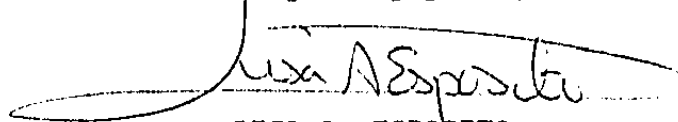
Re: Ref. Number W95000019814  
Our File No.: A4-12339

Dear Ms. Causseaux:

Enclosed please find ABC's servicemark application with the requested disclaimer. Also, enclosed are original specimens describing the services for which ABC has filed a servicemark application.

If you have any questions regarding this letter or need any further information, please do not hesitate to contact me.

Very truly yours,



LISA A. ESPOSITO

LAE:llk  
Enclosed

cc: John F. Bennett  
Charles Bailes, III

LIMITED POWER OF ATTORNEY

TO: John F. Bennett, Esquire  
Fishback, Dominick, Bennett,  
Staptor, Ardaman & Bonus  
170 East Washington Street  
Orlando, Florida 32801

The undersigned hereby authorizes you, or any one of you, as attorney in fact for the undersigned, to represent ABC Liquors, Inc. with respect to their application for a service mark.

I hereby authorize the Florida Division of Corporations/ Trademark Registration Section to release any and all necessary information, and to forward all correspondence regarding their application for a service mark to the aforementioned attorneys.

IN WITNESS WHEREOF, I have set my hand and seal this 21 day of September, 1995.

Signed, Sealed and delivered  
in the presence of:

Theresa O'Mara  
Witness

Charles E. Bailes, III (SEAL)  
CHARLES E. BAILES, III,  
President of  
ABC Liquors, Inc.

Mark H. Jones  
Witness

STATE OF FLORIDA

COUNTY OF Orange

SWORN to and subscribed before me this 21<sup>st</sup> day of September, 1995, by CHARLES E. BAILES, III, as President of ABC Liquors, Inc.



OFFICIAL SEAL  
ROBIN L. MARTIN  
Notary Public, State of Florida  
Comm. Expires Oct. 3, 1995  
Comm. No. CC 223505

Robin L. Martin  
Notary Signature

Robin L. Martin  
Print, Type or Stamp Name of Notary

Personally known ✓

or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

# 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

Name and address to whom acknowledgement  
should be sent:  
John F. Bennett, Esquire  
170 East Washington Street  
Orlando, Florida 32801  
(407) 425-2786  
Applicant's phone number

## PART I

1. (a) Applicant's name: ABC LIQUORS, INC.  
(b) Applicant's business address: P.O. Box 593688  
Orlando, Florida 32859-3688

( ) individual (X) corporation of the State of Florida 1102281  
( ) general partnership ( ) limited partnership of the State of \_\_\_\_\_

2. (a) If the mark to be registered is a service mark, the services in connection with which the mark is used:  
Wine consulting services, wine storage services, wine and beer tasting  
services, retail stores and lounges featuring liquor, beer, wine and  
spirits and retail stores featuring giftware

(b) If the mark to be registered is a trademark, the goods in connection with which the mark is used:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) The mode or manner in which the mark is used:  
Advertisements such as brochures, business cards, letterhead, stationery,  
menus, signs, newspaper and magazine advertisements, television, radio  
and internet advertisements, etc.

(d) The class(es) in which goods or services fall:

39, 35

## PART II

1. Date first used by the applicant, predecessor, or a related company (must include month and year):

(a) Date first used anywhere: May 1994

(b) Date first used in Florida: May 1994

PART III

1. The mark to be registered is: (If logo/design is included, please give brief written description which must be 25 words or less.)

ABC FINE WINE & SPIRITS

2. DISCLAIMER (if applicable)

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM(S)

" FINE; WINE; SPIRITS; " APART FROM  
THE MARK AS SHOWN.

I, CHARLES E. BAILES, III, 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 no other person except a related company has the right to use such mark in Florida either in the identical form or in such near resemblance as to be likely to deceive or confuse or to be mistaken therefor. 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.

CHARLES E. BAILES, III, President

Typed or printed name of applicant

*Charles E. Bailes, III*

President

Applicant's signature or authorized person's signature  
(List name and title)

Subscribed and sworn to before me this 21<sup>st</sup> day of September, 19 95.

(Notary Seal)

*Robin L. Martin*  
Signature of Notary Public

My Commission Expires:



OFFICIAL SEAL  
ROBIN L. MARTIN  
My Commission Expires  
Oct. 3, 1996  
Comm. No. CC 228505

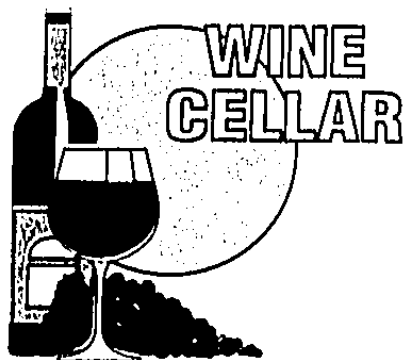
FEE: \$87.50 per class

FILED  
95 NOV 27 PM 3:20  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

# ABC FINE WINE & SPIRITS

## & *Vintage* Wine Society

*Present our Newest*



*Fine Wine  
&  
Gourmet  
Food Tasting*

# *Grand Opening!*

**November 10<sup>TH</sup>  
5:00 p.m. to 9:00 p.m.**

\* Ticket Price  
**\$5.00** per person

### **ABC FINE WINE & SPIRITS**

424 Merritt Island Causeway  
Merritt Island, FL 32952

### **FEATURING:**

- *Fine Wines from around the World*
- *Sample our Gourmet Food Selections*
- *Gourmet Cheeses*
- *Select Micro-Brew tasting*

### **COME & VISIT**

- Our 300 sq. ft. Climate Controlled Wine Room
- Gift Wrapping & Gift Basket Center
- Fine Cigar Selections / Climate Controlled Cigar Humidor

\* Ticket information available at local ABC FINE WINE & SPIRITS locations  
or by calling (407) 851-0000 ext. 368