

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In the matter of Application Serial No. 78/755527 for
AMERICAN DELI
Published in the Official Gazette on October 2, 2007**

)		
American Deli Plus, Inc.,))	
)		
Opposer,)		
)		
vs.)	Opposition No.	
)		
Yong Lee and Alexander Lee, d/b/a)		
Clean Pass of Atlanta,)		
)		
Applicant.)		
)		

711310-2

**APPLICANT'S SUPPLEMENTAL CROSS
MOTION FOR SUMMARY JUDGMENT AGAINST
OPPOSITION'S MOTION FOR SUMMARY JUDGMENT**

COMES NOW YONG LEE and ALEXANDER LEE, d/b/a Clean Pass of Atlanta (hereinafter referred to as "Applicant") and tenders Applicant's Supplemental Cross Motion For Summary Judgment Against Opposition's Motion For Summary Judgment in support of Applicant's Motion to Deny The Opposition to Applicant's Trademark Application as tendered by American Deli Plus, Inc. (here in after referred to as the "Opposer"), and shows the Honorable Board as follows in

support of Applicants' opposition and rights to approval of the pending trade mark application before the Honorable Board. Applicant tenders additional evidence supporting Applicant's pending case and evidence that the Opposer's opposition is not valid, inaccurate and knowingly falsely advanced in relevant and pertinent details and relevant events as applicable.

I. Pertinent Factual Background

Applicants have applied for the legal trade mark rights to American Deli, based on the purposes of continuing Applicants business operations in which the instant trade mark would be of the most beneficial benefit for Applicants' business plan and plans for future expansion. At one time, the Opposer agreed to enter into a financial agreement with Applicant as to the instant trade mark.

II. There Are No Relevant Factors Concerning American Deli Plus, Inc.

Counsel for American Deli Plus, Inc., has stated that the Opposer "has used the American Deli Mark since in or about the 1980s and, consequently, owns common law rights to the mark(s) American Deli collectively, the "American Deli Marks". But has not stated nor shown not a single relevant state or federal law decision supporting this instant legal claim whatsoever.

Hence, the Opposer has, in wilful and fraudulent bad faith, advanced their lateral interest in American Deli, has been ongoing since the "1980s". Again, the

inherent problem, as having been clearly shown of this averment, claiming an interest in the instant trade mark since the 1980s is that their corporation was not filed with the Georgia Secretary of State until 2006.

III. Submission of Additional Supporting Evidence

Applicant tenders the following relevant evidence which further supports Applicant's claims of entitlement and that the Opposer has not been totally honest and/or forthright in the instant proceedings.

EXHIBIT A.

Exhibit A., is an older uspto trademark of American Deli back from 1984. We wanted to use this to show that there has been past interest in American Deli by other owners, far before Mr. Kim and ourselves. But we have followed procedure since we filed for American Deli when there was no live mark for this name... we followed procedures as we have interest in the mark.

EXHIBIT B.

Exhibit B., is another prior uspto trade mark registration from 2000, filed by a prior person from Georgia. It has been abandoned. Again, to show there has been prior interest in the mark, none of which are by Mr. Kim, therefore his common law rights should disregarded.

EXHIBIT C.

Exhibit C., shows that the Georgia Secretary of State's Office having and/or showing several business entities with American Deli name. This can be used to counter there statement to cause likelihood and confusion where there are already several American deli names registered with Georgia SOS.

EXHIBIT D.

Exhibit D., shows another American Deli registered under GA SOS from 1994 that was abandoned, although abandoned, was registered far before Mr. Kim's American Deli Plus, again to show he was not the original user of American Deli in Georgia.

EXHIBITS E, F, G, H, and I:

Exhibits E., F., G., H., and I., are affidavits claiming Applicant has done business under American Deli name starting in 1999 in Spalding County, Georgia. And there after, have shown a continuing strong interest in using the mark, nor has Applicant given up or lost interest in the instant trademark, as shown and stated in the affidavits.

EXHIBIT J:

Exhibit J., shows a menu from Applicant previous buffalo wing chicken restaurant operated in Pusan, Korea, from 1989. Applicant also have a copy of

exported wing sauce from Applicant's old hot wing sauce business. Also See Exhibit W. and P as attached and relevant to this averment.

EXHIBIT K and L:

Exhibit K. and L., is a American Deli Plus mark incorporated with Alabama Secretary of State by Mr. Kim. This was created in 2007, notwithstanding his wilfully advanced false claims he claims that he first used the mark in 2000. Thus showing that said averment is false and fraudulently advanced to wilfully mislead and deceive the instant claims as advance by in this case and proceeding.

The adversary has created this entity after fighting with Applicant to use this as leverage against Applicant and move to ensure that such false claims is not being allowed to be utilized in the instant proceedings.

EXHIBIT K.

Exhibit K., is an incorporation of American Deli created in 2000 in Alabama secretary of state, although not a service mark, it is clearly a restaurant business of a Deli-style restaurant, created before Mr. Kim and IS still existing. Likewise, if common law rights are to not be disregarded, then Mr. Kim, i.e., the Opposer clearly he is not the first user of American Deli in Alabama, NOR in Georgia, therefore not reasonable or valid to to grant him the instant common law rights.

Again, this name of American Deli has been used by many in the state of Georgia and across the nation by other individuals and entities, hence the Opposer, Mr. Kim advancement that he was somehow he was the original user of the mark... is not valid nor reasonable under the totality of the facts and evidence as being tendered and used and applicable before the instant board.

EXHIBIT M:

Exhibit M., is evidence that the American Deli Plus registered by Mr. Kim in 2006, over 16 years after his wilfully and fraudulent claims of using the mark since 1980's.

EXHIBIT N:

Exhibit N., is evidence and information FAQ from GA secretary of state website... question asks if I incorporate will anyone else be able to use my name? Hence, the answer is clearly NO as stated by GA secretary of state. This evidence should help break there common law rights as it is stated by the state that incorporation of a name does not mean they are the sole owners/users of the name.

EXHIBIT O:

Exhibit O., is a service mark registered in 2007 in GA secretary of state by Mr. Kim for American Deli. Again, the mark was created in 2007, 17 years after his claim of using the mark since 1980's. Applicant respectfully advances that Mr. Kim, i.e.,

the Opposer has created this mark to thereafter support his opposition, knowingly being deceitfully done to support his opposition after the fact.

EXHIBIT P:

Exhibit P., is the Certificate of Registration for OJ ABC Sales, registered in 1991. The name comes from Applicant's mother, Ok Ja Lee. This business was for hot wing sauce. Also see Exhibits J & W., as relevant to the instant issue.

EXHIBIT Q:

Exhibit Q., is Applicant's certified mail request to Tene Harris – General Manager- from The Gallery at South Dekalb Mall. It requests information from when Mr. Kim (when the Opposer supposedly started the American Deli restaurant in that mall. Previously, we spoke with Mrs. McMillian and she told us she knew Mr. Kim and she knew for sure he did not have the business in late 1980's or in 1992 as he claimed. Therefore we have sent a formal request for business records and such to **PROVE** the Opposer, i.e., Mr. Kim's claims of the same is wilfully false and advanced to wilfully deceive the instant board in the instant proceedings. Relevant to many exhibits as Applicant is proving Mr. Kim, the Opposer has made false statements of using the mark since late 1980's).

EXHIBIT R:

Exhibit R., shows that Applicant has have followed relevant procedures and in

good manner with Applicant's registration with American Deli. Tyson wings sent us a statement that they have "hot wings" as a registered mark, so Applicant corrected Applicant's application and changed hot wings to spicy wings. Again, Applicant, at all relevant times and efforts were followed procedure and have done so throughout the entire process.

EXHIBIT S:

Exhibit S., shows several American Deli registered under the State of Florida which, again can supports Applicant case and show that the Opposer has not been totally honest in the instant proceedings, as they have advanced that they are registered and have done interstate commerce in Florida.

EXHIBIT T:

Exhibit T., shows that in the State of Georgia, that the Dekalb County Board of Health has a registration for Applicant's American Deli dated in 2008, showing absolute prove Applicant continues to advance and show an ongoing interest in the instant trademark application.

EXHIBIT U:

Exhibit U., shows photos of Applicant's mother at a trade show representing Hot Chix buffalo wing sauce. Applicant's mother is now over 60 years old. The pictures were taking in mid 1980's when cameras did not have a automatic dating on

the bottom right corner. Likewise, Applicant advances that Applicant has had interest in chicken wings, wing sauce, and been in the restaurant business for a very long time.

EXHIBIT V:

Exhibit V., shows Applicant's application for business tax in Forest Park, GA for another restaurant Applicant owned under the name American Deli and Crawfish King in 2004 through 2006.

EXHIBIT W:

Exhibit W., shows a receipt for hot wing sauce sent by Applicant's old business OJ abc sales over seas to Pusan, Korea. Also see Exhibit J & P as relevant to this advancement by Applicant in the instant case.

EXHIBIT X:

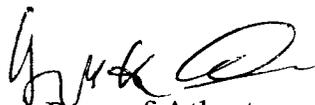
Exhibit X., the sworn declaration of Mr. Chong C. Kim is untruthful in pertinent part, based on the foregoing Exhibits as heretofore attached which shows that the pertinent statements in his sworn declaration are not truthful, but advanced the same when the heretofore stated exhibits shows the same to be untruthful and false.

Applicant respectfully moves for the foregoing evidence to be tendered and used in relationship to support Applicant's position in the instant trademark

proceedings and to be utilized and used as relevant to the Opposer's opposition to Applicant's trademark application as relevant, pertinent and valid as to Applicant's claims and the Opposer's opposition which have been not totally honest or truthful in the instant proceedings.

Allowing the forgoing evidence, i.e., exhibits, further support Applicant's pending trademark application and laterally presents pertinent and valid evidence that the Opposer's opposition has not been totally truthful or an adequately honest opposition in the instant case under review and in pending consideration.

Respectfully submitted,



Clean Pass of Atlanta
Yong Lee and Alexander Lee
Applicant, In Propria Persona
1228 Christina Crossing
Lawrenceville, GA 30043

Certificate of Service

I hereby certify that I have mailed a copy of Applicants' Applicants' Applicant's Supplemental Cross Motion For Summary Judgment Against Opposition's Motion For Summary Judgment to Paul T. Kim, Locke Lord Bissell & Liddell, LLP, The Proscenium, Suite 1900, 1170 Peachtree Street, N.E., Atlanta, GA 30309, by placing a copy of the same into an envelope as heretofore address and placed into the United States Mail this 16st day of March, 2009.



Yong Lee. Applicant

1228 Christina Crossing
Lawrenceville, GA 30043



United States Patent and Trademark Office

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz alerts | News | Help

Trademarks > Trademark Electronic Search System(Tess)

TESS was last updated on Wed Nov 16 04:14:00 EST 2005

Please logout when you are done to release system resources allocated for you.

List At: OR to record: **Record 10 out of 11**

(Use the "Back" button of the Internet Browser to return to TESS)

THE AMERICAN DELI

Word Mark	THE AMERICAN DELI
Goods and Services	(CANCELLED) IC 042. US 100. G & S: RESTAURANT AND FOOD CATERING SERVICES. FIRST USE: 19840601. FIRST USE IN COMMERCE: 19840601
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Design Search Code	
Serial Number	73484687
Filing Date	June 11, 1984
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	July 23, 1985
Registration Number	1377659
Registration Date	January 7, 1986
Owner	(REGISTRANT) CARBER, ROBERT C. DBA THE AMERICAN DELI INDIVIDUAL UNITED STATES 32 S. HELLERTOWN AVENUE QUAKERTOWN PENNSYLVANIA 18951
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DELI" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK



Register PRINCIPAL
Live/Dead Indicator DEAD
Cancellation Date November 4, 1992

PRESS HOME	NEW USER	STRUCTURED	FREE FORM	Revised Doc	SEARCH LOG	TOP	HELP	REPLY LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

[| HOME |](#) [SITE INDEX |](#) [SEARCH |](#) [eBUSINESS |](#) [HELP |](#) [PRIVACY POLICY](#)



United States Patent and Trademark Office

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz alerts | News | Help

Trademarks > Trademark Electronic Search System(Tess)

TESS was last updated on Wed Nov 16 04:14:00 EST 2005

TESS HOME NEW USER STRUCTURED FREE FORM Browse Dict SEARCH OG BOTTOM HELP Prev List CURR LIST
NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

Logout Please logout when you are done to release system resources allocated for you.

Start List At: [] OR Jump to record: [] Record 2 out of 11

TARR Status ASSIGN Status TDR TTAB Status (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark AMERICAN DELI
Goods and Services (ABANDONED) IC 035. US 100 101 102. G & S: DELI, SUB SANDWICHES, CHICKEN WINGS, SALADS FAST FOOD RESTAURANT. FIRST USE: 20000700. FIRST USE IN COMMERCE: 20000700
Mark Drawing Code (1) TYPED DRAWING
Design Search Code
Serial Number 78022682
Filing Date August 23, 2000
Current Filing Basis 1A
Original Filing Basis 1A
Owner (APPLICANT) Concept 21, Inc. CORPORATION GEORGIA 2050 Linkside Drive Alpharetta GEORGIA 30005
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator DEAD
Abandonment Date July 29, 2005



TESS HOME NEW USER STRUCTURED FREE FORM Browse Dict SEARCH OG TOP HELP Prev List CURR LIST
NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

[.HOME | SITE INDEX| SEARCH | eBUSINESS | HELP | PRIVACY POLICY



Georgia Secretary of State

Karen C. Handel

Archives • Corporations • Elections • News Room • Professional Licensure • Securities • State Capitol

Search

- ▶ By Business Name
- ▶ By Control No
- ▶ By Officer
- ▶ By Registered Agent
- ▶ Verify Certification
- ▶ New Filing
- ▶ Click here to file online for:
 - ▶ New Limited Liability Company (LLC)
 - ▶ New Business Corporation
 - ▶ New Non-Profit Corporation
 - ▶ New Professional Corporation (PC)
- ▶ Annual Registration
 - Annual Registration
- ▶ File Name Reservation
 - Name Reservation
- ▶ Online Orders
 - Register for Online Orders
- ▶ Order Certificate of Existence
- ▶ Order Certified Documents

Search Type: Starting With

Search Date: 2/26/2008

Search Criteria: American Deli

Search Time: 09:25

Click on the Business Entity Name or Control No to view more information.

Records Found:7

Business Entity Name	Control No	Type	Status	Entity Creation Date
AMERICAN DELI & WINGS, INC.	07011567	Profit Corporation	Active/Owes Current Year AR	1/31/2007
AMERICAN DELI HOUSE INC.	0635552	Profit Corporation	Active/Owes Current Year AR	5/23/2006
AMERICAN DELI PLUS, INC.	0623788	Profit Corporation	Active/Owes Current Year AR	3/16/2006
AMERICAN DELI, INC.	0644958	Profit Corporation	Active/Owes Current Year AR	6/16/2006
AMERICAN DELI, INC.	K410777	Profit Corporation	Automated Administrative dissolution/Revocation	4/25/1994
AMERICAN DELIVERY CORPORATION	J803298	Profit Corporation	Automated Administrative dissolution/Revocation	2/10/1988
AMERICAN DELIVERY SYSTEMS, INC	08004073	Profit Corporation	Active/Owes Current Year AR	1/15/2008

Records Returned 1 of 7 total 7

Exhibit "C"



SECRETARY OF STATE

Karen Handal

... advancing the government mission

- ▶ HOME ▶ CONTACT ▶ SEARCH
- ▶ ARCHIVES
- ▶ CORPORATIONS
- ▶ ELECTIONS
- ▶ PROFESSIONAL LICENSURE
- ▶ SECURITIES
- ▶ STATE CAPITOL

Search

- ▶ [By Business Name](#)
- ▶ [By Control No](#)
- ▶ [By Officer](#)
- ▶ [By Registered Agent](#)
- Verify
 - ▶ [Verify Certification](#)
 - New Filing
 - ▶ [Click here to file online for:](#)
 - ▶ [New Limited Liability Company \(LLC\)](#)
 - ▶ [New Business Corporation](#)
 - ▶ [New Non-Profit Corporation](#)
 - ▶ [New Professional Corporation \(PC\)](#)
 - Annual Registration
 - ▶ [Annual Registration](#)
 - ▶ [Name Reservation](#)
 - ▶ [File Name Reservation](#)
 - ▶ [Online](#)
 - Online Orders
 - ▶ [Register for Online Orders](#)
 - ▶ [Order Certificate of Existence](#)
 - ▶ [Order Certified Documents](#)

View Filed Documents

Date: 9/26/2007 (Annual Registration History etc.)

Business Name History

Name	Name Type
AMERICAN DELI, INC.	Current Name

Profit Corporation - Domestic - Information

Control No.:	K410777
Status:	Automated Administrative dissolution/Revocation
Entity Creation Date:	4/25/1994
Dissolve Date:	7/9/2005
Jurisdiction:	GA
Principal Office Address:	2046 BENNING RD. COLUMBUS GA 31903

Registered Agent

Agent Name:	<u>NATALIE N LOLLIS</u>
Office Address:	2046 BENNING ROAD COLUMBUS GA 31903
Agent County:	MUSCOGEE

Officers

Title:	CEO
Name:	CHARLES W LOLLI JR
Address:	1821 MACON ROAD PERRY GA 31069

Title:	CFO
--------	-----



Name: CHARLES W LOLLI
JR

Address: 2046 FT BENNING RD
COLUMBUS GA 31903

Title: Secretary

Name: NATALIE N LOLLIS

Address: 2046 FT BENNING RD
COLUMBUS GA 31903

Un-sworn declaration under penalty of perjury

Here comes now, Gregory Kwon pursuant to title 28 section 1746
United States code.

I make the following statement(s) of my personal knowledge to be accurate and truthful.

I, Gregory Kwon, hereby state that the following is completely true
and factual, and will be held responsible for all statements. I hereby state that Ok Ja Lee
and Yong Lee has used the mark, "American Deli" as early as of 1999 starting in
Spalding County in the state of Georgia. They have continued to use the mark and shown
strong interest in the mark ever since, in selling quality food products to the general
public.

I here by state that based on my personal knowledge, the foregoing statements are
true under penalty and perjury.

Signed on this day 1 of MARCH 2009
Day Month Year

Signature: [Handwritten Signature]

Printed name: Gregory Kwon

Exhibit "E"



Un-sworn declaration under penalty of perjury

Here comes now, Yong Sun Kim pursuant to title 13 section 1746

United States code.

I make the following statement(s) of my personal knowledge to be true and truthful.

I, Yong Sun Kim hereby state that the following is completely true and factual, and will be held responsible for all statements made. That Ok Ja Lee and Yong Lee has used the mark, "American Deli" as early as 1999 starting in Spalding County in the state of Georgia. They have continued to use the mark and shown strong interest in the mark ever since, in selling quality food products to the general public.

I here by state that based on my personal knowledge, the foregoing statements are true under penalty and perjury.

Signed on this day 3 of April, 2009
Day Month Year

Signature: [Handwritten Signature]

Printed name: Yong Sun Kim

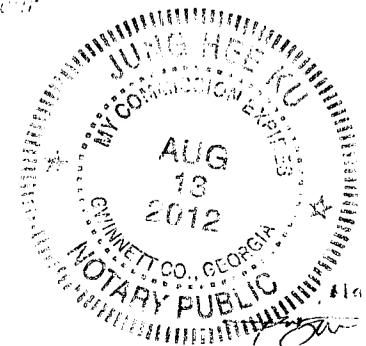


Exhibit F

Un-sworn declaration under penalty of perjury

Here comes now, Kyong Kim pursuant to title 28 section 1746
United States code.

I make the following statement(s) of my personal knowledge to be accurate and truthful.

I, Kyong Kim, hereby state that the following is completely true
and factual, and will be held responsible for all statements. I hereby state that Ok Ja Lee
and Yong Lee has used the mark, "American Deli" as early as of 1999 starting in
Spalding County in the state of Georgia. They have continued to use the mark and shown
strong interest in the mark ever since. in selling quality food products to the general
public.

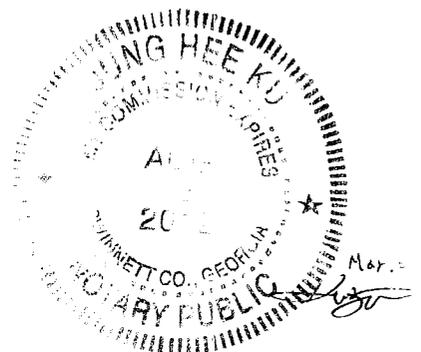
I here by state that based on my personal knowledge, the foregoing statements are
true under penalty and perjury.

Signed on this day 3 of March 2017
Day Month Year

Signature: Kyong Kim

Printed name: Kyong Kim

EXHIBIT G



Un-sworn declaration under penalty of perjury

Here comes now, Insoon Kwon pursuant to title 28 section 1746
United States code.

I make the following statement(s) of my personal knowledge to be accurate and truthful.

I. Insoon Kwon, hereby state that the following is completely true and factual, and will be held responsible for all statements. I hereby state that Ok Ja Lee and Yong Lee has used the mark, "American Deli" as early as of 1999 starting in Spalding County in the state of Georgia. They have continued to use the mark and shown strong interest in the mark ever since, in selling quality food products to the general public.

I here by state that based on my personal knowledge, the foregoing statements are true under penalty and perjury.

Signed on this day 1 of March 1 2009
Day Month Year

Signature: [Handwritten Signature]

Printed name: Insoon Kwon



Un-sworn declaration under penalty of perjury

Here comes now, Hyun CHANG pursuant to title 28 section 1746
United States code.

I make the following statement(s) of my personal knowledge to be accurate and truthful.

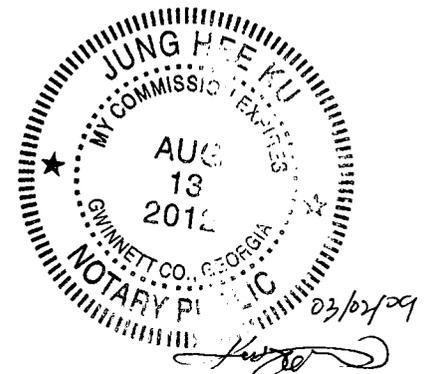
I, Hyun CHANG, hereby state that the following is completely true and factual, and will be held responsible for all statements. I hereby state that Ok Ja Lee and Yong Lee has used the mark, "American Deli" as early as of 1999 starting in Spalding County in the state of Georgia. They have continued to use the mark and shown strong interest in the mark ever since, in selling quality food products to the general public.

I here by state that based on my personal knowledge, the foregoing statements are true under penalty and perjury.

Signed on this day 1 of MARCH 1 2009
Day Month Year

Signature: Hyun Chang

Printed name: Hyun CHANG



O·P·E·N



Buffalo Wing Chicken

새로운 치킨 맛의 시작

버펄로윙치킨

세계 각국에서
선봉적인 인기를 끌고있는
「버펄로윙치킨」 부산본점이
문을 연다.

미국에서 직수입한 독특한
소스의 맛과 닭고기중 가장
맛있고 연한 부분인 날개를
고소하게 튀겨서 닭고기 특유의
맛을 한껏 드높인 새로운
맛입니다.

버펄로윙치킨

세aside호텔

1명인의 해수욕장

해변

- 체킨점모집 : 757-0248
- 부산본점 : 광안리바닷가



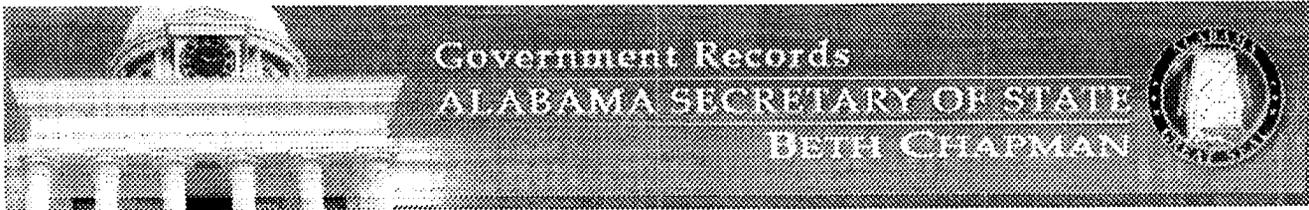
● 닭날개후라이 ● 감자칩 ● 음료수
전화를 주시면 맛있게 구워 배달해 드립니다. —————

버펄로윙치킨

닭날개튀김전문점

버펄로윙치킨

부산본점 : 757-0248
체킨점모집 : 광안리바닷가



[Home](#)
 [Government Records](#)
 [Corporations](#)
 [Search](#)
 [Details](#)

Corporation Details

American Deli, Inc.	
Corporation Number	208 - 399
Corporation Type	Domestic Corporation
Principal Address	TUSCALOOSA, AL
Status	Exists
Place of Incorporation	Tuscaloosa County
Incorporation Date	2-25-2000
Registered Agent	LI, ZHE 1701 MCFARLAND BLVD EAST #181 TUSCALOOSA, AL 35404
Nature of Business	DELI-STYLE RESTAURANT
Capital Authorized	\$100
Capital Paid In	—
Incorporators	
Incorporator Name	LI, ZHE
Incorporator Name	DONG, ZHONG XIU
Annual Reports	
Report Year	1999 2000 2001 2002 2003 2004

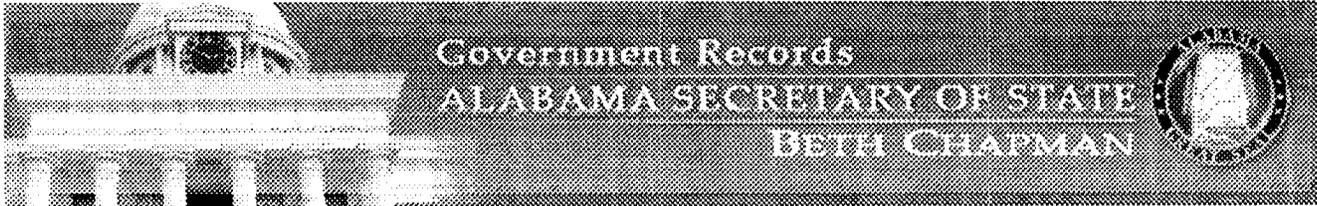
[Browse Results](#)
 [New Search](#)

P.O. Box 5616
 Montgomery, AL 36103-5616

[Alabama Directory](#) | [Media](#) | [Online Services](#) | [Alabama.gov](#)
[Statements/Policies](#) | [Alerts](#) | [Survey/Comments](#) | [Feeds](#) | [Contact Us](#)

Phone: (334) 242-7200
 Fax: (334) 242-4993

03/01/2009 11:55 AM
 K



Home Government Records Trademarks Search Details

Trademark Details

American Deli Plus, Inc.	
Trademark Number	110 - 741
Status	Active
Address	5268 Buford Highway, Suite D Atlanta, GA 30309
County	DEKALB
Class Number / Description	42 / Miscellaneous
Application Type	Corporation
Mark Type	Service Mark
Mark Description	"American Deli"
Goods Description	Dine-in and carryout restaurant services
Manner Description	mark is used for advertising purposes including on indoor and outdoor signs, placards, flyers, coupons, menus and other advertising materials.
Disclaimer Statement	
Consent Statement	
First used in Alabama	0-0-2000
Original Date	10-10-2007
Issue Date	10-10-2007
Expiration Date	10-10-2017

[Browse Results](#) [New Search](#)

P.O. Box 5616
Montgomery, AL 36103-5616

Alabama Directory | Media | Online Services | Alabama.gov
Statements/Policies | Alerts | Survey/Comments | Feeds | Contact Us

Phone: (334) 242-7200
Fax: (334) 242-4993

110741 L



Georgia Secretary of State

Karen C. Handel

Archives • Corporations • Elections • News Room • Professional Licensure • Securities • State Capitol

- Search
- ▶ By Business Name
 - ▶ By Control No
 - ▶ By Officer
 - ▶ By Registered Agent
 - Verify
 - ▶ Verify Certification
 - New Filing
 - ▶ Click here to file online for:
 - ▶ New Limited Liability Company (LLC)
 - ▶ New Business Corporation
 - ▶ New Non-Profit Corporation
 - ▶ New Professional Corporation (PC)
 - Annual Registration
 - ▶ Annual Registration
 - Name Reservation
 - ▶ File Name Reservation
 - Online
 - Online Orders
 - ▶ Register for Online
 - Orders
 - ▶ Order Certificate of Existence
 - ▶ Order Certified Documents

View Filed Documents

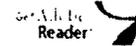
Date: 2/26/2008 (Annual Registration History etc.)

File Annual Registration Online

or

Print A Paper Annual Registration Form

PLEASE NOTE: To download your Annual Registration forms you will need Adobe Reader to view and/or print. If you do not have Adobe Reader installed on your computer, click the "Get Adobe Reader" button on the right to download the reader free of charge from the Adobe website.



Business Name History

Name	Name Type
AMERICAN DELI PLUS, INC.	Current Name

Profit Corporation - Domestic - Information

Control No.:	0623788
Status:	Active/Owes Current Year AR
Entity Creation Date:	3/16/2006
Jurisdiction:	GA
Principal Office Address:	5268 BUFORD HWY/STE. D Duluth GA 30097
Last Annual Registration Filed Date:	2/2/2007
Last Annual Registration Filed:	2007

Registered Agent

Agent Name:	CHONG C. KIM
Office Address:	3634 HENLEY PARK CT. ATLANTA GA 30340
Agent County:	FULTON

Officers

Title:	CEO
Name:	CHONG C. KIM
Address:	3634 HENLEY PARK CT. ATLANTA GA 30340

Title:	CFO
Name:	CHONG C. KIM
Address:	3634 HENLEY PARK CT. ATLANTA GA 30340

Title:	Secretary
Name:	CHRISTINE HYECHON KIM
Address:	3634 HENLEY PARK CT. ATLANTA GA 30340

How can I change the registered agent of my corporation?

The name of the registered agent and/or the registered office of a corporation is changed by filing an annual registration. An annual registration may be filed online at <https://corp.sos.state.ga.us/business/annualreport>. There is a \$30 fee for filing the change.

If I incorporate, will anyone else be able to use my name?

Issuance of a name by the Corporations Division does not necessarily give a person the exclusive right to use of that name! Filing with the Secretary of State is not "name protection." Many businesses do not choose to incorporate. The Office of Secretary of State has no record of these and thus cannot search names of unincorporated businesses. The question of who "owns" a name is a complex one that should be addressed to legal counsel. Many lawyers will advise you that protecting a name is well down the list of reasons to consider incorporation.

What does issuance of a name by the Secretary of State mean?

Under Georgia law, O.C.G.A. 14-2-401 (profit) and 14-3-401 (nonprofit), issuance of a name by the Secretary of State means merely that the name is distinguishable for filing purposes from the names of other entities on the records of the Corporations Division. You will note that subsection (e) provides that "this chapter does not control the use of fictitious or trade names" and that "issuance of a corporate name does not affect the commercial availability of the name." Many names that are issued by the Corporations Division might not be available for use in the marketplace.

Are trade names registered with the Secretary of State?

No. Pursuant to O.C.G.A. 10-1-490 trade names are registered with the Clerk of Superior Court of the county where the business is principally located. A trade name is also known as a "DBA" or "fictitious name."

How do I change my articles of incorporation?

A corporation's articles are amended by filing Articles of Amendment. There is no form for this filing; rather, articles are drafted pursuant to statutes beginning at O.C.G.A. 14-2-1001 (profit) or 14-3-1001 (nonprofit). See particularly 14-2-1006 (profit) and 14-3-1005 (nonprofit). The original and one copy of the articles of amendment are forwarded to the Corporations Division along with a \$20 filing fee payable to "Secretary of State."

Are a corporation's bylaws filed with the Secretary of State?

No. Bylaws are maintained by the corporation.

Are the shareholders or owners of a corporation listed with the Secretary of State?

No. That information is maintained by the corporation.

Is there a minimum age for officers of a corporation?

No. Members of the Board of Directors must be at least 18 years old, however.

How many officers must a corporation have?

A corporation has officers as described in its bylaws, as provided by O.C.G.A. 14-2-840. The same individual may hold more than one office, including that of President and Secretary. Only a corporation's Chief Executive Officer (person in charge), Chief Financial Officer



Georgia Secretary of State

Karen C. Handel

[Archives](#) • [Corporations](#) • [Elections](#) • [News Room](#) • [Professional Licensure](#) • [Securities](#) • [State Capitol](#)

Your Search Criteria:

Mark Name: american deli

Search Results

Information current as of 2/25/2009 8:14:40 AM

Records 1 - 1 of 1 Total Records Found

Mark Name: AMERICAN DELI
Mark Type: SERVICE MARK
Registration No.: S-23728
Registration Date: 9/28/2007
Expiration Date: 9/28/2017 (ACTIVE)
First used by an Individual: FEBRUARY 28, 1989
First used in Georgia: FEBRUARY 28, 1989
Owner of Mark: AMERICAN DELI PLUS, INC., 5268 BUFORD HIGHWAY, DULUTH, GA 30097
Classification: 1 - Miscellaneous (i.e. medical or personal type services)
Mark used in connection with: [RESTAURANT SERVICES]
Description: THE WORDS "AMERICAN DELI"

[New Search](#)

Handwritten signature and date: 3/1/09

Exhibit "E"

ST-2 (Rev. 1/89)

THIS CERTIFICATE MUST BE PUBLICLY DISPLAYED AS PROVIDED BY LAW



STATE OF GEORGIA
DEPARTMENT OF REVENUE
Sales and Use Tax Division

CERTIFICATE OF REGISTRATION

Issued pursuant to the Retailers' and Consumers' Sales and Use Tax Act of 1951, as amended

SAID PERSON NAMED HEREON IS AUTHORIZED AND EMPOWERED TO COLLECT GEORGIA SALES AND USE TAX, METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, LOCAL OPTION, SPECIAL COUNTY AND MOTOR FUEL.

STATE TAXPAYER IDENTIFIER	EFFECTIVE DATE	CERTIFICATE NUMBER
20006941982	04-01-91	067-09-27663-7

D J ABC SALES
LEE, OK J
1188 OSCEOLA CT
TUCKER GA 30084

1188 OSCEOLA CT
TUCKER

IMPORTANT
This Certificate is
NON-TRANSFERABLE

See back of this Certificate for
further information
and instructions

Thomas E. ...
COMMISSIONER OF REVENUE

EACH PLACE OF BUSINESS MUST BE REGISTERED SEPARATELY

March 2, 2009 Certified Mail No. 7008 0150 0003 2338 0624

Ms. Tene M. Harris
General Manager
The Gallery at South DeKalb
2801 Candler Road, Suite 75
Decatur, GA 30034

Re: Verification of Lease Information

Ms. Harris,

I was in your office, on February 27, requesting information concerning Mr. Chong C. Kim, and the actual date that he commenced doing business with your organization versus the date of 1980's which he claims to have occurred being conducted by Ms. Choi with your organization, i.e., the Gallery Mall, i.e., "American Deli."

This letter constitutes a formal request for confirmation that Mr. Kim, or Ms. Choi either did nor did not have or was conducting said business under American Deli at the alleged time period in the 1980's with your organization. In other words that neither Mr. Kim or Ms. Choi, was conducting any business as "American Deli" with your organization from 1980 to and through 1991. At this time, we believe that any such business, under the name of "American Deli" being conducted via your business establishment was only Mr. Man Han and co-owners of Mr. Richard Lee.

Your verification will make it unnecessary to possibly force the release of said information via a civil action in the applicable court of jurisdiction in the event that it is determined that the failure to confirm or otherwise confirm that said business was or was not being conducts as alleged.

Respectfully Requested,


Benjamin Chambers
Authorized Agent for
Mr. Yong Lee and Alexander Lee, d/b/a Clean Pass of Atlanta
5210 Citation Court
Norcross, GA 30093
(770)931.8714

cc: File
Yong & Alexander Lee



M. CRAIG ADKINS
THOMAS R. BAKER
TERRY R. BARRETT
T. MICHAEL BLAKE
JOSEPH H. BOCOCK
TIM BOMHOFF
VANESSA R. BROWN
BRANDON BUCHANAN
STEVEN W. BUGG
JOEL BULLEIGH
JENNIFER H. CALLAHAN
KYM CARRIER
GARY W. CATRON
STEPHANIE CHAPMAN
STEVEN P. COLE
WALTER CHRIS COLEMAN
TODD COURT
RICHARD D. CRAIG
C. BRUCE CRUM
STANLEY L. CUNNINGHAM
ROBERT W. DACE
MONA DAHR
JACQUE J. (BRAWNER) DEAN
CHERYL L. (VINALL) DENNEY
BRADLEY K. DONNELL
CLIFFORD C. DOUGHERTY, III
TEENA DUNN
GREGG B. EICHNER
THEODORE M. ELAM
MARK FOLGER
S. GREGORY FROGGE
SAM R. FULKERSON
GARY F. FULLER
ROBERT L. GARBRECHT
ROBERT H. GILLILAND, JR.
MARIA E. GONZALEZ
SPENCER W. HAINES
WILLIAM D. HALL
SHAWN E. HARRELL
PHILIP D. HART
JOHN N. HERMES

STEPHEN M. HETRICK
FRANK D. HILL
ALAN G. HOLLOWAY
HENRY D. HOSS
LAURENCE M. HUFFMAN
JAMES DUDLEY HYDE
JENNIFER JACKSON
JUSTIN L. JACKSON
BERNARD M. JONES
MICHAEL E. JOSEPH
NEAL R. KENNEDY
JOHN A. KENNEY
DAVID J. KETELSLEGER
J. BRADLEY KLEPPER
MICHAEL J. LABRIE
RUSTY N. LAFORGE
MYRNA SCHACK LATHAM
MICHAEL F. LAUDERDALE
BRANDON LONG
ROBERT T. LUTTRELL, III
MARK W. MALONE
ALISON R. MCCALLA
MICHAEL D. MCCLINTOCK
SCOTT D. MCCREARY
CHARLES L. MCCLAWHORN, III
JAMES C. McMILLIN
JOHN M. MEE
M. BRANDON MEYER
RICHARD G. MILLER
SALLY MOCK
M. RICHARD MULLINS
KICHAO D. NIX
J. MICHAEL NORDIN
JOHN A. PAPAHRONIS
BEAUCHAMP M. PATTERSON
KEITH PETERS
ANDREW B. PETERSON
ROSS A. FLOURDE
FRANK L. POLK
LOUIS J. PRICE
JAMES C. PRINCE

TONY G. PUCKETT
TAMARA PULLIN
JENNIFER B. RADER
ANTHONY L. RAHHAL
NATALIE K. RAMSEY
DEE A. REPLOGLÉ, JR.
RICHARD A. RIGGS
REID E. ROBISON
WILLIAM W. RODGERS
PATRICIA A. ROGERS
PAUL A. ROSS
RICHARD J. SALAMY
JOHN E. SARGENT, JR.
JOHN N. SCHAEFER
PHILLIP B. SEARS
SCOTT W. SEWELL
JAY SHANKER
JAMES W. SHARROCK
RONALD T. SHINN
JOSHUA D. SMITH
SPENCER SMITH
MARK D. SPENCER
JOHN D. STINER
C. DAVID STINSON
N. MARTIN STRINGER
MARY ELLEN TERNES
JEFF L. TODD
ELIZABETH D. TYRRELL
PETER T. VAN DYKE
ERIN M. VAN LAANEN
JOSEPH WALTERS
DARA WANZER
JERRY A. WARREN
DREW D. WEBB
JAMES R. WEBB
STEVEN R. WELCH
NATHAN L. WHATLEY
JENNIFER WHEELER
AMY D. WHITE
ELIZABETH SCOTT WOOD
SHERYL N. YOUNG

McAfee & Taft
A PROFESSIONAL CORPORATION

10TH FLOOR • TWO LEADERSHIP SQUARE
211 NORTH ROBINSON
OKLAHOMA CITY, OK 73102-7103
(405) 235-9621 • FAX (405) 235-0439
www.mcafeetaft.com

WRITER DIRECT
(405) 552-2239
FAX (405) 228-7439
jenna.rader@mcafeetaft.com

March 16, 2007

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND FIRST CLASS MAIL

Yong Lee
Alexander Lee
Clean Pass of Atlanta
630 Indian Acres Ct.
Tucker, GA 30084

Re: United States Trademark Application Serial No. 78/755,527

Dear Messrs. Lee:

We represent Tyson Foods, Inc ("Tyson") in its intellectual property matters. Tyson is the owner of United States Registration No. 1,208,741 for the trademark "HOT WINGS" in association with "frozen chicken wings" and United States Registration No. 1,658,340 for the trademark "HOT WINGS & Design" in association with "cooked chicken for consumption on or off the premises." Both of these registrations are now incontestable.

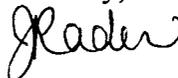
Based on a search of the records of the United States Patent & Trademark Office, it appears that on November 16, 2005, Clean Pass of Atlanta ("CPA") filed United States Application Serial No. 78/755,527 for the trademark "AMERICAN DELI" in association with a variety of goods in International Classes 029 and 030. Specifically, one of the goods listed in International Class 029 is described as "hot wings."

CPA's use of the terms "hot wings" in the description of goods in the application conflicts with Tyson's registrations for and rights to its "HOT WINGS" trademark. Tyson

cannot allow others to use its mark in this manner. Accordingly, we request that CPA amend its application to include a more descriptive phrase that does not offend the trademark rights of Tyson. For example, an acceptable phrase would be "chicken wings" if these terms constitute an adequate description of the associated goods.

Please confirm in writing that you have requested an amendment to your description of goods within thirty (30) days so that Tyson will have no reason to oppose your application.

Sincerely,



Jenna Rader

cc: Christine J. Daugherty, Ph.D.
Tyson Foods, Inc.
Clifford C. Dougherty, III



[Previous List](#)
 [Next List](#)

Entity Name Search

Entity Name List

Corporate Name	Document Number	Status
THE AMERICAN DELI, INC.	G64019	INACT
AMERICAN DELIGHTS, INC.	M31148	INACT
AMERICAN DELI IMPORT LLC	L07000010565	ACT
AMERICAN DELI & RESTAURANT, INC.	K43235	INACT
AMERICAN DELIVERY, INC.	P02000000164	INACT
AMERICAN DELIVERY, INC.	P06000084912	INACT/UA
AMERICAN DELIVERY, INC.	P94000028213	INACT
AMERICAN DELIVERY CO, INC.	S23024	INACT
AMERICAN DELIVERY & ASSEMBLE, INC.	P04000006650	INACT
AMERICAN DELIVERY SERVICE, LLC	M99000001155	INACT
AMERICAN DELIVERY SERVICE COMPANY	853298	INACT
AMERICAN DELIVERY SERVICES, INC.	P06000030979	ACT
AMERICAN DELIVERY SYSTEMS, INC.	F20297	INACT
AMERICAN DELIVERY SYSTEMS, INC.	P93000050580	INACT/UA
AMERICAN DELIVERY SYSTEMS, INC.	826731	INACT
AMERICAN DELTA CORPORATION	G59212	INACT
AMERICAN DELTA COLOR PAINTING, LLC	L05000065543	INACT/UA
AMERICAN DEMOLITION INC.	P00000057214	INACT
AMERICAN DEMOLITION LIMITED LIABILITY COMPANY	L05000005489	INACT
AMERICAN DEMOLITION, INC.	P08377	INACT
AMERICAN DEMOLITION & ENVIRONMENTAL SERVICES, INC.	P05000029251	ACT
AMERICAN DENIM, INC.	P97000009726	INACT/UA
AMERICAN DENTAL, INC.	P95000023889	INACT
AMERICAN DENTAL BENEFIT CONSULTANT, INC.	P96000041598	INACT

[Previous List](#)
 [Next List](#)

Entity Name Search



DeKalb County Board of Health

Division of Environmental Health
445 Winn Way
Suite 320
Decatur, Georgia 30030
(404) 508-7900

Customer Receipt

Receipt ID # 21791
Date 02/22/2008 Est # 883880
Received By AC Invoice # 0
Code 605;Plan Review / Minor
Name: AMERICAN DELI
Address: 4687 ROCKBRIDGE ROAD STONE MOUNTAIN 30083
Payment Amount \$50.00 Payment Method Cash

Exhibit "T"



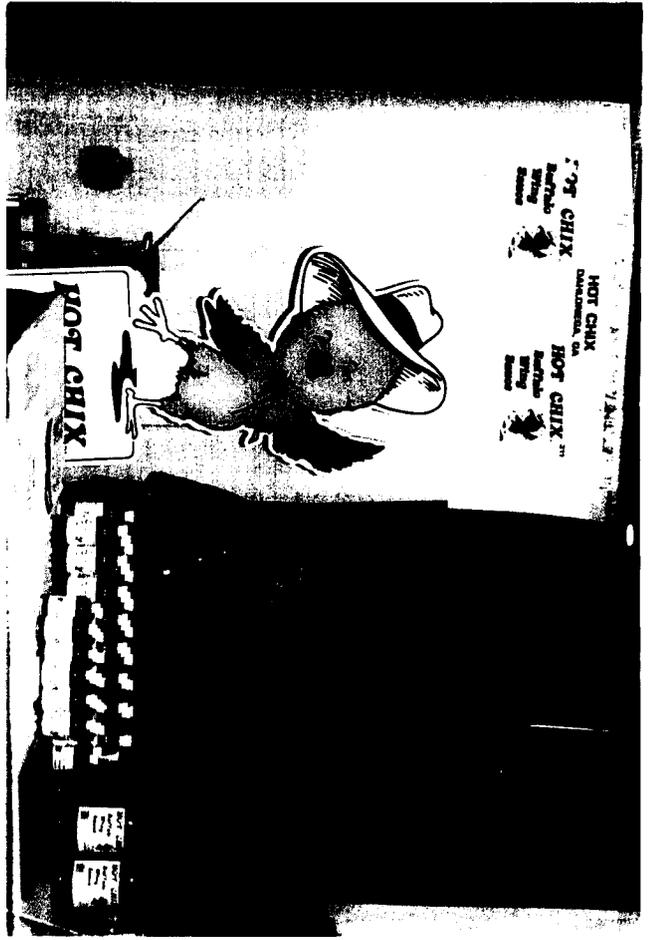
DeKalb County Board of Health

Division of Environmental Health
445 Winn Way
Suite 320
Decatur, Georgia 30030
(404) 508-7900

Customer Receipt

Receipt ID # 21790
Date 02/22/2008 Est # 883880
Received By AC Invoice # 0
Code 605;Permit- Change of Ownership
Name: AMERICAN DELI
Address: 4687 ROCKBRIDGE ROAD STONE MOUNTAIN 30083
Payment Amount \$241.00 Payment Method Cash

EXHIBIT "A"



APPLICATION FOR BUSINESS TAX

FOR CITY OF FOREST PARK USE

TAKE CARE TO USE A REALISTIC FIGURE. IF RETURN IS AUDITED IT WILL BE CLOSELY EXAMINED.

CITY OF FOREST PARK

BUSINESS TAX DIVISION

P.O. BOX 69

FOREST PARK, GA 30298-0069

(404) 366-4720

MUST BE COMPLETED & RETURNED

PRIOR TO: 12/15/2006

PLEASE READ CAREFULLY BEFORE COMPLETING
(NO P.O. BOXES PLEASE)

PLEASE PRINT

ACCOUNT #	DATE FILED
53	
AMOUNT DUE _____	
PENALTY _____	
TOTAL _____	
TRANSIENT	STATIONARY
<input type="checkbox"/>	<input checked="" type="checkbox"/> 722

1. GROSS DOLLAR VOLUME

2. NUMBER OF PERSONNEL

BUSINESS NAME & ADDRESS

AMERICAN DELI & CRAWFISH KING
4700 JONESBORO ROAD SUITE B
FOREST PARK, GA 30297

NOTE: BUSINESS TAX DEPARTMENT WILL CALCULATE FEE AND YOU WILL BE BILLED ACCORDINGLY. FOR FEE SCHEDULE CONTACT BUSINESS TAX DEPARTMENT.
NON-TRANSFERABLE, INEFFECTIVE UPON CHANGE OF OWNERSHIP OR LOCATION.

IMPORTANT

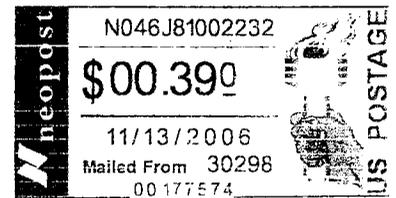
IF YOU ARE LICENSED BY THE COUNTY OR STATE A COPY OF YOUR

PROPERTY LOCATION IF OTHER

OF FOREST PARK

745 FOREST PARKWAY

FOREST PARK, GEORGIA 30297



AMERICAN DELI & CRAWFISH KING
4700 JONESBORO ROAD SUITE B
FOREST PARK, GA 30297

3029733559 C012



Exhibit " " 

RE ROCKET EXPRESS
 P.O. Box 45065, Atlanta, GA 30320
 I.C.C., MC 159993 404-768-8166

SERVING
 GEORGIA LOS ANGELES
 NORTH CAROLINA DALLAS
 SOUTH CAROLINA PHOENIX
 and
 The NAFTA System

WAYBILL NO. 1100240

INIT. _____
 GC
 AF

ORIGIN	DATE	DESTINATION
ATL	1/1/74	LA
REFERENCE NUMBER		
PREPAID	COLLECT	*THIRD PARTY

SHIPPER O J ABC SALES		CONSIGNEE WILSON SUPER M...		UNLESS INDICATED CHARGES TO BE COLLECTED					
STREET 1111 ... CT		STREET ... MAHALL PL		CHARGES					
CITY TULSA, OKLA		CITY ... CALIF		ADVANCE CHARGES					
*THIRD PARTY ADDRESS				C.O.D.					
NO. PIECES	H/M	UN#	MAWB #	DESCRIPTION AND SPECIAL INSTRUCTIONS	WEIGHT	RATE	COLLECTION FEES		
							EXCESS VALUE	ADD. CHARGES	
1				H/T SAUCE	3/10				
EX				DELIVER TO CONSIGNEE					
TOTAL					TOTAL			TOTAL	
WEIGHTS SUBJECT TO REWEIGH OR DIMENSIONAL CORRECTION									
RECEIVED BY ROCKET		IGO	PIECES	DATE	TIME	DELIVERED BY		DATE	TIME
		<input checked="" type="checkbox"/>	7	1/1	1900 AM				AM
LOADED BY		IGO	PIECES	STATION	SECTION	CONSIGNEE PRINT		DATE	TIME
		<input type="checkbox"/>							AM
DECLARED VALUE		CUSTOMER ACCOUNT NO.		STATION	SECTION	CONSIGNEE SIGNATURE			
		MILES				X			

WAYBILL NO. 160240 YOUR PATRONAGE IS APPRECIATED

7-SALES COP'

Exhibit "W"

RE ROCKET EXPRESS
 P.O. Box 45065, Atlanta, GA 30320
 I.C.C., MC 159993 404-768-8166

SERVING
 GEORGIA LOS ANGELES
 NORTH CAROLINA DALLAS
 SOUTH CAROLINA PHOENIX
 and
 The NAFTA System

WAYBILL NO. 136121

INIT. _____
 GC
 AF

ORIGIN	DATE	DESTINATION
REFERENCE NUMBER		
PREPAID	COLLECT	*THIRD PARTY

SHIPPER		CONSIGNEE		UNLESS INDICATED CHARGES TO BE COLLECTED					
STREET		STREET		CHARGES					
CITY		CITY		ADVANCE CHARGES					
*THIRD PARTY ADDRESS				C.O.D.					
NO. PIECES	H/M	UN#	MAWB #	DESCRIPTION AND SPECIAL INSTRUCTIONS	WEIGHT	RATE	COLLECTION FEES		
							EXCESS VALUE	ADD. CHARGES	
				Deliver to Consignee per M. Kim					
TOTAL					TOTAL			TOTAL	
WEIGHTS SUBJECT TO REWEIGH OR DIMENSIONAL CORRECTION									
RECEIVED BY ROCKET		IGO	PIECES	DATE	TIME	DELIVERED BY		DATE	TIME
		<input type="checkbox"/>							AM
LOADED BY		IGO	PIECES	STATION	SECTION	CONSIGNEE PRINT		DATE	TIME
		<input type="checkbox"/>							AM

Executed at Atlanta, Georgia on February 11, 1968


Chang C. King