

ESTTA Tracking number: **ESTTA565886**

Filing date: **10/18/2013**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Margaritaville Enterprises, LLC
Granted to Date of previous extension	10/23/2013
Address	256 Worth Ave., Suite Q-R Palm Beach, FL 33480 UNITED STATES
Attorney information	Joel R. Feldman and Kristen L. Fancher Greenberg Traurig, LLP 3333 Piedmont Rd., NE, Suite 2500 Atlanta, GA 30305 UNITED STATES atltrademark@gtlaw.com, feldmanjoel@gtlaw.com Phone:678-553-4778

Applicant Information

Application No	85751742	Publication date	06/25/2013
Opposition Filing Date	10/18/2013	Opposition Period Ends	10/23/2013
Applicant	SIMMONS VETERINARY CLINIC, INC. 4975 LAKE WORTH RD LAKE WORTH, FL 33463 UNITED STATES		

Goods/Services Affected by Opposition

Class 003. First Use: 2011/01/14 First Use In Commerce: 2011/01/14 All goods and services in the class are opposed, namely: Bath soap, body wash, soaps for body care, hair shampoo, hair conditioners, and hair rinses for dogs and domestic pets
Class 018. First Use: 2012/07/16 First Use In Commerce: 2012/07/16 All goods and services in the class are opposed, namely: Clothing for dogs and domestic pets
Class 020. All goods and services in the class are opposed, namely: Dog beds
Class 021. All goods and services in the class are opposed, namely: Household storage containers for dog and domestic pet food; pet brushes, pet feeding and drinking bowls and dishes; home dental care products for dogs and domestic pets, namely, toothbrushes
Class 024. First Use: 2011/12/01 First Use In Commerce: 2011/12/14 All goods and services in the class are opposed, namely: Blankets for dogs and domestic pets
Class 028. All goods and services in the class are opposed, namely: Stuffed toy animals and dolls
Class 031.

All goods and services in the class are opposed, namely: Food and edible treats for dogs and domestic pets; drinking water for dogs
Class 041. First Use: 2012/07/18 First Use In Commerce: 2012/07/18 All goods and services in the class are opposed, namely: Dog and domestic pet training services; providing animal exercise services; kennel services, namely, dog training services
Class 043. First Use: 2012/07/18 First Use In Commerce: 2012/07/18 All goods and services in the class are opposed, namely: Boarding for animals; kennel services, namely, boarding for pets; pet hotel services; pet day care services
Class 044. First Use: 2012/07/18 First Use In Commerce: 2012/07/18 All goods and services in the class are opposed, namely: Animal grooming; kennel services, namely, dog breeding services; pet care services, namely, dog walking, dog bathing and non-medicated pet grooming; veterinary services for dogs and domestic pets

Applicant Information

Application No	85920460	Publication date	07/30/2013
Opposition Filing Date	10/18/2013	Opposition Period Ends	
Applicant	SIMMONS VETERINARY CLINIC, INC. 4975 LAKE WORTH RD LAKE WORTH, FL 33463 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 2012/07/16 First Use In Commerce: 2012/07/16 All goods and services in the class are opposed, namely: Bandanas; Hats; Wearable garments and clothing, namely, shirts

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1641613	Application Date	04/03/1986
Registration Date	04/16/1991	Foreign Priority Date	NONE
Word Mark	THE MARGARITAVILLE STORE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1985/03/00 First Use In Commerce: 1985/11/00 RETAIL CLOTHING, GIFT AND SOUVENIR STORE SERVICES		

U.S. Registration No.	1642132	Application Date	01/02/1990
Registration Date	04/23/1991	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 025. First use: First Use: 1985/01/00 First Use In Commerce: 1985/01/00 clothing, namely, shirts, sweaters, sun visors and caps Class 042. First use: First Use: 1985/03/00 First Use In Commerce: 1985/03/00 nightclub services; retail clothing, gift and souvenir store services; mail order services in the field of clothing, gifts and souvenirs

U.S. Registration No.	3120801	Application Date	12/13/2005
Registration Date	07/25/2006	Foreign Priority Date	NONE
Word Mark	JIMMY BUFFETT'S MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1985/02/01 First Use In Commerce: 1985/02/01 Retail stores, on-line stores and mail order catalogs featuring a wide array of merchandise in the nature of novelty items, souvenirs, clothing, headwear, books, recordings, beverage ware, and printed materials		

U.S. Registration No.	3002003	Application Date	12/23/2004
Registration Date	09/27/2005	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 1995/10/01 First Use In Commerce: 1995/10/01 collars for pets, pet clothing		

U.S. Registration No.	3900887	Application Date	01/25/2007
Registration Date	01/04/2011	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2008/01/04 First Use In Commerce: 2008/01/04 golf umbrellas; dog collars, dog leashes and luggage tags		

U.S. Registration No.	3007784	Application Date	03/05/2003
Registration Date	10/18/2005	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 021. First use: First Use: 1995/09/00 First Use In Commerce: 1995/09/00 [Suncatchers; fitted picnic baskets,] bottle openers, ice buckets, [lunch boxes, wastebaskets not of metal,] salt and pepper shakers, [canister sets, trivets; pet food bowls;] coasters not of paper and not being table linen; carafes, flasks and cocktail shakers, cocktail picks and stirs
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U.S. Registration No.	3900886	Application Date	01/25/2007
Registration Date	01/04/2011	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2009/04/24 First Use In Commerce: 2009/04/24 non-medicated lip balm		

U.S. Registration No.	3002008	Application Date	12/27/2004
Registration Date	09/27/2005	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 004. First use: First Use: 2003/12/01 First Use In Commerce: 2003/12/01 Candles, scented candles		

U.S. Registration No.	2729442	Application Date	03/02/1999
Registration Date	06/24/2003	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 1991/10/00 First Use In Commerce: 1991/10/00 Bags, namely travel bags, tote bags and beach bags</p> <p>Class 020. First use: First Use: 2000/03/00 First Use In Commerce: 2000/03/00 Chairs, namely beach chairs and deck chairs</p> <p>Class 021. First use: First Use: 1985/02/00 First Use In Commerce: 1985/02/00 Portable food and drink coolers; bottles, sold empty, namely, water bottles and squeeze bottles; and foam drink holders</p> <p>Class 024. First use: First Use: 1985/02/00 First Use In Commerce: 1985/02/00 Towels and beach towels</p> <p>Class 025. First use: First Use: 1985/01/00 First Use In Commerce: 1985/01/00 Clothing, namely caps, visors, hats, beach cover-ups, t-shirts, tank tops, boxer shorts, wind resistant jackets</p> <p>Class 028. First use: First Use: 1995/04/00 First Use In Commerce: 1995/04/00 [Sports equipment and sporting goods, namely, [volleyballs,] beach balls,] [and</p>		

	flying disks]		
U.S. Registration No.	3002005	Application Date	12/27/2004
Registration Date	09/27/2005	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1996/06/01 First Use In Commerce: 1996/06/01 Blanket throws, golf towels, [tablecloths, fabric and plastic placemats,] bar towels, fabric flags		
U.S. Registration No.	3117262	Application Date	12/01/2005
Registration Date	07/18/2006	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1985/02/01 First Use In Commerce: 1985/02/01 Clothing, namely, pants, sweat shirts, shorts[, and dresses]		
U.S. Registration No.	3002010	Application Date	12/27/2004
Registration Date	09/27/2005	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1997/12/01 First Use In Commerce: 1997/12/01 Bandanas, cloth bibs, [socks,] bathrobes, robes, denim jackets, sweatpants, and hooded sweatshirts		
U.S. Registration No.	3002006	Application Date	12/27/2004
Registration Date	09/27/2005	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 1991/10/01 First Use In Commerce: 1991/10/01 [scale model airplanes,] Christmas tree ornaments, playing cards		
U.S. Registration No.	4339177	Application Date	03/01/2011

Registration Date	05/21/2013	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2012/05/30 First Use In Commerce: 2012/05/30 Non-medicated sun care preparations; sun tan oil; sun tan lotion; sun-tanning preparations; sun screen; sun block; tanning and after-sun gels; after-sun creams; after-sun lotions; non-medicated lip balm		

U.S. Registration No.	4175955	Application Date	07/22/2009
Registration Date	07/17/2012	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 2008/00/00 First Use In Commerce: 2008/00/00 Furniture		

U.S. Registration No.	2896179	Application Date	05/29/2002
Registration Date	10/19/2004	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2003/02/00 First Use In Commerce: 2003/02/00 Pre-packaged, flavored seafood for human consumption		

U.S. Registration No.	4012771	Application Date	11/12/2007
Registration Date	08/16/2011	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2008/02/00 First Use In Commerce: 2008/02/00 Salsa, tortilla chips		

U.S. Registration No.	1926809	Application Date	01/22/1990
Registration Date	10/17/1995	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1976/12/00 First Use In Commerce: 1976/12/00 restaurant

U.S. Registration No.	2463238	Application Date	04/08/1999
Registration Date	06/26/2001	Foreign Priority Date	NONE
Word Mark	JIMMY BUFFETT'S MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1999/02/04 First Use In Commerce: 1999/02/04 Restaurant, bar and nightclub services		

U.S. Registration No.	3117273	Application Date	12/13/2005
Registration Date	07/18/2006	Foreign Priority Date	NONE
Word Mark	JIMMY BUFFETT'S MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 1987/12/00 First Use In Commerce: 1987/12/00 Restaurant and bar services		

U.S. Registration No.	3501784	Application Date	03/26/2008
Registration Date	09/16/2008	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 1987/11/00 First Use In Commerce: 1987/11/00 Bar services		

U.S. Registration No.	3855017	Application Date	09/15/2008
Registration Date	09/28/2010	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2010/06/28 First Use In Commerce: 2010/06/28 Hotels		

U.S. Application	85654333	Application Date	06/18/2012
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 044. First use: Spa services, namely, health spa services for health and wellness of the body and spirit and cosmetic body care services offered at hotels and resort hotels		

U.S. Registration No.	4135785	Application Date	09/15/2008
Registration Date	05/01/2012	Foreign Priority Date	NONE
Word Mark	MARGARITAVILLE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2010/06/28 First Use In Commerce: 2010/06/28 Resort hotels		

Attachments	Binder1.pdf(539165 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/jrf/
Name	Joel R. Feldman, Esq.
Date	10/18/2013

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

In the Matter of Application Serial No. 85/751,742: BARKERITAVILLE
Published in the *Official Gazette* on June 25, 2013

In the Matter of Application Serial No. 85/920,460: BARKERITAVILLE
Published in the *Official Gazette* on July 30, 2013

_____)	
MARGARITAVILLE)	
ENTERPRISES, LLC,)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
SIMMONS VETERINARY)	
CLINIC, INC.,)	
)	
Applicant.)	
_____)	

CONSOLIDATED NOTICE OF OPPOSITION

Margaritaville Enterprises, LLC (“Margaritaville”) opposes Simmons Veterinary Clinic Inc.’s U.S. Application Serial Nos. 85/751,742 and 85/920,460 to register the mark BARKERITAVILLE (the “Applications”) because Margaritaville will be damaged by the registration of the Applications.

The grounds for opposition are:

MARGARITAVILLE’S BACKGROUND

1. Margaritaville is a Delaware limited liability company with a principal address at 256 Worth Avenue, Suite Q-R, Palm Beach, Florida 33480.
2. Jimmy Buffett, an internationally-famous musician, songwriter, and entertainer, is an owner of Margaritaville’s parent company, Margaritaville Holdings LLC.
3. Margaritaville is the successor-in-interest to trademarks filed and registered by

Jimmy Buffett.

4. Margaritaville provides goods and services associated with Jimmy Buffett and Jimmy Buffett-related themes such as beaches, tropics, leisure activities, and islands.

5. Margaritaville regularly commercializes Jimmy Buffett's song titles and lyrics as trademarks, most notably, "Margaritaville."

**MARGARITAVILLE'S USE AND REGISTRATION
OF THE MARGARITAVILLE MARK**

6. The MARGARITAVILLE mark is a coined term based on Jimmy Buffett's famous "Margaritaville" song.

7. Jimmy Buffett released the song "Margaritaville" in 1977, on the album *Changes in Latitudes, Changes in Attitudes*.

8. "Margaritaville" is Jimmy Buffett's most popular song and is played at every Jimmy Buffett concert.

9. Margaritaville owns over 140 federal trademark applications and registrations incorporating the MARGARITAVILLE mark for various goods and services ranging from clothing, travel bags, printed items, beach accessories, sports equipment, barware and tequila, to restaurants, hotels, casinos, stores, and nightclubs.

10. Margaritaville owns and operates, or operates through affiliates or licensees, brick-and-mortar retail stores in the following U.S. cities:

- a. Atlantic City, NJ;
- b. Biloxi, MS;
- c. Bossier City, LA;
- d. Chicago, IL;
- e. Cincinnati, OH;

- f. Glendale, AZ;
- g. Key West, FL;
- h. Las Vegas, NV;
- i. Myrtle Beach, SC;
- j. Nashville, TN;
- k. New Orleans, LA;
- l. Orlando, FL;
- m. Panama City Beach, FL;
- n. Pensacola, FL;
- o. Uncasville, CT; and
- p. Waikiki, HI.

11. Margaritaville owns and operates, or operates through affiliates or licensees, online retail stores through the following URLs:

- a. www.margaritavillecargo.com;
- b. www.margaritavillelifestyle.com;
- c. www.margaritavilleretail.com;
- d. www.margaritavilleoutdoor.com;
- e. www.margaritavilleapparel.com;
- f. www.margaritavillestore.com; and
- g. store.margaritavilleneworleans.com.

12. Margaritaville has continuously used the MARGARITAVILLE mark for retail store services since 1985.

13. Margaritaville owns seven U.S. service mark registrations incorporating the

MARGARITAVILLE mark for retail store services, including the following:

- a. U.S. Reg. No. 1,641,613 for THE MARGARITAVILLE STORE in International Class 42 for retail clothing, gift and souvenir store services (TSDR record attached at Exhibit 1);
- b. U.S. Reg. No. 1,642,132 for MARGARITAVILLE in International Class 42 for, *inter alia*, retail, clothing, gift and souvenir store services; mail order services in the field of clothing, gifts and souvenirs (TSDR record attached at Exhibit 2); and
- c. U.S. Reg. No. 3,120,801 for JIMMY BUFFETT'S MARGARITAVILLE in International Class 35 for retail stores, on-line stores and mail order catalogs featuring a wide array of merchandise in the nature of novelty items, souvenirs, clothing, headwear, books, recordings, beverage ware, and printed materials (TSDR record attached at Exhibit 3).

14. Margaritaville's registrations for the MARGARITAVILLE mark give Margaritaville filing priority in the MARGARITAVILLE mark for retail store services since at least April 1986.

15. Within its retail stores, Margaritaville sells a wide variety of goods, including clothing, gifts, novelty items, and souvenirs related to Jimmy Buffett, his music, and his lifestyle.

16. Margaritaville owns numerous U.S. trademark registrations for the MARGARITAVILLE mark for the goods sold in its retail stores and online stores, including the following:

- a. U.S. Reg. No. 3,002,003 for MARGARITAVILLE in International Class 18 for collars for pets and pet clothing (TSDR record attached at Exhibit

- 4);
- b. U.S. Reg. No. 3,900,887 for MARGARITAVILLE in International Class 18 for golf umbrellas; dog collars; dog leashes and luggage tags (TSDR record attached at Exhibit 5);
 - c. U.S. Reg. No. 3,007,784 for MARGARITAVILLE in International Class 21 for suncatchers; fitted picnic baskets, bottle openers, ice buckets, lunch boxes, wastebaskets not of metal, salt and pepper shakers, canister sets, trivets; pet food bowls; coasters not of paper and not being table linen; carafes; flasks and cocktail shakers, cocktail picks and stir (TSDR record attached at Exhibit 6);
 - d. U.S. Reg. No. 3,900,886 for MARGARITAVILLE in International Class 3 for non-medicated lip balm (TSDR record attached at Exhibit 7);
 - e. U.S. Reg. No. 3,002,008 for MARGARITAVILLE in International Class 4 for candles and scented candles (TSDR record attached at Exhibit 8);
 - f. U.S. Reg. No. 2,729,442 for MARGARITAVILLE in International Class 18 for bags, namely travel bags, tote bags and beach bags, in International Class 20 for chairs, namely beach chairs and deck chairs, in International Class 21 for portable food and drink coolers; bottles, sold empty, namely, water bottles and squeeze bottles; and foam drink holders, in International Class 24 for towels and beach towels, and in International Class 25 for clothing, namely caps, visors, hats, beach cover-ups, t-shirts, tank tops, boxer shorts, and wind resistant jackets (TSDR record attached at Exhibit 9);

- g. U.S. Reg. No. 3,002,005 for MARGARITAVILLE in International Class 24 for blanket throws, golf towels, tablecloths, fabric and plastic placemats, bar towels and fabric flags (TSDR record attached at Exhibit 10);
- h. U.S. Reg. No. 1,642,132 for MARGARITAVILLE in International Class 25 for clothing, namely, shirts, sweaters, sun visors and caps (TSDR record attached at Exhibit 2);
- i. U.S. Reg. No. 3,117,262 for MARGARITAVILLE in International Class 25 for clothing, namely, pants, sweat shirts, and shorts (TSDR record attached at Exhibit 11);
- j. U.S. Reg. No. 3,002,010 for MARGARITAVILLE in International Class 25 for bandanas, cloth bibs, socks, bathrobes, robes, denim jackets, sweatpants, and hooded sweatshirts (TSDR record attached at Exhibit 12);
and
- k. U.S. Reg. No. 3,002,006 for MARGARITAVILLE in International Class 28 for Christmas tree ornaments and playing cards (TSDR record attached at Exhibit 13).

17. Margaritaville also sells a wide variety of goods through licensees, including foods, non-alcoholic beverages, alcoholic beverages, furniture, shoes, clothing, and household goods.

18. Margaritaville owns numerous U.S. trademark registrations for the goods sold through its licensees, including the following:

- a. U.S. Reg. No. 4,339,177 for MARGARITAVILLE in International Class

3 for non-medicated sun care preparations; sun tan oil; sun tan lotion; sun-tanning preparations; sun screen; sun block; tanning and after-sun gels; after-sun creams; after-sun lotions; non-medicated lip balm (TSDR record attached at Exhibit 14);

- b. U.S. Reg. No. 4,175,955 for MARGARITAVILLE in International Class 20 for furniture (TSDR record attached at Exhibit 15);
- c. U.S. Reg. No. 2,896,179 for MARGARITAVILLE in International Class 29 for pre-packaged, flavored seafood for human consumption (TSDR record attached at Exhibit 16); and
- d. U.S. Reg. No. 4,012,771 for MARGARITAVILLE in International Class 30 for salsa and tortilla chips (TSDR record attached at Exhibit 17).

19. Margaritaville owns and operates, or operates through an affiliate or licensee, a chain of MARGARITAVILLE-branded restaurants and bars located throughout the United States.

20. Margaritaville has used the MARGARITAVILLE mark for restaurant and bar services since at least 1987.

21. Margaritaville acquired third-party rights in the MARGARITAVILLE mark for restaurant and bar services based on the third party's use of the mark since December 1976.

22. Margaritaville owns four U.S. service mark registrations incorporating the MARGARITAVILLE mark for restaurant and/or bar services:

- a. Registration No. 1,926,809 for MARGARITAVILLE for restaurants, in International Class 42 (TSDR record attached at Exhibit 18); and
- b. Registration No. 2,463,238 for JIMMY BUFFETT'S

MARGARITAVILLE & Design for restaurant, bar, and nightclub services, in International Class 42 (TSDR record attached at Exhibit 19);

- c. Registration No. 3,117,273 for JIMMY BUFFETT'S MARGARITAVILLE for restaurant and bar services, in International Class 43 (TSDR record attached at Exhibit 20); and
- d. Registration No. 3,501,784 for MARGARITAVILLE for bar services in International Class 43 (TSDR record attached at Exhibit 21).

23. Margaritaville's registrations for the MARGARITAVILLE mark give Margaritaville priority in the MARGARITAVILLE mark for restaurant services since at least December 1976 and bar services since at least November 1987.

24. Margaritaville licenses the MARGARITAVILLE mark for hotels located in Pensacola, Florida and Bossier City, Louisiana.

25. Margaritaville owns U.S. Reg. No. 3,855,017 for MARGARITAVILLE in International Class 43 for hotels (TSDR record attached at Exhibit 22) and U.S. Reg. No. 4,135,785 for MARGARITAVILLE in International Class 43 for resort hotels (TSDR record attached at Exhibit 23).

26. Margaritaville owns U.S. Application Serial No. 85/654,333 for MARGARITAVILLE in International Class 44 for spa services, namely, health spa services for health and wellness of the body and spirit and cosmetic body care services offered at hotels and resort hotels (TSDR record attached at Exhibit 24).

27. Margaritaville's U.S. Application Serial No. 85/654,333 gives Margaritaville filing priority in the MARGARITAVILLE mark for the applied-for services as of the filing date, June 18, 2012.

28. Due to the longstanding and widespread use of the MARGARITAVILLE mark, including extensive use of the mark adjacent to Jimmy Buffett's name, the MARGARITAVILLE mark is strongly associated with Margaritaville and Jimmy Buffett.

29. The MARGARITAVILLE mark is an inherently-distinctive mark.

30. The MARGARITAVILLE mark has been used on a wide variety of goods and services for many years. As a result, the mark is a commercially-strong source indicator for Margaritaville's various goods and services.

31. By virtue of Margaritaville's continuous, exclusive, and widespread use of the distinctive MARGARITAVILLE mark, Margaritaville is entitled to a broad scope of protection for the MARGARITAVILLE mark.

APPLICANT'S BACKGROUND

32. Applicant seeks to register BARKERITAVILLE for the following goods and services:

- a. Class 3: bath soap, body wash, soaps for body care, hair shampoo, hair conditioners, and hair rinses for dogs and domestic pets;
- b. Class 18: clothing for dogs and domestic pets;
- c. Class 20: dog beds;
- d. Class 21: household storage containers for dog and domestic pet food; pet brushes, pet feeding and drinking bowls and dishes; home dental care products for dogs and domestic pets, namely, toothbrushes;
- e. Class 24: blankets for dogs and domestic pets;
- f. Class 25: bandanas; hats; wearable garments and clothing, namely, shirts;
- g. Class 28: stuffed toy animals and dolls;

- h. Class 31: food and edible treats for dogs and domestic pets; drinking water for dogs;
- i. Class 41: dog and domestic pet training services; providing animal exercise services; kennel services, namely, dog training services;
- j. Class 43: boarding for animals; kennel services, namely, boarding for pets; pet hotel services; pet day care services; and
- k. Class 44: animal grooming; kennel services, namely, dog breeding services; pet care services, namely, dog walking, dog bathing and non-medicated pet grooming; veterinary services for dogs and domestic pets.

33. Applicant is a Florida corporation located at 4975 Lake Worth Rd., Lake Worth, Florida 33463.

34. Applicant filed its BARKERITAVILLE applications on October 11, 2012 and May 1, 2013, over 35 years after Margaritaville (and its predecessors) began using the MARGARITAVILLE mark for restaurant and bar services and over 25 years after Margaritaville (and its predecessors) began using the MARGARITAVILLE mark for retail store services.

COUNT I
LIKELIHOOD OF CONFUSION

35. The applied-for mark, BARKERITAVILLE, closely resembles Margaritaville's MARGARITAVILLE mark.

36. BARKERITAVILLE and MARGARITAVILLE, which share the same last nine letters, are similar in appearance.

37. BARKERITAVILLE and MARGARITAVILLE sound similar.

38. BARKERITAVILLE and MARGARITAVILLE have a similar commercial impression.

39. Upon information and belief, Applicant adopted its applied-for mark based, in whole or in part, on its similarity to the MARGARITAVILLE mark.

40. Applicant's applied-for goods and services are identical or closely related to Margaritaville's MARGARITAVILLE-branded goods and services.

41. Based on the similarity of the marks and the similarity of the goods and services, the public is likely to be confused, to be deceived, and to assume erroneously that Applicant's goods and services are Margaritaville's goods and services or that Applicant is in some way connected to, sponsored by, or affiliated with Margaritaville, resulting in irreparable damage to Margaritaville.

42. Because the public is likely to be confused, to be deceived, and to erroneously assume a connection between Applicant's BARKERITAVILLE-branded goods and services and Margaritaville, Applicant's use and registration of its applied-for BARKERITAVILLE mark will violate 15 U.S.C. §§ 1114 and 1125(a) and will injure and damage Margaritaville and the goodwill and reputation symbolized by Margaritaville's MARGARITAVILLE mark within the meaning of 15 U.S.C. § 1063(a).

43. Applicant's applied-for mark is not registrable under 15 U.S.C. § 1052(d), because it resembles a mark previously used in the United States by another and not abandoned and is therefore likely to cause confusion, mistake, or to deceive.

COUNT II
LIKELIHOOD OF DILUTION

44. For several decades, Margaritaville's MARGARITAVILLE mark has been widely used and advertised in the United States, and, therefore, this mark has become well known and famous as a distinctive symbol of Margaritaville's goodwill within the meaning of 15 U.S.C. § 1125(c)(1).

45. Margaritaville's MARGARITAVILLE mark became well known and famous before Applicant allegedly used the applied-for BARKERITAVILLE mark or filed the Application.

46. Margaritaville engages in substantially exclusive use of the MARGARITAVILLE mark.

47. Applicant's applied-for BARKERITAVILLE mark is very similar to Margaritaville's MARGARITAVILLE mark.

48. Applicant's applied-for BARKERITAVILLE mark will cause dilution of the distinctive quality of Margaritaville's MARGARITAVILLE mark.

49. Use or registration of the applied-for BARKERITAVILLE mark will lessen the capacity of Margaritaville's famous MARGARITAVILLE mark to identify and distinguish Margaritaville's goods and services.

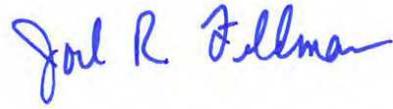
CONCLUSION

50. Opposer will be damaged by the Applicant's registration and use of BARKERITAVILLE, as set forth in Applicant's Application Serial Nos. 85/751,742 and 85/920,460 because the applied-for mark is confusingly similar to Margaritaville's registered MARGARITAVILLE mark and the applied-for mark is likely to dilute Margaritaville's famous MARGARITAVILLE mark.

51. Margaritaville requests that the instant opposition be sustained and registration of Applicant's applied-for BARKERITAVILLE mark be refused.

Date: October 18, 2013

Respectfully submitted,
GREENBERG TRAURIG, LLP



Joel R. Feldman, Esq.
Kristen L. Fancher, Esq.

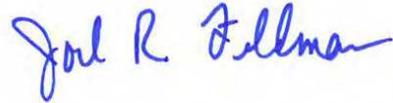
3333 Piedmont Road, NE
Suite 2500
Atlanta, Georgia 30305
(678) 553-4778

Attorneys for Opposer
Margaritaville Enterprises, LLC

CERTIFICATE OF ELECTRONIC TRANSMISSION

Date: October 18, 2013

I certify that this paper is being transmitted electronically to the Trademark Trial and Appeal Board of the United States Patent & Trademark Office, on the date indicated above, through the ESTTA electronic filing system at the web site <http://estta.uspto.gov/>.



Joel R. Feldman, Esq.

CERTIFICATE OF SERVICE

I certify that on October 18, 2013, I served the above Notice of Opposition by first-class mail to:

Michael W. Vary, Esq.
McCarthy, Lebit, Crystal & Liffman
101 W Prospect Ave Ste 1800
Cleveland, OH 44115-1088

Kristen M. Hoover
McCarthy, Lebit, Crystal & Liffman
101 W Prospect Ave Ste 1800
Cleveland, OH 44115-1088



Joel R. Feldman, Esq.

Exhibit 1

STATUS DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-16 17:03:07 EDT**Mark:** THE MARGARITAVILLE STORE

No Image exists for this case.

US Serial Number: 73591373**Application Filing Date:** Apr. 03, 1986**US Registration Number:** 1641613**Registration Date:** Apr. 16, 1991**Register:** Principal**Mark Type:** Service Mark**Status:** The registration has been renewed.**Status Date:** Jan. 28, 2011**Publication Date:** Sep. 18, 1990

Mark Information

Mark Literal Elements: THE MARGARITAVILLE STORE**Standard Character Claim:** No**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)**Disclaimer:** "STORE"

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: RETAIL CLOTHING, GIFT AND SOUVENIR STORE SERVICES**International Class(es):** 042 - Primary Class**U.S Class(es):** 101**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Mar. 1985**Use in Commerce:** Nov. 1985

Basis Information (Case Level)

Filed Use: Yes**Currently Use:** Yes**Amended Use:** No**Filed ITU:** No**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: JB INTELLECTUAL PROPERTY, LLC**Owner Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE

Organized:

Attorney/Correspondence Information**Attorney of Record****Attorney Name:** JEFFREY M. SMITH**Docket Number:** 2777-570-42**Correspondent****Correspondent** Jeffrey M. Smith, and Kristen L. Fancher,**Name/Address:** GREENBERG TRAUIG LLP

3333 Piedmont Road NE, Suite 2500

ATLANTA, GEORGIA 30305

UNITED STATES

Phone: 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail** Yes**Authorized:****Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 28, 2011	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	70132
Jan. 28, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 27, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Jan. 21, 2011	TEAS SECTION 8 & 9 RECEIVED	
Oct. 22, 2007	CASE FILE IN TICRS	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 27, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jun. 27, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 20, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 07, 1996	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Sep. 18, 1996	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 16, 1991	REGISTERED-PRINCIPAL REGISTER	
Sep. 18, 1990	PUBLISHED FOR OPPOSITION	
Sep. 18, 1990	PUBLISHED FOR OPPOSITION	
Aug. 18, 1990	NOTICE OF PUBLICATION	
Jun. 18, 1990	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 22, 1990	ALLOWANCE/COUNT WITHDRAWN	
Feb. 15, 1990	LETTER OF SUSPENSION MAILED	
Dec. 29, 1989	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 24, 1989	NON-FINAL ACTION MAILED	
Jan. 12, 1987	LETTER OF SUSPENSION MAILED	
Dec. 10, 1986	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 25, 1986	NON-FINAL ACTION MAILED	
Jun. 11, 1986	ASSIGNED TO EXAMINER	61751

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 16, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jan. 28, 2011

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)

Total Assignments: 4

Registrant: BUFFETT, JIMMY

Assignment 1 of 4

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0687/0996](#)

Pages: 0

Date Recorded: Nov. 28, 1989

Supporting Documents: No Supporting Documents Available

Assignor

Name: [MARGARITAVILLE STORE, INC., THE](#)

Execution Date: Nov. 10, 1989

Legal Entity Type: CORPORATION

State or Country Where Organized: FLORIDA

Assignee

Name: [BUFFETT, JIMMY](#)

Legal Entity Type: UNKNOWN

State or Country Where Organized: No Place Where Organized Found

Address: 424-A FLEMING STREET
KEY WEST, FLORIDA 33040

Correspondent

Correspondent Name: WEISS DAWID FROSS

Correspondent Address: ZELNICK & LEHRMAN, P.C.
633 THIRD AVENUE
NEW YORK, NY 10017-6703

Domestic Representative - Not Found

Assignment 2 of 4

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Organized: _____

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found**Assignment 3 of 4**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized: _____

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found**Assignment 4 of 4**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized: _____

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized: _____

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 2

STATUS DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-16 17:04:49 EDT**Mark:** MARGARITAVILLE

No Image exists for this case.

US Serial Number: 74015895**Application Filing Date:** Jan. 02, 1990**US Registration Number:** 1642132**Registration Date:** Apr. 23, 1991**Register:** Principal**Mark Type:** Trademark, Service Mark**Status:** The registration has been renewed.**Status Date:** May 05, 2010**Publication Date:** Jan. 29, 1991

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** No**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: clothing, namely, shirts, sweaters, sun visors and caps**International Class(es):** 025 - Primary Class**U.S Class(es):** 039**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Jan. 1985**Use in Commerce:** Jan. 1985**For:** nightclub services; retail clothing, gift and souvenir store services; mail order services in the field of clothing, gifts and souvenirs**International Class(es):** 042 - Primary Class**U.S Class(es):** 100, 101, 107**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Mar. 1985**Use in Commerce:** Mar. 1985

Basis Information (Case Level)

Filed Use: Yes**Currently Use:** Yes**Amended Use:** No**Filed ITU:** No**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC**Owner Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.**Docket Number:** 101885.02000**Attorney Primary Email
Address:** atltrademark@qtlaw.com**Attorney Email Authorized:** Yes

Correspondent

**Correspondent
Name/Address:** Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq
GREENBERG TRAUERIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@qtlaw.com**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 05, 2010	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	68335
May 05, 2010	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
May 04, 2010	TEAS SECTION 8 & 9 RECEIVED	
Oct. 18, 2007	CASE FILE IN TICRS	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 14, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jun. 14, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Mar. 14, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 16, 1996	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Nov. 08, 1996	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Apr. 23, 1991	REGISTERED-PRINCIPAL REGISTER	
Jan. 29, 1991	PUBLISHED FOR OPPOSITION	
Dec. 28, 1990	NOTICE OF PUBLICATION	
Oct. 25, 1990	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 04, 1990	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Apr. 04, 1990	NON-FINAL ACTION MAILED	
Mar. 22, 1990	ASSIGNED TO EXAMINER	61751
Mar. 22, 1990	ASSIGNED TO EXAMINER	61751

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Apr. 23, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: May 05, 2010

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R

PALM BEACH, FLORIDA 33480

Correspondent**Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found****Assignment 3 of 3****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3460/0384](#)**Pages:** 20**Date Recorded:** Jan. 12, 2007**Supporting Documents:** [assignment-tm-3460-0384.pdf](#)**Assignor****Name:** [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

Exhibit 3

STATUS DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-16 17:14:05 EDT**Mark:** JIMMY BUFFETT'S MARGARITAVILLE**JIMMY BUFFETT'S
MARGARITAVILLE****US Serial Number:** 78771962**Application Filing Date:** Dec. 13, 2005**US Registration Number:** 3120801**Registration Date:** Jul. 25, 2006**Register:** Principal**Mark Type:** Service Mark**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.**Status Date:** Sep. 24, 2011**Publication Date:** May 02, 2006

Mark Information

Mark Literal Elements: JIMMY BUFFETT'S MARGARITAVILLE**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [1642132](#), [2201541](#), [2463238](#) and others

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Retail stores, on-line stores and mail order catalogs featuring a wide array of merchandise in the nature of novelty items, souvenirs, clothing, headwear, books, recordings, beverageware, and printed materials**International Class(es):** 035 - Primary Class**U.S Class(es):** 100, 101, 102**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Feb. 01, 1985**Use in Commerce:** Feb. 01, 1985

Basis Information (Case Level)

Filed Use: Yes**Currently Use:** Yes**Amended Use:** No**Filed ITU:** No**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC**Owner Address:** 256 WORTH AVENUE, SUITE Q-R

Palm Beach, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email atltrademark@gtlaw.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq

Name/Address: GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 24, 2011	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 24, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Sep. 06, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70131
Jul. 26, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 25, 2006	REGISTERED-PRINCIPAL REGISTER	
May 02, 2006	PUBLISHED FOR OPPOSITION	
Apr. 12, 2006	NOTICE OF PUBLICATION	
Mar. 06, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Jan. 23, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 04, 2006	EXAMINER'S AMENDMENT ENTERED	76568
Jan. 04, 2006	ASSIGNED TO LIE	76568
Jan. 03, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 03, 2006	EXAMINERS AMENDMENT -WRITTEN	80804
Dec. 28, 2005	ASSIGNED TO EXAMINER	80804
Dec. 19, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 106

Date in Location: Sep. 24, 2011

Assignment Abstract Of Title Information**Summary**[Conveyance Filter](#)

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)**Assignor**Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

AssigneeName: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022**Correspondent**

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153**Domestic Representative - Not Found****Assignment 2 of 3**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)**Assignor**Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

AssigneeName: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent**

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found****Assignment 3 of 3**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)**Assignor**Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

AssigneeName: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent**

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 4

[STATUS](#) [DOCUMENTS](#)

[Back to Search](#)

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Generated on: This page was generated by TSDR on 2013-10-16 17:16:03 EDT

Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 78537900

Application Filing Date: Dec. 23, 2004

US Registration Number: 3002003

Registration Date: Sep. 27, 2005

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Feb. 25, 2011

Publication Date: Jul. 05, 2005

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [1877860](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: collars for pets, pet clothing

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 1995

Use in Commerce: Oct. 01, 1995

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC

Owner Address: 256 WORTH AVENUE
SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@gtlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 25, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Feb. 25, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Feb. 08, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 27, 2005	REGISTERED-PRINCIPAL REGISTER	
Jul. 05, 2005	PUBLISHED FOR OPPOSITION	
Jun. 15, 2005	NOTICE OF PUBLICATION	
Mar. 29, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Mar. 25, 2005	ASSIGNED TO LIE	67215
Mar. 18, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 18, 2005	ASSIGNED TO EXAMINER	76626
Jan. 07, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Feb. 25, 2011

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 5

STATUS DOCUMENTS

[Back to Search](#)

Print

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77090784

Application Filing Date: Jan. 25, 2007

US Registration Number: 3900887

Registration Date: Jan. 04, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 04, 2011

Publication Date: Aug. 28, 2007

Notice of Allowance Date: Nov. 20, 2007

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [1877860](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: golf umbrellas; dog collars, dog leashes and luggage tags

International Class(es): 018 - Primary Class

U.S Class(es): 001, 002, 003, 022, 041

Class Status: ACTIVE

Basis: 1(a)

First Use: Jan. 04, 2008

Use in Commerce: Jan. 04, 2008

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Kristen L. Fancher, Esquire**Docket Number:** 101885.02000**Attorney Primary Email** atltrademark@gtlaw.com**Attorney Email Authorized:** No**Address:****Correspondent****Correspondent** JEFFREY M. SMITH AND KRISTEN L. FANCHER**Name/Address:** GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail** Yes**Authorized:****Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 04, 2011	REGISTERED-PRINCIPAL REGISTER	
Dec. 02, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 01, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Nov. 29, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 09, 2010	STATEMENT OF USE PROCESSING COMPLETE	70565
Nov. 08, 2010	USE AMENDMENT FILED	70565
Nov. 08, 2010	TEAS STATEMENT OF USE RECEIVED	
May 06, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 05, 2010	EXTENSION 5 GRANTED	70565
May 04, 2010	EXTENSION 5 FILED	70565
May 04, 2010	TEAS EXTENSION RECEIVED	
Nov. 16, 2009	EXTENSION 4 GRANTED	70565
Nov. 13, 2009	EXTENSION 4 FILED	70565
Nov. 13, 2009	TEAS EXTENSION RECEIVED	
Jun. 03, 2009	EXTENSION 3 GRANTED	70565
May 15, 2009	EXTENSION 3 FILED	70565
Jun. 03, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
May 15, 2009	TEAS EXTENSION RECEIVED	
Nov. 11, 2008	EXTENSION 2 GRANTED	98765
Nov. 11, 2008	EXTENSION 2 FILED	98765
Nov. 11, 2008	TEAS EXTENSION RECEIVED	
Jun. 18, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 01, 2008	EXTENSION 1 GRANTED	98765
May 01, 2008	EXTENSION 1 FILED	98765

May 01, 2008	TEAS EXTENSION RECEIVED	
Nov. 20, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 28, 2007	PUBLISHED FOR OPPOSITION	
Aug. 08, 2007	NOTICE OF PUBLICATION	
May 22, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
May 22, 2007	ASSIGNED TO LIE	76568
May 04, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 04, 2007	ASSIGNED TO EXAMINER	78329
Jan. 29, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 01, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

[Conveyance Filter](#)

Registrant: Margaritaville Enterprises, LLC

Assignment 1 of 1

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: [3794/0429](#)

Pages: 29

Date Recorded: Jun. 12, 2008

Supporting Documents: [assignment-tm-3794-0429.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: May 28, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: JESSICA RYAN C/O WEIL, GOTSHAL & MANGES

Correspondent Address: 767 FIFTH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

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Exhibit 6

STATUS DOCUMENTS

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Mark: MARGARITAVILLE

No Image exists for this case.

US Serial Number: 78221896

Application Filing Date: Mar. 05, 2003

US Registration Number: 3007784

Registration Date: Oct. 18, 2005

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Mar. 12, 2011

Publication Date: Nov. 04, 2003

Notice of Allowance Date: Jan. 27, 2004

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [1877860](#), [1907542](#), [2082231](#), [2172663](#), [2284131](#) and others

Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: [Suncatchers; fitted picnic baskets,] bottle openers, ice buckets, [lunch boxes, wastebaskets not of metal,] salt and pepper shakers, [canister sets, trivets; pet food bowls,] coasters not of paper and not being table linen; carafes, flasks and cocktail shakers, cocktail picks and stirs

International Class(es): 021 - Primary Class

U.S Class(es): 002, 013, 023, 029, 030, 033, 040, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 1995

Use in Commerce: Sep. 1995

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC**Owner Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.**Docket Number:** 101885.02000**Attorney Primary Email
Address:** atltrademark@gtlaw.com**Attorney Email Authorized:** Yes

Correspondent

**Correspondent
Name/Address:** JEFFREY M. SMITH AND KRISTEN L. FANCHER
GREENBERG TRAUERIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 12, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67723
Mar. 11, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67723
Feb. 18, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 18, 2005	REGISTERED-PRINCIPAL REGISTER	
Sep. 08, 2005	LAW OFFICE REGISTRATION REVIEW COMPLETED	76539
Sep. 02, 2005	ASSIGNED TO LIE	76539
Aug. 29, 2005	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 02, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	77978
Aug. 01, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	77978
Aug. 01, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 20, 2005	NON-FINAL ACTION E-MAILED	
Jul. 20, 2005	SU - NON-FINAL ACTION - WRITTEN	76508
Jul. 18, 2005	STATEMENT OF USE PROCESSING COMPLETE	71280
Jul. 11, 2005	USE AMENDMENT FILED	71280
Jul. 11, 2005	TEAS STATEMENT OF USE RECEIVED	
Feb. 15, 2005	EXTENSION 2 GRANTED	61813
Jan. 27, 2005	EXTENSION 2 FILED	61813
Jan. 27, 2005	TEAS EXTENSION RECEIVED	
Aug. 10, 2004	EXTENSION 1 GRANTED	
Jul. 26, 2004	EXTENSION 1 FILED	
Jul. 26, 2004	TEAS EXTENSION RECEIVED	

Jan. 27, 2004	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 04, 2003	PUBLISHED FOR OPPOSITION	
Oct. 15, 2003	NOTICE OF PUBLICATION	
Sep. 05, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 19, 2003	EXAMINERS AMENDMENT E-MAILED	
Aug. 06, 2003	ASSIGNED TO EXAMINER	76508

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 103

Date in Location: Mar. 12, 2011

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL**Citizenship:** UNITED STATES**Assignee****Name:** [JB INTELLECTUAL PROPERTY, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found****Assignment 3 of 3****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3460/0384](#)**Pages:** 20**Date Recorded:** Jan. 12, 2007**Supporting Documents:** [assignment-tm-3460-0384.pdf](#)**Assignor****Name:** [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

Exhibit 7

STATUS DOCUMENTS

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77090783

Application Filing Date: Jan. 25, 2007

US Registration Number: 3900886

Registration Date: Jan. 04, 2011

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 04, 2011

Publication Date: Aug. 28, 2007

Notice of Allowance Date: Nov. 20, 2007

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [1877860](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: non-medicated lip balm

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 24, 2009

Use in Commerce: Apr. 24, 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Kristen L. Fancher, Esquire**Docket Number:** 101885.02000**Attorney Primary Email Address:** atltrademark@gtlaw.com**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** JEFFREY M. SMITH AND KRISTEN L. FANCHERGREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 04, 2011	REGISTERED-PRINCIPAL REGISTER	
Dec. 02, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Dec. 01, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	76568
Nov. 29, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Nov. 09, 2010	STATEMENT OF USE PROCESSING COMPLETE	70565
Nov. 08, 2010	USE AMENDMENT FILED	70565
Nov. 08, 2010	TEAS STATEMENT OF USE RECEIVED	
May 08, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 07, 2010	EXTENSION 5 GRANTED	70565
May 04, 2010	EXTENSION 5 FILED	70565
May 04, 2010	TEAS EXTENSION RECEIVED	
Nov. 16, 2009	EXTENSION 4 GRANTED	70565
Nov. 13, 2009	EXTENSION 4 FILED	70565
Nov. 13, 2009	TEAS EXTENSION RECEIVED	
Jun. 03, 2009	EXTENSION 3 GRANTED	70565
May 15, 2009	EXTENSION 3 FILED	70565
Jun. 03, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
May 15, 2009	TEAS EXTENSION RECEIVED	
Nov. 11, 2008	EXTENSION 2 GRANTED	98765
Nov. 11, 2008	EXTENSION 2 FILED	98765
Nov. 11, 2008	TEAS EXTENSION RECEIVED	
Jun. 18, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 01, 2008	EXTENSION 1 GRANTED	98765
May 01, 2008	EXTENSION 1 FILED	98765

May 01, 2008	TEAS EXTENSION RECEIVED	
Nov. 20, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 28, 2007	PUBLISHED FOR OPPOSITION	
Aug. 08, 2007	NOTICE OF PUBLICATION	
May 22, 2007	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
May 22, 2007	ASSIGNED TO LIE	76568
May 04, 2007	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 04, 2007	ASSIGNED TO EXAMINER	78329
Jan. 29, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Dec. 01, 2010

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

[Conveyance Filter](#)

Registrant: Margaritaville Enterprises, LLC

Assignment 1 of 1

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: [3794/0429](#)

Pages: 29

Date Recorded: Jun. 12, 2008

Supporting Documents: [assignment-tm-3794-0429.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: May 28, 2008

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: JESSICA RYAN C/O WEIL, GOTSHAL & MANGES

Correspondent Address: 767 FIFTH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Proceedings - Click to Load

Exhibit 8

STATUS **DOCUMENTS**

[Back to Search](#)

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 78538648

Application Filing Date: Dec. 27, 2004

US Registration Number: 3002008

Registration Date: Sep. 27, 2005

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Feb. 25, 2011

Publication Date: Jul. 05, 2005

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [1877860](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Candles, scented candles

International Class(es): 004 - Primary Class

U.S Class(es): 001, 006, 015

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 2003

Use in Commerce: Dec. 01, 2003

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: MARGARATIVALLIE ENTERPRISES, LLC

Owner Address: 256 WORTH AVENUE, SUTIE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@gtlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 25, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Feb. 25, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Feb. 08, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 27, 2005	REGISTERED-PRINCIPAL REGISTER	
Jul. 05, 2005	PUBLISHED FOR OPPOSITION	
Jun. 15, 2005	NOTICE OF PUBLICATION	
Mar. 29, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Mar. 25, 2005	ASSIGNED TO LIE	67215
Mar. 18, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 18, 2005	ASSIGNED TO EXAMINER	76626
Jan. 10, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Feb. 25, 2011

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

Exhibit 9

STATUS DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-16 17:26:05 EDT**Mark:** MARGARITAVILLE

No Image exists for this case.

US Serial Number: 75651815**Application Filing Date:** Mar. 02, 1999**US Registration Number:** 2729442**Registration Date:** Jun. 24, 2003**Register:** Principal**Mark Type:** Trademark**Status:** The registration has been renewed.**Status Date:** Jun. 24, 2013**Publication Date:** Sep. 28, 1999**Notice of Allowance Date:** Dec. 21, 1999

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** No**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Bags, namely travel bags, tote bags and beach bags**International Class(es):** 018 - Primary Class**U.S Class(es):** 001, 002, 003, 022, 041**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Oct. 1991**Use in Commerce:** Oct. 1991**For:** Chairs, namely beach chairs and deck chairs**International Class(es):** 020 - Primary Class**U.S Class(es):** 002, 013, 022, 025, 032, 050**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Mar. 2000**Use in Commerce:** Mar. 2000**For:** Portable food and drink coolers; bottles, sold empty, namely, water bottles and squeeze bottles; and foam drink holders**International Class(es):** 021 - Primary Class**U.S Class(es):** 002, 013, 023, 029, 030, 033, 040, 050**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Feb. 1985**Use in Commerce:** Feb. 1985**For:** Towels and beach towels**International Class(es):** 024 - Primary Class**U.S Class(es):** 042, 050**Class Status:** ACTIVE**Basis:** 1(a)

First Use: Feb. 1985**Use in Commerce:** Feb. 1985**For:** Clothing, namely caps, visors, hats, beach cover-ups, t-shirts, tank tops, boxer shorts, wind resistant jackets**International Class(es):** 025 - Primary Class**U.S Class(es):** 022, 039**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Jan. 1985**Use in Commerce:** Jan. 1985**For:** [Sports equipment and sporting goods, namely, [volleyballs,] beach balls,] [and flying disks]**International Class(es):** 028 - Primary Class**U.S Class(es):** 022, 023, 038, 050**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Apr. 1995**Use in Commerce:** Apr. 1995

Basis Information (Case Level)

Filed Use: No**Currently Use:** Yes**Amended Use:** No**Filed ITU:** Yes**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC**Owner Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq., Kristen L. Fancher, Esq.,
Joel R. Feldman, Esq.**Docket Number:** 101885.02000**Attorney Primary Email
Address:** atltrademark@gtlaw.com**Attorney Email Authorized:** Yes

Correspondent

**Correspondent
Name/Address:** Jeffrey M. Smith, Esq., Kristen L. Fancher, Esq.,
GREENBERG TRAUIG, LLP
3333 PIEDMONT ROAD NE, SUITE 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail
Authorized:** Yes**Domestic Representative - Not Found**

Prosecution History

Date	Description	Proceeding Number
Jun. 24, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	

Jun. 24, 2013	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68973
Jun. 24, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	68973
Jun. 24, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68973
Jun. 06, 2013	TEAS SECTION 8 & 9 RECEIVED	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 31, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	69471
Dec. 15, 2008	ASSIGNED TO PARALEGAL	69471
Dec. 09, 2008	TEAS SECTION 8 & 15 RECEIVED	
Jun. 17, 2008	CASE FILE IN TICRS	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 05, 2006	REVIEW OF CORRESPONDENCE COMPLETE	70853
Jun. 30, 2003	PAPER RECEIVED	
Jun. 24, 2003	REGISTERED-PRINCIPAL REGISTER	
May 22, 2003	PAPER RECEIVED	
Mar. 22, 2003	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 07, 2003	ASSIGNED TO EXAMINER	73358
Mar. 06, 2003	ASSIGNED TO EXAMINER	73358
Feb. 20, 2003	STATEMENT OF USE PROCESSING COMPLETE	
Feb. 19, 2002	USE AMENDMENT FILED	
Dec. 19, 2002	TEAS STATEMENT OF USE RECEIVED	
Jul. 23, 2002	EXTENSION 5 GRANTED	
May 29, 2002	EXTENSION 5 FILED	
Feb. 06, 2002	EXTENSION 4 GRANTED	
Dec. 06, 2001	EXTENSION 4 FILED	
Aug. 07, 2001	EXTENSION 3 GRANTED	
Apr. 17, 2001	EXTENSION 3 FILED	
Dec. 13, 2000	EXTENSION 2 GRANTED	
Dec. 13, 2000	EXTENSION 2 FILED	
Aug. 15, 2000	EXTENSION 1 GRANTED	
Jun. 21, 2000	EXTENSION 1 FILED	
Dec. 21, 1999	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 28, 1999	PUBLISHED FOR OPPOSITION	
Aug. 27, 1999	NOTICE OF PUBLICATION	
Jun. 17, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 16, 1999	EXAMINER'S AMENDMENT MAILED	
May 27, 1999	NON-FINAL ACTION MAILED	
May 14, 1999	ASSIGNED TO EXAMINER	76744

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jun. 24, 2013

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Jun. 24, 2013

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: BUFFETT, JIMMY

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

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Exhibit 10

STATUS **DOCUMENTS**[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-16 17:27:23 EDT**Mark:** MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 78538444**Application Filing Date:** Dec. 27, 2004**US Registration Number:** 3002005**Registration Date:** Sep. 27, 2005**Register:** Principal**Mark Type:** Trademark**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.**Status Date:** Mar. 11, 2011**Publication Date:** Jul. 05, 2005

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [2729442](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Blanket throws, golf towels, [tablecloths, fabric and plastic placemats,] bar towels, fabric flags**International Class(es):** 024 - Primary Class**U.S Class(es):** 042, 050**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Jun. 01, 1996**Use in Commerce:** Jun. 01, 1996

Basis Information (Case Level)

Filed Use: Yes**Currently Use:** Yes**Amended Use:** No**Filed ITU:** No**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC

Owner Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@gtlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 11, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Mar. 11, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Feb. 18, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 27, 2005	REGISTERED-PRINCIPAL REGISTER	
Jul. 05, 2005	PUBLISHED FOR OPPOSITION	
Jun. 15, 2005	NOTICE OF PUBLICATION	
Mar. 29, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Mar. 25, 2005	ASSIGNED TO LIE	67215
Mar. 18, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 18, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Mar. 18, 2005	EXAMINERS AMENDMENT -WRITTEN	76626
Mar. 18, 2005	ASSIGNED TO EXAMINER	76626
Jan. 10, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Mar. 11, 2011

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 11

STATUS DOCUMENTS

[Back to Search](#)

Print

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 78764751

Application Filing Date: Dec. 01, 2005

US Registration Number: 3117262

Registration Date: Jul. 18, 2006

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Jul. 20, 2012

Publication Date: Apr. 25, 2006

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [2729442](#), [2995766](#), [3002010](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Clothing, namely, pants, sweat shirts, shorts[, and dresses]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 01, 1985

Use in Commerce: Feb. 01, 1985

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: JB INTELLECTUAL PROPERTY, LLC

Owner Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.**Docket Number:** 101885.02000**Attorney Primary Email Address:** atltrademark@gtlaw.com**Attorney Email Authorized:** Yes

Correspondent

Correspondent Name/Address: Jeffrey M. Smith, Esq. and Kristen L. Fancher, EsqGREENBERG TRAURIG, LLP
3333 PIEDMONT ROAD NE, SUITE 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 20, 2012	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jul. 20, 2012	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70132
Jul. 20, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Jul. 17, 2012	NOTICE OF SUIT	
Jul. 10, 2012	TEAS SECTION 8 & 15 RECEIVED	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 14, 2010	NOTICE OF SUIT	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 18, 2006	REGISTERED-PRINCIPAL REGISTER	
Apr. 25, 2006	PUBLISHED FOR OPPOSITION	
Apr. 05, 2006	NOTICE OF PUBLICATION	
Feb. 28, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Jan. 23, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jan. 04, 2006	EXAMINER'S AMENDMENT ENTERED	76568
Jan. 04, 2006	ASSIGNED TO LIE	76568
Jan. 03, 2006	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 03, 2006	EXAMINERS AMENDMENT -WRITTEN	80804
Dec. 28, 2005	ASSIGNED TO EXAMINER	80804
Dec. 07, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 106

Date in Location: Jul. 20, 2012

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

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Exhibit 12

[STATUS](#) [DOCUMENTS](#)

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 78538669

Application Filing Date: Dec. 27, 2004

US Registration Number: 3002010

Registration Date: Sep. 27, 2005

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Mar. 11, 2011

Publication Date: Jul. 05, 2005

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [2729442](#)

Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Bandanas, cloth bibs, [socks,] bathrobes, robes, denim jackets, sweatpants, and hooded sweatshirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 01, 1997

Use in Commerce: Dec. 01, 1997

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC

Owner Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@gtlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JEFFREY M. SMITH AND KRISTEN L. FANCHER

GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 11, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Mar. 11, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Feb. 18, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 27, 2005	REGISTERED-PRINCIPAL REGISTER	
Jul. 05, 2005	PUBLISHED FOR OPPOSITION	
Jun. 15, 2005	NOTICE OF PUBLICATION	
Mar. 29, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Mar. 25, 2005	ASSIGNED TO LIE	67215
Mar. 18, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 18, 2005	ASSIGNED TO EXAMINER	76626
Jan. 10, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Mar. 11, 2011

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

Exhibit 13

STATUS **DOCUMENTS**

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 78538447

Application Filing Date: Dec. 27, 2004

US Registration Number: 3002006

Registration Date: Sep. 27, 2005

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Mar. 11, 2011

Publication Date: Jul. 05, 2005

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#), [2729442](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: [scale model airplanes,] Christmas tree ornaments, playing cards

International Class(es): 028 - Primary Class

U.S Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 1991

Use in Commerce: Oct. 01, 1991

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC

Owner Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@qtlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@qtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 11, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	77315
Mar. 11, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	77315
Feb. 18, 2011	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Sep. 27, 2005	REGISTERED-PRINCIPAL REGISTER	
Jul. 05, 2005	PUBLISHED FOR OPPOSITION	
Jun. 15, 2005	NOTICE OF PUBLICATION	
Mar. 29, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Mar. 25, 2005	ASSIGNED TO LIE	67215
Mar. 18, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 18, 2005	ASSIGNED TO EXAMINER	76626
Jan. 10, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 101

Date in Location: Mar. 11, 2011

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

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STATUS DOCUMENTS

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 85254544

Application Filing Date: Mar. 01, 2011

US Registration Number: 4339177

Registration Date: May 21, 2013

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: May 21, 2013

Publication Date: Jul. 19, 2011

Notice of Allowance Date: Sep. 13, 2011

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1926809](#), [3900886](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Non-medicated sun care preparations; sun tan oil; sun tan lotion; sun-tanning preparations; sun screen; sun block; tanning and after-sun gels; after-sun creams; after-sun lotions; non-medicated lip balm

International Class(es): 003 - Primary Class

U.S Class(es): 001, 004, 006, 050, 051, 052

Class Status: ACTIVE

Basis: 1(a)

First Use: May 30, 2012

Use in Commerce: May 30, 2012

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R

Palm Beach, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email atltrademark@gtlaw.com

Attorney Email Authorized: No

Address:

Correspondent

Correspondent JEFFREY M. SMITH AND KRISTEN L. FANCHER

Name/Address: GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2013	REGISTERED-PRINCIPAL REGISTER	
Apr. 19, 2013	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Apr. 18, 2013	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287
Apr. 18, 2013	ASSIGNED TO LIE	67287
Mar. 27, 2013	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 22, 2013	STATEMENT OF USE PROCESSING COMPLETE	66154
Mar. 11, 2013	USE AMENDMENT FILED	66154
Mar. 11, 2013	TEAS STATEMENT OF USE RECEIVED	
Sep. 07, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 06, 2012	EXTENSION 2 GRANTED	66154
Sep. 05, 2012	EXTENSION 2 FILED	66154
Sep. 06, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66154
Sep. 05, 2012	TEAS EXTENSION RECEIVED	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 07, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 05, 2012	EXTENSION 1 GRANTED	98765
Mar. 05, 2012	EXTENSION 1 FILED	98765
Mar. 05, 2012	TEAS EXTENSION RECEIVED	
Sep. 13, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jul. 19, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 19, 2011	PUBLISHED FOR OPPOSITION	
Jun. 02, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 02, 2011	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 02, 2011	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328

Jun. 02, 2011	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 02, 2011	EXAMINERS AMENDMENT -WRITTEN	81852
Jun. 02, 2011	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Jun. 01, 2011	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 01, 2011	ASSIGNED TO EXAMINER	81852
Mar. 04, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 04, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 18, 2013

Assignment Abstract Of Title Information - None recorded

Proceedings - Click to Load

Exhibit 15

STATUS DOCUMENTS

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Print

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77786963

Application Filing Date: Jul. 22, 2009

US Registration Number: 4175955

Registration Date: Jul. 17, 2012

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jul. 17, 2012

Publication Date: Oct. 06, 2009

Notice of Allowance Date: Dec. 29, 2009

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [2729442](#), [3002004](#), [3007784](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Furniture

International Class(es): 020 - Primary Class

U.S Class(es): 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 2008

Use in Commerce: 2008

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.**Docket Number:** 101885.02000**Attorney Primary Email Address:** atltrademark@gtlaw.com**Attorney Email Authorized:** No**Correspondent****Correspondent Name/Address:** JEFFREY M. SMITH AND KRISTEN L. FANCHERGREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Jul. 17, 2012	REGISTERED-PRINCIPAL REGISTER	
Jun. 13, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 12, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Jun. 11, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 24, 2012	STATEMENT OF USE PROCESSING COMPLETE	71034
May 17, 2012	USE AMENDMENT FILED	71034
May 17, 2012	TEAS STATEMENT OF USE RECEIVED	
May 15, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 06, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 05, 2011	EXTENSION 4 GRANTED	71034
Dec. 01, 2011	EXTENSION 4 FILED	71034
Dec. 01, 2011	TEAS EXTENSION RECEIVED	
Jun. 01, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 31, 2011	EXTENSION 3 GRANTED	71034
May 27, 2011	EXTENSION 3 FILED	71034
May 27, 2011	TEAS EXTENSION RECEIVED	
Dec. 14, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Dec. 13, 2010	EXTENSION 2 GRANTED	71034
Nov. 23, 2010	EXTENSION 2 FILED	71034
Dec. 13, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
Nov. 23, 2010	TEAS EXTENSION RECEIVED	
Jun. 08, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 04, 2010	EXTENSION 1 GRANTED	98765

Jun. 04, 2010	EXTENSION 1 FILED	98765
Jun. 04, 2010	TEAS EXTENSION RECEIVED	
Dec. 29, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 11, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 04, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 06, 2009	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 06, 2009	PUBLISHED FOR OPPOSITION	
Sep. 03, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Sep. 03, 2009	ASSIGNED TO LIE	73797
Aug. 28, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 27, 2009	ASSIGNED TO EXAMINER	72620
Jul. 27, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 25, 2009	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jun. 12, 2012

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)

Total Assignments: 1

Registrant: Margaritaville Enterprises, LLC

Assignment 1 of 1

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: [4089/0867](#)

Pages: 32

Date Recorded: Nov. 03, 2009

Supporting Documents: [assignment-tm-4089-0867.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Oct. 29, 2009

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: ADRIAN J. PERRY

Correspondent Address: WEIL GOTSHAL & MANGES LLP
767 FIFTH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Proceedings - Click to Load

Exhibit 16

STATUS DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-18 16:04:14 EDT**Mark:** MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77326938**Application Filing Date:** Nov. 12, 2007**US Registration Number:** 4012771**Registration Date:** Aug. 16, 2011**Register:** Principal**Mark Type:** Trademark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** Aug. 16, 2011**Publication Date:** Apr. 15, 2008**Notice of Allowance Date:** Jul. 08, 2008

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [2896179](#), [3002011](#), [3320679](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Salsa, tortilla chips**International Class(es):** 030 - Primary Class**U.S Class(es):** 046**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Feb. 2008**Use in Commerce:** Feb. 2008

Basis Information (Case Level)

Filed Use: No**Currently Use:** Yes**Amended Use:** No**Filed ITU:** Yes**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC**Owner Address:** 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Attorney/Correspondence Information****Attorney of Record****Attorney Name:** Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.**Docket Number:** 101885.02000**Attorney Primary Email** atltrademark@gtlaw.com**Attorney Email Authorized:** No**Address:****Correspondent****Correspondent** JEFFREY M. SMITH AND KRISTEN L. FANCHER**Name/Address:** GREENBERG TRAURIG, LLP

3333 Piedmont Road NE, Suite 2500

ATLANTA, GEORGIA 30305

UNITED STATES

Phone: 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail** Yes**Authorized:****Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Aug. 16, 2011	REGISTERED-PRINCIPAL REGISTER	
Jul. 13, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 12, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	70997
Jul. 05, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 01, 2011	STATEMENT OF USE PROCESSING COMPLETE	61813
Jun. 29, 2011	USE AMENDMENT FILED	61813
Jun. 29, 2011	TEAS STATEMENT OF USE RECEIVED	
Jan. 12, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jan. 11, 2011	EXTENSION 5 GRANTED	61813
Jan. 06, 2011	EXTENSION 5 FILED	61813
Jan. 06, 2011	TEAS EXTENSION RECEIVED	
Jun. 25, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jun. 24, 2010	EXTENSION 4 GRANTED	61813
Jun. 22, 2010	EXTENSION 4 FILED	61813
Jun. 22, 2010	TEAS EXTENSION RECEIVED	
Jan. 11, 2010	EXTENSION 3 GRANTED	61813
Jan. 07, 2010	EXTENSION 3 FILED	61813
Jan. 07, 2010	TEAS EXTENSION RECEIVED	
Jul. 30, 2009	EXTENSION 2 GRANTED	61813
Jul. 07, 2009	EXTENSION 2 FILED	61813
Jul. 30, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	61813
Jul. 07, 2009	TEAS EXTENSION RECEIVED	
Dec. 29, 2008	EXTENSION 1 GRANTED	98765
Dec. 29, 2008	EXTENSION 1 FILED	98765

Dec. 29, 2008	TEAS EXTENSION RECEIVED	
Jul. 08, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 15, 2008	PUBLISHED FOR OPPOSITION	
Mar. 26, 2008	NOTICE OF PUBLICATION	
Mar. 07, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	70997
Mar. 05, 2008	ASSIGNED TO LIE	70997
Feb. 11, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 04, 2008	ASSIGNED TO EXAMINER	74673
Nov. 17, 2007	NOTICE OF PSEUDO MARK MAILED	
Nov. 16, 2007	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 12, 2011

Assignment Abstract Of Title Information - None recorded

Proceedings - Click to Load

Exhibit 17

STATUS **DOCUMENTS**

[Back to Search](#)

Print

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 76415369

Application Filing Date: May 29, 2002

US Registration Number: 2896179

Registration Date: Oct. 19, 2004

Register: Principal

Mark Type: Trademark

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Nov. 21, 2009

Publication Date: Apr. 15, 2003

Notice of Allowance Date: Jul. 08, 2003

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Related Properties Information

Claimed Ownership of US [1642132](#), [2284131](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Pre-packaged, flavored seafood for human consumption

International Class(es): 029 - Primary Class

U.S Class(es): 046

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2003

Use in Commerce: Feb. 2003

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC

Owner Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where
Organized:** DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.**Docket Number:** 101885.02000**Attorney Primary Email
Address:** atltrademark@gtlaw.com**Attorney Email Authorized:** Yes

Correspondent

Correspondent Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq**Name/Address:** GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail
Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 21, 2009	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	73376
Nov. 20, 2009	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	73376
Nov. 09, 2009	TEAS SECTION 8 & 15 RECEIVED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 19, 2004	REGISTERED-PRINCIPAL REGISTER	
Aug. 23, 2004	LAW OFFICE REGISTRATION REVIEW COMPLETED	76984
Aug. 17, 2004	ASSIGNED TO LIE	76984
Aug. 12, 2004	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 09, 2004	ASSIGNED TO EXAMINER	73358
Jul. 28, 2004	STATEMENT OF USE PROCESSING COMPLETE	
Jul. 08, 2004	USE AMENDMENT FILED	
Jul. 19, 2004	CASE FILE IN TICRS	
Jul. 08, 2004	TEAS STATEMENT OF USE RECEIVED	
Jan. 08, 2004	EXTENSION 1 GRANTED	
Jan. 08, 2004	EXTENSION 1 FILED	
Jan. 08, 2004	TEAS EXTENSION RECEIVED	
Jul. 08, 2003	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 15, 2003	PUBLISHED FOR OPPOSITION	
Mar. 26, 2003	NOTICE OF PUBLICATION	
Oct. 21, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 21, 2002	ASSIGNED TO EXAMINER	73358
Sep. 13, 2002	ASSIGNED TO EXAMINER	76729

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMO LAW OFFICE 113

Date in Location: Nov. 21, 2009

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)

Total Assignments: 3

Registrant: Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400

ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3460/0384](#)**Pages:** 20**Date Recorded:** Jan. 12, 2007**Supporting Documents:** [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:**

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 18

STATUS DOCUMENTS

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-18 16:07:23 EDT**Mark:** MARGARITAVILLE

No Image exists for this case.

US Serial Number: 74021044**Application Filing Date:** Jan. 22, 1990**US Registration Number:** 1926809**Registration Date:** Oct. 17, 1995**Register:** Principal**Mark Type:** Service Mark**Status:** The registration has been renewed.**Status Date:** Nov. 15, 2005**Publication Date:** May 10, 1994

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** No**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: restaurant**International Class(es):** 042 - Primary Class**U.S Class(es):** 100**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Dec. 1976**Use in Commerce:** Dec. 1976

Basis Information (Case Level)

Filed Use: Yes**Currently Use:** Yes**Amended Use:** No**Filed ITU:** No**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: JB INTELLECTUAL PROPERTY, LLC**Owner Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480
UNITED STATES**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE

Attorney/Correspondence Information**Attorney of Record****Attorney Name:** ROBERT A. ROSENBLIUM**Docket Number:** 32777.057000**Attorney Primary Email:** rulem@pepperlaw.com**Attorney Email Authorized:** Yes**Address:****Correspondent****Correspondent Name/Address:** JEFFREY M. SMITH AND KRISTEN L. FANCHERGREENBERG TRAUIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 13, 2007	CASE FILE IN TICRS	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 15, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	67603
Nov. 15, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 15, 2005	ASSIGNED TO PARALEGAL	67603
Jul. 18, 2005	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jul. 20, 2005	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 18, 2005	TEAS SECTION 8 & 9 RECEIVED	
Feb. 24, 2005	ATTORNEY REVOKED AND/OR APPOINTED	
Feb. 24, 2005	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 08, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 27, 2001	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 22, 2001	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Oct. 17, 1995	REGISTERED-PRINCIPAL REGISTER	
May 10, 1994	PUBLISHED FOR OPPOSITION	
Apr. 08, 1994	NOTICE OF PUBLICATION	
Dec. 13, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER	
Nov. 12, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jun. 01, 1990	LETTER OF SUSPENSION MAILED	
Apr. 19, 1990	NON-FINAL ACTION MAILED	
Apr. 05, 1990	ASSIGNED TO EXAMINER	61751
Mar. 26, 1990	ASSIGNED TO EXAMINER	67348

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted**Renewal Date:** Oct. 17, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND**Date in Location:** Jun. 13, 2007

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)**Total Assignments:** 7**Registrant:** CHI-CHI'S, INC.

Assignment 1 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL**Reel/Frame:** [0997/0089](#)**Pages:** 3**Date Recorded:** Jun. 29, 1993**Supporting Documents:** No Supporting Documents Available

Assignor

Name: [KEMPER, LEON D.](#)**Execution Date:** May 19, 1993**Legal Entity Type:** INDIVIDUAL**Citizenship:** UNITED STATES**DBA, AKA, TA, Formerly:** DBA LA CASA RESTAURANT AND
MARGARITAVILLE TAPPING SYSTEMS

Assignee

Name: [CHI-CHI'S, INC.](#)**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** DELAWARE**Address:** TRIAD EAST
10200 LINN STATION ROAD
LOUISVILLE, KENTUCKY 40223

Correspondent

Correspondent Name: JOHN S. HALE**Correspondent Address:** GIPPLE & HALE
6667-B OLD DOMINION DRIVE
MCLEAN, VA 22101

Domestic Representative - Not Found

Assignment 2 of 7

Conveyance: SECURITY INTEREST**Reel/Frame:** [2535/0001](#)**Pages:** 61**Date Recorded:** Jul. 09, 2002**Supporting Documents:** [assignment-tm-2535-0001.pdf](#)

Assignor

Name: [CHI-CHI'S, INC.](#)**Execution Date:** Jul. 02, 2002**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** DELAWARE**Name:** [KOO KOO ROO, INC.](#)**Execution Date:** Jul. 02, 2002**Legal Entity Type:** CORPORATION**State or Country Where
Organized:** DELAWARE**Name:** [PRANDIUM, INC.](#)**Execution Date:** Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [FRI-MRD CORPORATION](#)

State or Country Where Organized: DELAWARE

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [HAMLET GROUP, INC., THE](#)

State or Country Where Organized: DELAWARE

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OT TIMONIUM, INC.](#)

State or Country Where Organized: CALIFORNIA

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OF MARYLAND, INC.](#)

State or Country Where Organized: DELAWARE

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OF CATONSVILLE, INC.](#)

State or Country Where Organized: DELAWARE

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OF GREENBELT, INC.](#)

State or Country Where Organized: KENTUCKY

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OF RITCHIE HIGHWAY, INC.](#)

State or Country Where Organized: KENTUCKY

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OF CUMBERLAND, INC.](#)

State or Country Where Organized: KENTUCKY

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OF HARFORD COUNTY, INC.](#)

State or Country Where Organized: KENTUCKY

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CCMR OF FREDERICK, INC.](#)

State or Country Where Organized: KENTUCKY

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [CHI-CHI'S OF WEST VIRGINIA, INC.](#)

State or Country Where Organized: KENTUCKY

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [FRI-ADMIN CORPORATION](#)

State or Country Where Organized: KENTUCKY

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

Name: [MAINTENANCE SUPPORT GROUP, INC](#)

State or Country Where Organized: DELAWARE

Execution Date: Jul. 02, 2002

Legal Entity Type: CORPORATION

State or Country Where Organized: KENTUCKY

Assignee

Name: [FOOTHILL CAPITAL CORPORATION, AS AGENT](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: SUITE 3000W
2450 COLORADO AVENUE

SANTA MONICA, CALIFORNIA 90404

Correspondent**Correspondent Name:** FEDERAL RESEARCH CORPORATION**Correspondent Address:** PENELOPE AGODOA
400 7TH STREET N.W.
SUITE 101
WASHINGTON, DC 20004**Domestic Representative - Not Found****Assignment 3 of 7****Conveyance:** RELEASE BY SECURED PARTY**Reel/Frame:** [3443/0577](#)**Pages:** 7**Date Recorded:** Dec. 13, 2006**Supporting Documents:** [assignment-tm-3443-0577.pdf](#)**Assignor**

Name: US BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE	Execution Date: Dec. 06, 2004
Legal Entity Type: FEDERAL AGENCY	State or Country Where Organized: DELAWARE
Name: CHI-CHI'S, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Name: KOO KOO ROO, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Name: PRANDIUM, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Name: FRI-MRD CORPORATION	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Name: THE HAMLET GROUP, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: CALIFORNIA
Name: CCMR OF MARYLAND, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE
Name: CCMR OF CANTONVILLE, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: KENTUCKY
Name: CCMR OF GREENBELT, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: KENTUCKY
Name: CCMR OF RITCHIE HIGHWAY, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: KENTUCKY
Name: CCMR OF CUMBERLAND, INC.	Execution Date: Dec. 06, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: KENTUCKY

Name: CCMR OF HARFORD COUNTY, INC.	Organized:
Legal Entity Type: CORPORATION	Execution Date: Dec. 06, 2004
	State or Country Where Organized: KENTUCKY
Name: CCMR OF FREDERICK, INC.	Organized:
Legal Entity Type: CORPORATION	Execution Date: Dec. 06, 2004
	State or Country Where Organized: KENTUCKY
Name: CHI-CHI'S OF WEST VIRGINIA, INC.	Organized:
Legal Entity Type: CORPORATION	Execution Date: Dec. 06, 2004
	State or Country Where Organized: KENTUCKY
Name: FRI-ADMIN CORPORATION	Organized:
Legal Entity Type: CORPORATION	Execution Date: Dec. 06, 2004
	State or Country Where Organized: DELAWARE
Name: MAINTENANCE SUPPORT GROUP, INC.	Organized:
Legal Entity Type: CORPORATION	Execution Date: Dec. 06, 2004
	State or Country Where Organized: KENTUCKY
Name: CCMR OT TIMONIUM, INC.	Organized:
Legal Entity Type: CORPORATION	Execution Date: Dec. 06, 2004
	State or Country Where Organized: DELAWARE

Assignee

Name: BUFFETT, JIMMY	
Legal Entity Type: INDIVIDUAL	Citizenship: UNITED STATES
Address: 424-A FLEMING STREET KEY WEST, FLORIDA 33040	

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.
Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400 ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 4 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST	
Reel/Frame: 2987/0719	Pages: 4
Date Recorded: Dec. 09, 2004	
Supporting Documents: assignment-tm-2987-0719.pdf	

Assignor

Name: CHI-CHI'S, INC.	Execution Date: Dec. 08, 2004
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE

Assignee

Name: BUFFETT, JIMMY	
Legal Entity Type: INDIVIDUAL	Citizenship: UNITED STATES
Address: 424-A FLEMING STREET KEY WEST, FLORIDA 33040	

Correspondent

Correspondent Name: JAMIE NORDHAUS SHIPP, ESQ.
Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400 GREENBERG TRAUIG

ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 5 of 7

Conveyance: SECURITY INTEREST

Reel/Frame: [3471/0100](#)

Pages: 70

Date Recorded: Jan. 30, 2007

Supporting Documents: [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN

Correspondent Address: 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 6 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3458/0516](#)

Pages: 20

Date Recorded: Jan. 10, 2007

Supporting Documents: [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 7 of 7

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

Exhibit 19

STATUS **DOCUMENTS**[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2013-10-18 16:10:41 EDT**Mark:** JIMMY BUFFETT'S MARGARITAVILLE**US Serial Number:** 75678384**Application Filing Date:** Apr. 08, 1999**US Registration Number:** 2463238**Registration Date:** Jun. 26, 2001**Register:** Principal**Mark Type:** Service Mark**Status:** The registration has been renewed.**Status Date:** Jan. 13, 2011**Publication Date:** Dec. 07, 1999

Mark Information

Mark Literal Elements: JIMMY BUFFETT'S MARGARITAVILLE**Standard Character Claim:** No**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)**Design Search Code(s):** 01.05.25 - Sun, other representations of the sun

03.15.14 - Parrots; Macaws; Toucans

05.01.03 - Palm trees

06.03.01 - Coastlines; Beaches; Shores

Name Portrait Consent: The name "JIMMY BUFFETT" refers to a living individual whose consent is of record.

Related Properties Information

Claimed Ownership of US [1642132](#), [1831949](#) and others**Registrations:**

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Restaurant, bar and nightclub services**International Class(es):** 042 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Feb. 04, 1999**Use in Commerce:** Feb. 04, 1999

Basis Information (Case Level)

Filed Use: Yes**Currently Use:** Yes**Amended Use:** No**Filed ITU:** No**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq
GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 13, 2011	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	70131
Jan. 13, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 03, 2011	TEAS SECTION 8 & 9 RECEIVED	
Feb. 17, 2007	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	70131
Dec. 18, 2006	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 18, 2006	TEAS SECTION 8 & 15 RECEIVED	
Oct. 16, 2006	CASE FILE IN TICRS	
Jun. 26, 2001	REGISTERED-PRINCIPAL REGISTER	
Jan. 05, 1999	EXTENSION OF TIME TO OPPOSE RECEIVED	
Dec. 07, 1999	PUBLISHED FOR OPPOSITION	
Nov. 05, 1999	NOTICE OF PUBLICATION	
Sep. 15, 1999	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 06, 1999	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Jul. 13, 1999	NON-FINAL ACTION MAILED	
Jul. 02, 1999	ASSIGNED TO EXAMINER	76722

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted**Renewal Date:** Jun. 26, 2011

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found**Date in Location:** Jan. 13, 2011

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)**Total Assignments:** 3**Registrant:** Buffett, Jimmy

Assignment 1 of 3

Conveyance: SECURITY INTEREST**Reel/Frame:** [3471/0100](#)**Pages:** 70**Date Recorded:** Jan. 30, 2007**Supporting Documents:** [assignment-tm-3471-0100.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)**Execution Date:** Dec. 20, 2006**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Address:** 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN**Correspondent Address:** 767 5TH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3458/0516](#)**Pages:** 20**Date Recorded:** Jan. 10, 2007**Supporting Documents:** [assignment-tm-3458-0516.pdf](#)

Assignor

Name: [BUFFETT, JIMMY](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** INDIVIDUAL**Citizenship:** UNITED STATES

Assignee

Name: [JB INTELLECTUAL PROPERTY, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3460/0384](#)

Pages: 20

Date Recorded: Jan. 12, 2007

Supporting Documents: [assignment-tm-3460-0384.pdf](#)

Assignor

Name: [JB INTELLECTUAL PROPERTY, LLC](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

**State or Country Where
Organized:** DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

**State or Country Where
Organized:** DELAWARE

Address: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327

Domestic Representative - Not Found

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Exhibit 20

STATUS DOCUMENTS

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Print

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77432027

Application Filing Date: Mar. 26, 2008

US Registration Number: 3501784

Registration Date: Sep. 16, 2008

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 16, 2008

Publication Date: Jul. 01, 2008

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [2082231](#), [2463238](#), [3117273](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Bar services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 1987

Use in Commerce: Nov. 1987

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:**

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith,**Docket Number:** 101885.02000**Attorney Primary Email** atltrademark@gtlaw.com**Attorney Email Authorized:** No**Address:**

Correspondent

Correspondent JEFFREY M. SMITH AND KRISTEN L. FANCHER**Name/Address:** GREENBERG TRAUIG, LLP

3333 Piedmont Road NE, Suite 2500

ATLANTA, GEORGIA 30305

UNITED STATES

Phone: 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail** Yes**Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 16, 2008	REGISTERED-PRINCIPAL REGISTER	
Jul. 01, 2008	PUBLISHED FOR OPPOSITION	
Jun. 18, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 11, 2008	NOTICE OF PUBLICATION	
May 28, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
May 28, 2008	ASSIGNED TO LIE	77075
May 28, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 27, 2008	ASSIGNED TO EXAMINER	74309
Mar. 31, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION**Date in Location:** Sep. 16, 2008

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)**Total Assignments:** 1**Registrant:** Margaritaville Enterprises, LLC

Assignment 1 of 1

Conveyance: TRADEMARK SECURITY AGREEMENT**Reel/Frame:** [3794/0429](#)**Pages:** 29**Date Recorded:** Jun. 12, 2008**Supporting Documents:** [assignment-tm-3794-0429.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)**Execution Date:** May 28, 2008**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [GUGGENHEIM CORPORATE FUNDING, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Address:** 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022**Correspondent****Correspondent Name:** JESSICA RYAN C/O WEIL, GOTSHAL & MANGES**Correspondent Address:** 767 FIFTH AVENUE
NEW YORK, NY 10153**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

Exhibit 21

STATUS DOCUMENTS

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Mark: MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77432027

Application Filing Date: Mar. 26, 2008

US Registration Number: 3501784

Registration Date: Sep. 16, 2008

Register: Principal

Mark Type: Service Mark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 16, 2008

Publication Date: Jul. 01, 2008

Mark Information

Mark Literal Elements: MARGARITAVILLE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [2082231](#), [2463238](#), [3117273](#) and others
Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Bar services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 1987

Use in Commerce: Nov. 1987

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:**

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith,**Docket Number:** 101885.02000**Attorney Primary Email** atltrademark@gtlaw.com**Attorney Email Authorized:** No**Address:**

Correspondent

Correspondent JEFFREY M. SMITH AND KRISTEN L. FANCHER**Name/Address:** GREENBERG TRAUIG, LLP

3333 Piedmont Road NE, Suite 2500

ATLANTA, GEORGIA 30305

UNITED STATES

Phone: 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail** Yes**Authorized:**

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 16, 2008	REGISTERED-PRINCIPAL REGISTER	
Jul. 01, 2008	PUBLISHED FOR OPPOSITION	
Jun. 18, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jun. 11, 2008	NOTICE OF PUBLICATION	
May 28, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	77075
May 28, 2008	ASSIGNED TO LIE	77075
May 28, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 27, 2008	ASSIGNED TO EXAMINER	74309
Mar. 31, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION**Date in Location:** Sep. 16, 2008

Assignment Abstract Of Title Information

Summary

[Conveyance Filter](#)**Total Assignments:** 1**Registrant:** Margaritaville Enterprises, LLC

Assignment 1 of 1

Conveyance: TRADEMARK SECURITY AGREEMENT**Reel/Frame:** [3794/0429](#)**Pages:** 29**Date Recorded:** Jun. 12, 2008**Supporting Documents:** [assignment-tm-3794-0429.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)**Execution Date:** May 28, 2008**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [GUGGENHEIM CORPORATE FUNDING, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Address:** 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022**Correspondent****Correspondent Name:** JESSICA RYAN C/O WEIL, GOTSHAL & MANGES**Correspondent Address:** 767 FIFTH AVENUE
NEW YORK, NY 10153**Domestic Representative - Not Found**[Proceedings - Click to Load](#)

Exhibit 22

STATUS DOCUMENTS

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Print

Generated on: This page was generated by TSDR on 2013-10-18 16:20:12 EDT**Mark:** MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77980011**Application Filing Date:** Sep. 15, 2008**US Registration Number:** 3855017**Registration Date:** Sep. 28, 2010**Register:** Principal**Mark Type:** Service Mark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** Sep. 28, 2010**Publication Date:** Feb. 10, 2009**Notice of Allowance Date:** May 05, 2009

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [1642132](#), [1926809](#), [2082231](#), [77569980](#) and others**Child Of:** [77569980](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Hotels**International Class(es):** 043 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Jun. 28, 2010**Use in Commerce:** Jun. 28, 2010

Basis Information (Case Level)

Filed Use: No**Currently Use:** Yes**Amended Use:** No**Filed ITU:** Yes**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@gtlaw.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JEFFREY M. SMITH AND KRISTEN L. FANCHER
GREENBERG TRAURIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA 30305
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Sep. 28, 2010	REGISTERED-PRINCIPAL REGISTER	
Aug. 27, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Aug. 26, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Aug. 24, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 11, 2010	NOTICE OF PSEUDO MARK MAILED	
Aug. 10, 2010	STATEMENT OF USE PROCESSING COMPLETE	76873
Jul. 08, 2010	USE AMENDMENT FILED	76873
Aug. 10, 2010	DIVISIONAL PROCESSING COMPLETE	
Jul. 08, 2010	DIVISIONAL REQUEST RECEIVED	
Jul. 08, 2010	TEAS REQUEST TO DIVIDE RECEIVED	
Jul. 08, 2010	TEAS STATEMENT OF USE RECEIVED	
May 28, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 27, 2010	EXTENSION 2 GRANTED	76873
May 04, 2010	EXTENSION 2 FILED	76873
May 22, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
May 04, 2010	TEAS EXTENSION RECEIVED	
Nov. 05, 2009	EXTENSION 1 GRANTED	98765
Nov. 05, 2009	EXTENSION 1 FILED	98765
Nov. 05, 2009	TEAS EXTENSION RECEIVED	
Jun. 10, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 05, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 10, 2009	PUBLISHED FOR OPPOSITION	

Jan. 21, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 21, 2009	NOTICE OF PUBLICATION	
Jan. 08, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 08, 2009	ASSIGNED TO LIE	74221
Dec. 23, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2008	ASSIGNED TO EXAMINER	76583
Sep. 19, 2008	NOTICE OF PSEUDO MARK MAILED	
Sep. 18, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Aug. 26, 2010

Assignment Abstract Of Title Information - None recorded

Proceedings - Click to Load

Exhibit 23

STATUS DOCUMENTS

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Print

Generated on: This page was generated by TSDR on 2013-10-18 16:22:57 EDT**Mark:** MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 77569980**Application Filing Date:** Sep. 15, 2008**US Registration Number:** 4135785**Registration Date:** May 01, 2012**Register:** Principal**Mark Type:** Service Mark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** May 01, 2012**Publication Date:** Feb. 10, 2009**Notice of Allowance Date:** May 05, 2009

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [1642132](#), [1926809](#), [2082231](#), [77980011](#) and others**Parent Of:** [77980011](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Resort hotels**International Class(es):** 043 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** Jun. 28, 2010**Use in Commerce:** Jun. 28, 2010

Basis Information (Case Level)

Filed Use: No**Currently Use:** Yes**Amended Use:** No**Filed ITU:** Yes**Currently ITU:** No**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

Owner Address: 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jeffrey M. Smith

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@gtlaw.com

Attorney Email Authorized: No

Correspondent

Correspondent Name/Address: JEFFREY M. SMITH
GREENBERG TRAUIG, LLP
3290 NORTHSIDE PKWY NW STE 400
ATLANTA, GEORGIA 30327-2268
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 01, 2012	REGISTERED-PRINCIPAL REGISTER	
Mar. 27, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 24, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	74221
Mar. 20, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Mar. 14, 2012	STATEMENT OF USE PROCESSING COMPLETE	76873
Mar. 09, 2012	USE AMENDMENT FILED	76873
Mar. 09, 2012	TEAS STATEMENT OF USE RECEIVED	
Nov. 05, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Nov. 04, 2011	EXTENSION 5 GRANTED	76873
Nov. 02, 2011	EXTENSION 5 FILED	76873
Nov. 02, 2011	TEAS EXTENSION RECEIVED	
May 19, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 18, 2011	EXTENSION 4 GRANTED	76873
Apr. 29, 2011	EXTENSION 4 FILED	76873
Apr. 29, 2011	TEAS EXTENSION RECEIVED	
Aug. 11, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Aug. 11, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 10, 2010	EXTENSION 3 GRANTED	76873
Jul. 08, 2010	EXTENSION 3 FILED	76873
Aug. 10, 2010	DIVISIONAL PROCESSING COMPLETE	
Jul. 08, 2010	DIVISIONAL REQUEST RECEIVED	

Jul. 08, 2010	TEAS REQUEST TO DIVIDE RECEIVED	
Jul. 08, 2010	TEAS EXTENSION RECEIVED	
May 28, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
May 27, 2010	EXTENSION 2 GRANTED	76873
May 04, 2010	EXTENSION 2 FILED	76873
May 22, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	76873
May 04, 2010	TEAS EXTENSION RECEIVED	
Nov. 05, 2009	EXTENSION 1 GRANTED	98765
Nov. 05, 2009	EXTENSION 1 FILED	98765
Nov. 05, 2009	TEAS EXTENSION RECEIVED	
Jun. 10, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 05, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 10, 2009	PUBLISHED FOR OPPOSITION	
Jan. 21, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 21, 2009	NOTICE OF PUBLICATION	
Jan. 08, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Jan. 08, 2009	ASSIGNED TO LIE	74221
Dec. 23, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 16, 2008	ASSIGNED TO EXAMINER	76583
Sep. 19, 2008	NOTICE OF PSEUDO MARK MAILED	
Sep. 18, 2008	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 24, 2012

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 1

Registrant: Margaritaville Enterprises, LLC

Assignment 1 of 1

Conveyance: TRADEMARK SECURITY AGREEMENT

Reel/Frame: [3920/0249](#)

Pages: 43

Date Recorded: Jan. 15, 2009

Supporting Documents: [assignment-tm-3920-0249.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Jan. 15, 2009

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found
Organized:

Assignee

Name: [GUGGENHEIM CORPORATE FUNDING, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found
Organized:

Address: 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022

Correspondent

Correspondent Name: JESSICA RYAN C/O WEIL, GOTSHAL & MANGES

Correspondent Address: 767 FIFTH AVENUE
NEW YORK, NY 10153

Domestic Representative - Not Found

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Exhibit 24

STATUS DOCUMENTS

[Back to Search](#)

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Generated on: This page was generated by TSDR on 2013-10-18 16:25:07 EDT**Mark:** MARGARITAVILLE

MARGARITAVILLE

US Serial Number: 85654333**Application Filing Date:** Jun. 18, 2012**Register:** Principal**Mark Type:** Service Mark**Status:** A first request for extension of time to file a Statement of Use has been granted.**Status Date:** Jul. 26, 2013**Publication Date:** Nov. 06, 2012**Notice of Allowance Date:** Jan. 01, 2013

Mark Information

Mark Literal Elements: MARGARITAVILLE**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US [1642132](#), [1926809](#), [4135785](#) and others**Registrations:**

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Spa services, namely, health spa services for health and wellness of the body and spirit and cosmetic body care services offered at hotels and resort hotels**International Class(es):** 044 - Primary Class**U.S Class(es):** 100, 101**Class Status:** ACTIVE**Basis:** 1(b)

Basis Information (Case Level)

Filed Use: No**Currently Use:** No**Amended Use:** No**Filed ITU:** Yes**Currently ITU:** Yes**Amended ITU:** No**Filed 44D:** No**Currently 44D:** No**Amended 44D:** No**Filed 44E:** No**Currently 44E:** No**Amended 44E:** No**Filed 66A:** No**Currently 66A:** No**Filed No Basis:** No**Currently No Basis:** No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC**Owner Address:** 256 Worth Avenue, Suite Q-R
Palm Beach, FLORIDA 33480
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information**Attorney of Record**

Attorney Name: Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq.

Docket Number: 101885.02000

Attorney Primary Email Address: atltrademark@gtlaw.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JEFFREY M. SMITH, ESQ. AND KRISTEN L. FANCHER, ESQ

GREENBERG TRAURIG, LLP
3333 PIEDMONT RD NE STE 2500
ATLANTA, GEORGIA 30305-1780
UNITED STATES

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found**Prosecution History**

Date	Description	Proceeding Number
Jul. 27, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Jul. 26, 2013	EXTENSION 1 GRANTED	66230
Jun. 25, 2013	EXTENSION 1 FILED	66230
Jul. 26, 2013	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jun. 25, 2013	TEAS EXTENSION RECEIVED	
May 22, 2013	ASSIGNED TO EXAMINER	72613
Jan. 01, 2013	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Nov. 06, 2012	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 06, 2012	PUBLISHED FOR OPPOSITION	
Oct. 17, 2012	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 27, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 27, 2012	ASSIGNED TO EXAMINER	83176
Jun. 27, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 21, 2012	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information**TM Staff Information**

TM Attorney: MADDEN, ANNE THERESE

Law Office Assigned: LAW OFFICE 103

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Jul. 26, 2013

Assignment Abstract Of Title Information - None recorded**Proceedings - Click to Load**