

ESTTA Tracking number: **ESTTA766305**

Filing date: **08/23/2016**

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

Proceeding	91219179
Party	Plaintiff Spliethoff's Bevrachtingskantoor B.V.
Correspondence Address	J MICHAEL PENNEKAMP FOWLER WHITE BURNETT PA 1395 BRICKELL AVENUE, ESPIRITO SANTO LPAZA, 14TH FLOOR MIAMI, FL 33131 UNITED STATES jpennekamp@fowler-white.com, bhackney@fowler-white.com, start@fowler-white.com, lparker@fowler-white.com, jmp@fowler-white.com
Submission	Other Motions/Papers
Filer's Name	J. Michael Pennekamp, Esquire
Filer's e-mail	jpennekamp@fowler-white.com, start@fowler-white.com, lparker@fowler-white.com, jmp@fowler-white.com, drodriguez@fowler-white.com
Signature	/J. Michael Pennekamp/
Date	08/23/2016
Attachments	Declaration of Sandra Tart ISO Spliethoff Motion for Summary Judgment.pdf(34589 bytes) Declaration Exhibit A.pdf(375880 bytes) Declaration Exhibit B.pdf(133211 bytes) Declaration Exhibit C.pdf(1522438 bytes) Declaration Exhibit D.pdf(141203 bytes) Declaration Exhibit E.pdf(344241 bytes) Declaration Exhibit F.pdf(370690 bytes) Declaration Exhibit G - Composite.pdf(507322 bytes) Declaration Exhibit H - Composite.pdf(765483 bytes) Declaration Exhibit I - Composite.pdf(813444 bytes) Declaration Exhibit J.pdf(220782 bytes) Declaration Exhibit K.pdf(379143 bytes) Declaration Exhibit L.pdf(1073057 bytes) Declaration Exhibit M - Composite.pdf(2051000 bytes) Declaration Exhibit N - Composite.pdf(872486 bytes) Declaration Exhibit O - Composite.pdf(241054 bytes) Declaration Exhibit P.pdf(1248459 bytes) Declaration Exhibit Q.pdf(1714336 bytes) Declaration Exhibit R - Composite.pdf(1280763 bytes)

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

Opposition No. 91219179

Serial No. 86031633

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

v.

UNITED YACHT TRANSPORT LLC.,

Applicant.

**DECLARATION OF TART IN SUPPORT OF OPPOSER'S
MOTION FOR SUMMARY JUDGMENT**

I, Sandra I. Tart, declare as follows:

1. I am an individual, *sui juris*.
2. I am an attorney with the law firm of Fowler White Burnett, PA., counsel for Opposer SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V. ("Spliethoff") in the above-captioned trademark opposition proceeding.
3. I make this Declaration upon my personal knowledge, and based upon the following:
(a) records maintained by Fowler White Burnett, PA. in the ordinary course of business, to which I have access in the course of fulfilling my professional duties for the firm and its clients, (b) documents filed with the U.S. Patent and Trademark Office ("PTO") which I obtained online and printed from TEAS, and (c) certified copies of official records of the Federal Maritime Commission which I obtained from a FOIA Request made to the Federal Maritime Commission.
4. If called as a witness I would testify to the matters set forth herein.

5. Attached hereto as Exhibit "A" is a true and correct copy of the application for Trademark Serial No. 86031633 filed by Applicant United Yacht Transport LLC ("Applicant") for the mark UNITED YACHT TRANSPORT, printed from TSDR.

6. Attached hereto as Exhibit "B" is a true and correct copy of the PTO's Office Action issued on November 23, 2013 regarding Application Serial No. 86031633, printed from TSDR.

7. Attached hereto as Exhibit "C" is a true and correct copy of Applicant's Response to Office Action filed May 19, 2014, printed from TSDR.

8. Attached hereto as Exhibit "D" is a true and correct copy of the June 18, 2014 Notice of Publication for Publication Date of July 8, 2014 for Application Serial No. 86031633.

9. Attached hereto as Exhibit "E" are true and correct copies of pages of Applicant's website www.united-yacht.com displayed online on November 23, 2013 which I printed from the Wayback Machine Internet archives.

10. Attached hereto as Exhibit "F" are true and correct copies of pages of Applicant's website www.united-yacht.com displayed online on March 29, 2014 which I printed from the Wayback Machine Internet archives.

11. Attached hereto as Composite Exhibit "G" true and correct copies of the "Home" and "Schedule" pages of Applicant's website at www.united-yacht.com displayed online on August 22, 2014 and August 23, 2014 (respectively) which I printed from the Wayback Machine Internet archives.

12. Attached hereto as Composite Exhibit "H" are true and correct copies of the "Home" and "Destinations" pages of Applicant's website www.united-yacht.com displayed online on October 24, 2014 and the website's "Schedule" page displayed online on October 26, 2014 which I printed from the Wayback Machine Internet archives.

13. Attached hereto as Composite Exhibit "I" are true and correct copies of the "Home," "Destinations," "About Us" and "Schedule" pages of Applicant's website www.united-yacht.com displayed online in February 2015 which I printed from the Wayback Machine Internet archives.

14. Attached hereto as Exhibit "J" is a true and correct copy of the "Schedule" page of Applicant's website www.united-yacht.com displayed online on December 18, 2015 which I printed from the Wayback Machine Internet archives.

15. Attached hereto as Exhibit "K" is a true and correct copy of the "Home" page of Applicant's website www.united-yacht.com displayed online on January 11, 2016 which I printed from the Wayback Machine Internet archives.

16. Attached hereto as Composite Exhibit "L" are true and correct copies of Opposer's First Request for Admissions, served February 25, 2015, and Applicant's Response thereto served April 6, 2016.

17. Attached hereto as Composite Exhibit "M" are true and correct copies of Opposer's Second Request for Admissions served April 7, 2016 and Applicant's Response thereto served May 12, 2016.

18. Attached hereto as Composite Exhibit "N" are true and correct copies of Opposer's First Set of Interrogatories, served April 17, 2015 and Applicant's Unverified Responses thereto served May 29, 2015.

19. Attached hereto as Exhibit "O" are true and correct copies of Opposer's Second Set of Interrogatories served November 4, 2015 and Applicant's Unverified Response thereto served February 15, 2016.

20. Attached hereto as Composite Exhibit "P" are true and correct copies of the Certification under Seal from the Federal Maritime Commission (initial page – blue color with seal

and ribbon) dated April 27, 2016 and certified copies of the following documents that I obtained from a FOIA Request to the Federal Maritime Commission:

(a) United Yacht Transport's Application for a License as an Ocean Transportation Intermediary – Form FMC 18, prepared by United Yacht Transportation, LLC and submitted to the Federal Maritime Commission (redacted pursuant to the Freedom of Information Act, 5 U.S.C. Sec. 552); and

(b) Ocean Transportation Intermediary License issued to United Yacht Transportation, LLC, No. 025897 NF, effective February 8, 2016 (marked as a copy).

21. Attached hereto as Composite Exhibit "Q" are true and correct copies of the Certification under Seal from the Federal Maritime Commission (initial page – blue color with seal and ribbon) dated May 13, 2016 and certified copies of the following documents that I obtained from a FOIA Request to the Federal Maritime Commission:

(a) Letter from Alan Shook, Industry Analyst, Office of Ocean Transport Intermediaries, Bureau of Certification and Licensing, Federal Maritime Commission to United Yacht Transport LLC dated December 17, 2015 acknowledging receipt of the Ocean Transportation Intermediary application;

(b) Ocean Transportation Intermediary Bond No. 5083829 in the amount of \$50,000 underwritten by Great American Insurance Company effective February 3, 2016, issued to the United Yacht Transport LLC and No. 5083833 in the amount of \$75,000 underwritten by Great American Insurance Company effective February 3, 2016 and issued to United Yacht Transport LLC.

(c) Warning Letter from Peter King, Director, Bureau of Enforcement, Federal Maritime Commission to Paul Haber, President, United Yacht Transportation, LLC, dated March 29, 2016; (redacted pursuant to the Freedom of Information Act, 5 U.S.C. Sec. 552).

22. Attached hereto as Exhibit "R" is a true and correct copy of the application file in Trademark Application Serial No. 86041056 filed with the PTO by Dockwise Shipping B.V. for the

mark UNITED YACHT TRANSPORT, printed from TSDR, which includes the following documents:

- (a) Application Serial No. 86041056;
- (b) PTO's Suspension Notice regarding Application Serial No. 86041056 issued on December 4, 2013; and
- (c) July 1, 2014 assignment from Dockwise Shipping B.V., to Opposer.

Executed on August 23, 2016, in Boca Raton, Florida.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



SANDRA I. TART

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86031633

Filing Date: 08/07/2013

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	<u>UNITED YACHT TRANSPORT</u>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	UNITED YACHT TRANSPORT
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	United Yacht Transport LLC
DBA/AKA/TA/FORMERLY	DBA UNITED YACHT TRANSPORT
INTERNAL ADDRESS	2830 State Road 84
*STREET	2830 State Road 84, Suite 118
*CITY	Dania Beach
*STATE (Required for U.S. applicants)	Florida
*COUNTRY	United States

*ZIP/POSTAL CODE (Required for U.S. applicants only)	33312
PHONE	954-417-3658
EMAIL ADDRESS	paul@united-yacht.com
WEBSITE ADDRESS	www.united-yacht.com
LEGAL ENTITY INFORMATION	
*TYPE	LIMITED LIABILITY COMPANY
* STATE/COUNTRY WHERE LEGALLY ORGANIZED	Delaware
GOODS AND/OR SERVICES AND BASIS INFORMATION	
* INTERNATIONAL CLASS	039
*IDENTIFICATION	Transport of Yachts by Boat
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/16/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/05/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0-17225480236-154144792 . United Yacht Transport.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml1\FTK0003.JPG
SPECIMEN DESCRIPTION	The mark consists of standard characters, without claim to any particular font, style, size, or color.
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM	

(if applicable)

ATTORNEY INFORMATION

NAME	Alexander Zimmer
FIRM NAME	Alexander J. Zimmer, Attorney at Law
STREET	243 East 81st Street, #4F
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10028
PHONE	917-553-3102
FAX	917-456-0056
EMAIL ADDRESS	alex@ajzimmerlaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

CORRESPONDENCE INFORMATION

*NAME	Alexander Zimmer
FIRM NAME	Alexander J. Zimmer, Attorney at Law
INTERNAL ADDRESS	243 East 81st Street #4F
*STREET	243 East 81st Street, #4F
*CITY	New York
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE	10028
PHONE	917-553-3102
FAX	917-456-0056
*EMAIL ADDRESS	alex@ajzimmerlaw.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes

FEE INFORMATION

NUMBER OF CLASSES	1
--------------------------	---

FEE PER CLASS	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
* SIGNATURE	/Alexander J Zimmer/
* SIGNATORY'S NAME	Alexander J. Zimmer
* SIGNATORY'S POSITION	Attorney of Record, New York State Bar Member
SIGNATORY'S PHONE NUMBER	917-553-3102
* DATE SIGNED	08/07/2013

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86031633

Filing Date: 08/07/2013

To the Commissioner for Trademarks:

MARK: UNITED YACHT TRANSPORT (Standard Characters, see [mark](#))

The literal element of the mark consists of UNITED YACHT TRANSPORT.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, United Yacht Transport LLC, DBA UNITED YACHT TRANSPORT, a limited liability company legally organized under the laws of Delaware, having an address of

2830 State Road 84,
2830 State Road 84, Suite 118
Dania Beach, Florida 33312
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 039: Transport of Yachts by Boat

In International Class 039, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 07/16/2013, and first used in commerce at least as early as 08/05/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) The mark consists of standard characters, without claim to any particular font, style, size, or color..

Original PDF file:

[SPE0-17225480236-154144792 . United Yacht Transport.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

For informational purposes only, applicant's website address is: www.united-yacht.com

The applicant's current Attorney Information:

Alexander Zimmer of Alexander J. Zimmer, Attorney at Law
243 East 81st Street, #4F
New York, New York 10028
United States

The applicant's current Correspondence Information:

Alexander Zimmer
Alexander J. Zimmer, Attorney at Law
243 East 81st Street #4F
243 East 81st Street, #4F
New York, New York 10028
917-553-3102(phone)
917-456-0056(fax)
alex@ajzimmerlaw.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Alexander J Zimmer/ Date Signed: 08/07/2013
Signatory's Name: Alexander J. Zimmer
Signatory's Position: Attorney of Record, New York State Bar Member

RAM Sale Number: 86031633
RAM Accounting Date: 08/08/2013

Serial Number: 86031633
Internet Transmission Date: Wed Aug 07 16:47:35 EDT 2013
TEAS Stamp: USPTO/FTK-172.254.80.236-201308071647352
81470-86031633-50012f5e642d5cf8374344fff
67d85c3173eb55f22df2f4acdf3950748fd2fc-C
C-4062-20130807154144792012

UNITED YACHT TRANSPORT

UNITED YACHT TRANSPORT

To: United Yacht Transport LLC (alex@ajzimmerlaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86031633 - UNITED YACHT TRANSPORT - N/A
Sent: 11/23/2013 3:20:46 PM
Sent As: ECOM112@USPTO.GOV
Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 86031633

MARK: UNITED YACHT TRANSPORT

86031633

CORRESPONDENT ADDRESS:

ALEXANDER ZIMMER
ALEXANDER J. ZIMMER, ATTORNEY AT LAW
243 E 81ST ST APT 4F
NEW YORK, NY 10028-2646

CLICK HERE TO RESPOND TO THIS LETTER
http://www.uspto.gov/trademarks/teas/response_forms.jsp

APPLICANT: United Yacht Transport LLC

CORRESPONDENT'S REFERENCE/DOCKET NO :

N/A

CORRESPONDENT E-MAIL ADDRESS:

alex@ajzimmerlaw.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

ISSUE/MAILING DATE: 11/23/2013

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

No Similar Marks to Bar Registration

Exhibit B

The trademark examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

1. Disclaimer of Descriptive Wording

Applicant must disclaim the descriptive wording "YACHT TRANSPORT" apart from the mark as shown because it merely describes an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's services. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005).

In this case, the applicant is using the wording YACHT TRANSPORT with "transport of yachts by boat." Thus, the wording merely describes a feature of the applicant's services, since the applicant is transporting yachts.

An applicant may not claim exclusive rights to terms or designs that others may need to use to describe or show their services in the marketplace. *See Dena Corp. v. Belvedere Int'l, Inc.*, 950 F.2d 1555, 1560, 21 USPQ2d 1047, 1051 (Fed. Cir. 1991); *In re Aug. Storck KG*, 218 USPQ 823, 825 (TTAB 1983). A disclaimer of unregistrable matter does not affect the appearance of the mark; that is, a disclaimer does not physically remove the disclaimed matter from the mark. *See Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 978, 144 USPQ 433, 433 (C.C.P.A. 1965); TMEP §1213.

If applicant does not provide the required disclaimer, the USPTO may refuse to register the entire mark. *See In re Stereotaxis Inc.*, 429 F.3d 1039, 1040-41, 77 USPQ2d 1087, 1088-89 (Fed. Cir. 2005); TMEP §1213.01(b).

Applicant should submit a disclaimer in the following standardized format:

No claim is made to the exclusive right to use "YACHT TRANSPORT" apart from the mark as shown.

For an overview of disclaimers and instructions on how to satisfy this disclaimer requirement online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/disclaimer.jsp>.

2. Substitute Specimen Required

Registration is refused because the specimen is merely a photocopy of the drawing or a picture or rendering of the applied-for mark, and thus fails to show the applied-for mark in use in commerce with the services. 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a). An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark in use in commerce for each international class of services identified in the application. 15 U.S.C. §1051(a)(1); 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

Accordingly, registration is refused because the applicant has failed to evidence usage of the mark in commerce.

Applicant may respond to this refusal by satisfying one of the following:

- (1) Submit a different specimen (a verified [“substitute” specimen](#)) that (a) was in actual use in commerce at least as early as the filing date of the application or prior to the filing of an amendment to allege use and (b) shows the mark in actual use in commerce for the goods and/or services identified in the application or amendment to allege use.
- (2) Amend the filing basis to [intent to use under Section 1\(b\)](#), for which no specimen is required. This option will later necessitate additional fee(s) and filing requirements such as providing a specimen at a subsequent date.

For an overview of *both* response options referenced above and instructions on how to satisfy either option online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/specimen.jsp>.

Substitute Specimen Requirements

Examples of specimens for services may include advertising and marketing materials, brochures, photographs of business signage and billboards, and website printouts that show the mark used in the actual sale, rendering, or advertising of the services. *See* TMEP §§1301.04 *et seq.*

To submit a verified specimen online using the Trademark Electronic Application System (TEAS), applicant should do the following: (1) answer “yes” to the TEAS response form wizard question to “submit a new or substitute specimen,” (2) attach a jpg or pdf file of the specimen, (3) describe what the specimen consists of, and (4) select the statement that “The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application.” These steps appear on different pages of the TEAS response form.

To properly “sign” a form online in the Trademark Electronic Application System (TEAS), applicant can do one of the following:

- (1) Enter in the signature block any combination of letters, numbers, spaces and/or punctuation marks that the filer has adopted as a signature, placed between two forward slash (/) symbols (e.g., /john doe/);
- (2) E-mail the completed form from within TEAS to a second party for his/her electronic signature, which will then be automatically returned to the original preparer for submission with the form; or
- (3) Fill out the form online, print it in text format, and mail or fax it to the signatory who will sign the printed form in the traditional pen-and-ink manner. The signature portion, along with a declaration, if required, is then scanned to create a jpg or pdf image file and attached to the form for electronic submission.

See 37 C.F.R. §2.193(c); TMEP §611.01(c).

For each method, the proper signatory must personally sign or personally enter his/her electronic signature. *See* 37 C.F.R. §2.193(a); TMEP §§611.01(c), 611.02. The name of the signatory must also be printed or typed immediately below or adjacent to the signature, or identified elsewhere in the filing. 37 C.F.R. §2.193(d); TMEP §611.01(c).

The following persons are properly authorized to sign a verification or declaration on behalf of an applicant:

- (1) A person with legal authority to bind the applicant (e.g., a corporate officer or general partner);
- (2) A person with firsthand knowledge of the facts and actual or implied authority to act on behalf of the applicant; or
- (3) An authorized attorney who has an actual written or verbal power of attorney or an implied power of attorney from the applicant.

37 C.F.R. §§2.33(a), 2.193(e)(1); TMEP §§611.03(a), 804.04; *see* 37 C.F.R. §§11.1, 11.14.

Option to Amend to Intent to Use Basis

An application based on a bona fide intention to use the mark in commerce must include the following statement, verified with an affidavit or signed declaration under 37 C.F.R. §2.20:

Applicant has had a bona fide intention to use the mark in commerce on or in connection with the goods or services listed in the application as of the filing date of the application.

15 U.S.C. §1051(b)(3)(B); 37 C.F.R. §2.34(a)(2); TMEP §806.01(b); *see* 37 C.F.R. §2.193(e)(1).

Applicant may submit a declaration online using the Trademark Electronic Application System (TEAS) response to Office action form at http://www.uspto.gov/trademarks/teas/response_forms.jsp. When in the screen of the TEAS response form wizard, answer “yes” to the wizard question relating to submitting a “signed declaration,” and follow the instructions within the form for signing. *See* 37 C.F.R. §§2.20, 2.33(a)-(b)(1), 2.193(a)-(e)(1); TMEP §§611.01(c), 804.01(b).

To properly “sign” a form online in the Trademark Electronic Application System (TEAS), applicant can do one of the following:

- (1) Enter in the signature block any combination of letters, numbers, spaces and/or punctuation marks that the filer has adopted as a signature, placed between two forward slash (/) symbols (e.g., /john doe/);
- (2) E-mail the completed form from within TEAS to a second party for his/her electronic signature, which will then be automatically returned to the original preparer for submission with the form; or
- (3) Fill out the form online, print it in text format, and mail or fax it to the signatory who will sign the printed form in the traditional pen-and-ink manner. The signature portion, along with a declaration, if required, is then scanned to create a jpg or pdf image file and attached to the form for electronic submission.

See 37 C.F.R. §2.193(c); TMEP §611.01(c).

For each method, the proper signatory must personally sign or personally enter his/her electronic signature. *See* 37 C.F.R. §2.193(a); TMEP §§611.01(c), 611.02. The name of the signatory must also be printed or typed immediately below or adjacent to the signature, or identified elsewhere in the filing. 37 C.F.R. §2.193(d); TMEP §611.01(c).

The following persons are properly authorized to sign a verification or declaration on behalf of an applicant:

- (1) A person with legal authority to bind the applicant (e.g., a corporate officer or general partner);
- (2) A person with firsthand knowledge of the facts and actual or implied authority to act on behalf of the applicant; or
- (3) An authorized attorney who has an actual written or verbal power of attorney or an implied power of attorney from the applicant.

37 C.F.R. §§2.33(a), 2.193(e)(1); TMEP §§611.03(a), 804.04; *see* 37 C.F.R. §§11.1, 11.14.

RESPONDING TO THIS OFFICE ACTION

To expedite prosecution of the application, applicant is encouraged to file its response to this Office action online via the Trademark Electronic Application System (TEAS), which is available at <http://www.uspto.gov/trademarks/teas/index.jsp>.

If applicant has technical questions about the TEAS response to Office action form, applicant can review the electronic filing tips available online at http://www.uspto.gov/trademarks/teas/e_filing_tips.jsp and email technical questions to TEAS@uspto.gov.

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. *See* TMEP §§705.02, 709.06.

TEAS PLUS APPLICANTS MUST SUBMIT DOCUMENTS ELECTRONICALLY OR SUBMIT FEE

Applicants who filed their application online using the reduced-fee TEAS Plus application must continue to submit certain documents online using TEAS, including responses to Office actions. *See* 37 C.F.R. §2.23(a)(1). For a complete list of these documents, see TMEP §819.02(b). In addition, such applicants must accept correspondence from the Office via e-mail throughout the examination process and must maintain a valid e-mail address. 37 C.F.R. §2.23(a)(2); TMEP §§819, 819.02(a). TEAS Plus applicants who do not meet these requirements must submit an additional fee of \$50 per international class of goods and/or services. 37 C.F.R. §2.6(a)(1)(iv); TMEP §819.04. In appropriate situations and where all issues can be resolved by amendment, responding by telephone to authorize an examiner's amendment will not incur this additional fee.

/Eli J. Hellman/
Trademark Examining Attorney
United States Patent & Trademark Office
Law Office 112
(571) 272-8276
eli.hellman@uspto.gov

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/ mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

To: United Yacht Transport LLC (alex@ajzimmerlaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86031633 - UNITED YACHT TRANSPORT - N/A
Sent: 11/23/2013 3:20:46 PM
Sent As: ECOM112@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **11/23/2013** FOR U.S. APPLICATION SERIAL NO. 86031633

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on “Documents.”

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **11/23/2013** (*or sooner if specified in the Office action*). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit “Reply” to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the

ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay “fees.”

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86031633
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	039
DESCRIPTION	Transport of Yachts by Boat
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/16/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/05/2013
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	039
DESCRIPTION	Transport of Yachts by Boat
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/16/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/05/2013
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use].
SPECIMEN FILE NAME(S)	

ORIGINAL PDF FILE	SPU0-747186179-105206301 . Home - United Yacht Transport - Yacht Transport.pdf
CONVERTED PDF FILE(S) (4 pages)	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0005.JPG
SPECIMEN DESCRIPTION	The Specimen consists of the Internet Website of United Yacht Transport LLC showing United Yacht Transport and the Services to which the name relates.
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use Yacht Transport apart from the mark as shown.
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Alexander J. Zimmer/
SIGNATORY'S NAME	Alexander J. Zimmer
SIGNATORY'S POSITION	Attorney of record, New York
SIGNATORY'S PHONE NUMBER	9175533102
DATE SIGNED	05/19/2014
RESPONSE SIGNATURE	/Alexander J. Zimmer/
SIGNATORY'S NAME	Alexander J. Zimmer
SIGNATORY'S POSITION	Attorney of record, New York
SIGNATORY'S PHONE NUMBER	9175533102
DATE SIGNED	05/19/2014
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon May 19 11:11:36 EDT 2014
TEAS STAMP	USPTO/ROA-74.71.86.179-20 140519111136516672-860316 33-5008f88b0deb9c7db90ac1 b1c4afb43b91ae3d1f7311d99 502f32471cdd23-N/A-N/A-20

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **86031633** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 039 for Transport of Yachts by Boat

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 07/16/2013 and first used in commerce at least as early as 08/05/2013 , and is now in use in such commerce.

Proposed: Class 039 for Transport of Yachts by Boat

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 07/16/2013 and first used in commerce at least as early as 08/05/2013 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 039 . The specimen(s) submitted consists of The Specimen consists of the Internet Website of United Yacht Transport LLC showing United Yacht Transport and the Services to which the name relates. .

" **The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application**" *[for an application based on Section 1(a), Use in Commerce]* OR "**The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use**" *[for an application based on Section 1(b) Intent-to-Use]* .

Original PDF file:

[SPU0-747186179-105206301 . Home - United Yacht Transport - Yacht Transport.pdf](#)

Converted PDF file(s) (4 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

ADDITIONAL STATEMENTS

Disclaimer

No claim is made to the exclusive right to use Yacht Transport apart from the mark as shown.

SIGNATURE(S)

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or amendment to allege use (AAU) unsigned, all statements in the application or AAU and this submission based on the signatory's own knowledge are true, and all statements in the application or AAU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AAU: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(a) or AAU under 15 U.S.C. Section 1051(c), the signatory additionally believes that: the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce and has been using the mark in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the signatory additionally believes that: the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention and has had a bona fide intention as of the application filing date to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

Signature: /Alexander J. Zimmer/ Date: 05/19/2014

Signatory's Name: Alexander J. Zimmer

Signatory's Position: Attorney of record, New York

Signatory's Phone Number: 9175533102

Response Signature

Signature: /Alexander J. Zimmer/ Date: 05/19/2014

Signatory's Name: Alexander J. Zimmer

Signatory's Position: Attorney of record, New York

Signatory's Phone Number: 9175533102

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the

highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 86031633

Internet Transmission Date: Mon May 19 11:11:36 EDT 2014

TEAS Stamp: USPTO/ROA-74.71.86.179-20140519111136516

672-86031633-5008f88b0deb9c7db90ac1b1c4a

fb43b91ae3d1f7311d99502f32471cdd23-N/A-N

/A-20140519105206301429



(<http://www.united-yacht.com/>)

**Request
a Quote**

(/quote-request/)



Yacht transport and vessel shipping services with United Yacht Transport provide a global network of worldwide success. We are your leader in competitive shipping, pricing, services, and customer flexibility.

'Price Beat Guarantee' is our signature opportunity, and we look forward to meeting and exceeding your yacht transport expectations. United Yacht Transport provides safe, reliable and cost-effective vessel shipping. Our team puts client needs first and is the only company in the industry NOT requiring upfront deposits.

Yacht transport with us is a premiere experience while working with a safe, reliable, sophisticated team of transport specialists based out of Fort Lauderdale, Florida. United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.

WHY CHOOSE UNITED YACHT TRANSPORT?

United Yacht Transport is the only carrier in the industry dedicated to providing each client with a 100% risk-free booking system.

- Price beat guarantee program.
- No deposit until your yacht is loaded aboard the vessel.
- Written confirmation from vessel owners that freight has been paid.
- Third-party escrow account for all financial transactions.
- Lloyd's of London cargo insurance policies.
- Confirmed vessels from established vessel owners.
- Daily email updates on vessel ETA.



(/yacht-transport/category/c12-destinations/)

Destinations



(/us/)

Yacht Transport Services



Schedules

(/yacht-transport-schedule/)

United Yacht Transport

2830 Marina Mile Blvd. Suite 118 | Fort Lauderdale, FL 33312 | Phone: +1 954 383 4448

Designed by - Salty Dog Websites (<http://www.saltydogwebsites.com/>)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Jun 18, 2014

NOTICE OF PUBLICATION

1. Serial No.:
86-031,633
2. Mark:
UNITED YACHT TRANSPORT
(STANDARD CHARACTER MARK)
3. International Class(es):
39
4. Publication Date:
Jul 8, 2014
5. Applicant:
United Yacht Transport LLC

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: 202-512-1800

By direction of the Commissioner.

Email Address(es):

alex@ajzimmerlaw.com

Exhibit D



- [Home](#)
 - [Contact Us](#)[Request Information](#)
- [About Us](#)
 - [Who We Are](#)
 - [Press](#)
- [Our Services](#)
 - [Scheduled Voyages](#)
 - [Custom Voyages](#)
 - [Liner Services](#)
 - [Special Events](#)
- [Destinations](#)
 - [Florida](#)
 - [Mexico](#)
 - [Singapore](#)
 - [Italy](#)
 - [Canada](#)
 - [Panama](#)
 - [Greece](#)
 - [Costa Rica](#)
 - [Japan](#)
 - [Turkey](#)
- [Free Quote](#)
- [Ship Gallery](#)

Saturday, 23 November 2013



Dated Voyages

Exhibit E



Transporting yachts on large scale yacht carriers allows us to offer very competitive rates to our clients seeking cost and efficiency.

[Request a Date](#)

Custom Voyages



Clients who choose the more remote and distant locations will still be served through our custom destinations division.

[Reserve a Date](#)

Liner Services



Yacht transport by liner service is offered to clients who require service to destinations outside of our scheduled ports of service.

[Schedule a Transport](#)

Special Events



United Yacht Transport provides logistical solutions for special events such as sailing regattas, boat shows and Hollywood productions.

[Schedule an Event](#)

Get Quote

What To Know

- [Escrow Services](#)
- [Price Match](#)

News Ticker

- **UNITED YACHT TRANSPORT TO PARTNER WITH PACC TO PROVIDE REGULAR SERVICE TO WEST COAST NORTH AMERICA**

[read more](#)

UNITED YACHT TRANSPORT ANNOUNCES SERVICE FROM U.S. GULF TO WEST AFRICA

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UNITED YACHT TRANSPORT TO BUILD WORLD'S LARGEST YACHT CARRIER

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-
-

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 - [Custom Voyages](#)
 - [Liner Services](#)
 - [Special Events](#)
- [Destinations](#)
 - [Florida](#)
 - [Mexico](#)
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 - [Italy](#)
 - [Canada](#)
 - [Panama](#)
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 - [Costa Rica](#)
 - [Japan](#)
 - [Turkey](#)
- [Free Quote](#)
- [Gallery](#)
- [News](#)
 - [Blog](#)
- [Contact Us Request Information](#)
 - [Receive Our Free Guide](#)

Saturday, 29 March 2014



Dated Voyages

Exhibit F



Transporting yachts on large scale yacht carriers allows us to offer very competitive rates to our clients seeking cost and efficiency.

[Request a Date](#)

Custom Voyages



Clients who choose the more remote and distant locations will still be served through our custom destinations division.

[Reserve a Date](#)

Liner Services



Yacht transport by liner service is offered to clients who require service to destinations outside of our scheduled ports of service.

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Get Quote

What To Know

- [Escrow Services](#)
- [Price Match](#)

News Ticker

- **UNITED YACHT TRANSPORT ANNOUNCES 100% RISK-FREE BOOKING PROGRAM**

[read more](#)

UNITED YACHT TRANSPORT TO PARTNER WITH PACC TO PROVIDE REGULAR SERVICE TO WEST COAST NORTH AMERICA

[read more](#)

UNITED YACHT TRANSPORT ANNOUNCES SERVICE FROM U.S. GULF TO WEST AFRICA

[read more](#)

- **UNITED YACHT TRANSPORT TO BUILD WORLD'S LARGEST YACHT CARRIER**

[read more](#)

-
-
-
-

About United Yacht Transport and Yacht Shipping Services

United Yacht Transport LLC is a premier yacht transportation company based in Fort Lauderdale, Florida. We are a direct carrier specializing exclusively in the transportation of yachts to most worldwide destinations. Our sailing destinations span the globe, including North America, the Caribbean, Mexico, the Mediterranean, the Middle East and Asia.

United Yacht Transport is your safe, reliable and cost effective yacht transport solution.

- [Reliable service between East and West Coasts of North America and Asia.](#)
- [Escrow Service](#)
- [Price Match Guarantee](#)

Why choose United Yacht Transport?

United Yacht Transport is the only carrier in the industry dedicated to providing each client with a 100% risk-free booking system.

- No deposit until your yacht is loaded aboard the vessel.
- Price match guarantee program. We will almost always beat any competing price.
- Written confirmation that freight has been paid by vessel owners.
- Guaranteed cancellation date in the event of a delay.
- Third-party escrow account for all financial transactions.
- Lloyd's of London cargo insurance policies.
- Confirmed vessels from established vessel owners.
- Daily email updates on vessel ETA.



These are just some of the methods that we practice to assure you a risk-free transportation experience. Please feel free to contact us today with any questions.

United Yacht Transport llc - Copyright © 2013



**Request
a Quote**



Yacht transport and vessel shipping services with United Yacht Transport provide a global network of worldwide success. We are your leader in competitive shipping, pricing, services, and customer flexibility.

United Yacht Transport provides boat transport services to some of the worlds most exclusive and luxury superyachts working direct with the captains, worldwide boat builders and leading manufactures. Boat owners from 29ft up to 151 ft. and up are extremely satisfied and extremely pleased with the teamwork and great communication of the United Yacht Transport team.

'Price Beat Guarantee' is our signature opportunity, and we look forward to meeting and exceeding your yacht transport expectations. United Yacht Transport provides safe, reliable and cost-effective vessel shipping. Our team puts client needs first and is the only company in the industry NOT requiring upfront deposits.

Yacht transport with us is a premiere experience while working with a safe, reliable, sophisticated team of transport specialists based out of Fort Lauderdale, Florida. United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.

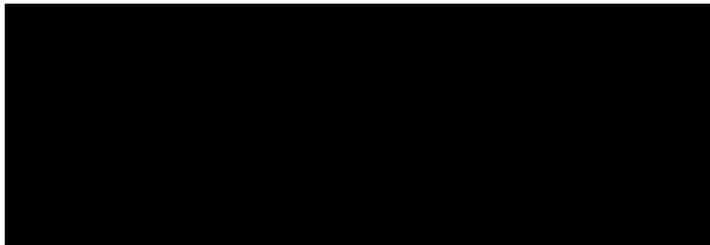
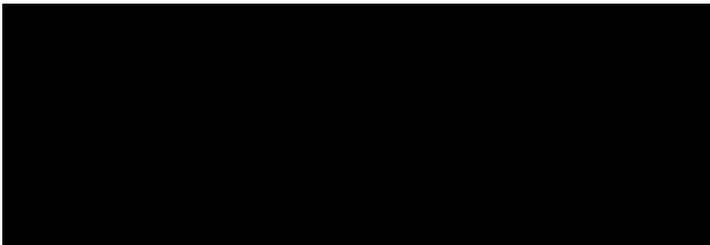
"United Yacht Transport personnel, team, effort, patience and faith in us was exceptional, deeply appreciated and will not be forgotten, thank you."
-Gardner Robinson

Due to high demand in West Coast Transport, United Yacht Transport hires seasoned maritime Captain Charlie Johnson 

Crossing on the Hard – What Captains Need to Know About Yacht Transport by Dockwalk Magazine 

Sorry, the Wayback Machine does not have this video archived.

Sorry, the Wayback Machine does not have this video archived.



WHY CHOOSE UNITED YACHT TRANSPORT?

United Yacht Transport is the only carrier in the industry dedicated to providing each client with a 100% risk-free booking system.

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- No deposit until your yacht is loaded aboard the vessel.
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- Third-party escrow account for all financial transactions.
- Lloyd's of London cargo insurance policies.
- Confirmed vessels from established vessel owners.
- Daily email updates on vessel ETA.



United Yacht Transport

2830 Marina Mile Blvd. Suite 118 | Fort Lauderdale, FL 33312 | Phone: + 1 954 383 4448



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Slider

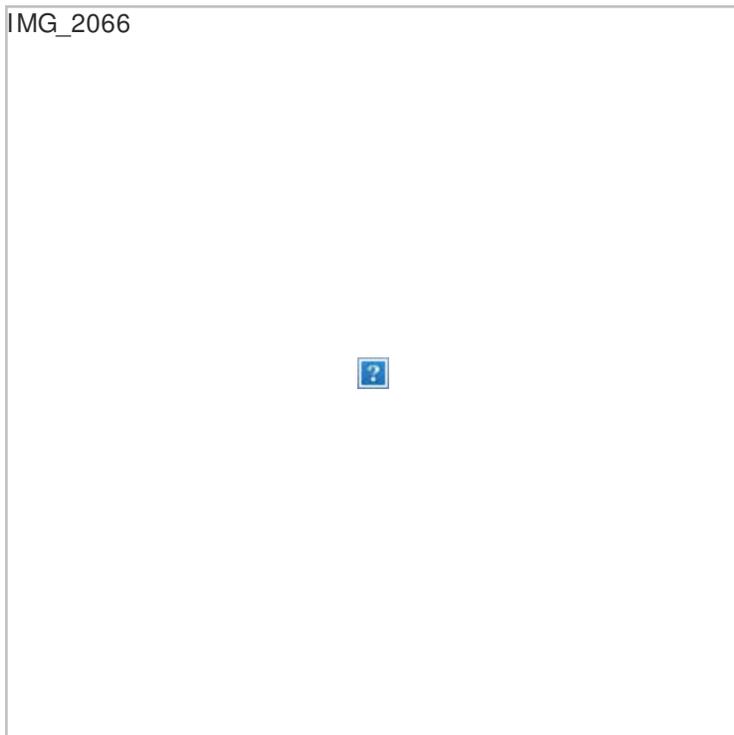


Yacht Transport Schedule

YACHT TRANSPORT IS OUR AREA OF EMPHASIS: Yacht transport and vessel shipping services with United Yacht Transport provides a global network of worldwide success. We are your leader in competitive shipping, pricing, services, and customer flexibility. 'Price Beat Guarantee' is our signature opportunity, and we look forward meeting and exceeding your yacht transport expectations.

WESTBOUND NORTH AMERICA & SINGAPORE

IMG_2066



Voyage “WB-07-14”

Port Everglades, FL – Completed
Cristobal, Panama - Completed
La Paz, Mexico- Completed
Ensenada, Mexico- Completed
Xiamen, China- Sept. 2
Singapore

Voyage “WB-09-14”

Heavy Lift Sailing
September 1-15*

Port Everglades, FL
Cristobal, Panama
Manzanillo/La Paz, Mexico
Ensenada, Mexico
Victoria, BC
Busan, South Korea
Singapore

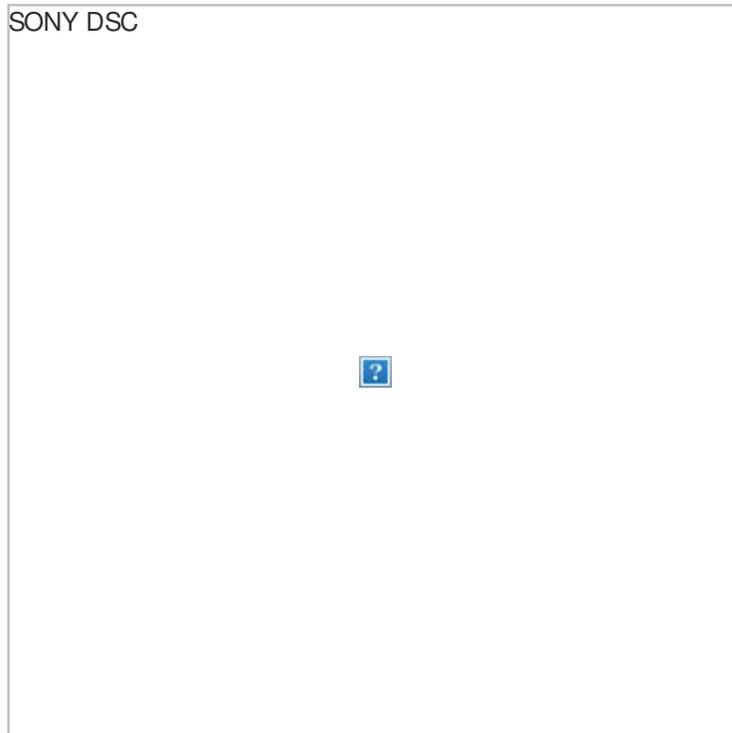
EASTBOUND NORTH AMERICA & ASIA

**M/ V AAL Kembla -
(Heavy lift up to 350mt)**

August 20-22*

Victoria, BC
Ensenada, Mexico
Manzanillo, Mexico
Cristobal, Panama
Port Everglades, FL

SONY DSC



SPECIAL SAILING TO AFRICA

Voyage “AF-09-14”

20140511_143308

Sept 10-20*

Houston, TX

Port Harcourt, Nigeria



NORTH AMERICA & CARIBBEAN TO THE MEDITERRANEAN

Voyage "TE-09-14"

September 1 – 15*

Port Everglades, FL

Genoa, Italy

Derince, Turkey

IMG_3036



MEDITERRANEAN TO THE CARIBBEAN & NORTH AMERICA

big boats pictures 086



Voyage "TW-09-14"

September 15-30*

Split, Croatia

Derince, Turkey

Genoa, Italy

Palma de Mallorca, Spain

St. Thomas, USVI

Port Everglades, FL

United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.

Our scheduled yacht voyages usually begin in Port Everglades-Florida and connect to Port of Cristobal, Panama, Port of Golfito, Costa Rica, Port of Genova, Italy, Port of Lavrio, Greece, Port of Hong Kong, China, Port of Yokohama, Japan, Port of Vancouver, Canada, Port of Ensenada, Mexico, Port of La Paz, Mexico, and Port of Mazatlan, Mexico. Variations in our route and schedule exist based on the time and

season, and as such these may change accordingly.

Our scheduled voyages offer beautiful and colorful yacht shipping destinations around the world. Each city is bursting with an eclectic mix of history, heritage and culture that is a pleasure to experience. From the Caribbean, Mediterranean, to the Pacific Northwest, we transport vessels of any size to various destinations. Our expanding selection of transport destinations are created with the perspective of clients in mind. We pride ourselves on offering a turnkey solution to yacht transport service for each and every client that relies on us to get the job done.

** All sailing dates are approximate, not currently scheduled, but only anticipated or projected*



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Yacht transport and vessel shipping services with United Yacht Transport provide a global network of worldwide success. We are your leader in competitive shipping, pricing, services, and customer flexibility.

United Yacht Transport provides boat transport services to some of the worlds most exclusive and luxury superyachts working direct with the captains, worldwide boat builders and leading manufactures. Boat owners from 29ft up to 151 ft. and up are extremely satisfied and extremely pleased with the teamwork and great communication of the United Yacht Transport team.

'Price Beat Guarantee' is our signature opportunity, and we look forward to meeting and exceeding your yacht transport expectations. United Yacht Transport provides safe, reliable and cost-effective vessel shipping. Our team puts client needs first and is the only company in the industry NOT requiring upfront deposits.

Yacht transport with us is a premiere experience while working with a safe, reliable, sophisticated team of transport specialists based out of Fort Lauderdale, Florida. United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.

"United Yacht Transport personnel, team, effort, patience and faith in us was exceptional, deeply appreciated and will not be forgotten, thank you."
-Gardner Robinson

Due to high demand in West Coast Transport, United Yacht Transport hires seasoned maritime Captain Charlie Johnson 

Crossing on the Hard – What Captains Need to Know About Yacht Transport by Dockwalk Magazine 



WHY CHOOSE UNITED YACHT TRANSPORT?

United Yacht Transport is the only carrier in the industry dedicated to providing each client with a 100% risk-free booking system.

- Price beat guarantee program.
- No deposit until your yacht is loaded aboard the vessel.
- Written confirmation from vessel owners that freight has been paid.
- Third-party escrow account for all financial transactions.
- Lloyd's of London cargo insurance policies.
- Confirmed vessels from established vessel owners.
- Daily email updates on vessel ETA.



United Yacht Transport

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Destinations

Port Everglades, Florida



Yacht transport with United Yacht Transport out of Port Everglades is the yachting destination frequently known as the “powerhouse port” in South Florida. As one of the most distinct seaports in the United States, Fort Lauderdale’s yacht shipping port is among the most active ports in the country. Located at the epicenter of the Greater Fort Lauderdale and the city

of Hollywood, Florida,

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Port of Ensenada, Mexico



The port of Ensenada is located in Ensenada, Baja California and is the second busiest port as well as the second most visited port-of-call for cruise lines and yacht transportation visits in Mexico. The city of Ensenada is a coastal city of Mexico, and is the third largest in Baja California. Residing just 78 miles south of San Diego, the city of Ensenada is commonly

referred as “The Cinderella of the Pacific.”

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Port of Mazatlan, Mexico



Mazatlan, meaning ‘place of deer’ in the Nahuatl language, was a sleepy fishing village until the early 19th century, when it began its transformation into a



bustling port receiving vessels from as far away as Asia and Europe. The city hosts major beach resorts and has the second largest fishing fleet in Mexico. Most of the seafood processed in the city is shrimp

and tuna.

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Port of La Paz, Mexico



La Paz is an emerging luxury travel destination. Set near the southern tip of Baja California Sur, La Paz is 140 miles north of the tourism mecca of Los Cabos. La Paz, meaning “The Peace.” is aiming to become a magnet for luxury travel and second homes without losing its tranquil, indigenous charms. This coastal gem offers warm Mexican hospitality amidst sugar-

sand beaches, azure waters, and alluring wildlife.

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Port of Vancouver, Canada



Yacht transport with United Yacht Transport provides vessel shipping services to the Port of Vancouver, Canada. United Yacht Transport is a premiere yacht transportation provider for clients seeking a reliable company to move their vessels around the world in secure manner. United Yacht Transportation has been transporting yachts to the Port of Vancouver for over

10 years, as it is consistently marked as a superior city. Clients love the coastal seaport, numerous attractions and the numerous links to other cities.

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Port of Cristobal, Panama

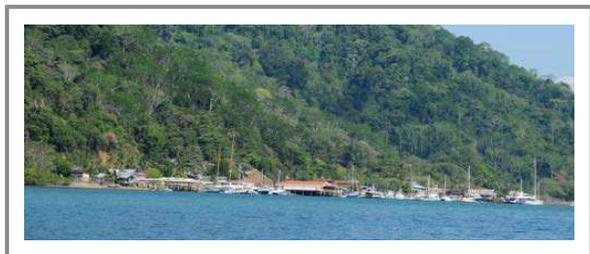


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name “Panama”. Some believe that the country was named after a commonly found species of trees. Others believe that the first settlers arrived in Panama in August, when butterflies abound, and that the name means “many butterflies” in an indigenous language.

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Port of Golfito, Costa Rica

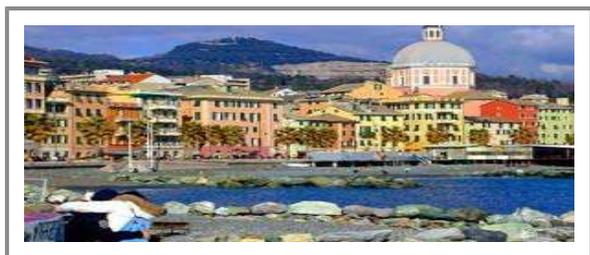


Yacht transport with United Yacht Transportation features a secure vessel shipping service line to the Port of Golfito, Costa Rica. Golfito is located in the Puntarenas Province on the southern Pacific Coast of Costa Rica, near the border of Panama. Golfito is located along a narrow strip of land between a bay and a shopping & residential area to the south. Golfito

is Costa Rica’s only city situated within a declared protection area. Originally a banana port during the 1950’s, Golfito now relies on duty-free shopping and tourism as its economic strength.

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Port of Lavrio, Greece



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all its own.

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Port of Hong Kong, China



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densely populated regions of the world, with a population of over seven million.

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Port of Singapore, Singapore



Yacht transport with United Yacht Transport offers a secure vessel transport service for clients seeking to move their vessels to Singapore. The Republic of Singapore, is a sovereign city-state and island country in Southeast Asia. Singapore is one of the world's major commercial hubs, with the fourth-biggest financial centre and one of the five busiest ports. Its

globalised and diversified economy depends heavily on trade, especially manufacturing, which represented 26 percent of Singapore's GDP in 2005.

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Port of Yokohama, Japan



Yacht transport to Japan – with United Yacht Transport is a secure way of movement of your vessel to the Port of Yokohama, Japan. Yokohama is a shining example of Japan's trading culture and the unique collection of the town creates a warm and inviting atmosphere. Beyond the charming town is the exciting movement of Japanese culture with shopping

and entertainment centers all around.

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Yacht Transport Schedule

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WESTBOUND NORTH AMERICA & ASIA

M/ V Pac Suhail

Limited Space Available!

Oct 29 – Nov 2*

Port Everglades, FL

Golfito, Costa Rica

Manzanillo, Mexico

Ensenada, Mexico

Victoria, BC

Yokohama, Japan

Voyage “WB-11-2014”

Nov 20 - Dec 5*

Port Everglades, FL

Golfito, Costa Rica

La Paz/Manzanillo, Mexico

Ensenada, Mexico

Victoria, BC

Yokohama, Japan

Singapore

Special Sailing to Australia

Voyage “AUS-11-14”

November 1-15*

Vancouver

Brisbane, Australia

New Zealand

IMG_2066



EASTBOUND NORTH AMERICA & ASIA

M/ V Marselisborg

Limited Space Available!

October 24 - 25*

Victoria, BC

Ensenada, Mexico

Manzanillo, Mexico

Port Everglades, FL

Voyage “EB-11-14”-

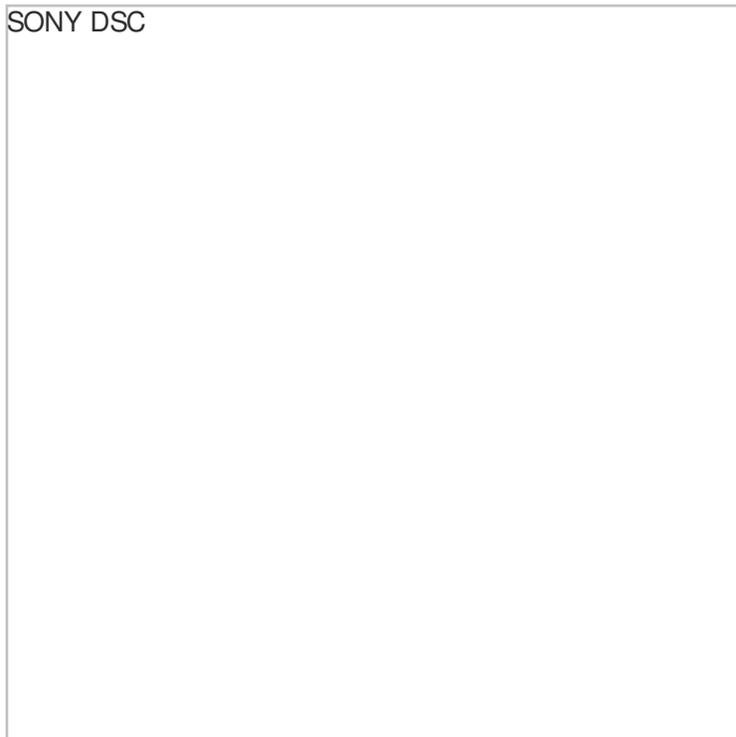
November 15 – 30*

Victoria, BC

Ensenada, Mexico

Mazatlan/Manzanillo, Mexico

SONY DSC



Golfito, Costa Rica
Port Everglades, FL

NORTH AMERICA & CARIBBEAN TO THE MEDITERRANEAN

Voyage "TE-11-14"

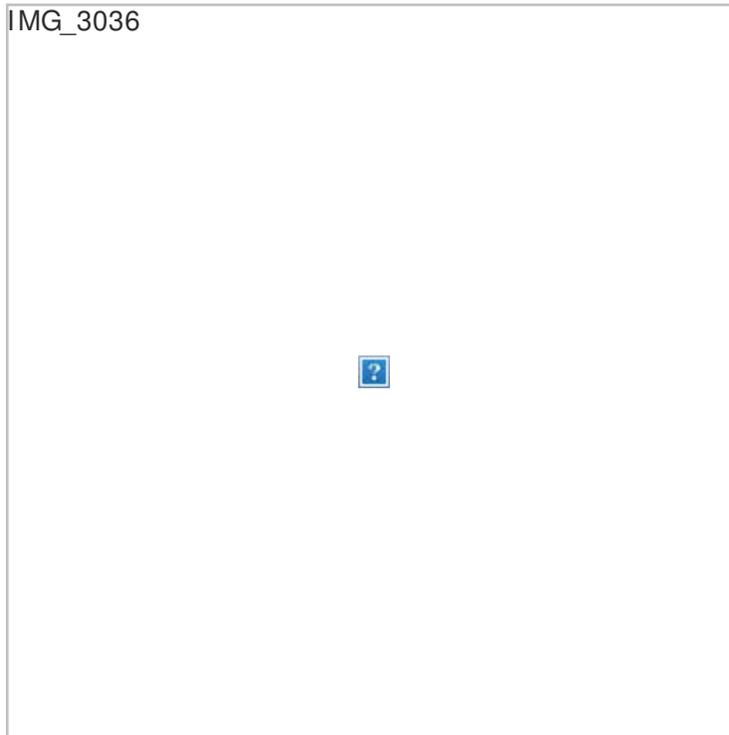
Nov 1 - 15*

Port Everglades, FL

Genoa, Italy

Derince, Turkey

IMG_3036

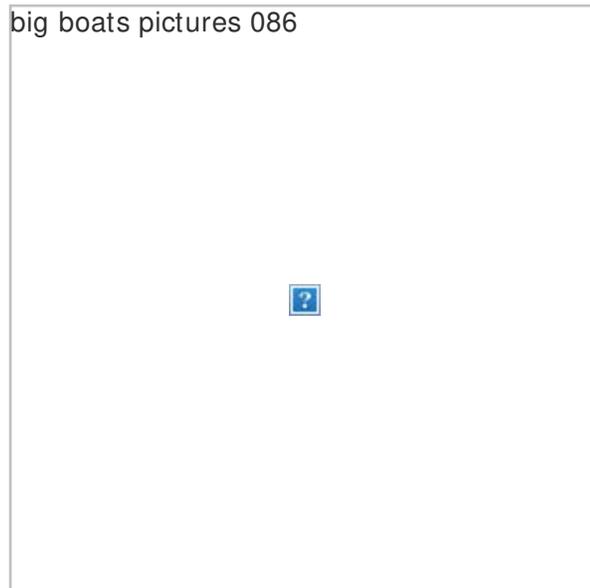


MEDITERRANEAN TO THE CARIBBEAN & NORTH AMERICA

Voyage "TW-11-14"

November 1 – 15*

Lavrion, Greece



Genoa, Italy
St. Thomas
Port Everglades, FL

United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.

Our scheduled yacht voyages usually begin in Port Everglades-Florida and connect to Port of Cristobal, Panama, Port of Golfito, Costa Rica, Port of Genova, Italy, Port of Lavrio, Greece, Port of Hong Kong, China, Port of Yokohama, Japan, Port of Vancouver, Canada, Port of Ensenada, Mexico, Port of La Paz, Mexico, and Port of Mazatlan, Mexico. Variations in our route and schedule exist based on the time and season, and as such these may change accordingly.

Our scheduled voyages offer beautiful and colorful yacht shipping destinations around the world. Each city is bursting with an eclectic mix of history, heritage and culture that is a pleasure to experience. From the Caribbean, Mediterranean, to the Pacific Northwest, we transport vessels of any size to various destinations. Our expanding selection of transport destinations are created with the perspective of clients in mind. We pride ourselves on offering a turnkey solution to yacht transport service for each and every client that relies on us to get the job done.

** All sailing dates are approximate, not currently scheduled, but only anticipated or projected*



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- Consistent Reliability
- Price beat guarantee program
- Daily email updates on vessel ETA
- North American leader in yacht transport
- Lloyd's of London cargo insurance policies
- Confirmed vessels from established vessel owners
- Written confirmation from vessel owners that freight is paid

United Yacht Transport is the leader in North American yacht transport and is based in Fort Lauderdale, Florida. We are a direct carrier providing safe, reliable and cost-effective yacht shipping services for boats ranging in size from 30 feet up to 160 feet. 'Price Beat Guarantee' is our signature opportunity.

Our boat shipping destinations include East and West Coasts of North America, Mexico, Caribbean, Asia and the Mediterranean. Our customer service, knowledge and flexibility are what sets us apart.

United Yacht Transport is more than just yacht transit, far more. We are a full-service concierge, ready to meet your needs at any time and in any ocean. Need specific details about a marina in Mexico? We'll handle it. In short, we're happy to go out of our way to keep you happy. Once you call us we are sure you'll call us for all your shipping needs. Our customer service out shines all others. This signals our business philosophy of long term service, not one-time transactions. Please contact us today to find out how we can help service your transport needs.

"I would like to let you and your associates at United Yacht Transport know that you did a fine job of getting Xanadu from Florida to Mazatlan, Mexico. She arrived on time, was clean as a whistle, the paperwork was handled efficiently and timely. Everyone involved was very accommodating and helpful. Next time I ship a boat there will be no doubt as to who will be the shipper! Thanks again and please pass this on to others and feel free to use as a recommendation of your services." - Kent Williams

Miami Boat Show, Miami, Florida February 2015 Miami Beach Convention Center



Palm Beach International Boat Show 2015, West Palm Beach, Florida



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East Coast Office:
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Destinations

Port of Vancouver, Canada



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Port of Hong Kong

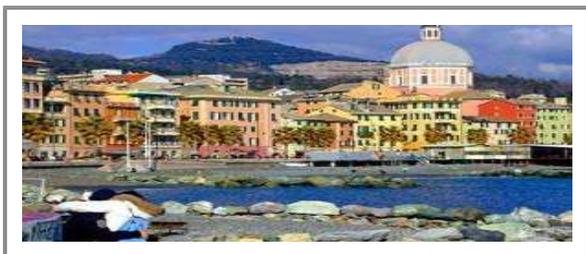


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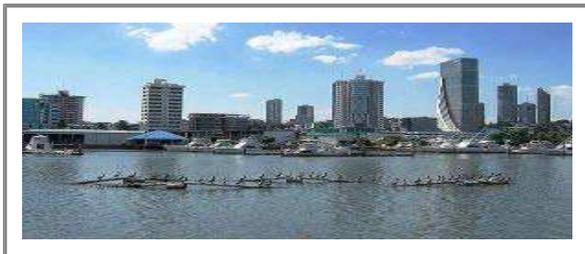


19th century, when it began its transformation into a bustling port receiving vessels from as far away as Asia and Europe. The city hosts major beach resorts and has the second largest fishing fleet in Mexico. Most of the seafood processed in the city is shrimp

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Port of Singapore, Singapore



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Yacht Transport with United Yacht Transport

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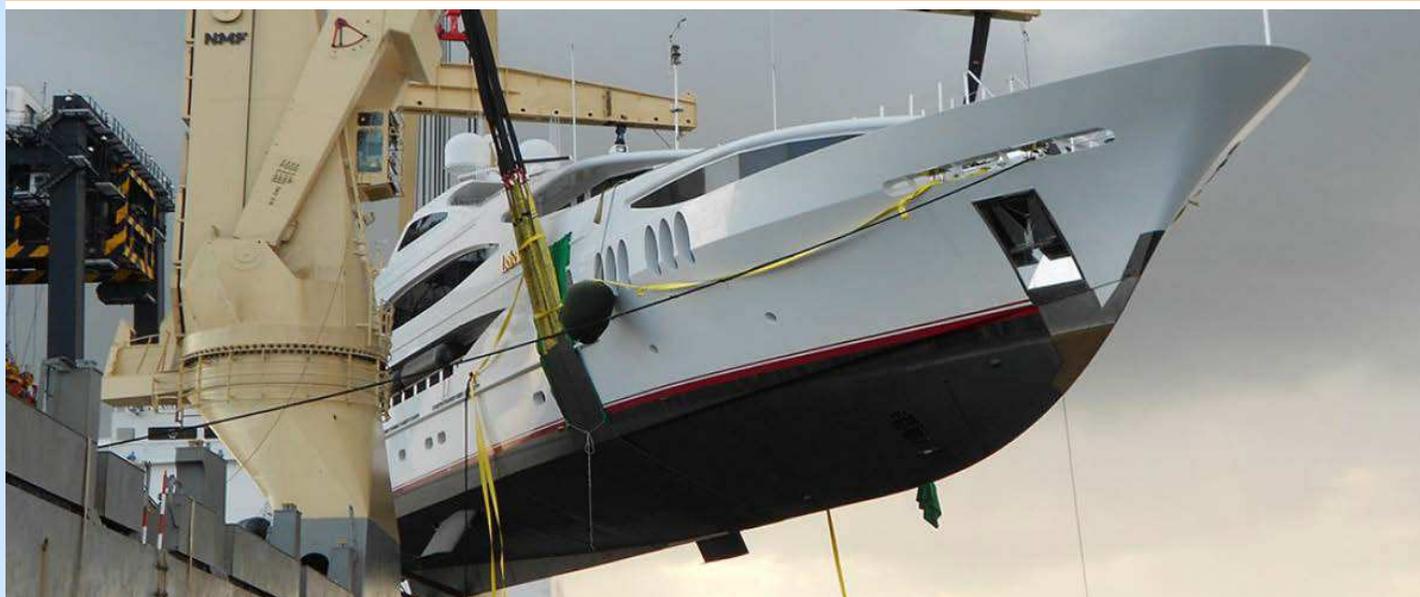
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**WESTBOUND
NORTH AMERICA**

M/ V Tong An Cheng

March 5 – 15, 2015*

Port Everglades, FL

La Paz/Manzanillo, Mexico

SONY DSC



Ensenada, Mexico
Victoria, BC
Yokohama, Japan
Busan, South Korea

EASTBOUND NORTH AMERICA

M/ V BBC Tennessee

March 5 – 15, 2015*

Victoria, BC
Ensenada, Mexico
Manzanillo, Mexico
Port Everglades, FL

MEDITERRANEAN SAILINGS

M/ V Zelada Desgagnes

February 24 – 26*

Ravenna, Italy
Genoa, Italy
Port Everglades, FL

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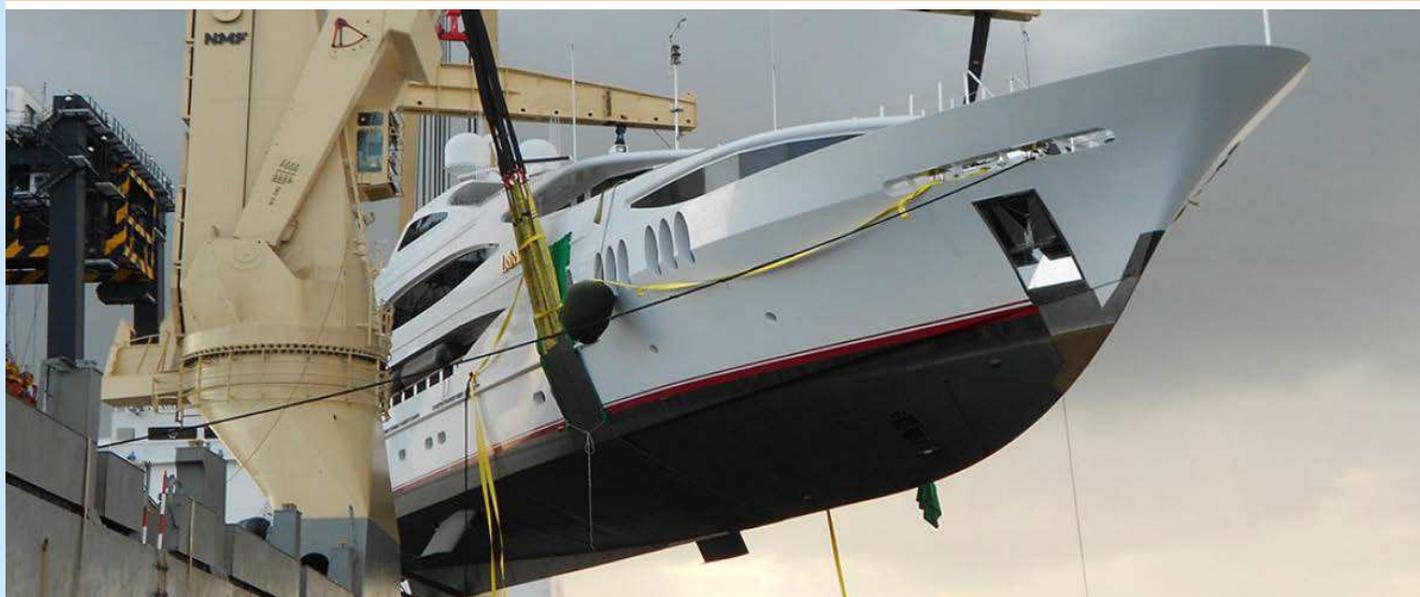
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Yacht Transport Schedule

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WESTBOUND NORTH AMERICA

M/ V Clipper Newhaven

Dec 28-Jan 3*

Port Everglades, Florida

EXHIBIT J

SONY DSC

Ensenada, Mexico

Victoria, Canada

EASTBOUND NORTH AMERICA

Jan 15-Jan 25*

Victoria, Canada

Ensenada, Mexico

Mazatlan, Mexico

Port Everglades, Florida

MEDITERRANEAN SAILINGS

Jan 15- Jan 25*

Genoa, Italy

Palma, Spain

Port Everglades, FL

M/ V Wilhelmsborg

Jan 8- Jan 13*

Port Everglades, FL

Genoa, Italy

Izmir, Turkey



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WHY CHOOSE UNITED YACHT TRANSPORT?

- Reliable year round sailings
- North American leader in Yacht Transport
- We have shipped more boats between the East and West Coasts of North America in the last year than any other carrier
- Lowest price guarantee in North America
- Unparalleled customer service

United Yacht Transport is the leader in North American yacht transport and is based in Fort Lauderdale, Florida. We are a direct carrier providing safe, reliable and cost-effective yacht shipping services for boats ranging in size from 30 feet up to 160 feet. 'Price Beat Guarantee' is our signature opportunity.

Our boat shipping destinations include East and West Coasts of North America, Mexico, Caribbean, Asia and the Mediterranean. Our customer service, knowledge and flexibility are what sets us apart.

United Yacht Transport is more than just yacht transit, far more. We are a full-service concierge, ready to meet your needs at any time and in any ocean. Need specific details about a marina in Mexico? We'll handle it. In short, we're happy to go out of our way to keep you happy. Once you call us we are sure you'll call us for all your shipping needs. Our customer service out shines all others. This signals our business philosophy of long term service, not one-time transactions. Please contact us today to find out how we can help service your transport needs.



United Yacht Transport personnel, team, effort, patience and faith in us was exceptional, deeply appreciated and will not be forgotten, thank you." -Gardner Robinson

United Yacht Transport
Completes Heavy Lifting in
Genoa



United Yacht Transport Captain
Charlie Johnson to Judge This
Year's Argosy Christmas Ship
Festival



United Yacht Transport - Unloading Vessels fro...



United Yacht Transport - Ship Now - Where In T...

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Destinations

- Canada
- Costa Rica
- Florida
- Greece
- Hong Kong
- Italy
- Japan
- Mexico
- Panama
- Singapore

Contact:

954.383.4448
sales@united-yacht.com

East Coast Office:
2830 Marina Mile Blvd, Suite 118
Fort Lauderdale, FL 33312

West Coast Office:
7001 Seaview Ave. NW, Suite 160 - 695
Seattle, WA 98117



United Yacht Transport, All Rights Reserved

Website Development by: Salty Dog Web Design

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

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

vs.

**Opposition No. 91219179
Serial No. 86031633**

UNITED YACHT TRANSPORT LLC,

Applicant.

APPLICANT'S RESPONSE TO OPPOSER'S FIRST REQUEST FOR ADMISSIONS

Applicant, UNITED YACHT TRANSPORT LLC, (“**United Yacht**”), by and through undersigned counsel, pursuant to Rule 36 of the Federal Rules of Civil Procedure, hereby responds to the First Request for Admissions to Applicant (“**Requests**”) served by Opposer, SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V. (“**Opposer**”), and states:

RESPONSE REQUESTS FOR ADMISSION

1. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT at any time in 2012.

RESPONSE: Admit.

2. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in commerce at any time in 2012.

RESPONSE: Admit.

3. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in commerce at any time in 2012 in connection with the transport of yachts by boat.

RESPONSE: Admit.

4. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT at any time prior to July 1, 2013.

RESPONSE: Admit.

5. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in U.S. commerce at any time prior to July 1, 2013.

RESPONSE: Admit.

6. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT at any time prior to July 1, 2013 in connection with the transport of yachts by boat.

RESPONSE: Admit.

7. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in commerce at any time prior to July 1, 2013 in connection with the transport of yachts by boat.

RESPONSE: Admit.

8. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in connection with the transport of yachts by boat was after August 7, 2013.

RESPONSE: Deny.

9. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce was after August 7, 2013.

RESPONSE: Deny.

10. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce in connection with the transport of yachts by boat was after August 7, 2013.

RESPONSE: Deny.

11. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce was in the internet website of United Yacht Transport LLC.

RESPONSE: Deny.

12. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce was in the internet website <http://www.united-yacht.com>.

RESPONSE: Deny.

13. Admit that none of the photographs in the four specimens which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office shows yacht transport services performed by UNITED YACHT TRANSPORT LLC. (For reference, a copy of UNITED YACHT TRANSPORT LLC'S *Response to Office Action* AND Specimens 1 through 4 thereof are attached hereto as Composite Exhibit "A").

RESPONSE: Admit that the photographs do not show yacht transport services actually performed by United Yacht Transport LLC but demonstrate the types of services offered and performed by United Yacht Transport LLC. The specimen consists of the internet website with the United Yacht Transport mark, the services to which the name relates, and a means of ordering the services.

14. Admit that UNITED YACHT TRANSPORT LLC had no connection or involvement with the transport of the yacht pictured in Specimen 1 which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office. (For reference, a copy of Specimen 1 of UNITED YACHT TRANSPORT LLC'S *Response to Office Action* is attached hereto as Exhibit "B").

RESPONSE: Admit that United Yacht Transport LLC was not involved with the transport of the yacht pictured in Exhibit B. The photograph does not show yacht transport services actually performed by United Yacht Transport LLC but demonstrates the types of services offered and performed by United Yacht Transport LLC. The specimen consists of the internet website with the United Yacht Transport mark, the services to which the name relates, and a means of ordering the services.

15. Admit that UNITED YACHT TRANSPORT LLC had no connection or involvement with the transport of the yachts pictured in Specimen 3 which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office. (For reference, a copy of Specimen 3 of UNITED YACHT TRANSPORT LLC'S *Response to Office Action* is attached hereto as Exhibit "C").

RESPONSE: Admit that United Yacht Transport LLC was not involved with the transport of the yacht pictured in Exhibit C. The photograph does not show yacht transport services actually performed by United Yacht Transport LLC but demonstrates the types of services offered and performed by United Yacht Transport LLC. The specimen consists of the internet website with the United Yacht Transport mark, the services to which the name relates, and a means of ordering the services.

16. Admit that UNITED YACHT TRANSPORT LLC had no connection or involvement with the transport of the yachts pictured in Specimen 4 which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office. (For reference, a copy of Specimen 4 of UNITED YACHT TRANSPORT LLC'S *Response to Office Action* is attached hereto as Exhibit "D").

RESPONSE: Admit that United Yacht Transport LLC was not involved with the transport of the yacht pictured in Exhibit D. The photograph does not show yacht transport services actually performed by United Yacht Transport LLC but demonstrates

the types of services offered and performed by United Yacht Transport LLC. The specimen consists of the internet website with the United Yacht Transport mark, the services to which the name relates, and a means of ordering services.

Dated: April 6, 2015

By: /s/ Bryan D. Hull
Bryan D. Hull
Florida Bar No. 20969
bhull@bushross.com
P. O. Box 3913
Tampa, FL 33602
(813) 224-9255
(813) 223-9620 (fax)
Attorneys for United Yacht Transport, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Applicant's Response to Opposer's First Request for Admissions has been served on J. Michael Pennekamp and Sandra I. Tart by mailing said copy on April 6, 2015, via First Class Mail, postage prepaid to: J. Michael Pennekamp and Sandra I. Tart, FOWLER WHITE BURNETT, P.A., Espirito Santo Plaza, Fourteenth Floor, 1395 Brickell Avenue, Miami, Florida 33131, and by email to: jpennekamp@fowler-white.com and sttart@fowler-white.com.

Signature: /s/ Bryan D. Hull

Date: April 6, 2015

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

Opposition No. 91219179

Serial No. 86031633

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

v.

UNITED YACHT TRANSPORT LLC.,

Applicant.

OPPOSER'S FIRST REQUEST FOR ADMISSIONS TO APPLICANT

Opposer, SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V., by and through its undersigned counsel, pursuant to Rule 36 of the Federal Rules of Civil Procedure, hereby propounds the following Requests for Admissions, numbered 1 through 16, upon Applicant, UNITED YACHT TRANSPORT LLC., as follows:

DEFINITIONS

A. The entity "UNITED YACHT TRANSPORT LLC" referred to in the Requests for Admissions below means Applicant UNITED YACHT TRANSPORT LLC which filed the Application Serial No. 86031633 at issue in the instant Opposition Proceeding No. 91219179.

REQUESTS FOR ADMISSIONS

1. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT at any time in 2012.
2. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in commerce at any time in 2012.

3. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in commerce at any time in 2012 in connection with the transport of yachts by boat.

4. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT at any time prior to July 1, 2013.

5. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in U.S. commerce at any time prior to July 1, 2013.

6. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT at any time prior to July 1, 2013 in connection with the transport of yachts by boat.

7. Admit that UNITED YACHT TRANSPORT LLC did not use the mark UNITED YACHT TRANSPORT in commerce at any time prior to July 1, 2013 in connection with the transport of yachts by boat.

8. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in connection with the transport of yachts by boat was after August 7, 2013.

9. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce was after August 7, 2013.

10. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce in connection with the transport of yachts by boat was after August 7, 2013.

11. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce was in the internet website of United Yacht Transport LLC.

12. Admit that UNITED YACHT TRANSPORT LLC'S first use of the mark UNITED YACHT TRANSPORT in commerce was in the internet website <http://www.united-yacht.com>.

13. Admit that none of the photographs in the four specimens which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office shows yacht transport services performed by UNITED YACHT TRANSPORT LLC. (For reference, a copy UNITED YACHT TRANSPORT LLC's *Response to Office Action* and Specimens 1 through 4 thereof are attached hereto as Composite Exhibit "A").

14. Admit that UNITED YACHT TRANSPORT LLC had no connection or involvement with the transport of the yacht pictured in Specimen 1 which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office. (For reference, a copy of Specimen 1 of UNITED YACHT TRANSPORT LLC's *Response to Office Action* is attached hereto as Exhibit "B")

15. Admit that UNITED YACHT TRANSPORT LLC had no connection or involvement with the transport of the yachts pictured in Specimen 3 which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office. (For reference, a copy of Specimen 3 of UNITED YACHT TRANSPORT LLC's *Response to Office Action* is attached hereto as Exhibit "C")

16. Admit that UNITED YACHT TRANSPORT LLC had no connection or involvement with the transport of the yachts pictured in Specimen 4 which UNITED YACHT TRANSPORT LLC filed in its *Response to Office Action* on May 19, 2014 with the United States Patent and Trademark Office. (For reference, a copy of Specimen 4 of UNITED YACHT TRANSPORT LLC's *Response to Office Action* is attached hereto as Exhibit "D")

Date: February 25, 2015

Respectfully submitted,

/s/ Sandra I. Tart

J. Michael Pennekamp

Fla. Bar No. 983454

Email: jpennekamp@fowler-white.com

Sandra I. Tart

Fla. Bar No. 358134

Email: start@fowler-white.com

FOWLER WHITE BURNETT, P.A.
Espirito Santo Plaza, Fourteenth Floor
1395 Brickell Avenue
Miami, Florida 33131
Telephone: (305) 789-9200
Facsimile: (305) 789-9201

Counsel for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposer's First Request for Admissions to Applicant has been served upon Bryan D. Hull, Esquire, counsel for Applicant United Yacht Transport, LLC, this 25th day of February 2015, by email to bhull@bushross.com and by U.S. Mail to Bryan D. Hull, Esquire, Bush Ross, P.A., Post Office Box 3913, Tampa, FL 33601-3913.

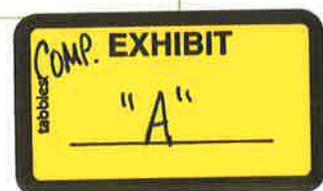
/s/ Sandra I. Tart

Sandra I. Tart

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86031633
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	039
DESCRIPTION	Transport of Yachts by Boat
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/16/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/05/2013
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	039
DESCRIPTION	Transport of Yachts by Boat
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/16/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/05/2013
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" [for an application based on Section 1(b) Intent-to-Use].
SPECIMEN FILE NAME(S)	



ORIGINAL PDF FILE	SPU0-747186179-105206301 . Home - United Yacht Transport - Yacht Transport.pdf
CONVERTED PDF FILE(S) (4 pages)	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0005.JPG
SPECIMEN DESCRIPTION	The Specimen consists of the Internet Website of United Yacht Transport LLC showing United Yacht Transport and the Services to which the name relates.
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use Yacht Transport apart from the mark as shown.
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Alexander J. Zimmer/
SIGNATORY'S NAME	Alexander J. Zimmer
SIGNATORY'S POSITION	Attorney of record, New York
SIGNATORY'S PHONE NUMBER	9175533102
DATE SIGNED	05/19/2014
RESPONSE SIGNATURE	/Alexander J. Zimmer/
SIGNATORY'S NAME	Alexander J. Zimmer
SIGNATORY'S POSITION	Attorney of record, New York
SIGNATORY'S PHONE NUMBER	9175533102
DATE SIGNED	05/19/2014
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon May 19 11:11:36 EDT 2014
TEAS STAMP	USPTO/ROA-74.71.86.179-20 140519111136516672-860316 33-5008f88b0deb9c7db90ac1 b1c4afb43b91ae3d1f7311d99 502f32471cdd23-N/A-N/A-20

Response to Office Action
To the Commissioner for Trademarks:

Application serial no. **86031633** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 039 for Transport of Yachts by Boat

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 07/16/2013 and first used in commerce at least as early as 08/05/2013 , and is now in use in such commerce.

Proposed: Class 039 for Transport of Yachts by Boat

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 07/16/2013 and first used in commerce at least as early as 08/05/2013 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 039 . The specimen(s) submitted consists of The Specimen consists of the Internet Website of United Yacht Transport LLC showing United Yacht Transport and the Services to which the name relates. .

" The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR " The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use " [for an application based on Section 1(b) Intent-to-Use] .

Original PDF file:

[SPU0-747186179-105206301 . Home - United Yacht Transport - Yacht Transport.pdf](#)

Converted PDF file(s) (4 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

ADDITIONAL STATEMENTS

Disclaimer

No claim is made to the exclusive right to use Yacht Transport apart from the mark as shown.

SIGNATURE(S)

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or amendment to allege use (AAU) unsigned, all statements in the application or AAU and this submission based on the signatory's own knowledge are true, and all statements in the application or AAU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AAU: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(a) or AAU under 15 U.S.C. Section 1051(c), the signatory additionally believes that: the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce and has been using the mark in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the signatory additionally believes that: the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention and has had a bona fide intention as of the application filing date to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

Signature: /Alexander J. Zimmer/ Date: 05/19/2014

Signatory's Name: Alexander J. Zimmer

Signatory's Position: Attorney of record, New York

Signatory's Phone Number: 9175533102

Response Signature

Signature: /Alexander J. Zimmer/ Date: 05/19/2014

Signatory's Name: Alexander J. Zimmer

Signatory's Position: Attorney of record, New York

Signatory's Phone Number: 9175533102

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the

highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 86031633

Internet Transmission Date: Mon May 19 11:11:36 EDT 2014

TEAS Stamp: USPTO/ROA-74.71.86.179-20140519111136516

672-86031633-5008f88b0deb9c7db90ac1b1c4a

fb43b91ae3d1f7311d99502f32471cdd23-N/A-N

/A-20140519105206301429



(<http://www.united-yacht.com/>)

**Request
a Quote**

(/quote-request/)



Yacht transport and vessel shipping services with United Yacht Transport provide a global network of worldwide success. We are your leader in competitive shipping, pricing, services, and customer flexibility.

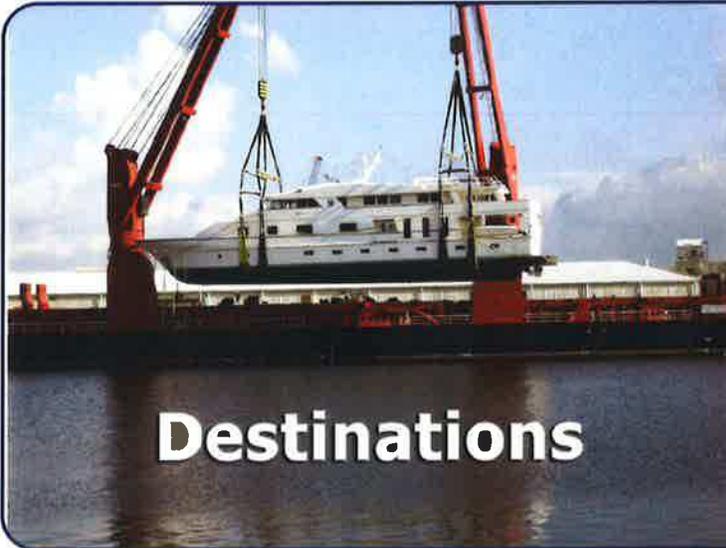
'Price Beat Guarantee' is our signature opportunity, and we look forward to meeting and exceeding your yacht transport expectations. United Yacht Transport provides safe, reliable and cost-effective vessel shipping. Our team puts client needs first and is the only company in the industry NOT requiring upfront deposits.

Yacht transport with us is a premiere experience while working with a safe, reliable, sophisticated team of transport specialists based out of Fort Lauderdale, Florida. United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.

WHY CHOOSE UNITED YACHT TRANSPORT?

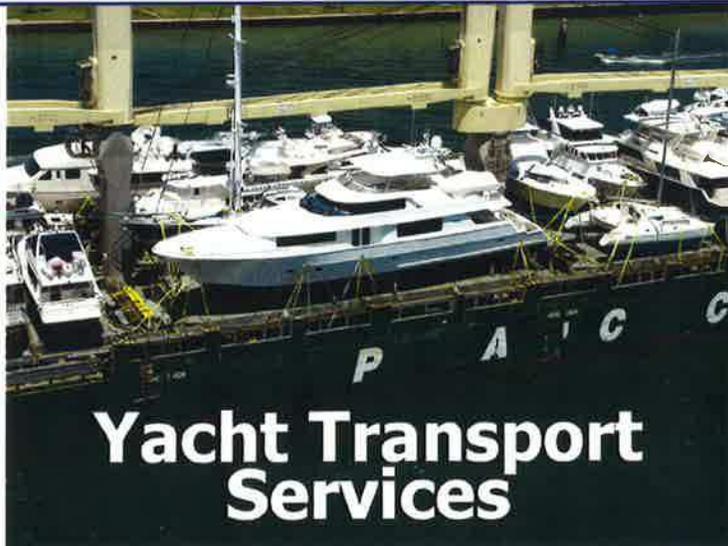
United Yacht Transport is the only carrier in the industry dedicated to providing each client with a 100% risk-free booking system.

- Price beat guarantee program.
- No deposit until your yacht is loaded aboard the vessel.
- Written confirmation from vessel owners that freight has been paid.
- Third-party escrow account for all financial transactions.
- Lloyd's of London cargo insurance policies.
- Confirmed vessels from established vessel owners.
- Daily email updates on vessel ETA.



(/yacht-transport/category/c12-destinations/)

Destinations



(/us/)

Yacht Transport Services



United Yacht Transport

2830 Marina Mile Blvd. Suite 118 | Fort Lauderdale, FL 33312 | Phone: +1 954 383 4448

Designed by - Salty Dog Websites (<http://www.saltydogwebsites.com/>)



(<http://www.united-yacht.com/>)

**Request
a Quote**

(/quote-request/)



Yacht transport and vessel shipping services with United Yacht Transport provide a global network of worldwide success. We are your leader in competitive shipping, pricing, services, and customer flexibility.

'Price Beat Guarantee' is our signature opportunity, and we look forward to meeting and exceeding your yacht transport expectations. United Yacht Transport provides safe, reliable and cost-effective vessel shipping. Our team puts client needs first and is the only company in the industry NOT requiring upfront deposits.

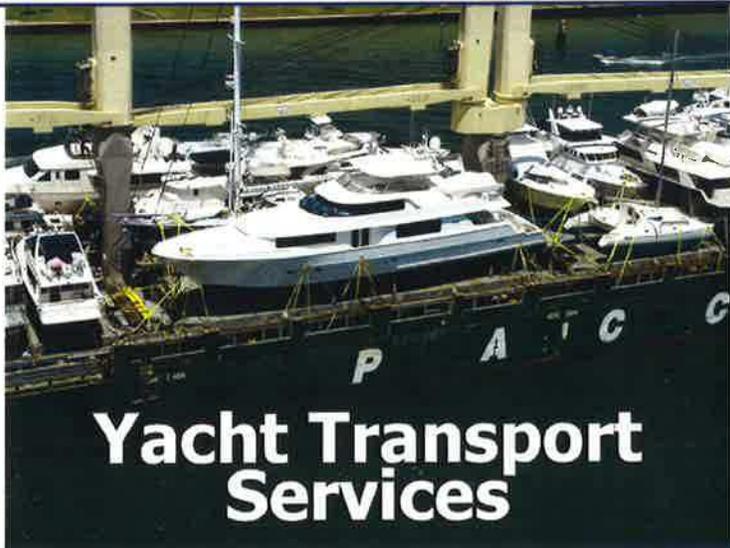
Yacht transport with us is a premiere experience while working with a safe, reliable, sophisticated team of transport specialists based out of Fort Lauderdale, Florida. United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.





(/yacht-transport/category/c12-destinations/)

Destinations



(/us/)

Yacht Transport Services





United Yacht Transport

2830 Marina Mile Blvd. Suite 118 | Fort Lauderdale, FL 33312 | Phone: +1 954 383 4448

Designed by - Salty Dog Websites (<http://www.saltydogwebsites.com/>)

3



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

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

vs.

Opposition No. 91219179

Serial No. 86031633

UNITED YACHT TRANSPORT LLC,

Applicant.

APPLICANT'S RESPONSE TO OPPOSER'S SECOND REQUEST FOR ADMISSIONS

Applicant, UNITED YACHT TRANSPORT LLC, ("United Yacht"), responds to the Second Request for Admissions to Applicant ("Requests") served by Opposer, SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V. ("Opposer"), and states:

RESPONSE TO REQUEST FOR ADMISSIONS

17. Admit that the document attached hereto as Exhibit "A" is a redacted copy of the first customer contract entered into by United Yacht Transport LLC for the transport of yachts by boat in commerce. (For reference, Exhibit "A" is a document that is bates labeled UYT_0000055 – UYT_0000061).

RESPONSE: Admit.

18. Admit that the document attached hereto as Exhibit "A" is a redacted copy of the earliest signed contract that UNITED YACHT TRANSPORT LLC entered into for the transport of yachts by boat in commerce. (For reference, Exhibit "A" is a document that is bates labeled UYT_0000055 – UYT_0000061).

2173171.1

RESPONSE: Admit.

19. Admit that the document attached hereto as Exhibit "A" is genuine.

RESPONSE: Admit.

20. Admit that UNITED YACHT TRANSPORT LLC did not hold any licenses issued by the Federal Maritime Commission on or prior to August 7, 2013.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

21. Admit that UNITED YACHT TRANSPORT LLC did not hold any licenses issued by the Federal Maritime Commission on or prior to the date that it filed Application Serial No. 86031633.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

22. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean transport intermediary ("OTI") on or prior to August 7, 2013.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

23. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as non-vessel-operating common carrier ("NVOCC") on or prior to the date that it filed Application Serial No. 86031633.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

24. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean freight forwarder on or prior to the date that it filed Application Serial No. 86031633.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

25. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean transport intermediary on or prior to the date that it filed Application Serial No. 86031633.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

26. Admit that UNITED YACHT TRANSPORT LLC provided Class 039 services of the transport of yachts by boat in commerce in 2013 without holding any licenses issued by the Federal Maritime Commission.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

27. Admit that UNITED YACHT TRANSPORT LLC provided Class 039 services of the transport of yachts by boat in commerce in 2014 without holding any licenses issued by the Federal Maritime Commission.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

28. Admit that UNITED YACHT TRANSPORT LLC provided Class 039 services of the transport of yachts by boat in commerce in 2015 without holding any licenses issued by the Federal Maritime Commission.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

29. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean transport intermediary ("OTI") until after December 1, 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

30. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean freight forwarder until after December 1, 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

31. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as a non-vessel-operating-common carrier ("NVOCC") until after December 1, 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

32. Admit that UNITED YACHT TRANSPORT LLC did not hold any licenses issued by the Federal Maritime Commission until after December 1, 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

33. Admit that UNITED YACHT TRANSPORT LLC did not file an application with the Federal Maritime Commission to obtain an ocean transport intermediary ("OTI") license until December 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

34. Admit that UNITED YACHT TRANSPORT LLC did not file an application with the Federal Maritime Commission to obtain an ocean freight forwarder license until December 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

35. Admit that UNITED YACHT TRANSPORT LLC did not file an application with the Federal Maritime Commission to obtain a non-vessel-operating common carrier ("NVOCC") license until December 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

36. Admit that UNITED YACHT TRANSPORT LLC provided the services of the transport of yachts by boats in commerce in 2013, 2014 and 2015 without being licensed by the Federal Maritime Commission as an ocean transport intermediary.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

37. Admit that UNITED YACHT TRANSPORT LLC provided non-vessel-operating- common carrier services in 2013, 2014 and 2015, as such services are defined in 46 C.F.R., Part A, § 515.2(k).

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

38. Admit that UNITED YACHT TRANSPORT LLC was required to have a license issued by the Federal Maritime Commission to provide the services of the transport of yachts by boat in commerce in 2013, 2014 and 2015.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

39. Admit that UNITED YACHT TRANSPORT LLC provided ocean transport intermediary services in 2013, 2014 and 2015 without being licensed as ocean transport intermediary ("OTI") by the Federal Maritime Commission.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

40. Admit that UNITED YACHT TRANSPORT LLC provided non-vessel-operating- common carrier services in 2013, 2014 and 2015 without being licensed as an ocean transport intermediary ("OTI") by Federal Maritime Commission.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

41. Admit that UNITED YACHT TRANSPORT LLC provided ocean freight forwarding services in 2013, 2014 and 2015 without being licensed as ocean transport intermediary ("OTI") by the Federal Maritime Commission.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

42. Admit that UNITED YACHT TRANSPORT LLC provided ocean transport intermediary services in 2013, 2014 and 2015 without being licensed as an ocean transport intermediary ("OTI") by the Federal Maritime Commission as required under the Shipping Act of 1984 and the regulations of the Federal Maritime Commission at 46 C.F.R., Part A, § 515.3.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

43. Admit that UNITED YACHT TRANSPORT LLC's provision of non-vessel-operating-common carrier services in 2013, 2014 and 2015 was unlawful because UNITED YACHT TRANSPORT LLC was not licensed as an ocean transport intermediary ("OTI") by the Federal Maritime Commission as required under the Shipping Act of 1984 and the regulations of the Federal Maritime Commission at 46 C.F.R., Part A, § 515.3.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

44. Admit that UNITED YACHT TRANSPORT LLC was required by federal law and regulations to hold an ocean transport intermediary ("OTI") license issued by the Federal Maritime Commission prior to providing services of the transportation of yachts by boat in commerce.

RESPONSE: UNITED objects to this request, as it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence in this action.

45. Admit that in August 2013 UNITED YACHT TRANSPORT LLC received the letter dated August 20, 2013 from John Tang, which is attached hereto as Exhibit "B." (For reference: the documents attached as Exhibit "B" hereto are bates labeled UYT_0000124-UYT_0000131).

RESPONSE: Admit.

46. Admit that the document attached hereto as Exhibit "B" is genuine.

RESPONSE: Admit.

47. Admit that the emails dated September 10, 2013 and September 13, 2013 in the document attached hereto as Exhibit "C" are authentic. (For reference: the documents attached as Exhibit "C" hereto are bates labeled UYT_0000194-UYT_0000195).

RESPONSE: Admit.

48. Admit that counsel for UNITED YACHT TRANSPORT LLC received the email dated September 3, 2013 from John Tang which is included in the document attached hereto as Exhibit "C." (For reference: the documents attached as Exhibit "C" are bates labeled UYT_0000194-UYT_0000195).

RESPONSE: Admit.

49. Admit that the documents attached hereto as Exhibit "C" is genuine.

RESPONSE: Admit.

50. Admit that the mark "UNITED YACHT TRANSPORT" was displayed on the M/V YACHT EXPRESS in 2012.

RESPONSE: Deny.

51. Admit that the mark "UNITED YACHT TRANSPORT" was displayed on the M/V YACHT EXPRESS in 2013 prior to August 7, 2013.

RESPONSE: Deny.

52. Admit that in 2012, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, learned that the M/V YACHT EXPRESS was displaying the mark "UNITED YACHT TRANSPORT."

RESPONSE: Objection, as the word "learned" is ambiguous. Admit that between January 2012 and March 2012, Michael Cohen told Paul Haber that Dockwise had allowed Clemens Van der Werf to paint United Yacht Transport on the side of the M/V Yacht Express in conjunction with the pending transaction described in the Letter of Intent, which never closed. Otherwise denied.

53. Admit that in 2012, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, learned that the M/V YACHT EXPRESS was displaying the mark "UNITED YACHT TRANSPORT" while the vessel was transporting yachts in commerce.

RESPONSE: Objection, as the word "learned" is ambiguous. Admit that between January 2012 and March 2012, Michael Cohen told Paul Haber that Dockwise had allowed Clemens Van der Werf to paint United Yacht Transport on the side of the M/V Yacht Express in conjunction with the pending transaction described in the Letter of Intent, which never closed. Otherwise denied.

54. Admit that prior to the filing of Application Serial No. 86031633, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, had knowledge that the M/V YACHT EXPRESS was displaying mark "UNITED YACHT TRANSPORT" mark.

RESPONSE: Denied.

55. Admit that prior to the filing of Application Serial No. 86031633, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, had knowledge that the M/V YACHT EXPRESS was displaying mark "UNITED YACHT TRANSPORT" mark while the vessel was engaged in the provision of services of the transport of yachts by boat in commerce.

RESPONSE: Denied.

56. Admit that UNITED YACHT TRANSPORT LLC was formed in Delaware on July 16, 2013.

RESPONSE: Admit.

57. Admit that UNITED YACHT TRANSPORT LLC did not own the M/V CLIPPER ANITA in October 2013.

RESPONSE: Admit.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon J. Michael Pennekamp, Esq. (jpennekamp@fowler-white.com) and to Sandra I. Tart, Esq. (start@fowler-white.com), by electronic mail and U.S. Mail, J. Michael Pennekamp, Esq., Sandra I. Tart, Esq., FOWER WHITE BURNETT, P.A., Espirito Santo Plaza, Fourteenth Floor, 1395 Brickell Avenue, Miami, FL 33131.

Dated: May 12, 2016

/s/ Bryan D. Hull

Bryan D. Hull, Esq.
Florida Bar No. 20969
bhull@bushross.com
BUSH ROSS, P.A.
P.O. Box 3913
Tampa, FL 33601-3913
(813) 224-9255
(813) 223-9620 (facsimile)
Attorney for the Applicant

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

Opposition No. 91219179

Serial No. 86031633

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

v.

UNITED YACHT TRANSPORT LLC.,

Applicant.

OPPOSER'S SECOND REQUEST FOR ADMISSIONS TO APPLICANT

Opposer, SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V., by and through its undersigned counsel, pursuant to Rule 36 of the Federal Rules of Civil Procedure, hereby propounds the following Requests for Admissions, numbered 17 through 57, upon Applicant, UNITED YACHT TRANSPORT LLC., as follows:

DEFINITIONS

A. The entity "UNITED YACHT TRANSPORT LLC" referred to in the Requests for Admissions below means Applicant UNITED YACHT TRANSPORT LLC which filed the Application Serial No. 86031633 at issue in the instant Opposition Proceeding No. 91219179.

REQUESTS FOR ADMISSIONS

17. Admit that the document attached hereto as Exhibit "A" is a redacted copy of the first customer contract entered into by United Yacht Transport LLC for the transport of yachts by boat in commerce. (For reference, Exhibit "A" is a document that is bates labeled UYT_0000055 – UYT_0000061).

18. Admit that the document attached hereto as Exhibit "A" is a redacted copy of the earliest signed contract that UNITED YACHT TRANSPORT LLC entered into for the transport of yachts by boat in commerce. (For reference, Exhibit "A" is a document that is bates labeled UYT_0000055 – UYT_0000061).

19. Admit that the document attached hereto as Exhibit "A" is genuine.

20. Admit that UNITED YACHT TRANSPORT LLC did not hold any licenses issued by the Federal Maritime Commission on or prior to August 7, 2013.

21. Admit that UNITED YACHT TRANSPORT LLC did not hold any licenses issued by the Federal Maritime Commission on or prior to the date that it filed Application Serial No. 86031633.

22. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean transport intermediary ("OTI") on or prior to August 7, 2013.

23. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as non-vessel-operating common carrier ("NVOCC") on or prior to the date that it filed Application Serial No. 86031633.

24. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean freight forwarder on or prior to the date that it filed Application Serial No. 86031633.

25. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean transport intermediary on or prior to the date that it filed Application Serial No. 86031633.

26. Admit that UNITED YACHT TRANSPORT LLC provided Class 039 services of the transport of yachts by boat in commerce in 2013 without holding any licenses issued by the Federal Maritime Commission.

27. Admit that UNITED YACHT TRANSPORT LLC provided Class 039 services of the transport of yachts by boat in commerce in 2014 without holding any licenses issued by the Federal Maritime Commission.

28. Admit that UNITED YACHT TRANSPORT LLC provided Class 039 services of the transport of yachts by boat in commerce in 2015 without holding any licenses issued by the Federal Maritime Commission.

29. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean transport intermediary ("OTI") until after December 1, 2015.

30. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as an ocean freight forwarder until after December 1, 2015.

31. Admit that UNITED YACHT TRANSPORT LLC was not licensed by the Federal Maritime Commission as a non-vessel-operating-common carrier ("NVOCC") until after December 1, 2015.

32. Admit that UNITED YACHT TRANSPORT LLC did not hold any licenses issued by the Federal Maritime Commission until after December 1, 2015.

33. Admit that UNITED YACHT TRANSPORT LLC did not file an application with the Federal Maritime Commission to obtain an ocean transport intermediary ("OTI") license until December 2015.

34. Admit that UNITED YACHT TRANSPORT LLC did not file an application with the Federal Maritime Commission to obtain an ocean freight forwarder license until December 2015.

35. Admit that UNITED YACHT TRANSPORT LLC did not file an application with the Federal Maritime Commission to obtain a non-vessel-operating common carrier ("NVOCC") license until December 2015.

36. Admit that UNITED YACHT TRANSPORT LLC provided the services of the transport of yachts by boats in commerce in 2013, 2014 and 2015 without being licensed by the Federal Maritime Commission as an ocean transport intermediary.

37. Admit that UNITED YACHT TRANSPORT LLC provided non-vessel-operating-common carrier services in 2013, 2014 and 2015, as such services are defined in 46 C.F.R., Part A, § 515.2(k).

38. Admit that UNITED YACHT TRANSPORT LLC was required to have a license issued by the Federal Maritime Commission to provide the services of the transport of yachts by boat in commerce in 2013, 2014 and 2015.

39. Admit that UNITED YACHT TRANSPORT LLC provided ocean transport intermediary services in 2013, 2014 and 2015 without being licensed as ocean transport intermediary ("OTI") by the Federal Maritime Commission.

40. Admit that UNITED YACHT TRANSPORT LLC provided non-vessel-operating-common carrier services in 2013, 2014 and 2015 without being licensed as an ocean transport intermediary ("OTI") by Federal Maritime Commission.

41. Admit that UNITED YACHT TRANSPORT LLC provided ocean freight forwarding services in 2013, 2014 and 2015 without being licensed as ocean transport intermediary ("OTI") by the Federal Maritime Commission.

42. Admit that UNITED YACHT TRANSPORT LLC provided ocean transport intermediary services in 2013, 2014 and 2015 without being licensed as an ocean transport

intermediary ("OTI") by the Federal Maritime Commission as required under the Shipping Act of 1984 and the regulations of the Federal Maritime Commission at 46 C.F.R., Part A, § 515.3.

43. Admit that UNITED YACHT TRANSPORT LLC's provision of non-vessel-operating-common carrier services in 2013, 2014 and 2015 was unlawful because UNITED YACHT TRANSPORT LLC was not licensed as an ocean transport intermediary ("OTI") by the Federal Maritime Commission as required under the Shipping Act of 1984 and the regulations of the Federal Maritime Commission at 46 C.F.R., Part A, § 515.3.

44. Admit that UNITED YACHT TRANSPORT LLC was required by federal law and regulations to hold an ocean transport intermediary ("OTI") license issued by the Federal Maritime Commission prior to providing services of the transportation of yachts by boat in commerce.

45. Admit that in August 2013 UNITED YACHT TRANSPORT LLC received the letter dated August 20, 2013 from John Tang, which is attached hereto as Exhibit "B." (For reference: the documents attached as Exhibit "B" hereto are bates labeled UYT_0000124-UYT_0000131).

46. Admit that the document attached hereto as Exhibit "B" is genuine.

47. Admit that the emails dated September 10, 2013 and September 13, 2013 in the document attached hereto as Exhibit "C" are authentic. (For reference: the documents attached as Exhibit "C" hereto are bates labeled UYT_0000194-UYT_0000195).

48. Admit that counsel for UNITED YACHT TRANSPORT LLC received the email dated September 3, 2013 from John Tang which is included in the document attached hereto as Exhibit "C." (For reference: the documents attached as Exhibit "C" are bates labeled UYT_0000194-UYT_0000195).

49. Admit that the documents attached hereto as Exhibit "C" is genuine.

50. Admit that the mark "UNITED YACHT TRANSPORT" was displayed on the M/V YACHT EXPRESS in 2012.

51. Admit that the mark "UNITED YACHT TRANSPORT" was displayed on the M/V YACHT EXPRESS in 2013 prior to August 7, 2013.

52. Admit that in 2012, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, learned that the M/V YACHT EXPRESS was displaying the mark "UNITED YACHT TRANSPORT."

53. Admit that in 2012, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, learned that the M/V YACHT EXPRESS was displaying the mark "UNITED YACHT TRANSPORT" while the vessel was transporting yachts in commerce.

54. Admit that prior to the filing of Application Serial No. 86031633, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, had knowledge that the M/V YACHT EXPRESS was displaying mark "UNITED YACHT TRANSPORT" mark.

55. Admit that prior to the filing of Application Serial No. 86031633, Paul Haber, the President of UNITED YACHT TRANSPORT LLC, had knowledge that the M/V YACHT EXPRESS was displaying mark "UNITED YACHT TRANSPORT" mark while the vessel was engaged in the provision of services of the transport of yachts by boat in commerce.

56. Admit that UNITED YACHT TRANSPORT LLC was formed in Delaware on July 16, 2013.

57. Admit that UNITED YACHT TRANSPORT LLC did not own the M/V CLIPPER ANITA in October 2013.

Date: April 7, 2016

Respectfully submitted,

/s/ Sandra I. Tart

J. Michael Pennekamp

Fla. Bar No. 983454

Email: jpennekamp@fowler-white.com

Sandra I. Tart

Fla. Bar No. 358134

Email: start@fowler-white.com

FOWLER WHITE BURNETT, P.A.

Brickell Arch

1395 Brickell Avenue

14th Floor

Miami, Florida 33131

Telephone: (305) 789-9200

Facsimile: (305) 789-9201

Counsel for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposer's Second Request for Admissions to Applicant has been served upon Bryan D. Hull, Esquire, counsel for Applicant United Yacht Transport, LLC, this 7th day of April, 2016, by email to bhull@bushross.com.

/s/ Sandra I. Tart

Sandra I. Tart

From: gail.ryan

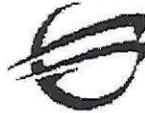
Fax: (854) 383-4448

To:

Fax

Redaction

Page 3 of 12/02/2013 2:04



UNITED YACHT TRANSPORT

		1. Date August 22, 2013
2. Carrier United Yacht Transport LLC 2830 Marina Mile Road, Suite 118 Ft. Lauderdale, FL 33312	3. Yacht Owner Redaction	
4. Vessel's Name To Be Nominated	5. Sailing date (approx.) (See Terms and Conditions Clause 3) September 2013	
6. Loading Port Port Everglades	7. Discharging Port Ensenada	
8. Yacht Description (see Terms and Conditions Clause 5) BOOKING NOTE NUMBER: Redaction		
9. Freight Rate (see Terms and Conditions Clause 11) Redaction		
All payments will be discount less, non-refundable and deemed fully earned upon execution of this Booking Note. Vessel and/or Yacht lost or not lost.		
10. Yacht owner's representatives at loading port		
11. Additional Clauses, if any Its hereby agreed that this Contract of Carriage is subject to the Terms and Conditions of this Booking Note only. There are no promises, agreements, conditions, undertakings, understandings, warranties, covenants or representations, oral or written, express or implied, with respect to this Contract of Carriage or the matter described in this Contract of Carriage, except as set forth herein.		
Signature (Carrier) Print name (Carrier) An Authorized Sales Agent to Carrier only	Signature (Yacht Owner) Redaction Print name (Yacht Owner) The Yacht Owner or other party who executes this Agreement warrants, that all statements and representations hereon, are true and correct, and that he is, or has been provided with the legal authority to contract on behalf of, and legally bind to this Agreement, the Person(s) or Entity(s) owning or otherwise entitled to possession of the Yacht.	

Initials (Yacht Owner)

08/28/2013 12:11 FAX

Redaction

011/024

From: gail ryan

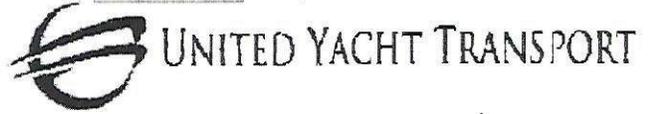
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To:

Fax:

Redaction

Page 4 of 12/8/22/2013 2:04



TERMS AND CONDITIONS

Redaction

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41 Page

UYT_000056

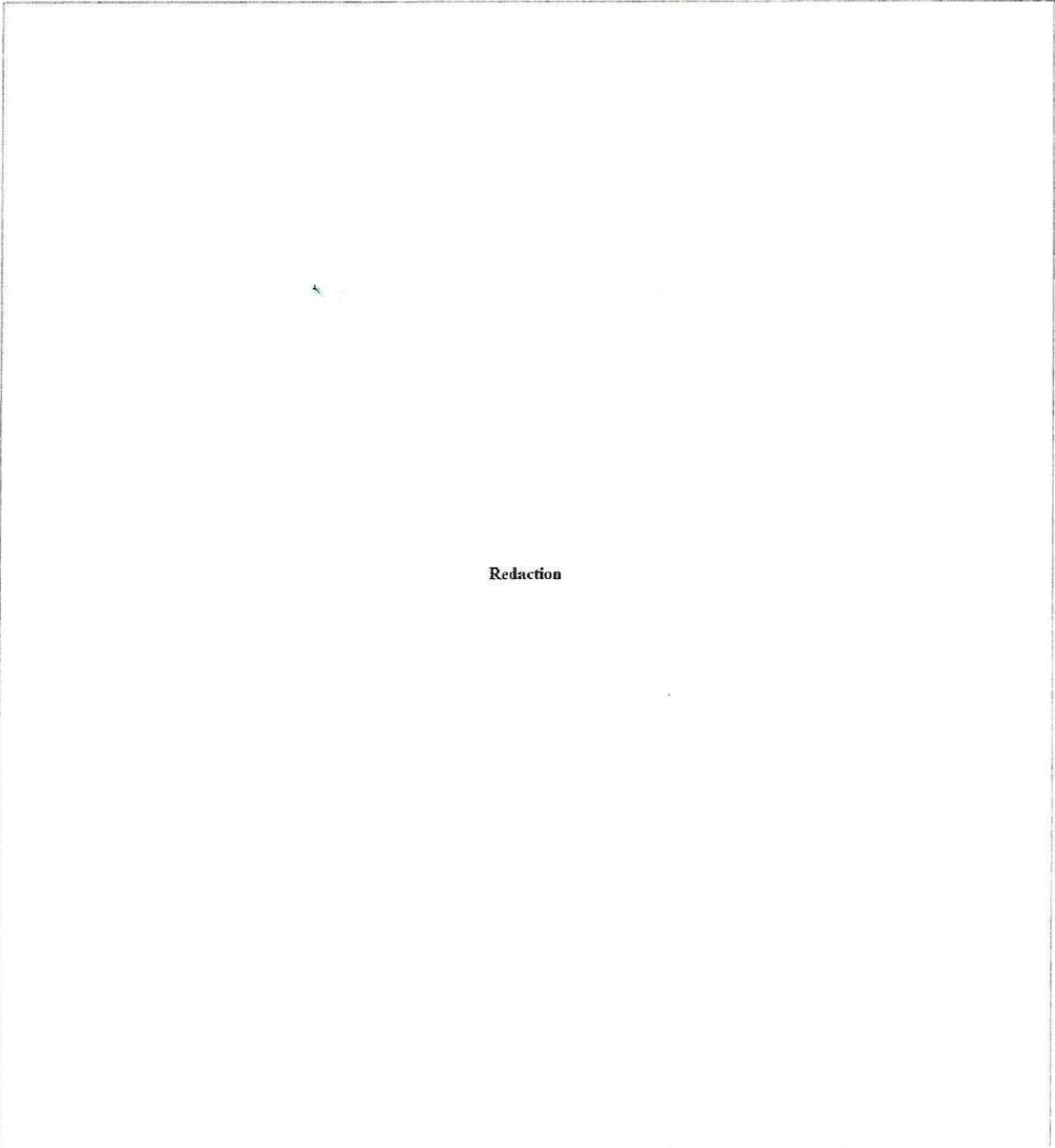
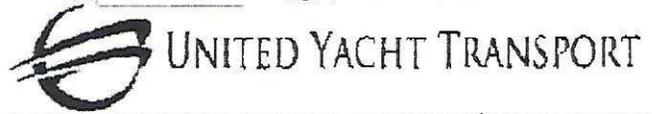
From: gail ryan

Fax: (854) 383-4448

To:

Fax: Redaction

Page 6 of 12 8/22/2013 2:04



Redaction

Initials (Yacht Owner)

A handwritten signature or set of initials, possibly 'GR', is written over a horizontal line.

51 Page

08/28/2013 12:12 FAX

Redaction

018/024

From: gail ryan

Fax: (954) 383-4448

To:

Fax:

Redaction

Page 6 of 12 8/22/2013 2:04



UNITED YACHT TRANSPORT

Redaction

Initials (Yacht Owner)

Handwritten initials, possibly 'GR', written in black ink over a horizontal line.

6 | Page

UYT_000058

08/28/2013 12:12 FAX

Redaction

014/024

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Fax: (854) 383-4449

To:

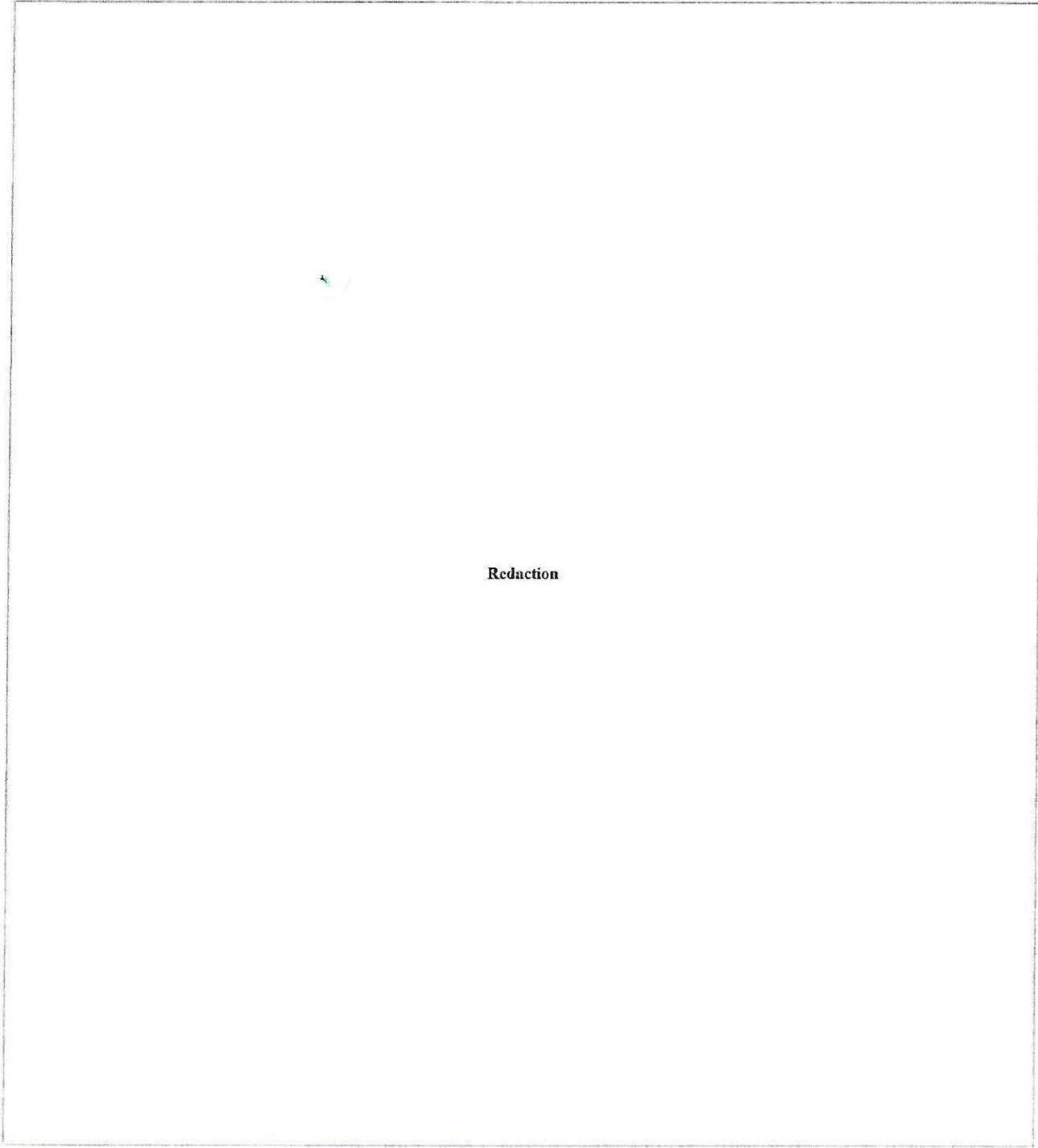
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Redaction

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UNITED YACHT TRANSPORT



Redaction

Initials (Yacht Owner) *MR*

71 Page

UYT_000059

08/28/2013 12:13 FAX

Redaction

015/024

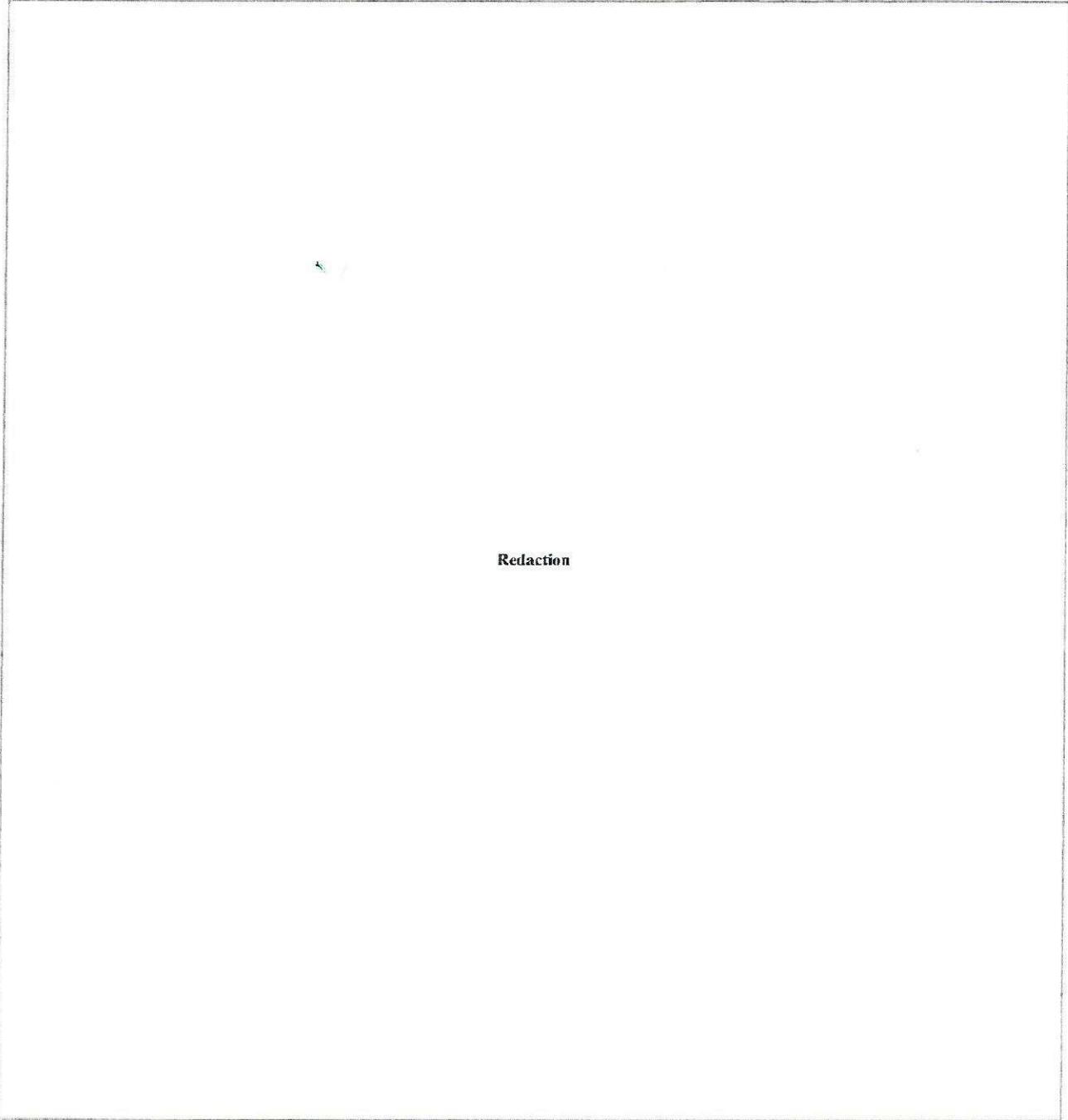
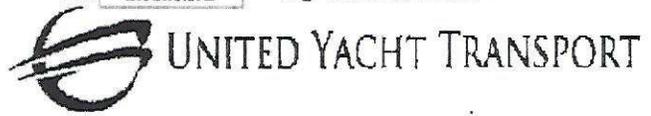
From: gail ryan

Fax: (954) 393-4448

To:

Fax: Redaction

Page 8 of 128/22/2013 2:04



Redaction

Initials (Yacht Owner) MM

8 | Page

UYT_0000060

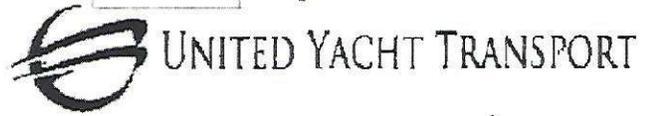
From: gail ryan

Fax: (954) 383-4448

To:

Fax: [Redaction]

Page 9 of 12 8/22/2013 2:04



[Redaction]

Yacht Owner* (Authorized Agent) signature

[Handwritten Signature]

Date

8-22-13

Name (Printed)

[Redaction]

[Redaction]

* The Yacht Owner, or other party who executes this Agreement, warrants that all statements and disclosures contained on the Booking Note are true and correct, and that he is, or has been provided the legal authority to contract on behalf of, and legally bind to this Agreement, the Person(s) or Entity(s) owning or otherwise entitled to lawful possession of the Yacht.

Initials (Yacht Owner)

[Handwritten Initials]

Strasburger

ATTORNEYS AT LAW

August 20, 2013

JOHN A. TANG
713.951.5623
Direct Fax: 832.397.3532
john.tang@strasburger.com

VIA FEDERAL EXPRESS DELIVERY

Michael Uhr
Manager
United Yacht Transport, LLC
2830 State Road 84, Suite 118
Dania Beach, FL 33312

Corporation Service Company (Registered agent for United Yacht Transport, LLC)
1201 Hays Street
Tallahassee, FL 32301-2525

RE: Infringement of the mark UNITED YACHT TRANSPORT by United Yacht
Transport, LLC (a Delaware limited liability company)
Our file no.: 10418.0104

Dear Mr. Uhr and Registered Agent:

This Firm represents Dockwise Shipping, B.V. ("Dockwise") of the Netherlands with U.S. offices in Fort Lauderdale, FL, and Houston, TX, in connection with certain trademark and unfair competition matters. As you know, Dockwise provides, *inter alia*, yacht transport services.

Dockwise has used since 1992, and continues to use in commerce, the mark UNITED YACHT TRANSPORT (the "Mark") in connection with yacht transport services. Dockwise has extensively promoted and advertised its services under this Mark. Dockwise also uses the Mark on vessels that transport yachts from Port Everglades, FL (see Exhibit A), and other U.S. and worldwide ports. In fact, Dockwise's United Yacht Transport is listed in the Port Everglade's directory (see Exhibit B, highlighted area added). As a result of the continuous and extensive use in commerce of the Mark by Dockwise and the favorable response of the relevant public and trade to the Mark and services, the Mark has become a valuable asset of Dockwise.

It has recently come to our attention that United Yacht Transport, LLC is using the identical mark United Yacht Transport on the internet at www.united-yacht.com (the "Domain Name") for yacht transport services. (A copy of the home page of the Domain Name is attached as Exhibit C). Records from GoDaddy.com's Whois database indicate that the Domain Name was registered on July 25, 2013, wherein the owner of

Strasburger & Price, LLP

909 Fannin Street, Suite 2300 | Houston, Texas 77010-1036 | 713.951.5600 tel | 713.951.5660 fax | www.strasburger.com
Austin | Collin County | Dallas | Houston | San Antonio | New York | Washington, D.C. | Mexico City - Strasburger & Price, SC
1496019.1/SPH/10418/0104/082013

UYT_0000124
EXHIBIT B

Strasburger
ATTORNEYS AT LAW

Michael Uhr
Corporation Service Company
August 20, 2013
Page 2

the Domain Name—which we believe is connected to your company—has been masked by GoDaddy's proxy service (see Exhibit D).

In addition, a search of the U.S. Patent and Trademark Office records indicates that United Yacht Transport, LLC applied for U.S. registration of the mark UNITED YACHT TRANSPORT (U.S. Application serial number 86/031,633) on August 7, 2013 for transport by yachts by boat service (the "'633 Application"). The '633 Application includes a first use date of the mark anywhere on July 16, 2013 and in commerce on August 5, 2013. Both of these dates are more than twenty (20) years from our client's first use date of its Mark.

As you know, the principals of your company tried to acquire our client's yacht transport business and United Yacht Transport mark through an intermediary. However, the transaction was never finalized. Our client has not given consent to United Yacht Transport, LLC to use or register the United Yacht Transport mark. Our client is thus concerned that United Yacht Transport's use and application for registration violate Dockwise's intellectual property rights. In view of its prior dealings with the principals of your company, our client considers your company's conduct as a willful infringement of our client's trademark.

We must request that United Yacht Transport, LLC refrain from further use or application for registration of the United Yacht Transport mark. We ask that you provide to us written confirmation within fourteen (14) days of the date of your receipt of this letter that your client will take steps to **immediately**:

- (1) Terminate use of the United Yacht Transport mark or any other confusingly similar mark;
- (2) Terminate, remove or destroy all advertising, including print or electronic publications, such as the website, with the United Yacht Transport mark or any other confusingly similar mark;
- (3) Change your corporate name to a name not confusingly similar to the United Yacht Transport name;
- (4) Abandon U.S. Application No. 86/031,633 and agree not to file further applications for registration of the United Yacht Transport mark or any other confusingly similar mark; and
- (5) Transfer the Domain Name to our client.

Strasburger
ATTORNEYS AT LAW

Michael Uhr
Corporation Service Company
August 20, 2013
Page 3

Also, we request that United Yacht Transport, LLC's owners, employees and agents, commit not to use or register the United Yacht Transport mark or any other confusingly similar mark.

Dockwise would like to amicably settle this matter; thus we await your response.

This letter is made without prejudice to any action that may be taken in the event that further action is necessary to protect the valuable rights of our client's Mark.

Sincerely,

STRASBURGER & PRICE, LLP



John A. Tang
Enclosures

cc: Dockwise Shipping B.V.
Garney Griggs, Esq.

At Port Everglades, FL





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Shipping Lines

CARGO LINE	BOOKING AGENT TEL	SERVES
AGRIEX	954-785-3076	Guatemala, Honduras, Nicaragua, El Salvador, Jamaica Frequency: Weekly Type: Container, General Cargo
CCM Compania Chilena de Navegación Interocéánica, S.A.	788 845-9212	U.S. East Coast, South America-West Coast Frequency: Weekly Type: Container
Chiquita - Great White Fleet	888-724-5493	U.S., Central America, Europe Frequency: Weekly Type: Container
Chilean Line - CBAV	800-804-9391	Colombia, South America - West Coast Frequency: Weekly Type: Container
Crowley Liner Services	305-470-4000	Caribbean, Central America Frequency: Weekly Type: Container, Project Cargo, RO/RO, Trailers
DockView/Unibed Yacht Transport	954-525-8707	Caribbean, Mediterranean, Mexico, Canada-West Coast, Australia, New Zealand Frequency: Weekly Type: LCL, PO/FO
Dole Ocean Liner Express	305-591-7500	Costa Rica, Honduras, El Salvador Frequency: Weekly Type: Container
Frontier Liner Services	305-471-7800	Colombia Frequency: Weekly Type: Container
Hamburg Sud	954-761-3134	Venezuela, South America-West Coast Frequency: Weekly Type: Container
Hapag-Lloyd (America) Inc.	888-851-4083	Mediterranean
Hybur LTD	305-913-4933	Belize, Cayman Islands, Mexico, Honduras Frequency: Weekly Type: Container
Interocean	305-375-8004	Ecuador, Peru Frequency: Every 14 Days Type: Container, General Cargo
King Ocean Service	305-591-7595	Venezuela, Aruba, Curacao, Colombia, Costa Rica, Panama Frequency: 2X Weekly Type: Container, General Cargo
Mailboat Co. / SI John's Shipping	954-527-0034	Bahamas Frequency: 2X Weekly Type: General Cargo
Mediterranean Shipping Company	305-477-9277	Far East, South America, India Frequency: Weekly Type: Container
Montemar	800-804-9381	South America, Central America, U.S. East Coast Frequency: Weekly Type: Container
Naviera Master Line	305-598-9935	Colombia, Venezuela
SC Line	(US) 305-767-4810, 305-767-1900, (Panama) +507-830-5000, +507-262-5700	Colombia, Panama, Mexico, Venezuela, Dominican Republic Frequency: Bi-weekly Type: RO/RO
SeaFreight	305-592-8080	Aruba, Curacao, Jamaica, Cayman Islands, Costa Rica, Panama, Bonaire, Suriname, Trinidad, Venezuela Frequency: Weekly Type: Container, LCL, Breakbulk
Sea Star Line	954-527-1423	Puerto Rico, Caribbean, U.S. East Coast Frequency: Weekly Type: Container, Autos, General Cargo
Trinity Shipping Line	305-889-2277	Colombia, Ecuador, Peru Frequency: Every 14 Days Type: Container, General Cargo, Project Cargo
YB Shinnino	954-574-4649	Rishrasa



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Zim Container	305-423-7400	<i>Frequency: Bi-Weekly</i>
Line		<i>Type: Container</i>
		<i>Mediterranean</i>
		<i>Frequency: Weekly</i>
		<i>Type: Container</i>

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Professional Yacht Transport.

United Yacht Transport, headquartered in Fort Lauderdale, Florida specializes exclusively in the transportation of yachts to any worldwide destination. Through our highly skilled and experienced management team, both on shore and aboard our ships, we are dedicated to providing our customers with safe, efficient and reliable marine transportation solutions. We are one of the most progressive and innovative in the yacht transportation industry. We strive to exceed customer expectations of quality, safety and efficiency through continuous improvement and constant customer interaction.



United Yacht Transport to Partner with PACC to provide West Coast Service

News
August 13, 2013 United Yacht Transport LLC, a Fort Lauderdale-based yacht transport company announced today

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Global reach, local knowledge.

With a comprehensive network of global agents and partners, United Yacht Transport can assure each our clients that the details of reporting and receiving their yacht at its final destination will be handled in a smooth and efficient manner.



United Yacht Transport Announces Monthly Service to West Africa

News
Fort Lauderdale, Florida (August 16, 2013) United Yacht Transport LLC, a Fort Lauderdale-based yacht transport company announced today that they have launched service

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Experience.

United Yacht Transport has assembled a team of the most experienced personnel from within the yacht shipping industry. It is our experienced team of professionals that sets us apart from our competitors. We can guarantee our clients piece of mind knowing that their yacht will be transported with extreme care and handled by the industry's most qualified people. Our experienced management team has developed tried and true systems designed to provide the best overall experience for our clients throughout the entire shipping process.



Destinations.

United Yacht Transport's sailing destinations span the globe, including the Mediterranean, Caribbean, Mexico, Pacific Northwest, South Pacific, and most any major yachting destinations. Whether it is world class scuba diving or cruising the majestic fjords of southeast Alaska we have your yacht transportation needs covered. With United Yacht Transport, you can enjoy all this from the safety and comfort of your own yacht.

Recent Projects.

At Port Everglades, FL



Post Office Box 3913
Tampa, Florida 33601-3913

BUSH | ROSS

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From: Tang, John [<mailto:John.Tang@strasburger.com>]
Sent: Friday, September 13, 2013 4:17 PM
To: Joseph A. Probasco; Randy Sterns; Alexander Zimmer
Cc: Brockway, Michelle
Subject: RE: United Yacht Transport LLC/Dockwise Shipping BV

Joseph, I have discussed your email with our client. Our comments to your statements can be found below (embedded in your text in bracketed red bold lettering). In addition, attached are various snap shots of the Port Everglades online ship directory listing since 2009 (using the Wayback Machine). Last, since the photograph (attached to our notice letter) was unconvincing to your clients, a United Yacht Transport vessel will be making its scheduled voyage to the port in Fort Lauderdale (i.e., Port Everglades) on or near September 17. Since your client's listed place of business is in Fort Lauderdale, your client can see up close our client's trademark next week.

We look forward to your clients' immediate response.

John A. Tang • Strasburger & Price, LLP
909 Fannin Street, Suite 2300, Houston, TX 77010
Direct: 713.951.5623 • Main: 713.951.5600
Fax: 832.397.3532 • Mobile: 832.567.8264
Skype: JohnTangAttorney
Legal Administrative Assistant: Kathy Reiff 713.750.5507 (Kathy.Reiff@strasburger.com)
IP Paralegal: Teresa Wrye 713.750.5510 (Teresa.Wrye@strasburger.com)

Member of the State Bars of Texas and Florida
Registered to practice before the U.S. Patent and Trademark Office

From: Joseph A. Probasco [<mailto:jprobasco@bushross.com>]
Sent: Tuesday, September 10, 2013 3:48 PM
To: Tang, John; Alexander Zimmer; Randy Sterns
Cc: Brockway, Michelle
Subject: RE: United Yacht Transport LLC/Dockwise Shipping BV

John-

Thank you for your email and we enjoyed speaking with you as well.

As noted on our call, prior to using the mark "United Yacht Transport," our client conducted a search to determine whether any other business, including Dockwise, was using a similar or identical mark in the yacht shipping industry. Based on this search, our client concluded that Dockwise had abandoned the mark sometime in 2007 **[We would be interested to**

see how your client came to this conclusion. The mere cancellation of a registered stylized mark?, as our client's investigation found no evidence of Dockwise's use of the mark in interstate commerce **[Our client's use of its mark is between the U.S. and other countries, so such use qualifies as use in "commerce regulated by U.S. Congress" and not interstate commerce]**, nor any reference of the mark on any Dockwise website, nor any other reference of the mark in any other industry promotional medium, including tradeshows, trade journals, etc. Further, our client's search found that the USPTO cancelled your client's federally registered mark "United Yacht Transport" (Reg. No. 2405244) in August 2007. **[I believe your statement is in error. The mark registered was a stylized mark, including the acronym UYT. Thus, our client did not maintain this stylized mark. But our client has not abandoned its word mark.]** We further note that Dockwise did not take any affirmative action to file for registration of the mark until after our client filed its application on August 7, 2013. **[As you know, trademark rights in the U.S. are not based on a registration, but rather rights are obtained through use (i.e., common law rights). To protect our client's rights in a subsequent opposition proceeding against your client's application, our client filed its application. Our client has been continuously using the word mark United Yacht Transport mark since at least as early as 1992. Furthermore, please direct me to statutory or case law that trademark owners have an affirmative duty to register its mark in the U.S.]** Based on our client's search, our client adopted the mark in good faith **[We find it hard to believe that the adoption was in good faith in view of the Cummings interaction with your clients - after the Cummings' unsuccessful bid to acquire our client's yacht transport business]** believing Dockwise had abandoned the mark in 2007 **[Based on what? A cancelled registration for a stylized mark?]** and had no intention **[What proof is your client relying on that our client had "no intent" to use its mark? Our client has not abandoned its mark. This can be clearly shown by the Port Everglades' directory listings and nearly 700 foot United Yacht Transport vessels, that regularly loads and unload yachts from Port Everglades]** to resume its use of the mark.

You indicated that even if Dockwise was deemed to have abandoned the mark "United Yacht Transport" in 2007 **[Let's be absolutely clear, our client has not abandoned its trademark]**, Dockwise's recent use still predated our client's first use in 2013. However, to date, we have only been provided with an undated photograph of a ship with "United Yacht Transport" painted on the side **[As noted above, kindly go to the port next week for an up close view]**, and a print-out from the Port Everglade's directory dated August 20, 2013 **[See attached earlier listings from 2009 and on using the Wayback Machine. Such limited listings were the result of the retrieval tool, rather than lack of uses prior to 2009. Further trademark uses identifying our client can be found with a simple internet search.]** . As you know, use of the mark must amount to more than just "token use" and must constitute a bona fide use of the mark in the ordinary course of trade and not merely to reserve a right in the mark **[We would find it hard for a jury to believe that uses of the mark on 700 foot (over 2 football fields long) transport vessels and listings would amount to token use of the mark]**. As such, we have requested additional information from your client to substantiate Dockwise's claim of its prior use. We are particularly interested in any information that would substantiate that Dockwise has "extensively promoted and advertised its services under the Mark" as set forth in your correspondence of August 20, 2013, as well as any information that supports Dockwise has booked sales under this mark **[This is irrelevant. As you know, sales bookings do not amount to trademark use]**. However, we understand from your correspondence below that Dockwise is not willing to provide any additional support for its claims at this time. We would appreciate your client's reconsideration of its position and respectfully request that it provide additional support to substantiate its priority rights in the mark.

If, after review of these materials, we conclude your client has superior rights to use this mark, we would be happy to discuss an amicable resolution to this dispute.

Finally, contrary to the statement contained in your August 20, 2013 letter, no principal of United Yacht Transport, LLC was involved in any attempted acquisition of the Dockwise's yacht transport business. **[We thank you for the clarification that the Cummings are not "principals" of your client UYT, LLC. We note that your clients made a "big deal" about their association with UHY, LLC by the publication we provided.]**

Should your clients not cease use of the mark as specified in the notice letter, our client intends to take all necessary steps to protect its mark, including but not limited to, claims of willful infringement (including attorney fees under the Lanham Act).]

We looking forward to hearing from you.

Regards,

Joseph A. Probasco, Esq.
Bush Ross, P.A.

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

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

vs.

**Opposition No. 91219179
Serial No. 86031633**

UNITED YACHT TRANSPORT LLC,

Applicant.

**APPLICANT UNITED YACHT TRANSPORT LLC'S UNVERIFIED
RESPONSES TO OPPOSER SPLIETHOFF FIRST SET OF INTERROGATORIES**

Applicant, United Yacht Transport LLC, by and through its undersigned counsel, pursuant to Rule 33 of the Federal Rules of Civil Procedure responds to Opposer's First Set of Interrogatories, numbered 1 through 20, in accordance with said Rule.

Respectfully submitted,

BUSH ROSS, P.A.

Dated: May 29, 2015

By: /s/ Bryan D. Hull

Bryan D. Hull
Florida Bar No. 20969
Primary: bhull@bushross.com
Secondary: avianueva@bushross.com
P. O. Box 3913
Tampa, FL 33602
(813) 224-9255
(813) 223-9620 (fax)
Attorneys for United Yacht Transport, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing have been served on J. Michael Pennekamp and Sandra I. Tart by mailing said copy on May 29, 2015, via First Class Mail, postage prepaid to: J. Michael Pennekamp and Sandra I. Tart, FOWLER WHITE BURNETT, P.A., Espirito Santo Plaza, Fourteenth Floor, 1395 Brickell Avenue, Miami, Florida 33131, and by email to: jpennekamp@fowler-white.com and start@fowler-white.com.

Signature: /s/ Bryan D. Hull
Date: May 29, 2015

INTERROGATORIES

1. Describe the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT in commerce.

RESPONSE: At the time United Yacht Transport (hereinafter "UYT") filed its application for the mark, UYT based its first use of the mark in commerce on the existence of its website online. UYT has moved to amend the basis of its application to section 1(b), and UYT is claiming its first use of the mark in commerce occurred with the first signed contract for its services using the mark.

2. State the date that the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT in commerce occurred or took place.

RESPONSE: UYT's website was available online on August 2, 2013. UYT's first signed contract was August 22, 2013.

3. Identify all persons who have knowledge of the activity or event which is identified in Applicant's answer to Interrogatory 1.

RESPONSE: Paul Haber
Gail Ryan
Dennis Cummings
Kevin Cummings

4. Identify and describe the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT.

RESPONSE: Filing the Limited Liability Company Certificate of Formation with the State of Delaware

5. State the date that the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT occurred or took place.

RESPONSE: July 16, 2013

6. Identify all persons who have knowledge of the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT.

RESPONSE: Paul Haber
Michael Uhr
Alex Zimmer

7. State the earliest or "first" date when Applicant's website was visible online or went "live" online.

RESPONSE: August 2, 2013

8. State the earliest or "first" date that Applicant had any online presence, such as a website, blog, social media or Facebook page, and describe the online activity constituting Applicant's first online presences.

RESPONSE: See response to number 7.

9. Identify all persons who have worked on any of the Applicant's websites.

RESPONSE: John Nicolazzo
Dennis Cummings
Dawny Pack

10. Identify all website services or programs used by Applicant to create any of Applicant's websites.

RESPONSE: Wix and WordPress

11. State the date that Applicant posted its first website online and fully describe the photos (if any) and text included in the website.

RESPONSE: August 2, 2013. The website included historical photos of yachts being loaded onto ships and yachts being transported by ship to show the services UYT offers and performs. The website included information on the services UYT provides, contact information, and a means of obtaining a quote.

12. State the date that Applicant entered into a contract or agreement with Salty Dog Websites in connection with the design of any website for Applicant.

RESPONSE: March 11, 2014

13. State the first date that the website specimen submitted by Applicant in its Responses to Office Action was posted online. (A copy of Applicant's Response to Office Action is attached hereto as Exhibit "A" for reference).

RESPONSE: Late March of 2014

14. State all facts which support Applicant's first affirmative defense set forth in its Answer to Notice of Opposition and identify all persons who have knowledge of such facts.

RESPONSE: United Yacht Transport (USA) Inc. changed its name to Dockwise Yacht Transport (USA) Inc. in 2000. After that, Dockwise Yacht Transport (USA) Inc. and Dockwise Yacht Transport LLC stopped using the “United Yacht Transport” mark in commerce and have not made a bona fide use of the mark in commerce since then. To UYT’s knowledge, Dockwise Yacht Transport (USA) Inc. and Dockwise Yacht Transport LLC have not done anything to show that they ever intended to resume use of the mark.

The persons that have knowledge of these facts include Paul Haber, Clemens van der Werf, Andre Goedee, Peter Wit, Steven Byle and Catalina Bujor.

15. State all facts which support Applicant’s second affirmative defense set forth in with its Answer to Notice of Opposition and identify all persons who have knowledge of such facts.

RESPONSE: Any use of the United Yacht Transport mark after it was abandoned was not a bona fide and continuous use of the mark in commerce. To UYT’s knowledge, Spliethoff’s Bevrachtingskantoor B.V. and Sevenstar Yacht Transport have never used the “United Yacht Transport” mark in commerce. Employees of Spliethoff’s Bevrachtingskantoor B.V. and Sevenstar Yacht Transport have made numerous defamatory statements about “United Yacht Transport” to current or potential customers and disavowed any relationship with “United Yacht Transport.”

The persons that have knowledge of these facts include Paul Haber, Clemens van der Werf, Jeff Last, Jay Jones, Jan Maarten Boissevain, Lauren Hartman, Uta Scarlata, Richard Klabbers, Astrid Schulte, Catalina Bujor, and Dawny Pack.

16. State the first date that the specimen website pages submitted by Applicant in its Response to Office Action were posted online, “went live” online or were visible online. (See Exhibit “A” hereto).

RESPONSE: See response to number 13.

17. Identify all persons with knowledge of the date that the specimen website pages submitted in Applicant’s Response to Office Action first were posted online, first “went live” online or first were visible online. (See Exhibit “A” hereto).

RESPONSE: Paul Haber and Dawny Pack

18. Identify the persons who created the specimen website pages that Applicant submitted in Applicant's Response to Office Action. (See Exhibit "A" hereto).

RESPONSE: Dawny Pack

19. State that earliest date in 2013 that Applicant entered into any contract with PACC Container Lines Pte. Ltd relating to the transport of yachts by boat and describe such agreement.

RESPONSE: UYT and PACC reached an oral understanding to work together in August 2013. The First Charter Party was dated October 3, 2013.

20. State the earliest date in 2013 that Applicant entered into a contract for the transport of a yacht by boat.

RESPONSE: August 22, 2013

United Yacht Transport, LLC

By: _____
Paul Haber
Its _____

STATE OF FLORIDA

COUNTY OF _____

Subscribed and sworn to (or affirmed) before me on this ____ day of _____, 20__, by _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) who appeared before me.

(Seal)

(Signature)

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

Opposition No. 91219179

Serial No. 86031633

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

v.

UNITED YACHT TRANSPORT LLC.,

Applicant.

OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT

Opposer, SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V., by and through its undersigned counsel, pursuant to Rule 33 of the Federal Rules of Civil Procedure, hereby propounds the following Interrogatories, numbered 1 through 20, upon Applicant United Yacht Transport LLC, to be answered under oath in accordance with said Rule.

Dated: April 17, 2015

Respectfully submitted,

/s/ Sandra I. Tart

J. Michael Pennekamp

Fla. Bar No. 983454

Email: jpennekamp@fowler-white.com

Sandra I. Tart

Fla. Bar No. 358134

Email: start@fowler-white.com

FOWLER WHITE BURNETT, P.A.
Espirito Santo Plaza, Fourteenth Floor
1395 Brickell Avenue
Miami, Florida 33131
Telephone: (305) 789-9200
Facsimile: (305) 789-9201
Counsel for Opposer

OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT

DEFINITIONS

A. The words "you", "UNITED YACHT TRANSPORT LLC" and "Applicant" in the Interrogatories below means Applicant UNITED YACHT TRANSPORT LLC which filed the Application Serial No. 86031633 at issue in the instant Opposition Proceeding No. 91219179.

INTERROGATORIES

1. Describe the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT in commerce.

4. Identify and describe the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT.

5. State the date that the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT occurred or took place.

6. Identify all persons who have knowledge of the activity or event which Applicant claims constituted Applicant's first use of the mark UNITED YACHT TRANSPORT.

7. State the earliest or "first" date when Applicant's website was visible online or went "live" online.

8. State the earliest or "first" date that Applicant had any online presence, such as a website, blog, social media or Facebook page, and describe the online activity constituting Applicant's first online presence.

9. Identify all persons who have worked on any of Applicant's websites.

10. Identify all website services or programs used by Applicant to create any of Applicant's websites.

11. State the date that Applicant posted its first website online and fully describe the photos (if any) and text included in the website.

12. State the date that Applicant entered into a contract or agreement with Salty Dog Websites in connection with the design of any website for Applicant.

13. State the first date that the website specimen submitted by Applicant in its Response to Office Action was posted online. (A copy of Applicant's Response to Office Action is attached hereto as Exhibit "A" for reference).

14. State all facts which support Applicant's first affirmative defense set forth in its Answer to Notice of Opposition and identify all persons who have knowledge of such facts.

15. State all facts which support Applicant's second affirmative defense set forth in its Answer to Notice of Opposition and identify all persons who have knowledge of such facts.

16. State the first date that the specimen website pages submitted by Applicant in its Response to Office Action were posted online, "went live" online or were visible online. (See Exhibit "A" hereto).

17. Identify all persons with knowledge of the date that the specimen website pages submitted in Applicant's Response to Office Action first were posted online, first "went live" online or first were visible online. (See Exhibit "A" hereto).

18. Identify the persons who created the specimen website pages that Applicant submitted in Applicant's Response to Office Action. (See Exhibit "A" hereto).

19. State that earliest date in 2013 that Applicant entered into any contract with PACC Container Lines Pte. Ltd relating to the transport of yachts by boat and describe such agreement.

20. State the earliest date in 2013 that Applicant entered into a contract for the transport of a yacht by boat.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposer's First Set of Interrogatories to Applicant has been served upon Bryan D. Hull, Esquire, counsel for Applicant United Yacht Transport, LLC, this 17th day of April, by email to bhull@bushross.com and by U.S. Mail to Bryan D. Hull, Esquire, Bush Ross, P.A., Post Office Box 3913, Tampa, FL 33601-3913.

/s/ Sandra I. Tart

Sandra I. Tart

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86031633
LAW OFFICE ASSIGNED	LAW OFFICE 112
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	039
DESCRIPTION	Transport of Yachts by Boat
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/16/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/05/2013
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	039
DESCRIPTION	Transport of Yachts by Boat
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 07/16/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/05/2013
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use]</i> .
SPECIMEN FILE NAME(S)	



ORIGINAL PDF FILE	SPU0-747186179-105206301 . Home - United Yacht Transport - Yacht Transport.pdf
CONVERTED PDF FILE(S) (4 pages)	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0003.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0004.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\860\316\86031633\xml4\ROA0005.JPG
SPECIMEN DESCRIPTION	The Specimen consists of the Internet Website of United Yacht Transport LLC showing United Yacht Transport and the Services to which the name relates.
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use Yacht Transport apart from the mark as shown.
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Alexander J. Zimmer/
SIGNATORY'S NAME	Alexander J. Zimmer
SIGNATORY'S POSITION	Attorney of record, New York
SIGNATORY'S PHONE NUMBER	9175533102
DATE SIGNED	05/19/2014
RESPONSE SIGNATURE	/Alexander J. Zimmer/
SIGNATORY'S NAME	Alexander J. Zimmer
SIGNATORY'S POSITION	Attorney of record, New York
SIGNATORY'S PHONE NUMBER	9175533102
DATE SIGNED	05/19/2014
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon May 19 11:11:36 EDT 2014
TEAS STAMP	USPTO/ROA-74.71.86.179-20 140519111136516672-860316 33-5008f88b0deb9c7db90ac1 b1c4afb43b91ae3d1f7311d99 502f32471cdd23-N/A-N/A-20

Response to Office Action To the Commissioner for Trademarks:

Application serial no. **86031633** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 039 for Transport of Yachts by Boat

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 07/16/2013 and first used in commerce at least as early as 08/05/2013 , and is now in use in such commerce.

Proposed: Class 039 for Transport of Yachts by Boat

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 07/16/2013 and first used in commerce at least as early as 08/05/2013 , and is now in use in such commerce.

Applicant hereby submits one(or more) specimen(s) for Class 039 . The specimen(s) submitted consists of The Specimen consists of the Internet Website of United Yacht Transport LLC showing United Yacht Transport and the Services to which the name relates. .

" The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" [for an application based on Section 1(a), Use in Commerce] OR " The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use " [for an application based on Section 1(b) Intent-to-Use] .

Original PDF file:

[SPU0-747186179-105206301 . Home - United Yacht Transport - Yacht Transport.pdf](#)

Converted PDF file(s) (4 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

ADDITIONAL STATEMENTS

Disclaimer

No claim is made to the exclusive right to use Yacht Transport apart from the mark as shown.

SIGNATURE(S)

Declaration Signature

DECLARATION: The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or amendment to allege use (AAU) unsigned, all statements in the application or AAU and this submission based on the signatory's own knowledge are true, and all statements in the application or AAU and this submission made on information and belief are believed to be true.

STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AAU: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(a) or AAU under 15 U.S.C. Section 1051(c), the signatory additionally believes that: the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce and has been using the mark in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AAU on or in connection with the goods/services in the application or AAU; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION: If the applicant filed an unsigned application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the signatory additionally believes that: the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention and has had a bona fide intention as of the application filing date to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application; and to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive.

Signature: /Alexander J. Zimmer/ Date: 05/19/2014

Signatory's Name: Alexander J. Zimmer

Signatory's Position: Attorney of record, New York

Signatory's Phone Number: 9175533102

Response Signature

Signature: /Alexander J. Zimmer/ Date: 05/19/2014

Signatory's Name: Alexander J. Zimmer

Signatory's Position: Attorney of record, New York

Signatory's Phone Number: 9175533102

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the

highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 86031633

Internet Transmission Date: Mon May 19 11:11:36 EDT 2014

TEAS Stamp: USPTO/ROA-74.71.86.179-20140519111136516

672-86031633-5008f88b0deb9c7db90ac1b1c4a

fb43b91ae3d1f7311d99502f32471cdd23-N/A-N

/A-20140519105206301429



(<http://www.united-yacht.com/>)

**Request
a Quote**

(/quote-request/)



Yacht transport and vessel shipping services with United Yacht Transport provide a global network of worldwide success. We are your leader in competitive shipping, pricing, services, and customer flexibility.

'Price Beat Guarantee' is our signature opportunity, and we look forward to meeting and exceeding your yacht transport expectations. United Yacht Transport provides safe, reliable and cost-effective vessel shipping. Our team puts client needs first and is the only company in the industry NOT requiring upfront deposits.

Yacht transport with us is a premiere experience while working with a safe, reliable, sophisticated team of transport specialists based out of Fort Lauderdale, Florida. United Yacht Transport shipping destinations include a worldwide global reach to North America, Mexico, the Caribbean, the Middle East, Asia and the Mediterranean. We look forward to servicing your transport needs.

WHY CHOOSE UNITED YACHT TRANSPORT?

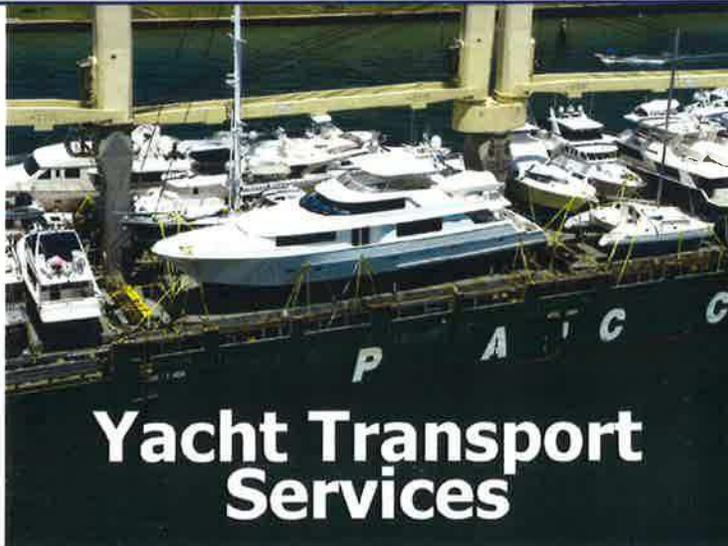
United Yacht Transport is the only carrier in the industry dedicated to providing each client with a 100% risk-free booking system.

- Price beat guarantee program.
- No deposit until your yacht is loaded aboard the vessel.
- Written confirmation from vessel owners that freight has been paid.
- Third-party escrow account for all financial transactions.
- Lloyd's of London cargo insurance policies.
- Confirmed vessels from established vessel owners.
- Daily email updates on vessel ETA.



(/yacht-transport/category/c12-destinations/)

Destinations



(/us/)

Yacht Transport Services



United Yacht Transport
2830 Marina Mile Blvd. Suite 118 | Fort Lauderdale, FL 33312 | Phone: +1 954 383 4448

Designed by - Salty Dog Websites (<http://www.saltydogwebsites.com/>)

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

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

vs.

**Opposition No. 91219179
Serial No. 86031633**

UNITED YACHT TRANSPORT LLC,

Applicant.

**APPLICANT'S RESPONSES AND OBJECTIONS TO OPPOSER'S
SECOND SET OF INTERROGATORIES
(Numbers 21 through 31)**

Applicant, United Yacht Transport, LLC (“**Applicant**” or “**United**”), by and through undersigned counsel, hereby serves its responses and objections to Opposer, Spliethoff's Bevrachtingskantoor B.V. (“**Opposer**” or “**Spliethoff**”) Second Set of Interrogatories, by stating as follows:

General Objections

1. UNITED objects to each interrogatory, definition, and instruction to the extent that it seeks to impose duties and obligations on it that exceed those required by the Federal Rules of Civil Procedure.

2. UNITED objects to each interrogatory, definition, and instruction to the extent that it seeks confidential communications or information made for the purpose of facilitating, providing, or rendering professional accounting services, which communications or information are protected from discovery by the accountant-client privilege and said privilege has not been waived or released by it or by a third party to whom the privilege applies.

3. UNITED objects to each interrogatory, definition, and instruction to the extent that it seeks confidential communications or information made for the purpose of facilitating, providing, or rendering professional legal services, which communications or information are protected from discovery by the attorney-client privilege and said privilege has not been waived or released by UNITED.

4. UNITED objects to each interrogatory, definition, and instruction to the extent that it seeks communications or information that constitute trade secrets or confidential information, which communications or information are protected from discovery and said confidentiality or privilege has not been waived or released by the individual(s) or entity(ies) entitled to assert or claim said privilege.

5. UNITED objects to each interrogatory, definition, and instruction to the extent that it seeks documents containing or comprised of the mental impressions, conclusions, opinions or theories to the extent said documents are protected from discovery by privilege under the work-product doctrine and said privilege has not been waived or released by it.

Objections and Responses to Specific Interrogatories

Subject to the foregoing objections, UNITED objects and/or responds as follows:

INTERROGATORIES

21. Identify and fully describe all considerations, factors or reasons which influenced, motivated or caused Applicant to decide to adopt the mark UNITED YACHT TRANSPORT for its yacht transport business.

Answer: UNITED objects to this interrogatory, as it is not relevant to any issue in this case. The issues in this case are whether UNITED is entitled to register the mark and whether SPLIETHOFF's predecessors abandoned the mark. The "considerations, factors or reasons which influenced, motivated or caused Applicant to decide to adopt the mark" are not relevant to either issue.

22. Identify all persons (if any) who suggested or recommended that Applicant adopt the mark UNITED YACHT TRANSPORT for Applicant's yacht transport business or who were involved or participated in the decision of Applicant to adopt the mark UNITED YACHT TRANSPORT for Applicant's yacht transport business.

Answer: UNITED objects to this interrogatory, as it is not relevant to any issue in this case. The issues in this case are whether UNITED is entitled to register the mark and whether SPLIETHOFF's predecessors abandoned the mark. The persons who suggested or recommended that Applicant adopt the mark are not relevant to either issue.

23. State whether Michael Uhr or Paul Haber had any involvement, role, knowledge of or participation in negotiations, proposed transactions or discussions between any third party and Dockwise relating to or which involved:

(a) the purchase or proposed purchase of Dockwise's yacht transport business or Dockwise's yacht transport assets:

Answer: Paul Haber helped arrange the financing for the Coby Enterprises letter of intent. Michael Uhr was not involved.

(b) financing for the purchase or proposed purchase of Dockwise's yacht transport business or Dockwise's yacht transport assets, or:

Answer: Paul Haber helped arrange the financing for the Coby Enterprises letter of intent. Michael Uhr was not involved.

(c) the sale by Dockwise of the mark UNITED YACHT TRANSPORT to a third party.

Answer: No.

24. If the answer to Interrogatory 23(a), (b) or (c) is "yes" as to either Mr. Uhr or Mr. Haber, identify (by name, date and all participants) any such negotiations, proposed transactions, financing(s) or discussions between any third part(ies) and Dockwise which Mr. Uhr or Mr. Haber had any role in, participated in or had knowledge of.

Answer: From approximately June 2011 to March 2012, Mr. Haber assisted with financing negotiations related to the Coby Enterprises Letter of Intent, which involved Metropolitan Equities and Coby Enterprises, including Clemens van der Werf.

25. State the date that Applicant or any of Applicant's employees, officers, agents, members, or managers first had knowledge that in 2012 or 2013 Dockwise was using or had used the mark UNITED YACHT TRANSPORT on the M/V YACHT EXPRESS and fully describe and explain how and from whom this knowledge was obtained.

Answer: Between January 2012 and March 2012, Michael Cohen told Paul Haber that Dockwise had allowed Clemens Van der Werf to paint United Yacht Transport on the side of the M/V Yacht Express in conjunction with the pending transaction described in the Letter of Intent, which never closed.

26. State the date that Applicant or any of Applicant's employees, officers, agents, members or managers first had knowledge that in 2012 or 2013 Dockwise was using or had used the mark UNITED YACHT TRANSPORT on the M/V SUPER SERVANT 4 and fully describe and explain how and from whom this knowledge was obtained.

Answer: United first heard the allegation that United Yacht Transport was painted on the side of the M/V Super Servant 4 during the 2012 to 2013 time period in this litigation.

27. State the first date that a yacht for a customer that had entered into a yacht transport contract with Applicant was transported by boat in commerce, identify the vessel which carried the yacht and the loading and unloading destinations.

Answer: In or about October 2013, United transported the first yachts by boat via the CLIPPER ANITA, with the following loading and unloading destinations: Ensenada, Manzanillo, Golfito, Port Everglades.

28. State whether any employee, member, manager, officer or agent of Applicant (including legal counsel), investigated or made inquiries as to whether the mark UNITED YACHT TRANSPORT was displayed on the M/V YACHT EXPRESS or any other Dockwise vessel after Attorney John Tang sent the August 20, 2013 "cease and desist" letter to Applicant and Michael Uhr. (see UYT_0000124 – UYT_0000131).

Answer: UNITED objects to this interrogatory, as it is not relevant to any issue in this case. The issues in this case are whether UNITED is entitled to register the mark and whether SPLIETHOFF's predecessors abandoned the mark. Whether UNITED made the investigations or inquiries referenced above is not relevant to either issue, and further, any investigation conducted by or under the supervision of attorneys in anticipation of litigation is protected under the work product privilege.

29. Identify each employee, member, manager, officer or agent of Applicant (including legal counsel), who investigated or made inquiries as to whether the mark UNITED YACHT TRANSPORT was displayed on the M/V YACHT EXPRESS or any other Dockwise vessel during the time period after Attorney John Tang sent the August 20, 2013 "cease and desist" letter to Applicant and Michael Uhr and fully describe and explain the inquiries or investigations made by each person identified, the information received in response to such inquiries or investigations and the date(s) that such information was received. (see UYT_0000124 – UYT_0000131).

Answer: UNITED objects to this interrogatory, as it is not relevant to any issue in this case. The issues in this case are whether UNITED is entitled to register the mark and whether SPLIETHOFF's predecessors abandoned the mark. The information requested above is not relevant to either issue. UNITED further objects to this interrogatory to the extent it requests information pertaining to an investigation conducted by or under the supervision of counsel in anticipation of litigation which is protected under the work product privilege.

30. Fully describe any and all efforts made by or on behalf of Applicant to investigate or inquire into Dockwise's rights in the mark UNITED YACHT TRANSPORT prior to August 7, 2013, and include in your answer an identification of all persons who participated in any such investigations or inquiries or had knowledge thereof, the activities were performed by each person identified, the dates the investigations or inquiries were made and information received, and the substance of information received in response to any such investigations or inquiries.

Answer: UNITED objects to this interrogatory, as it is not relevant to any issue in this case. The issues in this case are whether UNITED is entitled to register the mark and whether SPLIETHOFF's predecessors abandoned the mark. A description of the "efforts" referenced above is not relevant to either issue.

31. Fully describe any and all efforts made by or on behalf of Applicant to investigate or inquire into Dockwise's rights in the mark UNITED YACHT TRANSPORT between August 7, 2013 and November 4, 2014, and include in your answer an identification of all persons who participated in any such investigations or inquiries or had knowledge thereof, the activities were performed by each person identified, the dates the investigations or inquiries were made and information received, and the substance of information received in response to any such investigations or inquiries.

Answer: UNITED objects to this interrogatory, as it is not relevant to any issue in this case. The issues in this case are whether UNITED is entitled to register the mark and whether SPLIETHOFF's predecessors abandoned the mark. A description of the "efforts" referenced above is not relevant to either issue. UNITED further objects to this interrogatory to the extent it requests information pertaining to an investigation conducted by or under the supervision of counsel in anticipation of litigation.

VERIFICATION

Applicant, United Yacht Transport LLC
and/or Applicant's Representative

STATE OF FLORIDA
COUNTY OF _____

The foregoing was acknowledged before me by _____, who is personally known to me or has produced as identification, on this ____ day of _____, 2016.

SWORN to and SUBSCRIBED before me on this ____ day of _____, 2016.

NOTARY (Signed)

(Typed or Printed)

Commission #

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon J. Michael Pennekamp, Esq. (jpennekamp@fowler-white.com) and to Sandra I. Tart, Esq. (start@fowler-white.com), by electronic mail and U.S. Mail, J. Michael Pennekamp, Esq., Sandra I. Tart, Esq., FOWER WHITE BURNETT, P.A., Espirito Santo Plaza, Fourteenth Floor, 1395 Brickell Avenue, Miami, FL 33131.

Dated: February 15, 2016

/s/ Bryan D. Hull

Bryan D. Hull, Esq.
Florida Bar No. 20969
bhull@bushross.com
BUSH ROSS, P.A.
P.O. Box 3913
Tampa, FL 33601-3913
(813) 224-9255
(813) 223-9620 (facsimile)
Attorney for the Applicant

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

Opposition No. 91219179

Serial No. 86031633

SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.,

Opposer,

v.

UNITED YACHT TRANSPORT LLC.,

Applicant.

_____ /

OPPOSER'S SECOND SET OF INTERROGATORIES TO APPLICANT –
INTERROGATORIES ## 21 - 31

Opposer, SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V., by and through its undersigned counsel, pursuant to Rule 33 of the Federal Rules of Civil Procedure, hereby propounds the following Interrogatories, numbered 21 through 31, upon Applicant United Yacht Transport LLC, to be answered under oath in accordance with said Rule.

USPTO Opposition No. 91219179
Application Serial No. 86031633
Opposer's Second Set of Interrogatories to Applicant

Dated: November 4, 2015

Respectfully submitted,

/s/ Sandra I. Tart

J. Michael Pennekamp

Fla. Bar No. 983454

Email: jpennekamp@fowler-white.com

Sandra I. Tart

Fla. Bar No. 358134

Email: start@fowler-white.com

FOWLER WHITE BURNETT, P.A.
Espirito Santo Plaza, Fourteenth Floor
1395 Brickell Avenue
Miami, Florida 33131
Telephone: (305) 789-9200
Facsimile: (305) 789-9201

Counsel for Opposer

OPPOSER'S SECOND SET OF INTERROGATORIES TO APPLICANT

DEFINITIONS

A. The words "you", "UYT", "UNITED YACHT TRANSPORT LLC" and "Applicant" in the Interrogatories below means Applicant UNITED YACHT TRANSPORT LLC which filed the Application Serial No. 86031633 at issue in the instant Opposition Proceeding No. 91219179, and Applicant's members, officers, employees and agents, including but not limited to Michael Uhr and Paul Haber.

B. "Dockwise" as used herein means Dockwise Yacht Transport LLC, Dockwise Shipping B.V. or any other related Dockwise entity.

INTERROGATORIES

21. Identify and fully describe all considerations, factors or reasons which influenced, motivated or caused Applicant to decide to adopt the mark UNITED YACHT TRANSPORT for its yacht transport business.

22. Identify all persons (if any) who suggested or recommended that Applicant adopt the mark UNITED YACHT TRANSPORT for Applicant's yacht transport business or who were involved or participated in the decision of Applicant to adopt the mark UNITED YACHT TRANSPORT for Applicant's yacht transport business.

23. State whether Michael Uhr or Paul Haber had any involvement, role, knowledge of or participation in negotiations, proposed transactions or discussions between any third party and Dockwise relating to or which involved:

(a) the purchase or proposed purchase of Dockwise's yacht transport business or Dockwise's yacht transport assets,

(b) financing for the purchase or proposed purchase of Dockwise's yacht transport business or Dockwise's yacht transport assets, or

(c) the sale by Dockwise of the mark UNITED YACHT TRANSPORT to a third party.

24. If the answer to Interrogatory 23(a), (b) or (c) is "yes" as to either Mr. Uhr or Mr. Haber, identify (by name, date and all participants) any such negotiations, proposed transactions, financing(s) or discussions between any third part(ies) and Dockwise which Mr. Uhr or Mr. Haber had any role in, participated in or had knowledge of.

27. State the first date that a yacht for a customer that had entered into a yacht transport contract with Applicant was transported by boat in commerce, identify the vessel which carried the yacht and the loading and unloading destinations.
28. State whether any employee, member, manager, officer or agent of Applicant (including legal counsel), investigated or made inquiries as to whether the mark UNITED YACHT TRANSPORT was displayed on the M/V YACHT EXPRESS or any other Dockwise vessel after Attorney John Tang sent the August 20, 2013 "cease and desist" letter to Applicant and Michael Uhr. (*see* UYT_0000124 – UYT_0000131).

31. Fully describe any and all efforts made by or on behalf of Applicant to investigate or inquire into Dockwise's rights in the mark UNITED YACHT TRANSPORT between August 7, 2013 and November 4, 2014, and include in your answer an identification of all persons who participated in any such investigations or inquiries or had knowledge thereof, the activities were performed by each person identified, the dates the investigations or inquiries were made and information received, and the substance of information received in response to any such investigations or inquiries.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Opposer's Second Set of Interrogatories to Applicant has been served upon Bryan D. Hull, Esquire, counsel for Applicant United Yacht Transport, LLC, this 4th day of November, by email to bhull@bushross.com.

/s/ Sandra I. Tart

Sandra I. Tart

MC-4
(8)

UNITED STATES GOVERNMENT

Federal Maritime Commission

Washington, DC April 27, 2016

I **CERTIFY** that the annexed is a true copy of the following documents as they appear on file with the Federal Maritime Commission unless otherwise noted:

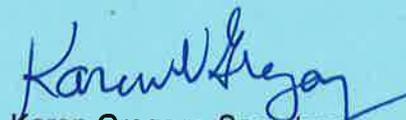
1. Application for a License as an Ocean Transportation Intermediary – Form FMC 18, prepared by United Yacht Transport, LLC. (redacted pursuant to the Freedom of Information Act, 5 U.S.C. Sec. 552), and

2. Ocean Transportation Intermediary License issued to United Yacht Transport, LLC, No. 25897NF, effective February 8, 2016 (marked as a copy).

END OF CERTIFICATION



IN WITNESS WHEREOF, I have hereunto set my hand, and caused the seal of the Federal Maritime Commission to be affixed, on the day and year first above written.


Karen Gregory, Secretary
Federal Maritime Commission

COMPOSITE EXHIBIT P

Form FMC-18 (Rev October 2007) Federal Maritime Commission	APPLICATION FOR A LICENSE AS AN OCEAN TRANSPORTATION INTERMEDIARY	OMB No. 3072-0018 (Expires 03/31/2019)
PART A	GENERAL	
TO BE COMPLETED BY ALL APPLICANTS		

APPLICATION MUST BE TYPED

- a. Name of corporation, partnership, or sole proprietorship: License No. (if any)
United Yacht Transport LLC
-
- b. Trade name(s):
- Trade name used for NVOCC services only
-
- Trade name used for OFF services only
-
- Trade name used for both services
-
- c. Principal Place of Business Address: number, street, and room or suite number:
2830 Marina Mile Blvd. **118**
-
- d. City or town, state, ZIP code, and country:
Ft. Lauderdale **FL** **33312** **United States**
-
- e. (Area code) telephone number: (Area code) fax number: Website
954-417-7853 **954-417-7853** **www.united-yacht.com**
-
- f. E-Mail address/URL of contact person or QI: Name of Contact Person or QI:
gail@united-yacht.com **Gail Ryan**
-
- g. Is this a new address? Yes No
- h. Mailing address if different from principal place of business (P.O. Boxes may be used):
N/A
-
- City or town, state, ZIP code, and country:
-
- i. Application for (check as many as applicable and complete the designated Parts for the boxes checked):
- new license to operate as an ocean freight forwarder (Parts A, B, D, E, F, G)
- new license to operate as a non-vessel-operating common carrier (Parts A, B, D, E, F, G)
- new license to operate as both an ocean freight forwarder and a non-vessel-operating common carrier (Parts A, B, D, E, F, G)
- name change (Parts A, C, G)
- addition / removal of trade name(s) (Parts A, C, G)
- replacement/additional qualifying individual (Parts A, D, E, G)
- business structure change (Parts A, B, E, F, G)

license transfer (Parts A, B, C, E, F, G)

Current name _____

to _____

adding NVOCC services to active OFF license (Parts A, F, G)

adding OFF services to active NVOCC license (Parts A, F, G)

All questions within applicable parts must be answered or noted "N/A."

PART B**BUSINESS INFORMATION**

TO BE COMPLETED BY APPLICANTS FOR AN OCEAN TRANSPORTATION INTERMEDIARY LICENSE, BUSINESS STRUCTURE CHANGE, LICENSE TRANSFER, OR ADDITION OF OFF OR NVOCC SERVICE

1. Applicant is:

A Sole Proprietorship

A Partnership

A Limited Liability Partnership (LLP): State of Formation _____

A Limited Liability Company or Corporation: State of Formation _____

FL

A Corporation: Date of Incorporation _____

State of Incorporation _____

Applicant's Taxpayer Identification Number (TIN) or Employer Identification Number (EIN) _____

FOIA exemption 3, 5 U.S.C. §552(b)(3)

Provide proof of legal name. All Corporations must attach a copy of their Articles of Incorporation. If the corporation is more than a year old, a "Certificate of Good Standing" issued within 6 months from date of application must be attached. LLPs must attach Partnership Agreements. LLCs must attach Articles of Formation. If applicant uses a trade name(s), attach "Certificate of Registration for Trade Name(s)" or other official proof of trade name.

2. Will applicant conduct ocean transportation intermediary services through branch office(s) in the U.S.? Yes No

If "Yes," how many branch offices? 0 (If "Yes," please complete Part F.)

3. Has applicant previously held an ocean transportation intermediary license (ocean freight forwarder or NVOCC) issued by the Federal Maritime Commission? Yes No (If "Yes," complete items a, b, and c.)

Or is this application for a license transfer? Yes No (If "Yes," complete items a, b, and c on behalf of the company being transferred.)

a. License No.:

b. Date Issued: (MM/DD/YYYY)

c. Name Under Which Issued:

4. Describe the current business activities of the applicant and list any related licenses (including license numbers) and certificates (for example, customhouse broker, NVOCC, air freight forwarder, etc.). If business is not currently conducting any activities, check here .

Yacht shipping

5. Does applicant now share or intend to share office space or expenses with any other person or entity? Yes No

(If "Yes," please identify that person or entity and explain the applicant's relationship with this person or entity.)

6. Is any person or entity, other than the applicant or its principals, providing financial assistance to the applicant, such as advancing funds or collateral for the surety bond? Yes No

(If "Yes," please identify the person or entity and explain the applicant's relationship with this person or entity.)

7. Has applicant or any of the applicant's partners, officers, directors, or stockholders ever:

(1) been found in violation of any shipping act?
or paid penalty in settlement of?

Yes No
 Yes No

(2) filed or been involved in a bankruptcy proceeding, other than as a claimant, been declared bankrupt, been subject to a tax lien, or had legal judgment rendered for a debt?

FOIA exemption 6, 5 U.S.C. §552(b)(6)

(3) been ARRESTED, CHARGED, CONVICTED OF, OR FORFEITED COLLATERAL for any FELONY, MISDEMEANOR, OR OTHER VIOLATION?

(Omit: 1. traffic violations for which a fine of \$250 or less was paid;
2. any incident which happened before each person's 21st birthday.)

If the response to any part of this question is "Yes," please attach an explanation. For bankruptcy, please include order of discharge. For tax lien, please provide release of lien. For judgment, please provide satisfaction of civil judgment.

PART D

QUALIFYING INDIVIDUAL

TO BE COMPLETED BY APPLICANTS FOR AN OCEAN TRANSPORTATION INTERMEDIARY LICENSE AND REPLACEMENT / ADDITIONAL QUALIFYING INDIVIDUALS

9. Name of proposed qualifying individual:

Gail T Ryan

Title:
Vice President

Business address: number, street, and room or suite number, city, state, zip code, country (If different from principal address)

2830 W. St. Rd. 84 Suite 118

Ft. Lauderdale FL 33312 United States

S.S. Number: _____ DOB _____ Place of Birth _____

FOIA exemption 6, 5 U.S.C. §552(b)(6)

US Citizen or Resident Alien: (If Resident Alien provide No.) _____
FOIA exemption 6, 5 U.S.C. §552(b)(6)

10. Is the proposed qualifying individual a (an):

- Initial Qualifying Individual
- Additional Qualifying Individual
- Replacement Qualifying Individual (Name of individual being replaced: _____)

11. Position the qualifying individual holds as a corporate officer, member, or active partner: **Vice President**

(Attach proof of position held, i.e., minutes from meeting electing officers)

12. Length of qualifying ocean transportation intermediary experience (Years/Months) **38 years /** _____ months

13. Has the proposed qualifying individual(s) ever:

- (1) been submitted as the qualifying individual for another company? Yes No
- (2) been found in violation of any shipping act? Yes No
or paid penalty in settlement of? Yes No
- (3) filed or been involved in a bankruptcy proceeding, other than as a claimant, been declared bankrupt, been subject to a tax lien, or had legal judgment rendered for a debt? Yes No
- (4) been ARRESTED, CHARGED, CONVICTED OF, OR FORFEITED COLLATERAL for any FELONY, MISDEMEANOR, OR OTHER VIOLATION? Yes No
(Omit: 1. traffic violations for which a fine of \$250 or less was paid;
2. any incident which happened before qualifying individual's 21 birthday.

FOIA exemption 6, 5 U.S.C. §552(b)(6)

If the response to any part of this question is "Yes", please attach explanation. For bankruptcy, please include order of discharge For tax lien, please provide release of lien. For judgment, please provide satisfaction of civil judgment.

14. Employment history of qualifying individual demonstrating experience in ocean transportation intermediary services: (Enter most recent history first)

(a) Employer's name: **World Freight Forwarders Inc.** Dates employed: (Month/Year)
01/1988 to 05/1993

Number, street, and room or suite number: **N/A** FMC License No. (If applicable):

City or town, state, and ZIP code: **Ft. Lauderdale FL**

Area code/telephone number: **9548265347** Area code/fax number: **9548265347** Email address:

Name of Supervisor: **Anthony Patti** Type of business: **Freight Forwarder**

Description of ocean transportation intermediary duties performed:

Booked Cargo with steamship lines. Handled all documentation including filing SED's. I believe this company is no longer in business.

(b) Employer's name: **All Ports Transport** Dates employed: (Month/Year)
09/1993 to 09/1998

Number, street, and room or suite number: **12250 NW 25th Street** FMC License No. (If applicable):
14023N

City or town, state, and ZIP code: **Miami FL 33182**

Area code/telephone number: **3054773496** Area code/fax number: **305-463-7626** Email address:
frivera@all-ports.com

Name of Supervisor: **Fernando Rivera** Type of business: **Freight Forwarder NVOCC/Customs Broker**

Description of ocean transportation intermediary duties performed:

Booked cargo with carriers. Consolidations, air freight, ocean freight, letters of credit. Negotiated cargo rates. Prepared bills of lading and SED's.

(c) Employer's name: **JP Reynolds Co., Inc.** Dates employed: (Month/Year)
09/1998 to 09/2007

Number, street, and room or suite number: **101 SE 21 st. Street** FMC License No. (If applicable):
1532

City or town, state, and ZIP code: **Ft. Lauderdale FL 33316**

Area code/telephone number: **9545223763** Area code/fax number: **9545223765** Email address:
jay@jpreynolds.com

Name of Supervisor: **Jay Reynolds** Type of business: **Freight Forward/Customs Broker**

Description of ocean transportation intermediary duties performed:

Booked cargo, negotiated rates, maintained tariff file, prepared bills of lading, air waybills, SED's.

(d) Employer's name: **Greenfield World Trade** Dates employed: (Month/Year)
07/2008 to 07/2011

Number, street, and room or suite number: **3355 Enterprise Avenue** FMC License No. (If applicable):

City or town, state, and ZIP code: **Ft. Lauderdale FL 33331**

Area code/telephone number: **9542027336** Area code/fax number: **954-202-7337** Email address: **onasbury@thelegacycompanies.com**

Name of Supervisor: **Neal Asbury** Type of business: **Commercial Kitchen Equipment Supplier**

Description of ocean transportation intermediary duties performed:

Arranged container and airfreight shipments worldwide. Prepared all documentation, filed AES, arranged for cargo consolidation with freight forwarders and carriers. Coordinated import shipments both Ocean and Air.

(e) Employer's name: **Unemployed** Dates employed: (Month/Year)
10/2007 to 07/2008

Number, street, and room or suite number: **N/A** FMC License No. (If applicable):

City or town, state, and ZIP code: **N/A**

Area code/telephone number: **0000000000** Area code/fax number: **0000000000** Email address:

Name of Supervisor: **N/A** Type of business: **N/A**

Description of ocean transportation intermediary duties performed:

Unemployed

(f) Employer's name: **Yacht Path International** Dates employed: (Month/Year)
07/2011 to 05/2013

Number, street, and room or suite number: **2860 W St. Rd. 84** FMC License No. (If applicable):

City or town, state, and ZIP code: **Dania Beach FL 33312**

Area code/telephone number: **9547036729** Area code/fax number: **9547036729** Email address: **n/a**

Name of Supervisor: **Dennis Cummings** Type of business: **Yacht Carrier**

Description of ocean transportation intermediary duties performed:

Company is no longer in business. Filed Bankruptcy.

(g) Employer's name:		Dates employed: (Month/Year)
United Yacht Transport LLC		07/2013 to /Present
Number, street, and room or suite number:		FMC License No. (If applicable):
2830 W St. Rd. 84		
City or town, state, and ZIP code:		
Dania Beach	FL	33312
Area code/telephone number:	Area code/fax number:	Email address:
954-417-7853	954-417-7853	gail@united-yacht.com
Name of Supervisor:	Type of business:	
Paul Haber	Yacht Carrier	
Description of ocean transportation intermediary duties performed:		
Sales, issue contracts/invoices. Prepare bills of lading, file AES. Book any cargo that we may need on liner service. Prepare load lists for vessel.		

15. Identify three (3) persons, unrelated to the qualifying individual or applicant, who have first-hand knowledge of the actual ocean transportation intermediary experience of the qualifying individual.

Name:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Title:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Employer's name:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Number, street, and room or suite number:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

FOIA exemption 6, 5 U.S.C. §552(b)(6)

City or town, state, and ZIP code:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Area code/telephone number:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Area code/fax number:

Email address:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Time period when person named above had knowledge of qualifying individual's experience.

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Nature of business relationship through which person gained first-hand knowledge of the qualifying individual's ocean transportation intermediary experience.

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Name:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Title:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Employer's name:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Number, street, and room or suite number:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

FOIA exemption 6, 5 U.S.C. §552(b)(6)

City or town, state, and ZIP code:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Area code/telephone number:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Area code/fax number:

Email address:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Time period when person named above had knowledge of qualifying individual's experience.

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Nature of business relationship through which person gained first-hand knowledge of the qualifying individual's ocean transportation intermediary experience.

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Name:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Title:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Employer's name:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Number, street, and room or suite number:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

FOIA exemption 6, 5 U.S.C. §552(b)(6)

City or town, state, and ZIP code:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Area code/telephone number: Area code/fax number: Email address:

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Time period when person named above had knowledge of qualifying individual's experience.

FOIA exemption 6, 5 U.S.C. §552(b)(6)

Nature of business relationship through which person gained first-hand knowledge of the qualifying individual's ocean transportation intermediary experience.

FOIA exemption 6, 5 U.S.C. §552(b)(6)

PART E

OWNERSHIP AND AFFILIATIONS

TO BE COMPLETED BY APPLICANTS FOR AN OCEAN TRANSPORTATION INTERMEDIARY LICENSE, AND TO REPORT OWNERSHIP CHANGES, BUSINESS STRUCTURE CHANGE, LICENSE TRANSFER, AND IF APPLICABLE, CHANGES RESULTING FROM A CHANGE IN PERSONNEL OR REPLACEMENT/ADDITIONAL QUALIFYING INDIVIDUAL

16. Applicant's Ownership, Officers, Partners, Members, Directors, Stockholders, Parent or Holding Company:

Name of
Officer/Director/Partner/Stockholder/Business Entity

First Name: Rivka Middle Name: _____ Last Name: Uhr
 Title: Member S.S. Number: FOIA exemption 6, 5 U.S.C. §552(b)(6)
 Business Entity Name: United Yacht Transport LLC % of Ownership: 10.00 %

First Name: Michael Middle Name: _____ Last Name: Uhr
 Title: Managing Member S.S. Number: FOIA exemption 6, 5 U.S.C. §552(b)(6)
 Business Entity Name: United Yacht Transport LLC % of Ownership: 90.00 %

First Name: Paul Middle Name: _____ Last Name: Haber
 Title: President S.S. Number: FOIA exemption 6, 5 U.S.C. §552(b)(6)
 Business Entity Name: United Yacht Transport LLC % of Ownership: 0.00 %

First Name: Gail Middle Name: _____ Last Name: Ryan
 Title: Vice-President S.S. Number: FOIA exemption 6, 5 U.S.C. §552(b)(6)
 Business Entity Name: United Yacht Transport LLC % of Ownership: 0.00 %

17. If applicant will operate as an OFF, will applicant, its qualifying individual(s), or any officer, director, partner, member, stockholder, parent or holding company have a beneficial interest in shipments moving in the U.S. foreign commerce? Yes No N/A – Applicant will not operate as an OFF
 If "Yes," identify the name and address of each person or entity having a beneficial, proprietary, or financial interest in shipments moving in the U.S. foreign commerce and the nature of such beneficial interest.

Describe Related Company

First Name: _____ Middle Name: _____ Last Name: _____ Business Entity Name: _____

Nature of Beneficial Interest: _____

18. Is either applicant or its qualifying individual(s) related to any other entity by reason of ownership, employment, common officers, members, directors, stockholders, parent or holding company? Yes No

If "Yes," identify the name, address, and phone number of each entity related to the applicant or its qualifying individual; describe the relationship or affiliation to applicant or qualifying individual and the type of business in which such entity is engaged. Describe the primary business of the parent or holding company or related company. You may submit organization charts and annual reports which provide the information.

Person or Business Entity in Question 16 that has Relationship

First name: Middle Name Last Name: Business Entity Name:

Related Business Entity:

Business Entity Name:

Related Business Entity's Address/Phone:

Number/Street/Suite Number: City: State:

Country: Zip: Telephone:

Primary Business of Related Entity:

Nature of Relationship or Affiliation:

PART F**U.S. BRANCH OFFICES**
(DETAILED INFORMATION ON BRANCH OFFICES)

19. Identify U.S. branch office(s)

If none, check here [X]

(a) Address of Branch Office:

Separately Incorporated: Yes NoNumber, street, and room or suite number:

City or town, state, and ZIP code:

Area code/telephone number:

Area code/fax number:

PART G CERTIFICATIONS

SOLE PROPRIETORSHIPS ONLY

I, _____, certify under penalty of

(NAME OF SOLE PROPRIETOR)

perjury under the laws of the United States, that I have not been convicted, after September 1, 1989, of any Federal or State offense involving the distribution or possession of a controlled substance, or that if I have been so convicted, I am not ineligible to receive Federal benefits, either by court order or operation of law, pursuant to 21 U.S.C. 862.

Signature of Sole Proprietor Date

Name Title

ALL APPLICANTS INCLUDING SOLE PROPRIETORS

I certify that I have received and read a copy of the Commission's ocean transportation intermediary regulations, 46 C.F.R. Part 515, and pertinent sections of the Shipping Act of 1984, as amended by the Ocean Shipping Reform Act of 1998 and the Coast Guard Authorization Act of 1998 (46 U.S.C. app. 40101 et seq.), governing the licensing of ocean transportation intermediaries, and that I will abide by all the provisions thereof from this date forward.

I further certify that I have specifically reviewed 46 C.F.R. § 515.42(h) (concerning the operations of licensees which are NVOCCs or which are related to NVOCCs) and 46 C.F.R. § 515.42(i) (concerning the operations of licensees which have a beneficial interest in merchandise exported from the United States by water or which are related to persons with a beneficial interest in merchandise exported from the United States by water).

I further certify that I shall not act as an ocean transportation intermediary as defined in section 3 of the Shipping Act of 1984, as amended by the Ocean Shipping Reform Act of 1998 and the Coast Guard Authorization Act of 1998, or perform ocean transportation intermediary services as defined in 46 C.F.R. Part 515, without a valid ocean transportation intermediary license by the Federal Maritime Commission.

Under penalties of perjury, I declare that I have examined this application and to the best of my knowledge and belief, it is true, correct and complete.

Signature 11/25/2015
Date

Gail Ryan **Vice President**

Name Title

Federal Maritime Commission

Washington, D.C. 20573-0001

OCEAN TRANSPORTATION INTERMEDIARY LICENSE
OCEAN FREIGHT FORWARDER AND
NON-VESSEL-OPERATING COMMON CARRIER

NO. 025897NF

THIS IS TO CERTIFY THAT

UNIONED YACHT TRANSPORT LLC

is the holder of an Ocean Transportation Intermediary License and, as such, is duly authorized to carry on the business of providing freight forwarder services to facilitate shipment via an oceangoing common carrier from the United States and its territories or possessions to foreign countries and non-vessel-operating common carrier services for the provision of transportation by water via common carriers between the United States, its territories or possessions, and foreign countries.

This license is conferred pursuant to the authority contained in Section 19 of the Shipping Act of 1984 and is subject to the provisions of said Act, Part 515 of Title 46 of the Code of Federal Regulations as it is or may be amended, and the pertinent provisions of other applicable regulations promulgated under the foregoing Act.

By authority of the Federal Maritime Commission

Director

Bureau of Certification and Licensing

Effective: February 8, 2016

UNITED STATES GOVERNMENT

Federal Maritime Commission

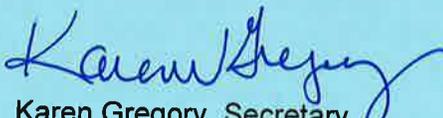
Washington, DC May 13, 2016

I HEREBY CERTIFY that the annexed is a true copy of the following documents as they appear on file with the Federal Maritime Commission unless otherwise noted:

1. Letter dated December 17, 2015 acknowledging receipt of the Ocean Transportation Intermediary application.
2. The Ocean Transportation Intermediary Bond No. 5083829 in the amount of \$50,000 underwritten by Great American Insurance Company effective February 3, 2016, issued to the United Yacht Transport LLC. and No. 5083833 in the amount of \$75,000 underwritten by Great American Insurance Company effective February 3, 2016.
3. The Warning letter from Peter King, Director, Bureau of Enforcement, Federal Maritime Commission to Paul Haber, President, United Yacht Transport LLC, dated March 29, 2016; (redacted pursuant to the Freedom of Information Act, 5 U.S.C. Sec. 552).

END OF CERTIFICATION

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the seal of the Federal Maritime Commission to be affixed, on the day and year first above written.


Karen Gregory, Secretary
Federal Maritime Commission



Composite Exhibit Q



**FEDERAL MARITIME COMMISSION
BUREAU OF CERTIFICATION AND LICENSING
OFFICE OF OCEAN TRANSPORTATION INTERMEDIARIES
800 North Capitol Street, N.W.
Washington, D.C. 20573-0001**

Phone: (202) 523-5843
Fax: (202) 566-0011

United Yacht Transport LLC
Attn: Gail T. Ryan
2830 W. St. Rd. 84
Suite 118
Ft. Lauderdale, FL 33325

December 17, 2015

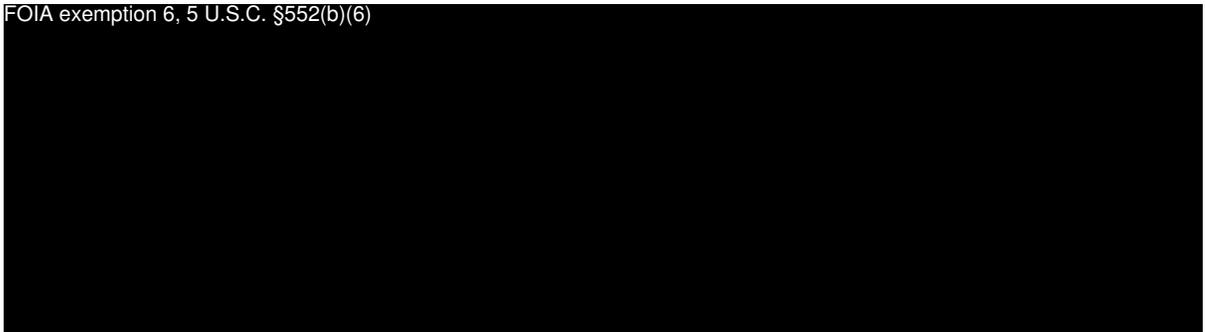
Re: United Yacht Transport LLC -- Application for OTI License (Information Requested)

Dear Ms. Ryan:

This is to acknowledge receipt of your application for a license as an Ocean Transportation Intermediary ("OTI"). Your application has been assigned to me, your primary contact/analyst during the course of the licensing process.

A review of your application has revealed the need for additional information to permit an informed determination that your company can be licensed. Please respond to each of these issues by modifying your automated application or by providing answers using the message center in the automated system:

- The website www.united-yacht.com apparently holds out the company to provide OTI services, which you are not permitted to perform without a license. Please take steps to cease from holding out to perform OTI services on your website until you are licensed to do so.
- The Florida Secretary of State website listing for your company does not list all the officers/members that are listed on your application. Please update the Florida Secretary of State to show all current information.
- The social security numbers for Rivka and Michael Uhr appear to be incorrect. Please provide copies of their social security cards and amend your answer to Question 16 to provide the correct numbers.
- Your TIN/EIN listed on Part B also appears to be inaccurate. Please provide documentation to support the TIN/EIN, and correct your answer on the application.
- FOIA exemption 6, 5 U.S.C. §552(b)(6)



- On December 17, 2015, we sent each of the proposed QI's references a list of questions for them to answer regarding the proposed QI's ocean transportation intermediary experience. Please follow up with them to ensure that they respond within the timeframe given below.

Please be advised that all of the above requested information must be received within 20 calendar days from the date of this email or we will consider your application to be lacking detail sufficient to permit an informed determination that your company can be licensed, and we will close the application accordingly. References for the Qualifying Individual ("QI") must also reply within the above stated timeframe; if a reference is unable or unwilling to reply only one replacement per reference is allowed. We expect the QI to follow up with references and ensure that they reply within the 20 calendar day time period. If you need additional time, you may withdraw your application and reapply when you can provide all the information necessary for the Federal Maritime Commission ("Commission") to make an informed decision. Please note that the application fee will not be refunded when an application is withdrawn, and a new application fee must be submitted if you reapply in the future.

We suggest that you research OTI surety bond companies. OTI surety bonds must be submitted on Form FMC-48, in the amount of \$50,000 for OTI/freight forwarders; and \$75,000 for OTI/NVOCCs (plus \$10,000 for each unincorporated branch office). Form FMC-48 is available on the Commission's homepage at: http://www.fmc.gov/forms_and_applications.aspx. If you do not have access to the Internet, you may request the form by contacting the Office of Transportation Intermediaries. Please note that the Commission must receive the required surety bond(s) within **120 calendar days** after approval. The application and approval will be considered invalid if the required surety bond(s) are not received within **120 calendar days** after approval.

Once review of your application is completed, you will be notified whether or not your application is approved. If the application is approved, a license will be issued when the Commission receives the required surety bond(s), if not already received.

Please note that the Shipping Act of 1984, as amended, and the Commission's implementing regulations forbid performing, or holding out to perform, ocean transportation intermediary services until a license is issued. In addition, you must inform the Commission immediately of any change(s) in the information supplied on your Application for a License as an Ocean Transportation Intermediary, Form FMC-18. Failure to comply with the Shipping Act and/or the Commission regulations could result in substantial penalties.

Should you have any questions regarding your application or the Commission's OTI licensing program, please do not hesitate to contact me via the message center associated with the automated application or at my direct telephone number (202) 523-4369. If I am out of the office, and you need immediate assistance, please call the main line at (202) 523-5843.

Very truly yours,

Alan Shook
Industry Analyst
Office of Ocean Transportation Intermediaries

BOND # 5083829

Federal Maritime Commission
Ocean Transportation Intermediary (OTI) Bond
(Section 19, Shipping Act of 1984 (46 U.S.C. 40901-40904))

UNITED YACHT TRANSPORT LLC, Freight Forwarder, as Principal (hereinafter "Principal"), and Great American Insurance Company, as Surety (hereinafter "Surety") are held and firmly bound unto the United States of America in the sum of 50000-- for the payment of which sum we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally.

Whereas, Principal operates as an OTI in the waterborne foreign commerce of the United States in accordance with the Shipping Act of 1984, 46 U.S.C. 40101-41309, and if necessary, has a valid tariff published pursuant to 46 CFR part 515 and 520, and pursuant to section 19 of the Shipping Act (46 U.S.C. 40901-40904), files this bond with the Commission;

Whereas, this bond is written to ensure compliance by the Principal with section 19 of the Shipping Act (46 U.S.C. 40901-40904), and the rules and regulations of the Federal Maritime Commission relating to evidence of financial responsibility for OTIs (46 CFR part 515), this bond shall be available to pay any judgment obtained or any settlement made pursuant to a claim under 46 CFR § 515.23 for damages against the Principal arising from the Principal's transportation-related activities under the Shipping Act, or order for reparations issued pursuant to section 11 of the Shipping Act (46 U.S.C. 41301-41302, 41305-41307(a)), or any penalty assessed against the Principal pursuant to section 13 of the Shipping Act (46 U.S.C. 41107-41109).

Now, Therefore, The condition of this obligation is that the penalty amount of this bond shall be available to pay any judgment or any settlement made pursuant to a claim under 46 CFR § 515.23 for damages against the Principal arising from the Principal's transportation-related activities or order for reparations issued pursuant to section 11 of the Shipping Act (46 U.S.C. 41301-41302, 41305-41307(a)), or any penalty assessed against the Principal pursuant to section 13 of the Shipping Act (46 U.S.C. 41107-41109).

This bond shall inure to the benefit of any and all persons who have obtained a judgment or a settlement made pursuant to a claim under 46 CFR § 515.23 for damages against the Principal arising from its transportation-related activities or order of reparation issued pursuant to section 11 of the Shipping Act (46 U.S.C. 41301-41302, 41305 41307(a)), and to the benefit of the Federal Maritime Commission for any penalty assessed against the Principal pursuant to section 13 of the Shipping Act (46 U.S.C. 41107-41109). However, the bond shall not apply to shipments of used household goods and personal effects for the account of the Department of Defense or the account of federal civilian executive agencies shipping under the International Household Goods Program administered by the General Services Administration.

The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall aggregate the penalty amount of this bond, and in no event shall the Surety's total obligation hereunder exceed said penalty amount, regardless of the number of claims or claimants.

This bond is effective the 3rd day of February, 2016 and shall continue in effect until discharged or terminated as herein provided. The Principal or the Surety may at any time terminate this bond by mail or email (bcl@fmc.gov) written notice to the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, DC. 20573. Such termination shall become effective thirty (30) days after receipt of said notice by the Commission. The Surety shall not be liable for any transportation-related activities of the Principal after the expiration of the 30-day period but such termination shall not affect the liability of the Principal and Surety for any event occurring prior to the date when said termination becomes effective.

The Surety consents to be sued directly in respect of any bona fide claim owed by Principal for damages, reparations or penalties arising from the transportation-related activities under the Shipping Act of Principal in the event that such legal liability has not been discharged by the Principal or Surety after a claimant has obtained a final judgment (after appeal, if any) against the Principal from a United States Federal or State Court of competent

jurisdiction and has complied with the procedures for collecting on such a judgment pursuant to 46 CFR § 515.23, the Federal Maritime Commission, or where all parties and claimants otherwise mutually consent, from a foreign court, or where such claimant has become entitled to payment of a specified sum by virtue of a compromise settlement agreement made with the Principal and/or Surety pursuant to 46 CFR § 515.23, whereby, upon payment of the agreed sum, the Surety is to be fully, irrevocably and unconditionally discharged from all further liability to such claimant; provided, however, that Surety's total obligation hereunder shall not exceed the amount set forth in 46 CFR § 515.21, as applicable.

The underwriting Surety will promptly notify the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, DC. 20573, in writing by mail or email (bcl@fmc.gov), of all claims made, lawsuits filed, judgments rendered, and payments made against this bond.

Signed and sealed this 3rd day of February, 2016
(Please type name of signer under each signature.)

<u>Paul Haber Paul Haber</u> Individual Principal or Partner	<u>same</u> Business Address
_____ Individual Principal or Partner	_____ Business Address
_____ Individual Principal or Partner	_____ Business Address
_____ Trade Name, if any	_____

<u>UNITED YACHT TRANSPORT LLC</u> Corporate Principal	<u>FLORIDA</u> State of Incorporation
_____ Trade Name, if any	<u>2830 MARINA MILE BLVD, STE 118 FORT LAUDERDALE, FL 33312</u> Business Address
By <u>Paul Haber Paul Haber</u>	(Affix Corporate Seal)
<u>president</u> Title	

Great American Insurance Company
301 East 4th Street Cincinnati, OH 45202



Valerie Aber
Authorized Signature
Valerie Aber, Attorney-in-Fact

BOND # 5083833

Federal Maritime Commission
Ocean Transportation Intermediary (OTI) Bond
(Section 19, Shipping Act of 1984 (46 U.S.C. 40901-40904))

UNITED YACHT TRANSPORT LLC, NVOCC, as Principal (hereinafter "Principal"), and Great American Insurance Company, as Surety (hereinafter "Surety") are held and firmly bound unto the United States of America in the sum of 75000-- for the payment of which sum we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally.

Whereas, Principal operates as an OTI in the waterborne foreign commerce of the United States in accordance with the Shipping Act of 1984, 46 U.S.C. 40101-41309, and if necessary, has a valid tariff published pursuant to 46 CFR part 515 and 520, and pursuant to section 19 of the Shipping Act (46 U.S.C. 40901-40904), files this bond with the Commission;

Whereas, this bond is written to ensure compliance by the Principal with section 19 of the Shipping Act (46 U.S.C. 40901-40904), and the rules and regulations of the Federal Maritime Commission relating to evidence of financial responsibility for OTIs (46 CFR part 515), this bond shall be available to pay any judgment obtained or any settlement made pursuant to a claim under 46 CFR § 515.23 for damages against the Principal arising from the Principal's transportation-related activities under the Shipping Act, or order for reparations issued pursuant to section 11 of the Shipping Act (46 U.S.C. 41301-41302, 41305-41307(a)), or any penalty assessed against the Principal pursuant to section 13 of the Shipping Act (46 U.S.C. 41107-41109).

Now, Therefore, The condition of this obligation is that the penalty amount of this bond shall be available to pay any judgment or any settlement made pursuant to a claim under 46 CFR § 515.23 for damages against the Principal arising from the Principal's transportation-related activities or order for reparations issued pursuant to section 11 of the Shipping Act (46 U.S.C. 41301-41302, 41305-41307(a)), or any penalty assessed against the Principal pursuant to section 13 of the Shipping Act (46 U.S.C. 41107-41109).

This bond shall inure to the benefit of any and all persons who have obtained a judgment or a settlement made pursuant to a claim under 46 CFR § 515.23 for damages against the Principal arising from its transportation-related activities or order of reparation issued pursuant to section 11 of the Shipping Act (46 U.S.C. 41301-41302, 41305 41307(a)), and to the benefit of the Federal Maritime Commission for any penalty assessed against the Principal pursuant to section 13 of the Shipping Act (46 U.S.C. 41107-41109). However, the bond shall not apply to shipments of used household goods and personal effects for the account of the Department of Defense or the account of federal civilian executive agencies shipping under the International Household Goods Program administered by the General Services Administration.

The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall aggregate the penalty amount of this bond, and in no event shall the Surety's total obligation hereunder exceed said penalty amount, regardless of the number of claims or claimants.

This bond is effective the 3rd day of February, 2016 and shall continue in effect until discharged or terminated as herein provided. The Principal or the Surety may at any time terminate this bond by mail or email (bcl@fmc.gov) written notice to the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, DC. 20573. Such termination shall become effective thirty (30) days after receipt of said notice by the Commission. The Surety shall not be liable for any transportation-related activities of the Principal after the expiration of the 30-day period but such termination shall not affect the liability of the Principal and Surety for any event occurring prior to the date when said termination becomes effective.

The Surety consents to be sued directly in respect of any bona fide claim owed by Principal for damages, reparations or penalties arising from the transportation-related activities under the Shipping Act of Principal in the event that such legal liability has not been discharged by the Principal or Surety after a claimant has obtained a final judgment (after appeal, if any) against the Principal from a United States Federal or State Court of competent

jurisdiction and has complied with the procedures for collecting on such a judgment pursuant to 46 CFR § 515.23, the Federal Maritime Commission, or where all parties and claimants otherwise mutually consent, from a foreign court, or where such claimant has become entitled to payment of a specified sum by virtue of a compromise settlement agreement made with the Principal and/or Surety pursuant to 46 CFR § 515.23, whereby, upon payment of the agreed sum, the Surety is to be fully, irrevocably and unconditionally discharged from all further liability to such claimant; provided, however, that Surety's total obligation hereunder shall not exceed the amount set forth in 46 CFR § 515.21, as applicable.

The underwriting Surety will promptly notify the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, DC. 20573, in writing by mail or email (bcl@fmc.gov), of all claims made, lawsuits filed, judgments rendered, and payments made against this bond.

Signed and sealed this 3rd day of February, 2016
(Please type name of signer under each signature.)

Paul Haber Paul Haber same
Individual Principal or Partner Business Address

Individual Principal or Partner Business Address

Individual Principal or Partner Business Address

Trade Name, if any

UNITED YACHT TRANSPORT LLC FLORIDA
Corporate Principal State of Incorporation

Trade Name, if any 2830 MARINA MILE BLVD, STE 118 FORT LAUDERDALE, FL 33312
Business Address

By Paul Haber Paul Haber (Affix Corporate Seal)
Title President

Great American Insurance Company
301 East 4th Street Cincinnati, OH 45202



Valerie Aber
Authorized Signature
Valerie Aber, Attorney-in-Fact



**FEDERAL MARITIME COMMISSION
BUREAU OF ENFORCEMENT
800 North Capitol Street, N.W.
Washington, D.C. 20573-0001**

WARNING LETTER

March 29, 2016

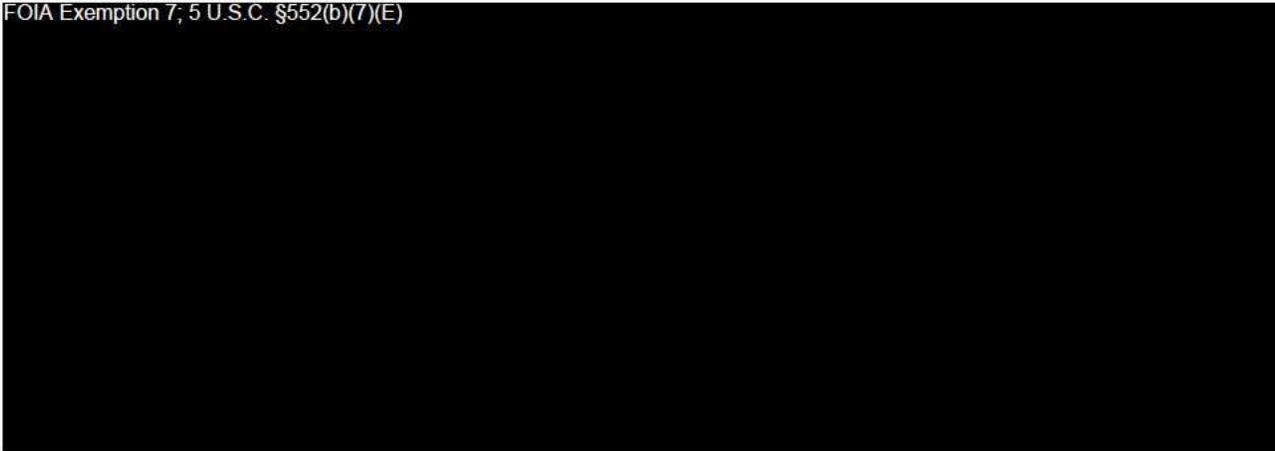
Paul Haber
President
United Yacht Transport LLC
2830 Marina Mile Blvd., Suite 118
Ft. Lauderdale, FL 33312

Re: Violations of the Shipping Act of 1984

Dear Mr. Haber:

As you know, a review was conducted by the Commission's South Florida Area Representatives Margolis and Mintz into the operations of United Yacht Transport LLC (UYT) with respect to shipments of yachts in the United States foreign commerce during 2014 - 2015.

FOIA Exemption 7, 5 U.S.C. §552(b)(7)(E)



Based on records and information provided to the Bureau of Enforcement, it appears that the following violation of the Shipping Act of 1984, 46 U.S.C. § 40101, *et seq.*, could be found with respect to shipments transported in 2014 and 2015:

United Yacht Transport LLC acted as an ocean transportation intermediary in the United States without a license, bond, or tariff in apparent violation of sections 8 and 19 of the Shipping Act, 46 U.S.C. §§ 40501, 40901, and 40902.

The Shipping Act of 1984 prescribes that violations of the statute are punishable by the

assessment of a civil penalty not to exceed \$9,000 for each violation, unless the violation was willfully and knowingly committed, in which case the penalty may not exceed \$45,000 for each violation. See section 13(a), 46 U.S.C. § 41107.

The Bureau of Enforcement does not presently intend to seek enforcement action against UYT for the violations described herein. We have confirmed with the Commission's Bureau of Certification and Licensing that UYT promptly applied for and obtained a license, filed evidence of financial responsibility, and published its tariff. Consequently, you have fulfilled your commitments to obtain an OTI license, file evidence of financial responsibility, and publish a tariff.

FOIA Exemption 7; 5 U.S.C. §552(b)(7)(E)

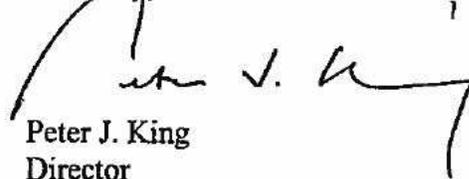
FOIA Exemption 7; 5 U.S.C. §552(b)(7)
(E)

This determination does not preclude any future review of your operations under the requirements of the Shipping Act.

To avoid future enforcement action by the Commission, you should implement procedures within your company to ensure that all applicable requirements of the Shipping Act and Commission regulations are observed and met. You may also wish to have your legal counsel undertake a thorough review of your operations to ensure that UYT is operating in full compliance with the requirements of the Shipping Act and with the Commission's regulations.

If you have any questions, please contact the undersigned or my Deputy, Brian L. Troiano, at (202) 523-5783.

Sincerely,



Peter J. King
Director
Bureau of Enforcement

cc: FMC South Florida Area Representatives

Gail T. Ryan
Vice President
United Yacht Transport LLC

Peter A. Quinter, Esq.

Generated on: This page was generated by TSDR on 2016-05-09 16:06:32 EDT

Mark: UNITED YACHT TRANSPORT

UNITED YACHT TRANSPORT

US Serial Number: 86041056

Application Filing Date: Aug. 18, 2013

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

Status: Suspension check completed. Application remains suspended.

Status Date: Jan. 14, 2016

Mark Information

Mark Literal Elements: UNITED YACHT TRANSPORT

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

Disclaimer: "TRANSPORT"

Related Properties Information

Claimed Ownership of US Registrations: 2593932

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 incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Transport by boat; cross-ocean transportation of yachts by semi-submersible ocean going vessels

International Class(es): 039 - Primary Class

U.S Class(es): 100, 105

Class Status: ACTIVE

Basis: 1(a)

First Use: 1992

Use in Commerce: 1992

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: SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.

Owner Address: RADARWEG 36 1042 AA
AMSTERDAM NETHERLANDS

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country NETHERLANDS
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: John A. Tang

Docket Number: 10418.0104

Attorney Primary Email Address: ipdocketing@strasburger.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JOHN A. TANG
STRASBURGER & PRICE, LLP
909 FANNIN ST STE 2300
HOUSTON, TEXAS UNITED STATES 77010-1036

Phone: 7139515600

Fax: 7139515660

Correspondent e-mail: ipdocketing@strasburger.com john.tang@strasburger.com
teresa.wrye@strasburger.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jan. 14, 2016	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jul. 09, 2015	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jan. 03, 2015	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jul. 09, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jun. 19, 2014	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 12, 2014	ASSIGNED TO LIE	77976
Dec. 04, 2013	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Dec. 04, 2013	LETTER OF SUSPENSION E-MAILED	6332
Dec. 04, 2013	SUSPENSION LETTER WRITTEN	78434
Dec. 04, 2013	ASSIGNED TO EXAMINER	78434
Aug. 26, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 21, 2013	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: MCCRAY, RENEE D

Law Office Assigned: LAW OFFICE 111

File Location

Current Location: TMO LAW OFFICE 111

Date in Location: Jan. 14, 2016

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Applicant: DOCKWISE SHIPPING B.V.

Assignment 1 of 1

Conveyance: NUNC PRO TUNC ASSIGNMENT EFFECTIVE 07/01/2014

Reel/Frame: [5316/0182](#)

Pages: 5

Date Recorded: Jul. 03, 2014

Supporting [assignment-tm-5316-0182.pdf](#)

Documents:**Assignor**

Name: [DOCKWISE SHIPPING, B.V.](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Jul. 01, 2014
State or Country Where Organized: NETHERLANDS

Assignee

Name: [SPLIETHOFF'S BEVRACHTINGSKANTOOR B.V.](#)
Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NETHERLANDS

Address: RADARWEG 36 1042 AA
 AMSTERDAM, NETHERLANDS

Correspondent

Correspondent Name: J. MICHAEL PENNEKAMP, ESQUIRE

Correspondent Address: FOWLER WHITE BURNETT, P.A.
 1395 BRICKELL AVENUE 14TH FLOOR
 MIAMI, FL 33131

Domestic Representative

Domestic Representative Name: J. MICHAEL PENNEKAMP, ESQUIRE

Domestic Representative Address: FOWLER WHITE BURNETT, P.A.
 1395 BRICKELL AVENUE - 14TH FLOOR
 MIAMI, FL 33131

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91219179](#)

Filing Date: Nov 04, 2014

Status: Pending

Status Date: Nov 04, 2014

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: United Yacht Transport LLC dba United Yacht Transport

Correspondent Address: BRYAN D HULL
 BUSH ROSS PA
 PO BOX 3913
 TAMPA FL UNITED STATES , 33602

Correspondent e-mail: bhull@bushross.com , avianueva@bushross.com , jprobasco@bushross.com , rsterns@bushross.com , ebishop@bushross.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
UNITED YACHT TRANSPORT	Opposition Pending	86031633	

Plaintiff(s)

Name: Spliethoff's Bevrachtingskantoor B.V.

Correspondent Address: J MICHAEL PENNEKAMP
 FOWLER WHITE BURNETT PA
 1395 BRICKELL AVENUE, ESPIRITO SANTO LPAZA, 14TH FLOOR
 MIAMI FL UNITED STATES , 33131

Correspondent e-mail: jpennekamp@fowler-white.com , bhackney@fowler-white.com , start@fowler-white.com , lparker@fowler-white.com , jmp@fowler-white.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
UNITED YACHT TRANSPORT	Report Completed Suspension Check - Case Still Suspended	86041056	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 04, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 04, 2014	Dec 14, 2014
3	PENDING, INSTITUTED	Nov 04, 2014	
4	D APPEARANCE / POWER OF ATTORNEY	Dec 15, 2014	
5	ANSWER	Dec 15, 2014	
6	D REQ FOR LEAVE TO AMEND DATES OF USE	Apr 22, 2015	
7	D MOT FOR EXT W/ CONSENT	Jun 09, 2015	
8	EXTENSION OF TIME GRANTED	Jun 24, 2015	
9	STIPULATED PROTECTIVE ORDER	Aug 04, 2015	
10	STIP NOTED AND APPROVED	Aug 24, 2015	
11	P MOT FOR EXT W/ CONSENT	Oct 08, 2015	
12	EXTENSION OF TIME GRANTED	Oct 08, 2015	
13	P MOT TO AMEND PLEADING/AMENDED PLEADING	Nov 04, 2015	
14	P DECLARATION OF TART IN SUPPORT OF P MOT TO AMEND ITS NOT OF OPP	Nov 04, 2015	
15	P MOT TO SUSPEND PENDING DISPOSITION OF ITS MOT TO AMEND ITS NOT OF OPP	Nov 04, 2015	
16	D MOT TO COMPEL DISCOVERY	Nov 04, 2015	
17	SUSP PEND DISP OF OUTSTNDNG MOT	Nov 10, 2015	
18	STIP FOR EXT	Nov 19, 2015	
19	EXTENSION OF TIME GRANTED	Nov 19, 2015	
20	P OPP/RESP TO MOTION	Dec 04, 2015	
21	D REPLY IN SUPPORT OF MOTION	Dec 21, 2015	
22	RESPONSE DUE	Mar 01, 2016	
23	P MOT TO AMEND PLEADING/AMENDED PLEADING	Mar 21, 2016	
24	TRIAL DATES RESET/ANSWER DUE 4/30/2016	Mar 22, 2016	
25	ANSWER	May 02, 2016	

To: DOCKWISE SHIPPING B.V. (ipdocketing@strasburger.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86041056 - UNITED YACHT TRANSPORT - 10418.0104
Sent: 12/4/2013 10:15:16 AM
Sent As: ECOM111@USPTO.GOV
Attachments: [Attachment - 1](#)
[Attachment - 2](#)

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 86041056

MARK: UNITED YACHT TRANSPORT

86041056

CORRESPONDENT ADDRESS:

JOHN A. TANG
STRASBURGER & PRICE, LLP
909 FANNIN ST STE 2300
HOUSTON, TX 77010-1036

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/trademarks/index.jsp>

APPLICANT: DOCKWISE SHIPPING B.V.

CORRESPONDENT'S REFERENCE/DOCKET NO :

10418.0104

CORRESPONDENT E-MAIL ADDRESS:

ipdocketing@strasburger.com

SUSPENSION NOTICE: NO RESPONSE NEEDED

ISSUE/MAILING DATE: 12/4/2013

The trademark examining attorney is suspending action on the application for the reason(s) stated below. *See* 37 C.F.R. §2.67; TMEP §§716 *et seq.*

The USPTO will periodically conduct a status check of the application to determine whether suspension remains appropriate, and the trademark examining attorney will issue as needed an inquiry letter to applicant regarding the status of the matter on which suspension is based. TMEP §§716.04, 716.05. Applicant will be notified when suspension is no longer appropriate. *See* TMEP §716.04.

No response to this notice is necessary; however, if applicant wants to respond, applicant should use the "Response to Suspension Inquiry or Letter of Suspension" form online at <http://teasroa.uspto.gov/rsi/rsi>.

The effective filing date of the pending application(s) identified below precedes the filing date of applicant's application. If the mark in the referenced application(s) registers, applicant's mark may be refused registration under Section 2(d) because of a likelihood of confusion with that registered mark(s). *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, action on this application is suspended until the earlier-filed referenced application(s) is either registered or abandoned. 37 C.F.R. §2.83(c). A copy of information relevant to this referenced application(s) is attached.

- Application Serial No(s). **86031633**

/Renee McCray/
Trademark Examining Attorney
U.S. Patent and Trademark Office

Law Office 111
571.272.9388
renee.mccray@uspto.gov

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

DESIGN MARK

Serial Number

86031633

Status

NON-FINAL ACTION - MAILED

Word Mark

UNITED YACHT TRANSPORT

Standard Character Mark

Yes

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Owner

United Yacht Transport LLC DBA UNITED YACHT TRANSPORT LIMITED
LIABILITY COMPANY DELAWARE 2830 State Road 84 2830 State Road 84,
Suite 118 Dania Beach FLORIDA 33312

Goods/Services

Class Status -- ACTIVE. IC 039. US 100 105. G & S: Transport of
Yachts by Boat. First Use: 2013/07/16. First Use In Commerce:
2013/08/05.

Filing Date

2013/08/07

Examining Attorney

HELLMAN, ELI

Attorney of Record

Alexander Zimmer

UNITED YACHT TRANSPORT

To: DOCKWISE SHIPPING B.V. (ipdocketing@strasburger.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86041056 - UNITED YACHT TRANSPORT - 10418.0104
Sent: 12/4/2013 10:15:17 AM
Sent As: ECOM111@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **12/4/2013** FOR U.S. APPLICATION SERIAL NO.86041056

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

*** User:rmccray1 ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	5428	N/A	10	10	0:02	"united"[bi,ti] and registrant
02	5	2	3	3	0:01	"dockwise shipping"[ow]
03	4	1	3	3	0:01	"united yacht"[bi,ti]
04	4059	N/A	0	0	0:02	*unite*[bi,ti] not dead[lid]
05	483	N/A	0	0	0:02	*yacht*[bi,ti] not dead[lid]
06	1275	N/A	0	0	0:02	*transport*[bi,ti] not dead[lid]
07	12	0	12	12	0:01	4 and (5 6) not dead[lid]
08	5	0	5	5	0:01	5 and 6 not dead[lid]
09	3758	N/A	0	0	0:02	*united*[bi,ti] not dead[lid]
10	3758	N/A	0	0	0:02	9 not dead[lid]
11	2795	N/A	0	0	0:01	9 and "039"[cc] not dead[lid]
12	354	0	354	298	0:01	11 and ("039" or a or b or 200)[ic] not dead[lid]

Session started 12/4/2013 9:50:44 AM

Session finished 12/4/2013 10:11:15 AM

Total search duration 0 minutes 18 seconds

Session duration 20 minutes 31 seconds

Default NEAR limit=1ADJ limit=1

Sent to TICRS as Serial Number: 86041056

Trademark/Service Mark Application, Principal Register

Serial Number: 86041056
Filing Date: 08/18/2013

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86041056
MARK INFORMATION	
*MARK	UNITED YACHT TRANSPORT
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	UNITED YACHT TRANSPORT
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	DOCKWISE SHIPPING B.V.
*STREET	Lage Mosten 21
*CITY	4822 NJ BREDA
*COUNTRY	Netherlands
LEGAL ENTITY INFORMATION	
TYPE	private limited company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Netherlands
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	039
*IDENTIFICATION	Transport by boat; cross-ocean transportation of yachts by semi-submersible ocean going vessels
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/1992
FIRST USE IN COMMERCE DATE	At least as early as 00/00/1992
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0-3810724567-143341619_ . Specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\860\410\86041056\xml1\APP0003.JPG
ORIGINAL PDF FILE	SPE0-3810724567-143341619_ . Specimen2.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\860\410\86041056\xml1\APP0004.JPG

	\\TICRS\EXPORT16\IMAGEOUT16\860\410\86041056\xml1\APP0005.JPG
SPECIMEN DESCRIPTION	photograph of vessel, online port directory
ADDITIONAL STATEMENTS SECTION	
DISCLAIMER	No claim is made to the exclusive right to use YACHT TRANSPORT apart from the mark as shown.
PRIOR REGISTRATION(S)	The applicant claims ownership of U.S. Registration Number(s) 2593932.
ATTORNEY INFORMATION	
NAME	John A. Tang
ATTORNEY DOCKET NUMBER	10418.0104
FIRM NAME	Strasburger & Price, LLP
STREET	909 Fannin Street, Suite 2300
CITY	Houston
STATE	Texas
COUNTRY	United States
ZIP/POSTAL CODE	77010
PHONE	7139515600
FAX	7139515660
EMAIL ADDRESS	ipdocketing@strasburger.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	current attorneys associated with PTO Customer No. 64004
CORRESPONDENCE INFORMATION	
NAME	John A. Tang
FIRM NAME	Strasburger & Price, LLP
STREET	909 Fannin Street, Suite 2300
CITY	Houston
STATE	Texas
COUNTRY	United States
ZIP/POSTAL CODE	77010
PHONE	7139515600
FAX	7139515660
EMAIL ADDRESS	ipdocketing@strasburger.com;john.tang@strasburger.com;teresa.wrye@strasburger.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325

SIGNATURE INFORMATION

SIGNATURE	/Peter Koets/
SIGNATORY'S NAME	Peter Koets
SIGNATORY'S POSITION	Legal Manager
DATE SIGNED	08/18/2013

Trademark/Service Mark Application, Principal Register

Serial Number: 86041056

Filing Date: 08/18/2013

To the Commissioner for Trademarks:

MARK: UNITED YACHT TRANSPORT (Standard Characters, see [mark](#))

The literal element of the mark consists of UNITED YACHT TRANSPORT.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, DOCKWISE SHIPPING B.V., a private limited company legally organized under the laws of Netherlands, having an address of
Lage Mosten 21
4822 NJ BREDA
Netherlands

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 039: Transport by boat; cross-ocean transportation of yachts by semi-submersible ocean going vessels

In International Class 039, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 00/00/1992, and first used in commerce at least as early as 00/00/1992, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) photograph of vessel, online port directory.

Original PDF file:

[SPE0-3810724567-143341619 . Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPE0-3810724567-143341619 . Specimen2.pdf](#)

Converted PDF file(s) (2 pages)

[Specimen File1](#)

[Specimen File2](#)

No claim is made to the exclusive right to use YACHT TRANSPORT apart from the mark as shown.

The applicant claims ownership of U.S. Registration Number(s) 2593932.

The applicant's current Attorney Information:

John A. Tang and current attorneys associated with PTO Customer No. 64004 of Strasburger & Price, LLP
909 Fannin Street, Suite 2300
Houston, Texas 77010
United States

The attorney docket/reference number is 10418.0104.

The applicant's current Correspondence Information:

John A. Tang
Strasburger & Price, LLP
909 Fannin Street, Suite 2300
Houston, Texas 77010
7139515600(phone)
7139515660(fax)

ipdocketing@strasburger.com;john.tang@strasburger.com;teresa.wrye@strasburger.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Peter Koets/ Date: 08/18/2013

Signatory's Name: Peter Koets

Signatory's Position: Legal Manager

RAM Sale Number: 86041056

RAM Accounting Date: 08/19/2013

Serial Number: 86041056

Internet Transmission Date: Sun Aug 18 21:38:04 EDT 2013

TEAS Stamp: USPTO/BAS-XX.XXX.XXX.XX-2013081821380413

5592-86041056-50084cdb156b4e8e977d53827a

0a4628eeee372c7b53b967989779311e1be6d2b-

DA-7656-20130816160023854073

UNITED YACHT TRANSPORT



FAST IN FAST OUT

- Containerized Cargo
- Bulk and Break Bulk Cargos
- Petroleum
- Shipping Lines
- Cranes & Services
- Facilities
- Terminal Operators



ship schedule

tariff

port map

what's new

Shipping Lines

CARGO LINE	BOOKING AGENT TEL	SERVES
AGRIEX	954-785-3076	Guatemala, Honduras, Nicaragua, El Salvador, Jamaica <i>Frequency: Weekly</i> <i>Type: Container, General Cargo</i>
CCNI Compañía Chilena de Navegación Interoceánica, S.A.	786 845-9212	U.S. East Coast, South America- West Coast <i>Frequency: Weekly</i> <i>Type: Container</i>
Chiquita - Great White Fleet	888-724-5493	U.S., Central America, Europe <i>Frequency: Weekly</i> <i>Type: Container</i>
Chilean Line - CSAV	800-804-9391	Colombia, South America - West Coast <i>Frequency: Weekly</i> <i>Type: Container</i>
Crowley Liner Services	305-470-4000	Caribbean, Central America <i>Frequency: Weekly</i> <i>Type: Container, Project Cargo, RO/RO, Trailers</i>
Dockwise/ United Yacht Transport	954-525-8707	Caribbean, Mediterranean, Mexico, Canada-West Coast, Australia, New Zealand <i>Frequency: Weekly</i> <i>Type: LO/LO, FO/FO</i>
Dole Ocean Liner Express	305-591-7500	Costa Rica, Honduras, El Salvador <i>Frequency: Weekly</i> <i>Type: Container</i>
Frontier Liner Services	305-471-7800	Colombia <i>Frequency: Weekly</i> <i>Type: Container</i>
Hamburg Sud	954-761-3134	Venezuela, South America-West Coast <i>Frequency: Weekly</i> <i>Type: Container</i>
Hapag-Lloyd (America) Inc.	888-851-4083	Mediterranean
Hybur LTD	305-913-4933	Belize, Cayman Islands, Mexico, Honduras <i>Frequency: Weekly</i> <i>Type: Container</i>
Interocean	305-375-8004	Ecuador, Peru <i>Frequency: Every 14 Days</i> <i>Type: Container, General Cargo</i>
King Ocean Service	305-591-7595	Venezuela, Aruba, Curacao, Colombia, Costa Rica, Panama <i>Frequency: 2X Weekly</i> <i>Type: Container, General Cargo</i>
Mailboat Co. / St. John's Shipping	954-527-0034	Bahamas <i>Frequency: 3X Weekly</i> <i>Type: General Cargo</i>
Mediterranean Shipping Company	305-477-9277	Far East, South America, India <i>Frequency: Weekly</i> <i>Type: Container</i>
Montemar	800-804-9391	South America, Central America, U.S. East Coast <i>Frequency: Weekly</i> <i>Type: Container</i>
Naviera Master	305-599-9935	Colombia - Venezuela



port guide

PORT EVERGLADES 2013
CRUISE GUIDE



stats



Line		
SC Line	(US) 305-767-4610, 305-767-1900 (Panama) +507-830-5000, +507-282-5700	Colombia, Panama, Mexico, Venezuela, Dominican Republic <i>Frequency: Bi-weekly</i> <i>Type: RO/RO</i>
SeaFreight	305-592-6060	Aruba, Curacao, Jamaica, Cayman Islands, Costa Rica, Panama, Bonaire, Suriname, Trinidad, Venezuela <i>Frequency: Weekly</i> <i>Type: Container, LCL, Breakbulk</i>
Sea Star Line	954-527-1423	Puerto Rico, Caribbean, U.S. East Coast <i>Frequency: Weekly</i> <i>Type: Container, Autos, General Cargo</i>
Trinity Shipping Line	305-888-2277	Colombia, Ecuador, Peru <i>Frequency: Every 14 Days</i> <i>Type: Container, General Cargo, Project Cargo</i>
Yll Shipping	954-524-4640	Bahamas <i>Frequency: Bi-Weekly</i> <i>Type: Container</i>
Zim Container Line	305-423-7400	Mediterranean <i>Frequency: Weekly</i> <i>Type: Container</i>

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1850 Eller Drive, Fort Lauderdale, Florida 33316 (954) 523-3404

UNITED YACHT TRANSPORT



FAST IN FAST OUT

- Containerized Cargo
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ship schedule

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what's new

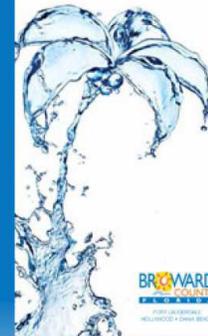
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port guide

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TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM309673

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	07/01/2014		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Dockwise Shipping, B.V.		07/01/2014	LIMITED LIABILITY COMPANY: NETHERLANDS
RECEIVING PARTY DATA			
Name:	Spliethoff's Bevrachtungskantoor B.V.		
Street Address:	Radarweg 36 1042 AA		
City:	Amsterdam		
State/Country:	NETHERLANDS		
Entity Type:	LIMITED LIABILITY COMPANY: NETHERLANDS		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	86041056	UNITED YACHT TRANSPORT	
CORRESPONDENCE DATA			
Fax Number:	3057287560		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	3057899260		
Email:	jpennekamp@fowler-white.com		
Correspondent Name:	J. Michael Pennekamp, Esquire		
Address Line 1:	Fowler White Burnett, P.A.		
Address Line 2:	1395 Brickell Avenue 14th Floor		
Address Line 4:	Miami, FLORIDA 33131		
DOMESTIC REPRESENTATIVE			
Name:	J. Michael Pennekamp, Esquire		
Address Line 1:	Fowler White Burnett, P.A.		
Address Line 2:	1395 Brickell Avenue - 14th Floor		
Address Line 4:	Miami, FLORIDA 33131		
NAME OF SUBMITTER:	J. Michael Pennekamp		
SIGNATURE:	/J. Michael Pennekamp/		
DATE SIGNED:	07/03/2014		

OP \$40.00 86041056

Total Attachments: 3

source=ASSIGN UYT US Mark -- Dockwise BV to Spliethoff (signed)#page1.tif

source=ASSIGN UYT US Mark -- Dockwise BV to Spliethoff (signed)#page2.tif

source=ASSIGN UYT US Mark -- Dockwise BV to Spliethoff (signed)#page3.tif

ASSIGNMENT OF TRADEMARK

THIS ASSIGNMENT ("Assignment") dated as of 1st July, 2014 ("Effective Date") is made by and between Dockwise Shipping, B.V., a private company with limited liability, incorporated under the laws of The Netherlands, whose corporate seat is in Breda, and whose registered office address is at Lage Mosten 21, 4822 NJ Breda, The Netherlands ("Assignor"), and Spliethoff's Bevrachtungskantoor B.V., a private company with limited liability, incorporated under the laws of The Netherlands, whose corporate seat is in Amsterdam and whose registered office address is at Radarweg 36, 1042 AA Amsterdam, The Netherlands ("Assignee").

RECITALS

WHEREAS, Assignor was and is the sole and exclusive owner of the trademark applications and/or registrations for the mark "United Yacht Transport" as identified more fully in the attached Schedule A (the "Mark"), and further is the sole and exclusive owner of all business goodwill related therewith; and

WHEREAS, Assignor is willing to assign to Assignee all rights, title and interest together with the goodwill associated to and with the Mark as Assignor may possess in and to the Mark throughout the World.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor makes the following assignment:

ASSIGNMENT

1. Assignor hereby assigns to Assignee all of Assignor's rights, title and interest in and to the Mark, together with the goodwill symbolized by the said Mark, the application for registration of the Mark, and all other rights appurtenant thereto including, but not limited to, all common law rights in and to the Mark, all trade name rights appurtenant thereto and the right to recover for past infringement of the Mark throughout the world, to have and to hold the same unto Assignee, its successors and assigns, for and during the existence of the rights and all renewals thereof.

2. At any time, and from time to time hereafter, Assignor shall forthwith, upon Assignee's written request and at the Assignee's expense, take any and all steps to execute, acknowledge and deliver to Assignee any and all further documents, instruments and assignments as may be necessary or expedient in order to vest all of the aforesaid rights in Assignee and to facilitate Assignee's enjoyment and enforcement of said rights and causes of action.

3. Assignor hereby constitutes and appoints Assignee as Assignor's true and lawful attorney in fact, with full power of substitution in Assignor's name and stead, to take any and all steps, including proceedings at law, in equity, or otherwise, to protect the same or to enforce any claim or right of any kind with respect thereto. This includes, but is not limited to, any rights with respect to the Mark that may have accrued in Assignor's favor from the date of first use of

the Mark to the Effective Date of this Assignment. Assignor hereby declares that the foregoing power is coupled with an interest and such is irrevocable.

IN WITNESS WHEREOF, Assignor has executed this Assignment as of the Effective Date first set forth above.

ASSIGNOR:

Dockwise Shipping B.V.



By: Herman van Raaphorst

Its: Director Heavy Marine Transport

Place: Breda

Date: 1st July 2014

SCHEDULE A
ASSIGNMENT OF MARK "UNITED YACHT TRANSPORT"
FROM DOCKWISE SHIPPING, B.V. TO SPLIETHOFF'S
BEVRACHTINGSKANTOOR B.V.

U.S. Registration for Mark "UNITED YACHT TRANSPORT" filed with United States Patent and Trademark Office on December 7, 1998, registered on November 21, 2000 and canceled on August 25, 2007: **U.S. Serial No. 75600286 and U.S. Registration No. 2405244.**

U.S. Application for Mark "UNITED YACHT TRANSPORT" filed with the United States Patent and Trademark Office on August 18, 2013: **U.S. Application Serial No. 86041056.**