

ESTTA Tracking number: **ESTTA847677**

Filing date: **09/22/2017**

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

Notice of Opposition

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

Opposer Information

Name	Margaritaville Enterprises, LLC		
Entity	Limited Liability Company	Citizenship	Delaware
Address	256 Worth Avenue, Suite Q-R Palm Beach, FL 33480 UNITED STATES		

Attorney information	Joel R. Feldman Greenberg Traurig, LLP 3333 Piedmont Rd. NE, Suite 2500 Atlanta, GA 33480 UNITED STATES Email: atltrademark@gtlaw.com, feldmanjoel@gtlaw.com Phone: 678-553-4778		
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Applicant Information

Application No	87160262	Publication date	08/29/2017
Opposition Filing Date	09/22/2017	Opposition Period Ends	09/28/2017
Applicant	The Veteran Beverage Company 320 W. Ohio St., Ste.501 Chicago, IL 60654 UNITED STATES		

Goods/Services Affected by Opposition

Class 032. First Use: 2015/08/15 First Use In Commerce: 2015/08/15
All goods and services in the class are opposed, namely: Beer

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4125663	Application Date	09/22/2006
Registration Date	04/10/2012	Foreign Priority Date	NONE
Word Mark	IT'S 5 O'CLOCK SOMEWHERE		
Design Mark	IT'S 5 O'CLOCK SOMEWHERE		
Description of Mark	NONE		

Goods/Services	Class 043. First use: First Use: 2004/07/12 First Use In Commerce: 2004/07/12 Restaurant and bar services		
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U.S. Registration No.	4962176	Application Date	10/31/2011
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Registration Date	05/24/2016	Foreign Priority Date	NONE
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Word Mark	5 O'CLOCK SOMEWHERE BAR		
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Design Mark	<p>5 O'CLOCK SOMEWHERE BAR</p>		
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Description of Mark	NONE		
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Goods/Services	Class 043. First use: First Use: 2011/10/01 First Use In Commerce: 2011/10/01 Restaurant and bar services		
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U.S. Registration No.	3942996	Application Date	03/29/2005
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Registration Date	04/12/2011	Foreign Priority Date	NONE
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Word Mark	IT'S FIVE O'CLOCK SOMEWHERE		
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Design Mark	<p>IT'S FIVE O'CLOCK SOMEWHERE</p>		
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Description of Mark	NONE		
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Goods/Services	Class 021. First use: First Use: 2003/12/06 First Use In Commerce: 2003/12/06 Beverage glassware		
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U.S. Registration No.	3939868	Application Date	03/29/2005
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Registration Date	04/05/2011	Foreign Priority Date	NONE
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Word Mark	IT'S FIVE O'CLOCK SOMEWHERE		
Design Mark	<p style="text-align: center;">IT'S FIVE O'CLOCK SOMEWHERE</p>		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2003/12/06 First Use In Commerce: 2003/12/06 Shirts, T-shirts [and camp shirts]		

U.S. Registration No.	3939869	Application Date	04/06/2005
Registration Date	04/05/2011	Foreign Priority Date	NONE
Word Mark	IT'S 5 O'CLOCK SOMEWHERE		
Design Mark	<p style="text-align: center;">IT'S 5 O'CLOCK SOMEWHERE</p>		
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2003/12/06 First Use In Commerce: 2003/12/06 Decorative magnets		

U.S. Registration No.	4597391	Application Date	04/06/2005
Registration Date	09/02/2014	Foreign Priority Date	NONE
Word Mark	IT'S FIVE O'CLOCK SOMEWHERE		
Design Mark	<p style="text-align: center;">IT'S FIVE O'CLOCK SOMEWHERE</p>		

Description of Mark	NONE
Goods/Services	Class 016. First use: First Use: 2013/07/04 First Use In Commerce: 2003/07/04 Paper goods and printed matter, namely,stickers, decals, and postcards

Attachments	77005179#TMSN.png(bytes) 85460784#TMSN.png(bytes) 78597517#TMSN.png(bytes) 78597514#TMSN.png(bytes) 78602819#TMSN.png(bytes) 78602821#TMSN.png(bytes) ITS 1700 HOURS SOMEWHERE Notice of Opposition.pdf(514180 bytes)
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Signature	/jrf/
Name	Joel R. Feldman
Date	09/22/2017

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

In the Matter of Application Serial No. 87/160,262: IT'S 1700 HOURS SOMEWHERE
Published in the *Official Gazette* on August 29, 2017

_____)	
MARGARITAVILLE)	
ENTERPRISES, LLC,)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
THE VETERAN BEVERAGE)	
COMPANY DBA VETERAN BEER)	
COMPANY,)	
)	
Applicant.)	
_____)	

NOTICE OF OPPOSITION

Margaritaville Enterprises, LLC (“Margaritaville”) opposes The Veteran Beverage Company DBA Veteran Beer Company’s application for IT’S 1700 HOURS SOMEWHERE (the “Application”) because Opposer will be damaged by the registration of the Application.

The grounds for the opposition are:

OPPOSER’S BACKGROUND

1. Margaritaville is a Delaware limited liability company with a principal address at 256 Worth Avenue, Suite Q-R, Palm Beach, Florida 33480.

2. Margaritaville is the successor-in-interest to trademarks used and registered by Jimmy Buffett.

THE “IT’S FIVE O’CLOCK SOMEWHERE” SONG

3. In June 2003, recording artists Jimmy Buffett and Alan Jackson released a duet single titled “It’s Five O’Clock Somewhere.”

4. “It’s Five O’Clock Somewhere” spent eight non-consecutive weeks at number one on the *Billboard* Hot Country Songs chart and was *Billboard*’s number one country single of the year in 2003.

5. “It’s Five O’Clock Somewhere” was recognized by *Billboard* Magazine as the number 3 country song of the decade for 2000-2009.

**MARGARITAVILLE’S TRADEMARK USE OF
IT’S FIVE O’CLOCK SOMEWHERE, IT’S 5 O’CLOCK SOMEWHERE,
AND 5 O’CLOCK SOMEWHERE BAR**

6. Shortly after the release of “It’s Five O’Clock Somewhere,” Margaritaville began using IT’S FIVE O’CLOCK SOMEWHERE and IT’S 5 O’CLOCK SOMEWHERE as trademarks for souvenir goods sold in Margaritaville retail stores and as service marks for restaurant and bar services.

7. For over ten years, Margaritaville has used the IT’S 5 O’CLOCK SOMEWHERE mark for restaurant and bar services.

8. Margaritaville owns U.S. Reg. No. 4,125,663 for the IT’S 5 O’CLOCK SOMEWHERE mark in International Class 43 for restaurant and bar services (TSDR record attached at Exhibit 1).

9. In 2011, Margaritaville opened a bar named 5 O’Clock Somewhere Bar.

10. Margaritaville owns U.S. Reg. No. 4,962,176 for the 5 O’CLOCK SOMEWHERE BAR mark in International Class 43 for restaurant and bar services (TSDR record attached as Exhibit 2).

11. For over ten years, Margaritaville has sold IT’S FIVE O’CLOCK SOMEWHERE-branded beverage glassware.

12. Margaritaville owns U.S. Reg. No. 3,942,996 for the IT'S FIVE O'CLOCK SOMEWHERE mark in International Class 21 for beverage glassware (TSDR record attached as Exhibit 3).

13. Margaritaville also owns the following U.S. trademark registrations for the IT'S FIVE O'CLOCK SOMEWHERE mark:

- a. U.S. Reg. No. 3,939,868 in International Class 25 for shirts, t-shirts, and camp shirts (TSDR record attached at Exhibit 4);
- b. U.S. Reg. No. 3,939,869 in International Class 9 for decorative magnets (TSDR record attached at Exhibit 5);
- c. U.S. Reg. No. 4,597,391 in International Class 16 for paper goods and printed matter, namely, stickers, decals, and postcards (TSDR record attached at Exhibit 6).

14. Due to Margaritaville's longstanding and widespread use of the IT'S FIVE O'CLOCK SOMEWHERE, IT'S 5 O'CLOCK SOMEWHERE, and 5 O'CLOCK SOMEWHERE BAR marks (collectively, the "FOS Marks"), consumers associate these marks exclusively with Margaritaville and Jimmy Buffett.

APPLICANT'S BACKGROUND

15. Applicant seeks to register IT'S 1700 HOURS SOMEWHERE as a trademark for beer in International Class 32 (the "Applied-for Mark").

16. Applicant filed the Application on September 2, 2016, based on an alleged use of the Applied-for Mark since August 15, 2015.

PRIORITY AND LIKELIHOOD OF CONFUSION

17. Margaritaville's rights in the FOS Marks predate Applicant's filing date for the Application.
18. Margaritaville's rights in the FOS Marks predate Applicant's alleged first-use date of the Applied-for Mark.
19. Upon information and belief, Applicant adopted its Applied-for Mark based, in whole or in part, on its similarity to the FOS marks.
20. Applicant's applied-for IT'S 1700 HOURS SOMEWHERE mark is confusingly similar in sight and sound to Margaritaville's IT'S FIVE O'CLOCK SOMEWHERE and IT'S 5 O'CLOCK SOMEWHERE marks – both begin and end with the same word and have a time in the middle.
21. Applicant's applied-for IT'S 1700 HOURS SOMEWHERE mark is identical in meaning to the FOS Marks.
22. Applicant's applied-for IT'S 1700 HOURS SOMEWHERE mark is virtually identical in commercial impression to the FOS Marks, the only difference being that Applicant's Applied-for Mark shows 5:00 PM in military time.
23. Applicant's applied-for goods, beer, are closely related to Margaritaville's bar services branded with the FOS Marks.
24. Applicant's applied-for goods, beer, are closely related to and often sold alongside Margaritaville's beverage glassware branded with the IT'S FIVE O'CLOCK SOMEWHERE mark.
25. Applicant's use and registration of IT'S 1700 HOURS SOMEWHERE is likely to cause confusion, mistake, and deception regarding the source and origin of Applicant's products

within the meaning of 15 U.S.C. §§ 1114 and 1125(a).

26. Applicant's use and registration of IT'S 1700 HOURS SOMEWHERE will injure and damage the goodwill symbolized by Margaritaville's FOS Marks within the meaning of 15 U.S.C. § 1063(a).

27. Based on the near identity of Applicant's and Margaritaville's marks and the relatedness of Applicant's goods and Margaritaville's goods and services, the public is likely to incorrectly believe that Applicant's IT'S 1700 HOURS SOMEWHERE-branded beer is in some way connected to, sponsored by, or affiliated with Margaritaville. This confusion will cause irreparable injury to Margaritaville.


28. The Application should not be allowed under 15 U.S.C. § 1052(d), because the applied-for IT'S 1700 HOURS SOMEWHERE mark resembles a mark previously used in the United States by Margaritaville and is likely to cause confusion, mistake, or to deceive.

CONCLUSION

29. Margaritaville requests that the Board sustain this opposition and refuse registration of the Application.

Date: September 22, 2017

Respectfully submitted,
GREENBERG TRAURIG, LLP



Joel R. Feldman, Esq.
Alexandra A. Holt, Esq.

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

*Attorneys for Opposer
Margaritaville Enterprises, LLC*

CERTIFICATE OF ELECTRONIC TRANSMISSION

Date: September 22, 2017

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



Joel R. Feldman, Esq.

Exhibit 1

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

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Mark: IT'S 5 O'CLOCK SOMEWHERE

IT'S 5 O'CLOCK SOMEWHERE

US Serial Number: 77005179

Application Filing Date: Sep. 22, 2006

US Registration Number: 4125663

Registration Date: Apr. 10, 2012

Register: Principal

Mark Type: Service Mark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

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

Status Date: Apr. 10, 2012

Publication Date: Jan. 18, 2011

Notice of Allowance Date: Dec. 06, 2011

Mark Information

Mark Literal Elements: IT'S 5 O'CLOCK SOMEWHERE

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

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: Restaurant and bar services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 12, 2004

Use in Commerce: Jul. 12, 2004

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: MARGARITAVILLE ENTERPRISES, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert A. Rosenbloum and Kristen L. Fancher

Docket Number: 32777.057000

Attorney Primary Email: atltrademark@gtlaw.com

Attorney Email Authorized: No

Address:**Correspondent**

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

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

Date	Description	Proceeding Number
Apr. 10, 2017	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 18, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 10, 2012	REGISTERED-PRINCIPAL REGISTER	
Mar. 08, 2012	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Mar. 07, 2012	LAW OFFICE REGISTRATION REVIEW COMPLETED	70884
Mar. 05, 2012	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Feb. 14, 2012	STATEMENT OF USE PROCESSING COMPLETE	65362
Jan. 17, 2012	USE AMENDMENT FILED	65362
Feb. 13, 2012	CASE ASSIGNED TO INTENT TO USE PARALEGAL	65362
Jan. 17, 2012	TEAS STATEMENT OF USE RECEIVED	
Dec. 06, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 24, 2011	TTAB RELEASE CASE TO TRADEMARKS	198215
Oct. 24, 2011	OPPOSITION TERMINATED NO. 999999	198215
Oct. 24, 2011	OPPOSITION DISMISSED NO. 999999	198215
Aug. 08, 2011	ASSIGNED TO EXAMINER	74671
Jan. 18, 2011	OPPOSITION INSTITUTED NO. 999999	198215
Jan. 18, 2011	OPPOSITION PAPERS RECEIVED AT TTAB	
Jan. 18, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 18, 2011	PUBLISHED FOR OPPOSITION	
Dec. 13, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Dec. 13, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 08, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	70884
Jun. 04, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	70884
Jun. 04, 2010	ASSIGNED TO LIE	70884
Nov. 27, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77075
May 26, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77075
Nov. 24, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77075
May 20, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77075
Nov. 19, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77075
May 17, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77075
May 17, 2007	ASSIGNED TO LIE	77075
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 08, 2006	LETTER OF SUSPENSION E-MAILED	6332
Nov. 08, 2006	SUSPENSION LETTER WRITTEN	74812
Nov. 08, 2006	ASSIGNED TO EXAMINER	74812
Sep. 28, 2006	NOTICE OF PSEUDO MARK MAILED	

Sep. 27, 2006

NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information**TM Staff Information - None****File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Mar. 07, 2012**Assignment Abstract Of Title Information****Summary****Conveyance Filter****Total Assignments:** 5**Registrant:** MARGARITAVILLE ENTERPRISES, LLC**Assignment 1 of 5****Conveyance:** SECURITY INTEREST**Reel/Frame:** [3471/0100](#)**Pages:** 70**Date Recorded:** Jan. 30, 2007**Supporting Documents:** [assignment-tm-3471-0100.pdf](#)**Assignor****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Execution Date:** Dec. 20, 2006**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [GUGGENHEIM CORPORATE FUNDING, LLC](#)**State or Country Where Organized:** No Place Where Organized Found**Legal Entity Type:** LIMITED LIABILITY COMPANY**Address:** 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022**Correspondent****Correspondent Name:** WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN**Correspondent Address:** 767 5TH AVENUE
NEW YORK, NY 10153**Domestic Representative - Not Found****Assignment 2 of 5****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3458/0516](#)**Pages:** 20**Date Recorded:** Jan. 10, 2007**Supporting Documents:** [assignment-tm-3458-0516.pdf](#)**Assignor****Name:** [BUFFETT, JIMMY](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** INDIVIDUAL**Citizenship:** UNITED STATES**Assignee****Name:** [JB INTELLECTUAL PROPERTY, LLC](#)**State or Country Where Organized:** DELAWARE**Legal Entity Type:** LIMITED LIABILITY COMPANY**Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found****Assignment 3 of 5****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3460/0384](#)**Pages:** 20**Date Recorded:** Jan. 12, 2007

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

Assignor

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

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

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

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

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

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [5477/0841](#)

Pages: 52

Date Recorded: Mar. 13, 2015

Supporting Documents: [assignment-tm-5477-0841.pdf](#)

Assignor

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

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6800 LAKEWOOD PLAZA DRIVE
ORLANDO, FLORIDA 32819

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [5478/0556](#)

Pages: 41

Date Recorded: Mar. 16, 2015

Supporting Documents: [assignment-tm-5478-0556.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [WILMINGTON TRUST, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 50 SOUTH SIXTH STREET
SUITE 1290
MINNEAPOLIS, MINNESOTA 55402

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 2

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

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Mark: 5 O'CLOCK SOMEWHERE BAR

5 O'CLOCK SOMEWHERE BAR

US Serial Number: 85460784

Application Filing Date: Oct. 31, 2011

US Registration Number: 4962176

Registration Date: May 24, 2016

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

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

Status Date: May 24, 2016

Publication Date: Mar. 08, 2016

Mark Information

Mark Literal Elements: 5 O'CLOCK SOMEWHERE BAR

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: "BAR"

Related Properties Information

International Registration Number: [1358919](#)

International Application(s) /Registration(s) Based on this Property: [A0068183/1358919](#)

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: Restaurant and bar services

International Class(es): 043 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 2011

Use in Commerce: Oct. 01, 2011

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: JEFFREY M. SMITH

Docket Number: 101885.02000

Attorney Primary Email atltrademark@gtlaw.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent Name/Address: JEFFREY M. SMITH
GREENBERG TRAUIG LLP
3333 PIEDMONT ROAD NE, SUITE 2500
ATLANTA, GEORGIA UNITED STATES 30305

Phone: 678-553-2100

Fax: 678-553-2212

Correspondent e-mail: atltrademark@gtlaw.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 24, 2016	REGISTERED-PRINCIPAL REGISTER	
Mar. 08, 2016	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Mar. 08, 2016	PUBLISHED FOR OPPOSITION	
Feb. 17, 2016	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Feb. 02, 2016	LAW OFFICE PUBLICATION REVIEW COMPLETED	68171
Feb. 01, 2016	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 25, 2015	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Sep. 24, 2015	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Mar. 23, 2015	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Mar. 18, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 16, 2015	ASSIGNED TO LIE	68171
Sep. 05, 2014	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68552
Feb. 24, 2014	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68552
Aug. 19, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68552
Jan. 31, 2013	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68552
Jul. 30, 2012	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68552
Jul. 30, 2012	ASSIGNED TO LIE	68552
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 30, 2012	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Jan. 30, 2012	LETTER OF SUSPENSION E-MAILED	6332
Jan. 30, 2012	SUSPENSION LETTER WRITTEN	76746
Jan. 30, 2012	EXAMINER'S AMENDMENT ENTERED	88888
Jan. 30, 2012	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jan. 30, 2012	EXAMINERS AMENDMENT E-MAILED	6328
Jan. 30, 2012	EXAMINERS AMENDMENT -WRITTEN	76746
Dec. 23, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 23, 2011	NON-FINAL ACTION E-MAILED	6325

Dec. 23, 2011	NON-FINAL ACTION WRITTEN	76746
Dec. 23, 2011	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 23, 2011	NON-FINAL ACTION E-MAILED	6325
Dec. 23, 2011	NON-FINAL ACTION WRITTEN	76746
Dec. 19, 2011	ASSIGNED TO EXAMINER	76746
Nov. 08, 2011	NOTICE OF PSEUDO MARK MAILED	
Nov. 07, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 03, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: May 24, 2016

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 3

Registrant: Margaritaville Enterprises, LLC

Assignment 1 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [5296/0532](#)

Pages: 16

Date Recorded: Jun. 05, 2014

Supporting Documents: [assignment-tm-5296-0532.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Jun. 04, 2014

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 330 MADISON AVENUE, 10TH FLOOR
NEW YORK, NEW YORK 10017

Correspondent

Correspondent Name: DEVON J. GOLDBERG

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

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [5477/0841](#)

Pages: 52

Date Recorded: Mar. 13, 2015

Supporting Documents: [assignment-tm-5477-0841.pdf](#)

Assignor

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

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6800 LAKEWOOD PLAZA DRIVE
ORLANDO, FLORIDA 32819

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: SECURITY INTEREST

Reel/Frame: [5478/0556](#)

Pages: 41

Date Recorded: Mar. 16, 2015

Supporting Documents: [assignment-tm-5478-0556.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Assignee

Name: [WILMINGTON TRUST, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where UNITED STATES

Organized:

Address: 50 SOUTH SIXTH STREET
SUITE 1290
MINNEAPOLIS, MINNESOTA 55402

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 3

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

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

[Back to Search](#)

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Generated on: This page was generated by TSDR on 2017-09-18 12:21:19 EDT

Mark: IT'S FIVE O'CLOCK SOMEWHERE

**IT'S FIVE O'CLOCK
SOMEWHERE**

US Serial Number: 78597517

Application Filing Date: Mar. 29, 2005

US Registration Number: 3942996

Registration Date: Apr. 12, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

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

Status Date: May 26, 2017

Publication Date: Jan. 25, 2011

Mark Information

Mark Literal Elements: IT'S FIVE O'CLOCK SOMEWHERE

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

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: Beverage glassware

International Class(es): 021 - Primary Class

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

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 06, 2003

Use in Commerce: Dec. 06, 2003

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Joel R. Feldman**Docket Number:** 101885.02000**Attorney Primary Email** atltrademark@gtlaw.com**Attorney Email Authorized:** Yes**Address:****Correspondent****Correspondent Name/Address:** Joel R. Feldman
GREENBERG TRAUIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA UNITED STATES 30305**Phone:** 678-553-4778**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 26, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 26, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
May 26, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Apr. 11, 2017	TEAS SECTION 8 & 15 RECEIVED	
Apr. 12, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 18, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 25, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 25, 2011	PUBLISHED FOR OPPOSITION	
Dec. 23, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70633
Dec. 23, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 22, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
Dec. 22, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
Dec. 21, 2010	ASSIGNED TO LIE	70633
Dec. 14, 2010	TEAS RESPONSE TO SUSPENSION INQUIRY RECEIVED	
Nov. 04, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
May 04, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Nov. 04, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
May 04, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Nov. 04, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Sep. 29, 2008	ASSIGNED TO EXAMINER	72517
May 01, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Nov. 01, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	68171
Nov. 01, 2007	ASSIGNED TO LIE	68171
May 01, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Oct. 30, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Oct. 27, 2006	LIE CHECKED SUSP - TO ATTY FOR ACTION	69350
Apr. 25, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Oct. 25, 2005	LETTER OF SUSPENSION E-MAILED	6332
Oct. 25, 2005	SUSPENSION LETTER WRITTEN	81087

Oct. 24, 2005	ASSIGNED TO EXAMINER	81087
Apr. 05, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 102

Date in Location: May 26, 2017

Assignment Abstract Of Title Information

Summary

Total Assignments: 5

Conveyance Filter

Registrant: JB INTELLECTUAL PROPERTY, LLC

Assignment 1 of 5

Conveyance: SECURITY INTEREST

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

Pages: 70

Date Recorded: Jan. 30, 2007

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

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

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

Correspondent

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

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

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

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

Pages: 20

Date Recorded: Jan. 10, 2007

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

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

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

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

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

Domestic Representative - Not Found

Assignment 3 of 5**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3460/0384](#)**Pages:** 20**Date Recorded:** Jan. 12, 2007**Supporting Documents:** [assignment-tm-3460-0384.pdf](#)**Assignor****Name:** [JB INTELLECTUAL PROPERTY, LLC](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.**Correspondent Address:** 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found****Assignment 4 of 5****Conveyance:** RELEASE OF SECURITY INTEREST**Reel/Frame:** [5477/0841](#)**Pages:** 52**Date Recorded:** Mar. 13, 2015**Supporting Documents:** [assignment-tm-5477-0841.pdf](#)**Assignor****Name:** [GUGGENHEIM CORPORATE FUNDING, LLC, AS
ADMINISTRATIVE AGENT](#)**Execution Date:** Mar. 12, 2015**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Address:** 6800 LAKEWOOD PLAZA DRIVE
ORLANDO, FLORIDA 32819**Correspondent****Correspondent Name:** LATHAM & WATKINS LLP C/O ANGELA M. AMARU**Correspondent Address:** 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022**Domestic Representative - Not Found****Assignment 5 of 5****Conveyance:** SECURITY INTEREST**Reel/Frame:** [5478/0556](#)**Pages:** 41**Date Recorded:** Mar. 16, 2015**Supporting Documents:** [assignment-tm-5478-0556.pdf](#)**Assignor****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Execution Date:** Mar. 12, 2015**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where** DELAWARE**Organized:****Assignee****Name:** [WILMINGTON TRUST, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)**Legal Entity Type:** NATIONAL ASSOCIATION**State or Country Where** UNITED STATES**Organized:**

Address: 50 SOUTH SIXTH STREET
SUITE 1290
MINNEAPOLIS, MINNESOTA 55402

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 4

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

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

[Back to Search](#)

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Mark: IT'S FIVE O'CLOCK SOMEWHERE

**IT'S FIVE O'CLOCK
SOMEWHERE**

US Serial Number: 78597514

Application Filing Date: Mar. 29, 2005

US Registration Number: 3939868

Registration Date: Apr. 05, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

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

Status Date: May 17, 2017

Publication Date: Jan. 18, 2011

Mark Information

Mark Literal Elements: IT'S FIVE O'CLOCK SOMEWHERE

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

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: Shirts, T-shirts [and camp shirts]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 06, 2003

Use in Commerce: Dec. 06, 2003

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Joel R. Feldman**Docket Number:** 101885.02000**Attorney Primary Email:** atltrademark@gtlaw.com**Attorney Email Authorized:** Yes**Address:****Correspondent****Correspondent Name/Address:** Joel R. Feldman
GREENBERG TRAUIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA UNITED STATES 30305**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
May 17, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
May 17, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74704
May 17, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74704
Apr. 05, 2017	TEAS SECTION 8 & 15 RECEIVED	
Apr. 05, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 18, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 18, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 18, 2011	PUBLISHED FOR OPPOSITION	
Dec. 15, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Dec. 13, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	77976
Jun. 12, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 11, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 11, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 10, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 09, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 05, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 02, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 02, 2007	ASSIGNED TO LIE	77976
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 30, 2006	LETTER OF SUSPENSION E-MAILED	6332
Nov. 30, 2006	SUSPENSION LETTER WRITTEN	81139
May 09, 2006	LETTER OF SUSPENSION E-MAILED	6332
May 09, 2006	SUSPENSION LETTER WRITTEN	81139
Oct. 27, 2005	LETTER OF SUSPENSION E-MAILED	6332
Oct. 27, 2005	SUSPENSION LETTER WRITTEN	81139
Oct. 24, 2005	ASSIGNED TO EXAMINER	81139
Apr. 05, 2005	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted

TM Staff and Location Information**TM Staff Information - None****File Location**

Current Location: TMO LAW OFFICE 113

Date in Location: May 17, 2017

Assignment Abstract Of Title Information**Summary****Conveyance Filter**

Total Assignments: 5

Registrant: JB INTELLECTUAL PROPERTY, LLC

Assignment 1 of 5

Conveyance: SECURITY INTEREST

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

Pages: 70

Date Recorded: Jan. 30, 2007

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

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

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

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

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

Conveyance: ASSIGNS THE ENTIRE INTEREST

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

Pages: 20

Date Recorded: Jan. 10, 2007

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

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

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

Correspondent Name: KRISTEN L. FANCHER, ESQ.

Correspondent Address: 3290 NORTHSIDE PARKWAY, SUITE 400
ATLANTA, GA 30327**Domestic Representative - Not Found****Assignment 3 of 5**

Conveyance: ASSIGNS THE ENTIRE INTEREST

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

Pages: 20

Date Recorded: Jan. 12, 2007

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

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

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

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

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

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

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [5477/0841](#)

Pages: 52

Date Recorded: Mar. 13, 2015

Supporting Documents: [assignment-tm-5477-0841.pdf](#)

Assignor

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

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Address: 6800 LAKEWOOD PLAZA DRIVE
ORLANDO, FLORIDA 32819

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [5478/0556](#)

Pages: 41

Date Recorded: Mar. 16, 2015

Supporting Documents: [assignment-tm-5478-0556.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Assignee

Name: [WILMINGTON TRUST, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 50 SOUTH SIXTH STREET
SUITE 1290
MINNEAPOLIS, MINNESOTA 55402

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000

NEW YORK, NY 10022

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 5

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

STATUS **DOCUMENTS** **MAINTENANCE**

[Back to Search](#)

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Mark: IT'S 5 O'CLOCK SOMEWHERE

IT'S 5 O'CLOCK SOMEWHERE

US Serial Number: 78602819

Application Filing Date: Apr. 06, 2005

US Registration Number: 3939869

Registration Date: Apr. 05, 2011

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

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

Status Date: Jun. 17, 2017

Publication Date: Jan. 18, 2011

Mark Information

Mark Literal Elements: IT'S 5 O'CLOCK SOMEWHERE

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

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: Decorative magnets

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 06, 2003

Use in Commerce: Dec. 06, 2003

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Joel R. Feldman

Docket Number: 101885.02000

Attorney Primary Email: atitrademark@qtlaw.com

Attorney Email Authorized: Yes

Address:**Correspondent**

Correspondent Name/Address: Joel R. Feldman
 GREENBERG TRAUIG, LLP
 3333 Piedmont Road NE, Suite 2500
 ATLANTA, GEORGIA UNITED STATES 30305

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

Date	Description	Proceeding Number
Jun. 17, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Jun. 17, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	67657
Jun. 17, 2017	AMENDMENT UNDER SECTION 7 - ISSUED	67657
May 17, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	67657
May 17, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74704
Apr. 05, 2017	TEAS SECTION 8 & 15 RECEIVED	
Apr. 05, 2017	TEAS SECTION 7 REQUEST RECEIVED	
Apr. 05, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Mar. 18, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 05, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 18, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 18, 2011	PUBLISHED FOR OPPOSITION	
Dec. 15, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Dec. 13, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 12, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	77976
Jun. 12, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 11, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 11, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 10, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 09, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 05, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 02, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 02, 2007	ASSIGNED TO LIE	77976
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 30, 2006	LETTER OF SUSPENSION E-MAILED	6332
Nov. 30, 2006	SUSPENSION LETTER WRITTEN	81139
May 15, 2006	LETTER OF SUSPENSION E-MAILED	6332
May 15, 2006	SUSPENSION LETTER WRITTEN	81139
Apr. 26, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	77975
Apr. 17, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	77975
Apr. 17, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 27, 2005	NON-FINAL ACTION E-MAILED	6325
Oct. 27, 2005	NON-FINAL ACTION WRITTEN	81139
Oct. 24, 2005	ASSIGNED TO EXAMINER	81139
Oct. 24, 2005	ASSIGNED TO EXAMINER	81087
Oct. 24, 2005	ASSIGNED TO EXAMINER	81139

Apr. 13, 2005

NEW APPLICATION ENTERED IN TRAM

Maintenance Filings or Post Registration Information**Affidavit of Continued Use:** Section 8 - Accepted**Affidavit of Incontestability:** Section 15 - Accepted**Change in Registration:** Yes**Amendment to a Registration/Renewal Certificate:** The drawing is amended to appear as follows: IT'S 5 O'CLOCK SOMEWHERE**TM Staff and Location Information****TM Staff Information - None****File Location****Current Location:** TMO LAW OFFICE 113**Date in Location:** Jun. 17, 2017**Assignment Abstract Of Title Information****Summary**[Conveyance Filter](#)**Total Assignments:** 5**Registrant:** JB INTELLECTUAL PROPERTY, LLC**Assignment 1 of 5****Conveyance:** SECURITY INTEREST**Reel/Frame:** [3471/0100](#)**Pages:** 70**Date Recorded:** Jan. 30, 2007**Supporting Documents:** [assignment-tm-3471-0100.pdf](#)**Assignor****Name:** [MARGARITAVILLE ENTERPRISES, LLC](#)**Execution Date:** Dec. 20, 2006**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Assignee****Name:** [GUGGENHEIM CORPORATE FUNDING, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** No Place Where Organized Found**Address:** 135 EAST 57TH STREET
NEW YORK, NEW YORK 10022**Correspondent****Correspondent Name:** WEIL, GOTSHAL & MANGES C/O JULIO GURDIAN**Correspondent Address:** 767 5TH AVENUE
NEW YORK, NY 10153**Domestic Representative - Not Found****Assignment 2 of 5****Conveyance:** ASSIGNS THE ENTIRE INTEREST**Reel/Frame:** [3458/0516](#)**Pages:** 20**Date Recorded:** Jan. 10, 2007**Supporting Documents:** [assignment-tm-3458-0516.pdf](#)**Assignor****Name:** [BUFFETT, JIMMY](#)**Execution Date:** Jan. 03, 2007**Legal Entity Type:** INDIVIDUAL**Citizenship:** UNITED STATES**Assignee****Name:** [JB INTELLECTUAL PROPERTY, LLC](#)**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country Where Organized:** DELAWARE**Address:** 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480**Correspondent****Correspondent Name:** KRISTEN L. FANCHER, ESQ.

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

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

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

Pages: 20

Date Recorded: Jan. 12, 2007

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

Assignor

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

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

State or Country Where DELAWARE

Organized:

Legal Entity Type: LIMITED LIABILITY COMPANY

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

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

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

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [5477/0841](#)

Pages: 52

Date Recorded: Mar. 13, 2015

Supporting Documents: [assignment-tm-5477-0841.pdf](#)

Assignor

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

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

State or Country Where DELAWARE

Organized:

Legal Entity Type: LIMITED LIABILITY COMPANY

Address: 6800 LAKEWOOD PLAZA DRIVE
ORLANDO, FLORIDA 32819

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: SECURITY INTEREST

Reel/Frame: [5478/0556](#)

Pages: 41

Date Recorded: Mar. 16, 2015

Supporting Documents: [assignment-tm-5478-0556.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Assignee

Name: [WILMINGTON TRUST, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where Organized: UNITED STATES

Address: 50 SOUTH SIXTH STREET
SUITE 1290
MINNEAPOLIS, MINNESOTA 55402

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

[Proceedings - Click to Load](#)

Exhibit 6

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

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

[Back to Search](#)

[Print](#)

Generated on: This page was generated by TSDR on 2017-09-18 12:27:33 EDT

Mark: IT'S FIVE O'CLOCK SOMEWHERE

**IT'S FIVE O'CLOCK
SOMEWHERE**

US Serial Number: 78602821

Application Filing Date: Apr. 06, 2005

US Registration Number: 4597391

Registration Date: Sep. 02, 2014

Register: Principal

Mark Type: Trademark

TM5 Common Status

LIVE/REGISTRATION/Issued and Active

Descriptor:



The trademark application has been registered with the Office.

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

Status Date: Sep. 02, 2014

Publication Date: Jan. 18, 2011

Notice of Allowance Date: Mar. 15, 2011

Mark Information

Mark Literal Elements: IT'S FIVE O'CLOCK SOMEWHERE

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

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: Paper goods and printed matter, namely, stickers, decals, and postcards

International Class(es): 016 - Primary Class

U.S Class(es): 002, 005, 022, 023, 029, 037, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 04, 2013

Use in Commerce: Jul. 04, 2003

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Margaritaville Enterprises, LLC

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Robert A. Rosenbloum**Docket Number:** 32777-057000**Attorney Primary Email:** atltrademark@gtlaw.com**Attorney Email Authorized:** Yes**Address:****Correspondent****Correspondent Name/Address:** Jeffrey M. Smith, Esq. and Kristen L. Fancher, Esq
GREENBERG TRAUIG, LLP
3333 Piedmont Road NE, Suite 2500
ATLANTA, GEORGIA UNITED STATES 30305**Phone:** 678-553-2100**Fax:** 678-553-2212**Correspondent e-mail:** atltrademark@gtlaw.com**Correspondent e-mail Authorized:** Yes**Domestic Representative - Not Found****Prosecution History**

Date	Description	Proceeding Number
Mar. 18, 2015	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Sep. 02, 2014	REGISTERED-PRINCIPAL REGISTER	
Jul. 31, 2014	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jul. 30, 2014	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jul. 29, 2014	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jul. 29, 2014	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jul. 29, 2014	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 08, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	
May 08, 2014	NON-FINAL ACTION E-MAILED	
May 08, 2014	SU - NON-FINAL ACTION - WRITTEN	81139
Mar. 11, 2014	STATEMENT OF USE PROCESSING COMPLETE	66230
Feb. 28, 2014	USE AMENDMENT FILED	66230
Feb. 28, 2014	TEAS STATEMENT OF USE RECEIVED	
Sep. 11, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 10, 2013	EXTENSION 5 GRANTED	66230
Sep. 04, 2013	EXTENSION 5 FILED	66230
Sep. 04, 2013	TEAS EXTENSION RECEIVED	
Mar. 19, 2013	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 18, 2013	EXTENSION 4 GRANTED	66230
Mar. 14, 2013	EXTENSION 4 FILED	66230
Mar. 14, 2013	TEAS EXTENSION RECEIVED	
Sep. 08, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 07, 2012	EXTENSION 3 GRANTED	66230
Sep. 05, 2012	EXTENSION 3 FILED	66230
Sep. 05, 2012	TEAS EXTENSION RECEIVED	
May 21, 2012	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 09, 2012	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Mar. 08, 2012	EXTENSION 2 GRANTED	66230
Mar. 05, 2012	EXTENSION 2 FILED	66230
Mar. 05, 2012	TEAS EXTENSION RECEIVED	
Sep. 07, 2011	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Sep. 06, 2011	EXTENSION 1 GRANTED	66230
Sep. 01, 2011	EXTENSION 1 FILED	66230
Sep. 03, 2011	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Sep. 01, 2011	TEAS EXTENSION RECEIVED	
Mar. 15, 2011	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 18, 2011	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 18, 2011	PUBLISHED FOR OPPOSITION	
Dec. 15, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	77976
Dec. 13, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	

Dec. 12, 2010	LIE CHECKED SUSP - TO ATTY FOR ACTION	77976
Jun. 12, 2010	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 11, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 11, 2009	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 10, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 09, 2008	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Dec. 05, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 02, 2007	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	77976
Jun. 02, 2007	ASSIGNED TO LIE	77976
Jan. 17, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Nov. 30, 2006	LETTER OF SUSPENSION E-MAILED	6332
Nov. 30, 2006	SUSPENSION LETTER WRITTEN	81139
May 09, 2006	LETTER OF SUSPENSION E-MAILED	6332
May 09, 2006	SUSPENSION LETTER WRITTEN	81139
Oct. 27, 2005	LETTER OF SUSPENSION E-MAILED	6332
Oct. 27, 2005	SUSPENSION LETTER WRITTEN	81139
Oct. 24, 2005	ASSIGNED TO EXAMINER	81139
Oct. 24, 2005	ASSIGNED TO EXAMINER	81087
Oct. 24, 2005	ASSIGNED TO EXAMINER	81139
Apr. 13, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 30, 2014

Assignment Abstract Of Title Information

Summary

Conveyance Filter

Total Assignments: 5

Registrant: Margaritaville Enterprises, LLC

Assignment 1 of 5

Conveyance: SECURITY INTEREST

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

Pages: 70

Date Recorded: Jan. 30, 2007

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

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Dec. 20, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

Assignee

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found

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

Correspondent

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

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

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

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

Pages: 20

Date Recorded: Jan. 10, 2007

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

Assignor

Name: [BUFFETT, JIMMY](#)

Execution Date: Jan. 03, 2007

Legal Entity Type: INDIVIDUAL

Citizenship: UNITED STATES

Assignee

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

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWAREAddress: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

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

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

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

Pages: 20

Date Recorded: Jan. 12, 2007

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

Assignor

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

Execution Date: Jan. 03, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWAREAddress: 256 WORTH AVENUE, SUITE Q-R
PALM BEACH, FLORIDA 33480

Correspondent

Correspondent Name: KRISTEN L. FANCHER, ESQ.

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

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [5477/0841](#)

Pages: 52

Date Recorded: Mar. 13, 2015

Supporting Documents: [assignment-tm-5477-0841.pdf](#)

Assignor

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

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWARE

Assignee

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where
Organized: DELAWARE

Address: 6800 LAKEWOOD PLAZA DRIVE
ORLANDO, FLORIDA 32819

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found**Assignment 5 of 5**

Conveyance: SECURITY INTEREST

Reel/Frame: [5478/0556](#)

Pages: 41

Date Recorded: Mar. 16, 2015

Supporting Documents: [assignment-tm-5478-0556.pdf](#)

Assignor

Name: [MARGARITAVILLE ENTERPRISES, LLC](#)

Execution Date: Mar. 12, 2015

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where DELAWARE

Organized:

Assignee

Name: [WILMINGTON TRUST, NATIONAL ASSOCIATION, AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL ASSOCIATION

State or Country Where UNITED STATES

Organized:

Address: 50 SOUTH SIXTH STREET
SUITE 1290
MINNEAPOLIS, MINNESOTA 55402

Correspondent

Correspondent Name: LATHAM & WATKINS LLP C/O ANGELA M. AMARU

Correspondent Address: 885 THIRD AVENUE
SUITE 1000
NEW YORK, NY 10022

Domestic Representative - Not Found

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