

**Generated on:** This page was generated by TSDR on 2025-07-19 18:46:46 EDT

**Mark:** WHERE FUN LIVES

**US Serial Number:** 78136403

**Application Filing Date:** Jun. 17, 2002

**US Registration Number:** 2861302

**Registration Date:** Jul. 06, 2004

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status Descriptor:**



DEAD/REGISTRATION/Cancelled/Invalidated

The trademark application was registered, but subsequently it was cancelled or invalidated and removed from the registry.

**Status:** Registration cancelled because registrant did not file an acceptable declaration under Section 8. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

**Status Date:** Feb. 13, 2015

**Publication Date:** Dec. 03, 2002 **Notice of Allowance Date:** Feb. 25, 2003

**Date Cancelled:** Feb. 13, 2015

## Mark Information

**Mark Literal** WHERE FUN LIVES  
**Elements:**

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

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

## 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:** boats

**International Class(es):** 012 - Primary Class  
**Class(es):**

**U.S Class(es):** 019, 021, 023, 031, 035, 044

**Class Status:** SECTION 8 - CANCELLED

**First Use:** Jul. 05, 2002

**Use in Commerce:** Aug. 01, 2002

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Filed 66A:** No

**Currently 66A:** No

Filed No Basis: No

Currently No Basis: No

## Current Owner(s) Information

Owner Name: REDBOX AUTOMATED RETAIL, LLC

Owner Address: ONE TOWER LANE  
OAKBROOK TERRACE, ILLINOIS UNITED STATES 60181

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: DELAWARE  
Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Adam D. Airhart

Docket Number: USM2077

Attorney Primary [adam.airhart@brunswick.com](mailto:adam.airhart@brunswick.com)  
Email Address:

Attorney Email Yes  
Authorized:

### Correspondent

Correspondent Adam D. Airhart

Name/Address: BRUNSWICK CORPORATION  
ONE NORTH FIELD COURT  
LAKE FOREST, ILLINOIS UNITED STATES 60045

Phone: 847-735-4354

Fax: 847-735-4330

Correspondent e- [adam.airhart@brunswick.com](mailto:adam.airhart@brunswick.com)  
mail:

Correspondent e- Yes  
mail Authorized:

### Domestic Representative - Not Found

## Prosecution History

| Date          | Description  | Proceeding Number |
|---------------|--|-------------------|
| Oct. 05, 2016 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    |                   |
| Feb. 13, 2015 | CANCELLED SEC. 8 (10-YR)/EXPIRED SECTION 9           |                   |
| Jan. 28, 2015 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    |                   |
| Jan. 30, 2013 | AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP          |                   |
| Aug. 15, 2012 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    |                   |
| Feb. 22, 2012 | ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY    |                   |
| Mar. 26, 2010 | REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.   |                   |
| Mar. 26, 2010 | CASE ASSIGNED TO POST REGISTRATION PARALEGAL         |                   |
| Mar. 10, 2010 | TEAS SECTION 8 & 15 RECEIVED                         |                   |
| Oct. 26, 2009 | ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED            |                   |
| Oct. 26, 2009 | TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED |                   |
| Jul. 06, 2004 | REGISTERED-PRINCIPAL REGISTER                        |                   |
| Apr. 15, 2004 | ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED            |                   |
| Feb. 27, 2004 | CORRESPONDENCE RECEIVED IN LAW OFFICE                |                   |
| Mar. 01, 2004 | PAPER RECEIVED                                       |                   |
| Feb. 27, 2004 | TEAS CHANGE OF CORRESPONDENCE RECEIVED               |                   |
| Aug. 27, 2003 | NON-FINAL ACTION E-MAILED                            |                   |
| Jul. 21, 2003 | CASE FILE IN TICRS                                   |                   |
| May 22, 2003  | STATEMENT OF USE PROCESSING COMPLETE                 |                   |
| May 22, 2003  | USE AMENDMENT FILED                                  |                   |
| May 21, 2003  | TEAS STATEMENT OF USE RECEIVED                       |                   |
| Feb. 25, 2003 | NOA MAILED - SOU REQUIRED FROM APPLICANT             |                   |
| Dec. 03, 2002 | PUBLISHED FOR OPPOSITION                             |                   |
| Nov. 13, 2002 | NOTICE OF PUBLICATION                                |                   |
| Sep. 25, 2002 | APPROVED FOR PUB - PRINCIPAL REGISTER                |                   |
| Sep. 25, 2002 | ASSIGNED TO EXAMINER                                 |                   |

## TM Staff and Location Information

**TM Staff Information - None****File Location****Current Location:** TMO LAW OFFICE 114**Date in Location:** Mar. 26, 2010**Assignment Abstract Of Title Information****Summary****Total Assignments:** 12**Registrant:** Brunswick Family Boat Co. Inc.**Assignment 1 of 12****Conveyance:** SECURITY INTEREST**Reel/Frame:** [3917/0575](#)**Pages:** 72**Date Recorded:** Jan. 08, 2009**Supporting Documents:** [assignment-tm-3917-0575.pdf](#)**Assignor****Name:** [BRUNSWICK CORPORATION](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** DELAWARE**Where Organized:****Name:** [TRITON BOAT COMPANY, L.P.](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** LIMITED PARTNERSHIP**State or Country:** TENNESSEE**Where Organized:****Name:** [ATTWOOD CORPORATION](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** DELAWARE**Where Organized:****Name:** [BOSTON WHALER, INC.](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** DELAWARE**Where Organized:****Name:** [BRUNSWICK COMMERCIAL & GOVERNMENT PRODUCTS, INC.](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** DELAWARE**Where Organized:****Name:** [BRUNSWICK FAMILY BOAT CO. INC.](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** DELAWARE**Where Organized:****Name:** [BRUNSWICK LEISURE BOAT COMPANY, LLC.](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country:** INDIANA**Where Organized:****Name:** [LAND AND 'N' SEA DISTRIBUTING, INC.](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** FLORIDA**Where Organized:****Name:** [LUND BOAT COMPANY](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** DELAWARE**Where Organized:****Name:** [BRUNSWICK BOWLING & BILLIARDS CORPORATION](#)**Execution Date:** Dec. 19, 2008**Legal Entity Type:** CORPORATION**State or Country:** DELAWARE**Where Organized:****Assignee****Name:** [JPMORGAN CHASE BANK, N.A.](#)**Legal Entity Type:** NATIONAL ASSOCIATION**State or Country:** UNITED STATES**Where Organized:****Address:** 1111 FANNIN ST.  
10TH FLOOR

**Correspondent**

**Correspondent** IVAN ROTHMAN  
 Name:

**Correspondent** 2550 HANOVER ST.  
 Address: PALO ALTO, CA 94304

**Domestic Representative - Not Found****Assignment 2 of 12**

**Conveyance:** SECURITY INTEREST

**Reel/Frame:** [4057/0536](#)

**Pages:** 79

**Date Recorded:** Aug. 28, 2009

**Supporting Documents:** [assignment-tm-4057-0536.pdf](#)

**Assignor**

**Name:** [BRUNSWICK CORPORATION](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** DELAWARE  
**Where Organized:**

**Name:** [ATTWOOD CORPORATION](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** DELAWARE  
**Where Organized:**

**Name:** [BOSTON WHALER, INC.](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** DELAWARE  
**Where Organized:**

**Name:** [BRUNSWICK COMMERCIAL & GOVERNMENT PRODUCTS, INC.](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** DELAWARE  
**Where Organized:**

**Name:** [BRUNSWICK FAMILY BOAT CO. INC.](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** DELAWARE  
**Where Organized:**

**Name:** [BRUNSWICK LEISURE BOAT COMPANY, LLC](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country:** INDIANA  
**Where Organized:**

**Name:** [LAND 'N' SEA DISTRIBUTING, INC.](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** FLORIDA  
**Where Organized:**

**Name:** [LUND BOAT COMPANY](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** DELAWARE  
**Where Organized:**

**Name:** [BRUNSWICK BOWLING & BILLIARDS CORPORATION](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** CORPORATION

**State or Country:** DELAWARE  
**Where Organized:**

**Name:** [TRITON BOAT COMPANY, L.P.](#)

**Execution Date:** Aug. 14, 2009

**Legal Entity Type:** LIMITED PARTNERSHIP

**State or Country:** TENNESSEE  
**Where Organized:**

**Assignee**

**Name:** [THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.](#)

**Legal Entity Type:** NATIONAL ASSOCIATION

**State or Country:** UNITED STATES  
**Where Organized:**

**Address:** 2 NORTH LASALLE STREET  
 SUITE 1020  
 CHICAGO, ILLINOIS 60602

**Correspondent**

**Correspondent** MARCELA ROBLEDO  
Name:

**Correspondent** 2550 HANOVER STREET  
Address: PALO ALTO, CA 94304

**Domestic Representative - Not Found****Assignment 3 of 12**

**Conveyance:** RELEASE BY SECURED PARTY

Reel/Frame: [4506/0498](#)

Pages: 100

Date Recorded: Mar. 25, 2011

Supporting [assignment-tm-4506-0498.pdf](#)  
Documents:

**Assignor**

Name: [JPMORGAN CHASE BANK, N.A., AS  
ADMINISTRATIVE AGENT](#)

Execution Date: Mar. 21, 2011

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country UNITED STATES  
Where Organized:

**Assignee**

Name: [BRUNSWICK CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [TRITON BOAT COMPANY, L.P.](#)

Legal Entity Type: LIMITED PARTNERSHIP

State or Country TENNESSEE  
Where Organized:

Address: 15 BLUEGRASS ROAD  
ASHLAND CITY, TENNESSEE 37015

Name: [ATTWOOD CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 1016 N. MONROE STREET  
LOWELL, MICHIGAN 49331

Name: [BOSTON WHALER, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 100 WHALER WAY, 4121 U.S. HIGHWAY 1  
EDGEWATER, FLORIDA 32141

Name: [BRUNSWICK COMMERCIAL & GOVERNMENT PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 420 MEGAN Z AVENUE  
EDGEWATER, FLORIDA 32132

Name: [BRUNSWICK FAMILY BOAT CO. INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 17825 59TH AVENUE NE  
ARLINGTON, WASHINGTON 98223

Name: [BRUNSWICK LEISURE BOAT COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country INDIANA  
Where Organized:

Address: 2801 W. STATE BLVD.  
FORT WAYNE, INDIANA 46808

Name: [LAND 'N' SEA DISTRIBUTING, INC.](#)

Legal Entity Type: CORPORATION

State or Country FLORIDA  
Where Organized:

Address: 3131 N ANDREWS AVENUE EXTENSION  
POMPANO BEACH, FLORIDA 33064

Name: [LUND BOAT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 318 WEST GILMANN DRIVE  
NEW YORK MILLS, MINNESOTA 56567

Name: [BRUNSWICK BOWLING & BILLIARDS CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

#### Correspondent

Correspondent MINDY M. LOK, ESQ.

Name:

Correspondent SIMPSON THACHER & BARTLETT LLP

Address: 425 LEXINGTON AVENUE  
NEW YORK, NY 10017

#### Domestic Representative - Not Found

### Assignment 4 of 12

Conveyance: SECURITY INTEREST

Reel/Frame: [4514/0034](#)

Pages: 105

Date Recorded: Apr. 04, 2011

Supporting [assignment-tm-4514-0034.pdf](#)  
Documents:

#### Assignor

Name: [BRUNSWICK CORPORATION](#)

Legal Entity Type: CORPORATION

Execution Date: Mar. 21, 2011

State or Country DELAWARE  
Where Organized:

Name: [ATTWOOD CORPORATION](#)

Legal Entity Type: CORPORATION

Execution Date: Mar. 21, 2011

State or Country DELAWARE  
Where Organized:

Name: [BOSTON WHALER, INC.](#)

Legal Entity Type: CORPORATION

Execution Date: Mar. 21, 2011

State or Country DELAWARE  
Where Organized:

Name: [BRUNSWICK COMMERCIAL & GOVERNMENT  
PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

Execution Date: Mar. 21, 2011

State or Country DELAWARE

Where Organized:

Name: [BRUNSWICK FAMILY BOAT CO. INC.](#)

Legal Entity Type: CORPORATION

Execution Date: Mar. 21, 2011

State or Country DELAWARE

Where Organized:

Name: [BRUNSWICK LEISURE BOAT COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

Execution Date: Mar. 21, 2011

State or Country INDIANA

Where Organized:

Name: [LAND 'N' SEA DISTRIBUTING, INC.](#)

Legal Entity Type: CORPORATION

Execution Date: Mar. 21, 2011

State or Country FLORIDA

Where Organized:

Name: [LUND BOAT COMPANY](#)

Legal Entity Type: CORPORATION

Execution Date: Mar. 21, 2011

State or Country DELAWARE

Where Organized:

Name: [BRUNSWICK BOWLING & BILLIARDS CORPORATION](#)

Execution Date: Mar. 21, 2011

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Name: [LEISERV, INC.](#)

Execution Date: Mar. 21, 2011

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

**Assignee**

Name: [JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT](#)

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country UNITED STATES  
Where Organized:

Address: P.O. BOX 2558  
HOUSTON, TEXAS 77252

**Correspondent**

Correspondent MARCELA ROBLEDO, ESQ.

Name:

Correspondent SIMPSON THACHER & BARTLETT LLP

Address: 425 LEXINGTON AVENUE  
NEW YORK, NY 10017

**Domestic Representative - Not Found**

**Assignment 5 of 12**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4839/0243](#)

Pages: 4

Date Recorded: Aug. 09, 2012

Supporting [assignment-tm-4839-0243.pdf](#)  
Documents:

**Assignor**

Name: [BRUNSWICK FAMILY BOAT CO., INC.](#)

Execution Date: Feb. 07, 2012

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

**Assignee**

Name: [THE TREADSTONE GROUP, INC. \(N.C.\)](#)

Legal Entity Type: CORPORATION

State or Country NORTH CAROLINA  
Where Organized:

Address: 388 N. HWY. 16, SUITE B  
DENVER, NORTH CAROLINA 28037

**Correspondent**

Correspondent JAMES P. MURAFF  
Name:

Correspondent TWO NORTH LASALLE STREET, SUITE 1700  
Address: ATTN: PATENT ADMINISTRATOR  
CHICAGO, IL 60602

**Domestic Representative - Not Found**

**Assignment 6 of 12**

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [4716/0454](#)

Pages: 7

Date Recorded: Feb. 13, 2012

Supporting [assignment-tm-4716-0454.pdf](#)  
Documents:

**Assignor**

Name: [JPMORGAN CHASE BANK, N.A.](#)

Execution Date: Feb. 09, 2012

Legal Entity Type: ASSOCIATION

State or Country UNITED STATES  
Where Organized:

**Assignee**

Name: [BRUNSWICK FAMILY BOAT CO. INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

**Correspondent**

Correspondent IP RESEARCH PLUS, INC.  
Name:

Correspondent 21 TADCASTER CIRCLE  
Address: ATTN: PENELOPE J.A. AGODOA  
WALDORF, MD 20602

**Domestic Representative - Not Found**

**Assignment 7 of 12**

Conveyance: RELEASE OF SECURITY INTEREST

Reel/Frame: [4716/0461](#)

Pages: 6

Date Recorded: Feb. 13, 2012

Supporting [assignment-tm-4716-0461.pdf](#)  
Documents:

**Assignor**

Name: [THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A.](#)

Execution Date: Feb. 09, 2012

Legal Entity Type: ASSOCIATION

State or Country UNITED STATES  
Where Organized:

**Assignee**

Name: [BRUNSWICK FAMILY BOAT CO. INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE  
Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

**Correspondent**

Correspondent IP RESEARCH PLUS, INC.  
Name:

Correspondent 21 TADCASTER CIRCLE  
Address: ATTN: PENELOPE J.A. AGODOA  
WALDORF, MD 20602

**Domestic Representative - Not Found**

**Assignment 8 of 12**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4946/0184](#)

Pages: 4

Date Recorded: Jan. 19, 2013

Supporting [assignment-tm-4946-0184.pdf](#)  
Documents:

**Assignor**

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

Execution Date: Feb. 21, 2012

Legal Entity Type: CORPORATION

State or Country NORTH CAROLINA  
Where Organized:

**Assignee**

Name: [REDBOX AUTOMATED RETAIL, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country DELAWARE  
Where Organized:

Address: ONE TOWER LANE  
OAKBROOK TERRACE, ILLINOIS 60181

**Correspondent**

Correspondent JAMES P. MURAFF  
Name:

Correspondent TWO NORTH LASALLE STREET, SUITE 1700  
Address: CHICAGO, IL 60602

**Domestic Representative - Not Found****Assignment 9 of 12****Conveyance:** RELEASE BY SECURED PARTY**Reel/Frame:** [5191/0462](#)**Pages:** 77**Date Recorded:** Jan. 13, 2014**Supporting Documents:** [assignment-tm-5191-0462.pdf](#)**Assignor****Name:** [THE BANK OF NEW YORK MELLON](#)**Execution Date:** Jul. 17, 2013**Legal Entity Type:** TRUSTEE**State or Country** No Place of Organization Found  
**Where Organized:****Assignee****Name:** [BRUNSWICK CORPORATION](#)**Legal Entity Type:** CORPORATION**State or Country** DELAWARE  
**Where Organized:****Address:** ONE NORTH FIELD COURT  
LAKE FOREST, ILLINOIS 60045**Correspondent****Correspondent** ANDRUS INTELLECTUAL PROPERTY LAW, LLP  
**Name:****Correspondent** 100 EAST WISCONSIN AVENUE  
**Address:** SUITE 1100  
MILWAUKEE, WI 53202**Domestic Representative - Not Found****Assignment 10 of 12****Conveyance:** SECURITY INTEREST**Reel/Frame:** [5310/0031](#)**Pages:** 7**Date Recorded:** Jun. 26, 2014**Supporting Documents:** [assignment-tm-5310-0031.pdf](#)**Assignor****Name:** [REDBOX AUTOMATED RETAIL, LLC](#)**Execution Date:** Jun. 24, 2014**Legal Entity Type:** LIMITED LIABILITY COMPANY**State or Country** DELAWARE  
**Where Organized:****Assignee****Name:** [BANK OF AMERICA, N.A.](#)**Legal Entity Type:** NATIONAL ASSOCIATION**State or Country** UNITED STATES  
**Where Organized:****Address:** 901 MAIN STREET  
DALLAS, TEXAS 75202**Correspondent****Correspondent** HAYNES AND BOONE, LLP  
**Name:****Correspondent** 2323 VICTORY AVENUE, SUITE 700  
**Address:** GAVIN GEORGE  
DALLAS, TX 75219**Domestic Representative - Not Found****Assignment 11 of 12****Conveyance:** RELEASE OF SECURITY INTEREST**Reel/Frame:** [5445/0047](#)**Pages:** 40**Date Recorded:** Jan. 22, 2015**Supporting Documents:** [assignment-tm-5445-0047.pdf](#)**Assignor**

Name: [JPMORGAN CHASE BANK, N.A.](#)

Legal Entity Type: A NATIONAL BANKING ASSOCIATION

Execution Date: Dec. 24, 2014

State or Country UNITED STATES

Where Organized:

**Assignee**

Name: [BRUNSWICK CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [ATTWOOD CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [BOSTON WHALER, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [BRUNSWICK COMMERCIAL & GOVERNMENT PRODUCTS, INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [BRUNSWICK FAMILY BOAT CO. INC.](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [BRUNSWICK LEISURE BOAT COMPANY, LLC](#)

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country INDIANA

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [LAND 'N' SEA DISTRIBUTING, INC.](#)

Legal Entity Type: CORPORATION

State or Country FLORIDA

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [LUND BOAT COMPANY](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

Name: [BRUNSWICK BOWLING & BILLIARDS CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country DELAWARE

Where Organized:

Address: 1 N. FIELD COURT  
LAKE FOREST, ILLINOIS 60045

**Correspondent**

Correspondent IP RESEARCH PLUS, INC.

Name:

Correspondent 21 TADCASTER CIRCLE

Address: ATTN: PENELOPE J.A. AGODOA  
WALDORF, MD 20602

**Domestic Representative - Not Found**

## Assignment 12 of 12

**Conveyance:** RELEASE OF INTELLECTUAL PROPERTY SECURITY INTEREST

**Reel/Frame:** [5885/0636](#)

**Pages:** 16

**Date Recorded:** Sep. 27, 2016

**Supporting Documents:** [assignment-tm-5885-0636.pdf](#)

### Assignor

**Name:** [BANK OF AMERICA, N.A.](#)

**Execution Date:** Sep. 27, 2016

**Legal Entity Type:** NATIONAL BANKING ASSOCIATION

**State or Country:** UNITED STATES  
**Where Organized:**

### Assignee

**Name:** [REDBOX AUTOMATED RETAIL, LLC](#)

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country:** DELAWARE  
**Where Organized:**

**Address:** ONE TOWER LANE, SUITE 900  
OAKBROOK TERRACE, ILLINOIS 60181

### Correspondent

**Correspondent:** VENISA DARK, HAYNES AND BOONE LLP  
**Name:**

**Correspondent:** 2323 VICTORY AVENUE, SUITE 700  
**Address:** DALLAS, TX 75219

### Domestic Representative - Not Found



**NOTICE OF ACCEPTANCE AND  
ACKNOWLEDGEMENT OF §§8 & 15  
DECLARATION**  
**MAILING DATE: Mar 26, 2010**

The combined declaration of use and incontestability filed in connection with the registration identified below meets the requirements of Sections 8 and 15 of the Trademark Act, 15 U.S.C. §1058 and 1065. The combined declaration is accepted and acknowledged. The registration remains in force.

For further information about this notice, visit our website at: <http://www.uspto.gov>. To review information regarding the referenced registration, go to <http://tarr.uspto.gov>.

**REG NUMBER:** 2861302  
**MARK:** WHERE FUN LIVES  
**OWNER:** Brunswick Family Boat Co. Inc.

UNITED STATES PATENT AND TRADEMARK OFFICE  
COMMISSIONER FOR TRADEMARKS  
P.O. BOX 1451  
ALEXANDRIA, VA 22313-1451

FIRST-CLASS MAIL  
U.S POSTAGE  
PAID

Adam D. Airhart  
BRUNSWICK CORPORATION  
ONE NORTH FIELD COURT  
LAKE FOREST, IL 60045

## Combined Declaration of Use and Incontestability under Sections 8 & 15

The table below presents the data as entered.

| Input Field                       | Entered                        |
|-----------------------------------|--------------------------------|
| REGISTRATION NUMBER               | 2861302                        |
| REGISTRATION DATE                 | 07/06/2004                     |
| SERIAL NUMBER                     | 78136403                       |
| <b>MARK SECTION</b>               |                                |
| MARK                              | WHERE FUN LIVES                |
| <b>OWNER SECTION (current)</b>    |                                |
| NAME                              | Brunswick Family Boat Co. Inc. |
| STREET                            | P.O. Box 9029                  |
| CITY                              | Everett                        |
| STATE                             | Washington                     |
| ZIP/POSTAL CODE                   | 98206                          |
| COUNTRY                           | United States                  |
| <b>OWNER SECTION (proposed)</b>   |                                |
| NAME                              | Brunswick Family Boat Co. Inc. |
| INTERNAL ADDRESS                  | Suite 1700                     |
| STREET                            | 800 South Gay Street           |
| CITY                              | Knoxville                      |
| STATE                             | Tennessee                      |
| ZIP/POSTAL CODE                   | 37929                          |
| COUNTRY                           | United States                  |
| <b>ATTORNEY SECTION (current)</b> |                                |
| NAME                              | Adam D. Airhart                |
| FIRM NAME                         | BRUNSWICK CORPORATION          |
| STREET                            | ONE NORTH FIELD COURT          |
| CITY                              | LAKE FOREST                    |
| STATE                             | Illinois                       |
| POSTAL CODE                       | 60045                          |
| COUNTRY                           | United States                  |
| PHONE                             | 847-735-4354                   |
| FAX                               | 847-735-4330                   |
| EMAIL                             | adam.airhart@brunswick.com     |

**ATTORNEY SECTION (proposed)**

|                                      |                            |
|--------------------------------------|----------------------------|
| NAME                                 | Adam D. Airhart            |
| FIRM NAME                            | BRUNSWICK CORPORATION      |
| STREET                               | ONE NORTH FIELD COURT      |
| CITY                                 | LAKE FOREST                |
| STATE                                | Illinois                   |
| POSTAL CODE                          | 60045                      |
| COUNTRY                              | United States              |
| PHONE                                | 847-735-4354               |
| FAX                                  | 847-735-4330               |
| EMAIL                                | adam.airhart@brunswick.com |
| AUTHORIZED TO COMMUNICATE VIA E-MAIL | Yes                        |
| ATTORNEY DOCKET NUMBER               | USM2077                    |

**GOODS AND/OR SERVICES SECTION**

|                                   |  |
|-----------------------------------|--|
| INTERNATIONAL CLASS               | 012  |
| GOODS OR SERVICES                 | KEEP ALL LISTED  |
| SPECIMEN FILE NAME(S)             |  |
| ORIGINAL PDF FILE                 | <a href="#">SPN0-63250226162-122244280 . Where_Fun_Lives_boat_show.pdf</a>   |
| CONVERTED PDF FILE(S)<br>(1 page) | <a href="#">\\TICRS\\EXPORT9\\IMAGEOUT9\\781\\364\\78136403\\xml1\\8150002.JPG</a>   |
| ORIGINAL PDF FILE                 | <a href="#">SPN0-63250226162-122244280 . Where_fun_lives_brochure.pdf</a>  |
| CONVERTED PDF FILE(S)<br>(1 page) | <a href="#">\\TICRS\\EXPORT9\\IMAGEOUT9\\781\\364\\78136403\\xml1\\8150003.JPG</a>   |
| SPECIMEN DESCRIPTION              | Digital photograph of WHERE FUN LIVES banner in the Bayliner booth at the Miami Boat Show. Second PDF is of the Bayliner boat catalog cover as point of sale material in dealerships |

**PAYMENT SECTION**

|                        |     |
|------------------------|-----|
| NUMBER OF CLASSES      | 1   |
| NUMBER OF CLASSES PAID | 1   |
| SUBTOTAL AMOUNT        | 300 |
| TOTAL FEE PAID         | 300 |

**SIGNATURE SECTION**

|                      |                     |
|----------------------|---------------------|
| SIGNATURE            | /Marsha T. Vaughn/  |
| SIGNATORY'S NAME     | Marsha T. Vaughn    |
| SIGNATORY'S POSITION | Assistant Secretary |
| DATE SIGNED          | 03/09/2010          |
| PAYMENT METHOD       | DA                  |

**FILING INFORMATION**

|             |                              |
|-------------|------------------------------|
| SUBMIT DATE | Wed Mar 10 09:28:52 EST 2010 |
|             | USPTO/S08N15-XX.XXX.XXX.X    |

TEAS STAMP

XX-20100310092852351237-2  
861302-4606a43821d666edbd  
ca1b71b1cd3a31e5-DA-7262-  
20100309122244280773

---

## Combined Declaration of Use and Incontestability under Sections 8 & 15

To the Commissioner for Trademarks:

**REGISTRATION NUMBER:** 2861302

**REGISTRATION DATE:** 07/06/2004

**MARK:** WHERE FUN LIVES

The owner, Brunswick Family Boat Co. Inc., having an address of

Suite 1700  
800 South Gay Street  
Knoxville, Tennessee 37929  
United States

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 012, the mark is in use in commerce on or in connection with **all** of the goods or services listed in the existing registration for this specific class; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods or services listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods or services exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one specimen for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) Digital photograph of WHERE FUN LIVES banner in the Bayliner booth at the Miami Boat Show. Second PDF is of the Bayliner boat catalog cover as point of sale material in dealerships.

**Original PDF file:**

[SPN0-63250226162-122244280 .. Where\\_Fun\\_Lives\\_boat\\_show.pdf](#)

**Converted PDF file(s) (1 page)**

[Specimen File1](#)

**Original PDF file:**

[SPN0-63250226162-122244280 .. Where\\_fun\\_lives\\_brochure.pdf](#)

**Converted PDF file(s) (1 page)**

[Specimen File1](#)

The registrant hereby appoints Adam D. Airhart of BRUNSWICK CORPORATION

ONE NORTH FIELD COURT  
LAKE FOREST, Illinois 60045  
United States

to file this Combined Declaration of Use and Incontestability under Sections 8 & 15 on behalf of the registrant. The attorney docket/reference number is USM2077.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

### Declaration

*The mark is in use in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce. There has been no final decision adverse to the owner's claim of ownership of such mark, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either in the U.S. Patent and Trademark Office or in the courts.*

The undersigned being hereby 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 this document, declares that he/she is properly

authorized to execute this document on behalf of the Owner; and 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: /Marsha T. Vaughn/ Date: 03/09/2010

Signatory's Name: Marsha T. Vaughn

Signatory's Position: Assistant Secretary

Mailing Address (**current**):

BRUNSWICK CORPORATION  
ONE NORTH FIELD COURT  
LAKE FOREST, Illinois 60045

Mailing Address (**proposed**):

BRUNSWICK CORPORATION  
ONE NORTH FIELD COURT  
LAKE FOREST, Illinois 60045

Serial Number: 78136403

Internet Transmission Date: Wed Mar 10 09:28:52 EST 2010

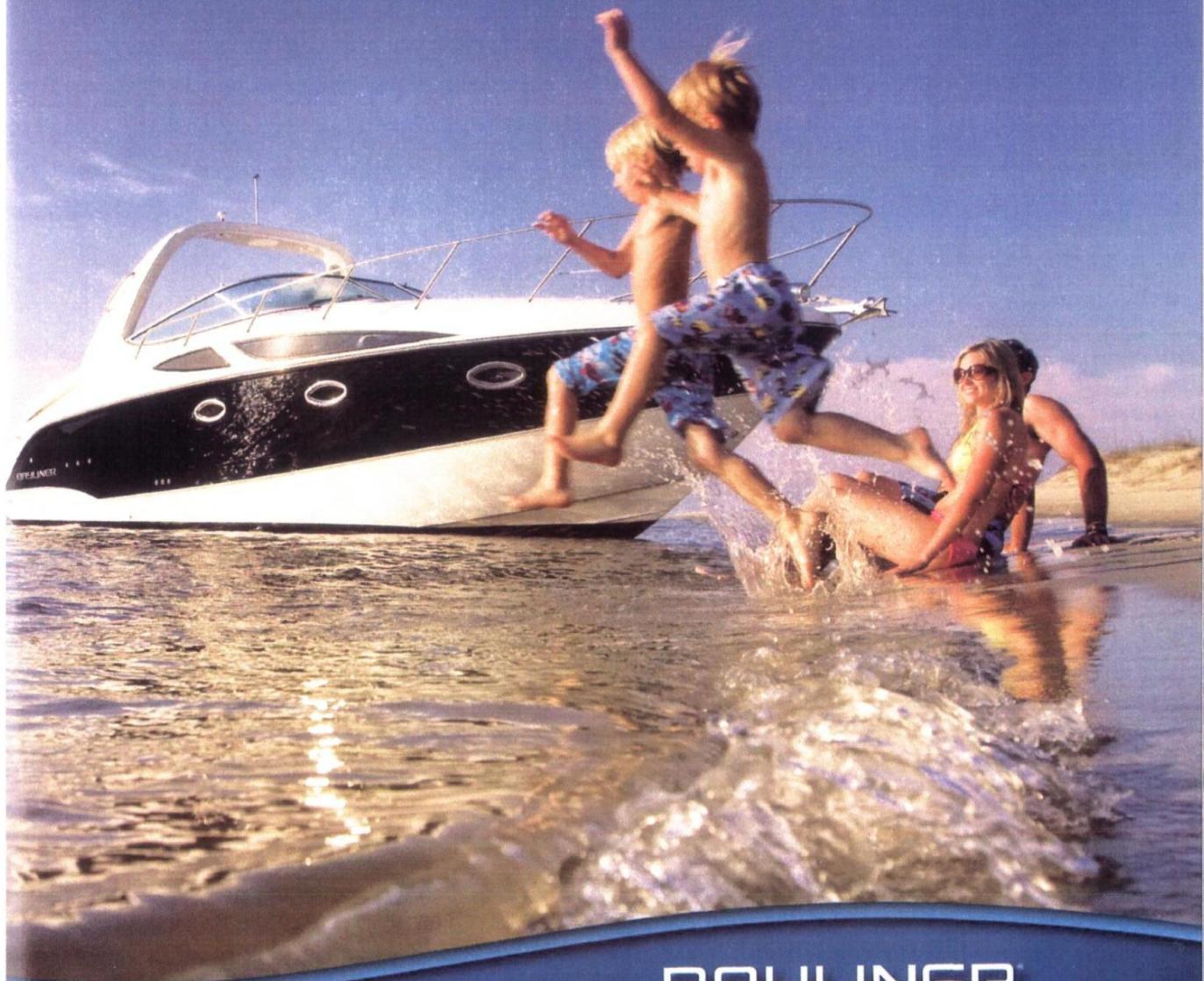
TEAS Stamp: USPTO/S08N15-XX.XXX.XXX.XXX-201003100928

52351237-2861302-4606a43821d666edbdca1b7

1b1cd3a31e5-DA-7262-20100309122244280773



**2010 Catalog**  
Bowriders, Ski N Fish, Deck Boats,  
Cuddy and Cruisers



**BAYLINER®**  
where fun lives®

[bayliner.com](http://bayliner.com)

**ROUTING SHEET TO POST REGISTRATION (PRU)****Registration Number:** 2861302**Serial Number:** 78136403**RAM Sale Number:** 7262**RAM Accounting Date:** 20100310**Total Fees:** \$300

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

| <b><u>Transaction</u></b> | <b><u>Fee Code</u></b> | <b><u>Transaction Date</u></b> | <b><u>Fee per Class</u></b> | <b><u>Number of Classes</u></b> | <b><u>Number of Classes Paid</u></b> | <b><u>Total Fee</u></b> |
|---------------------------|------------------------|--------------------------------|-----------------------------|---------------------------------|--------------------------------------|-------------------------|
| §8 affidavit              | 7205                   | 20100310                       | \$100                       | 1                               | 1                                    | \$100                   |
| §15 affidavit             | 7208                   | 20100310                       | \$200                       | 1                               | 1                                    | \$200                   |

Physical Location: 900 - FILE REPOSITORY (FRANCONIA)

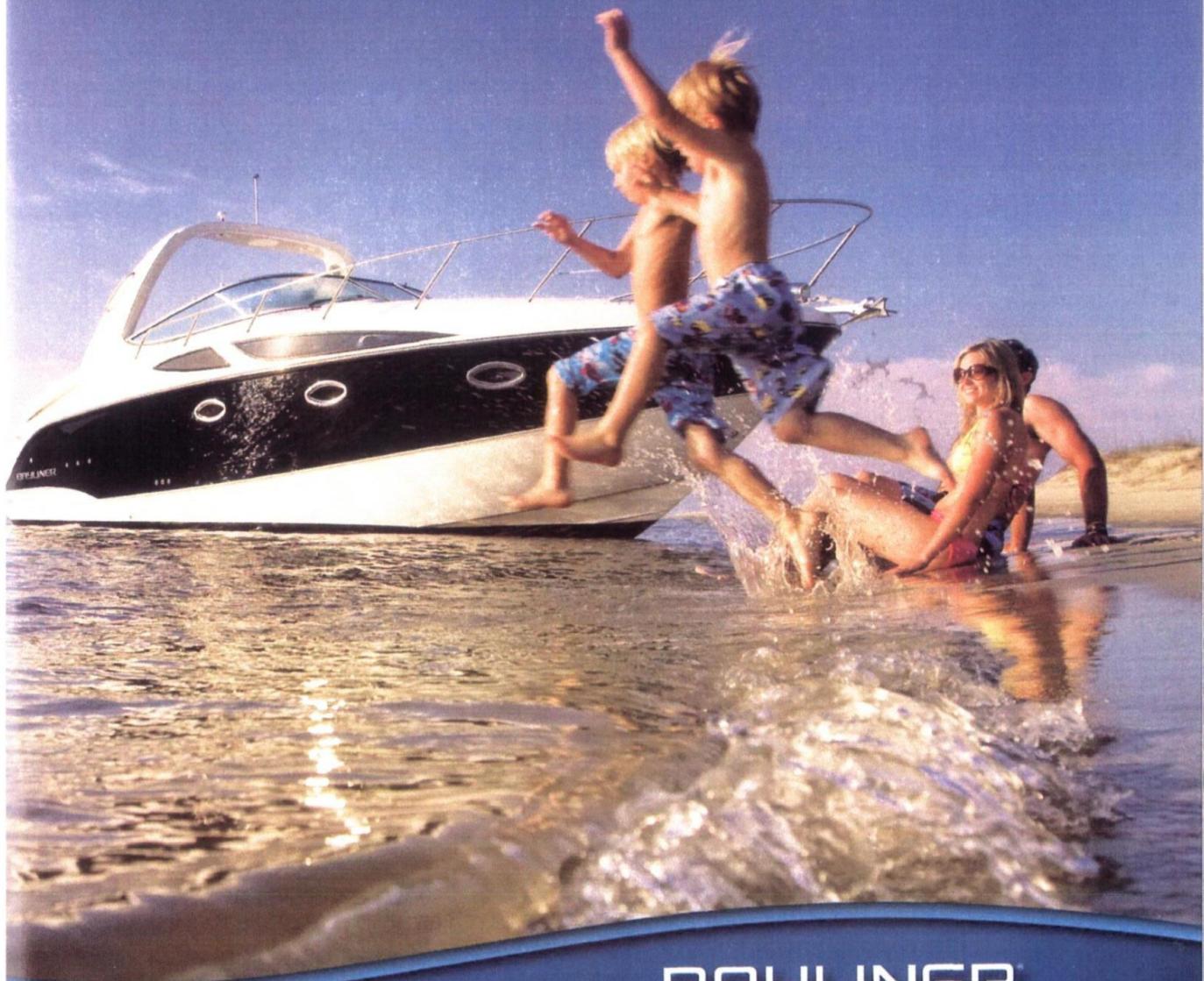
Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20100310



**2010 Catalog**  
Bowriders, Ski N Fish, Deck Boats,  
Cuddy and Cruisers



**BAYLINER®**  
where fun lives®

[bayliner.com](http://bayliner.com)

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

The table below presents the data as entered.

| Input Field                                   | Entered  |
|---|--|
| SERIAL NUMBER                                 | 78136403   |
| REGISTRATION NUMBER                           | 2861302  |
| LAW OFFICE ASSIGNED                           | LAW OFFICE 114   |
| ATTORNEY DOCKET NUMBER                        | USM2077  |
| MARK SECTION                                  |  |
| MARK  | WHERE FUN LIVES  |
| ATTORNEY SECTION                              |  |
| ORIGINAL ADDRESS                              | DALE PAUL DiMAGGIO, ESQ.<br>MALIN, HALEY & DiMAGGIO, P.A.<br>130036.20171<br>1936 SOUTH ANDREWS AVENUE<br>FORT LAUDERDALE Florida (FL) 33316<br>United States (USX)<br>954 763 3303<br>954 522 6507<br>INFO@mhdpatents.com |
| NEW ATTORNEY ADDRESS                          |  |
| STATEMENT TEXT                                | By submission of this request, the undersigned REVOKES the power of attorney currently of record, as listed above, and hereby APPOINTS the following new attorney:   |
| NAME  | Adam D. Airhart  |
| FIRM NAME                                     | Brunswick Corporation  |
| STREET  | One North Field Court  |
| CITY  | Lake Forest  |
| STATE   | Illinois   |
| COUNTRY                                       | United States  |
| POSTAL/ZIP CODE                               | 60045  |
| PHONE   | 847-735-4354   |
| FAX   | 847-735-4330   |
| EMAIL   | adam.airhart@brunswick.com   |
| ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL | YES  |
| ATTORNEY DOCKET NUMBER                        | USM2077  |
| NEW CORRESPONDENCE ADDRESS                    |  |
| NAME  | Adam Airhart   |

|   |   |
|---|---|
| <b>FIRM NAME</b>                            | Brunswick Corporation   |
| <b>STREET</b>                               | One North Field Court   |
| <b>CITY</b>                                 | Lake Forest   |
| <b>STATE</b>                                | Illinois  |
| <b>COUNTRY</b>                              | United States   |
| <b>POSTAL/ZIP CODE</b>                      | 60045   |
| <b>PHONE</b>                                | 847-735-4354  |
| <b>FAX</b>                                  | 847-735-4330  |
| <b>EMAIL</b>                                | adam.airhart@brunswick.com  |
| <b>AUTHORIZED TO COMMUNICATE VIA E-MAIL</b> | YES   |
| <b>SIGNATURE SECTION</b>                    |   |
| <b>SIGNATURE</b>                            | /Marsha T. Vaughn/  |
| <b>SIGNATORY NAME</b>                       | Marsha T. Vaughn  |
| <b>SIGNATORY DATE</b>                       | 10/26/2009  |
| <b>SIGNATORY POSITION</b>                   | Assistant Secretary   |
| <b>FILING INFORMATION SECTION</b>           |   |
| <b>SUBMIT DATE</b>                          | Mon Oct 26 15:15:20 EDT 2009  |
| <b>TEAS STAMP</b>                           | USPTO/RAA-XXX.XX.XXX.XXX-<br>20091026151520746073-7236<br>6873-460e7461d19fc186db14<br>7d7cfc8a8b786e6-N/A-N/A-2<br>0091026121427551466 |

---

## Revocation of Attorney/Domestic Representative and/or Appointment of Attorney/Domestic Representative

To the Commissioner for Trademarks:

**MARK:** WHERE FUN LIVES

**SERIAL NUMBER:** 78136403

**REGISTRATION NUMBER:** 2861302

**ATTORNEY DOCKET NUMBER** USM2077

**The original attorney**

DALE PAUL DiMAGGIO, ESQ.

MALIN, HALEY & DiMAGGIO, P.A.

130036.20171

1936 SOUTH ANDREWS AVENUE

FORT LAUDERDALE Florida 33316

United States

954 763 3303

954 522 6507

INFO@mhdpatents.com

**Original Correspondence Address :**

DALE PAUL DiMAGGIO, ESQ.

MALIN, HALEY & DiMAGGIO, P.A.

1936 SOUTH ANDREWS AVENUE

FORT LAUDERDALE Florida 33316

United States

954 763 3303

954 522 6507

INFO@mhdpatents.com

By submission of this request, the undersigned REVOKEs the power of attorney currently of record, as listed above, and hereby APPOINTs the following new attorney:

**Newly Appointed Attorney:**

Adam D. Airhart

Brunswick Corporation

One North Field Court

Lake Forest, Illinois 60045

United States

847-735-4354

847-735-4330

adam.airhart@brunswick.com

USM2077

**The following is to be used as the correspondence address:**

Adam Airhart

Brunswick Corporation

One North Field Court

Lake Forest, Illinois 60045

United States

847-735-4354

847-735-4330

adam.airhart@brunswick.com

Signature: /Marsha T. Vaughn/ Date: 10/26/2009

Signatory's Name: Marsha T. Vaughn

Signatory's Position: Assistant Secretary

Serial Number: 78136403

Internet Transmission Date: Mon Oct 26 15:15:20 EDT 2009

TEAS Stamp: USPTO/RAA-XXX.XX.XXX.XXX-200910261515207

46073-72366873-460e7461d19fc186db147d7cf

c8a8b786e6-N/A-N/A-20091026121427551466

Int. Cl.: 12

Prior U.S. Cls.: 19, 21, 23, 31, 35, and 44

Reg. No. 2,861,302

United States Patent and Trademark Office

Registered July 6, 2004

TRADEMARK  
PRINCIPAL REGISTER

WHERE FUN LIVES

BRUNSWICK FAMILY BOAT CO. INC. (DELA-  
WARE CORPORATION)  
P.O. BOX 9029  
EVERETT, WA 98206

FIRST USE 7-5-2002; IN COMMERCE 8-1-2002.

SN 78-136,403, FILED 6-17-2002.

FOR: BOATS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31,  
35 AND 44).

VIVIAN MICZNIK FIRST, EXAMINING ATTOR-  
NEY

---

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514  
[www.uspto.gov](http://www.uspto.gov)

## NOTICE OF ACCEPTANCE OF STATEMENT OF USE

May 27, 2004

TM14

ATTORNEY  
REFERENCE NUMBER:

130036.20171

DALE PAUL DiMAGGIO, ESQ.  
MALIN, HALEY & DiMAGGIO, P.A.  
1936 SOUTH ANDREWS AVENUE  
FORT LAUDERDALE FL 33316

SERIAL NUMBER: 78/136403  
MARK: WHERE FUN LIVES  
OWNER: Brunswick Family Boat Co. Inc.

---

The Statement of Use (SOU) filed for the trademark application identified above has been accepted. This acceptance means that the mark will register and the registration certificate will issue in due course barring any extraordinary circumstances.

For further information please check the USPTO web site at [www.uspto.gov](http://www.uspto.gov) or call the Trademark Assistance Center at 703-308-9000.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

February 27, 2004

In re application of : Brunswick Family Boat Co.,  
Inc.  
Serial No. : 78/136403  
Filed : June 17, 2002  
Mark : **WHERE FUN LIVES**  
Trademark Attorney : Vivian Micznick First  
Law Office : 114  
Our File No. : 10890.4707

**AMENDMENT**

Box Responses No Fee  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Dear Sir:

In response to the Office Action No. 01, dated August 27, 2003, please consider the following.

**REMARKS**

**No Conflicting Marks**

The Applicant respectfully notes that the Examining Attorney's search of the Office records did not find any similar registered or pending mark which would bar registration under the Trademark Act Section 2(d) 15 U.S.C. Section 1052(d).



03-01-2004

U.S. Patent & TMOft/TM Mail Rept Dt. #77

Applicant: Brunswick Family Boat, Co., Inc.  
Serial No. 78/136,403  
February 27, 2004  
Page 2 of 5

**Specimen**

The Examining Attorney has objected to the specimens, as not evidencing actual trademark use.

Applicant would like to clarify the nature and precise use of the specimens of record, and also clarify that the comprehensive brochure constitutes a point-of-sale, product catalog and specification sheets which are customarily used in the boating industry. The specimens were identified in their various manners of use as set forth in the original application as filed. The point-of-sale brochure indicating the WHERE FUN LIVES trademark slogan was submitted as used on BAYLINER boats. The brochure is 55 pages, contains numerous photographs, indicates the product specifications, including the length of the vessel, the beam, dead-rise, fuel capacity, as well as a description of the equipment supplied on the boat. Functional and operational features are described, and options available to the consumer. These brochures are present at trade shows, in dealerships, as well as physically located on the boats themselves, as they are being inspected by customers and potential customers. The brochures also contain actual photographs of the boats.

The original catalog, a photograph of which was filed with the Statement of Use, is filed herewith.

Applicant: Brunswick Family Boat, Co., Inc.  
Serial No. 78/136,403  
February 27, 2004  
Page 3 of 5

Applicant is submitting herewith the original brochure and supplemental specimens which are meant to further illustrate use of the mark in conjunction with the original specimens submitted with the application. The Web-site home page is included herewith. The home page clearly depicts the mark WHERE FUN LIVES, and includes various photographs of different boats marketed by the Applicant. The additional supplemental specimens illustrate use of the mark with respect to a wide variety of boats, twenty-three (23) different models marketed by Applicant, in several different product categories.

Given the nature of the goods and trade custom for boats, it is impractical to affix tags or labels directly on the goods. In re Schiapparelli Searle 26 USPQ2d 1520 (TTAB 1993). Therefore, the Applicant has submitted point-of-sale materials as specimens, which are routinely accepted for registration; specifically the Applicant has submitted brochures and WebPages. Both the brochures and WebPages constitute documents directly associated with the goods, and are designed as an inducement to a sale. The customer can associate the mark with the boat in deciding whether or not to buy a particular boat.

The brochures and Web Pages display the merchandise that is offered for sale, with the descriptions, product specifications,

Applicant: Brunswick Family Boat, Co., Inc.  
Serial No. 78/136,403  
February 27, 2004  
Page 4 of 5

and actual pictures designed to procure a sale. The Web page is composed of pictures and language which describe specific vessels and are supplemented by features and options from which customers can choose. Additionally, a website address, dealer addresses and telephone numbers are listed so that customers can make a decision to purchase an item straight from the web page similar to a catalog. See Lands End, Inc. v. Harry Manbeck, Jr. 24 USPQ2D 1314 (Dist. Ct. E.Va. 1992).

A customer can easily associate the product with the slogan in the display on both the brochures and WebPages. The point-of-sale nature of the sales literature, when combined with the prominent depiction of the mark with the boats constitutes a display associated with goods. See In re Shipley Co., Inc., 230 USPQ 691 (TTAB 1986). Therefore, it is believed that with this clarification of the specimens, they are appropriate for illustrating use of the mark in regard to the associated goods. Both point-of-sale brochures, on the one hand, and Web-site materials on the other, are appropriate for establishing proper trademark usage.

Applicant: Brunswick Family Boat, Co., Inc.  
Serial No. 78/136,403  
February 27, 2004  
Page 5 of 5

CONCLUSION

For the reasons stated above, it is respectfully submitted that both the Applicant's original specimens and the herewith enclosed supplemental specimens are evidence of actual trademark use in interstate commerce of the mark in association with the Applicant's goods. Application requests that this Application be permitted to proceed to publication, allowance and registration.

Should the Examining Attorney have any remaining questions, the undersigned would request a telephone conference to possibly expedite this case.

If there are any additional charges, including extension of time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,

  
Dale Paul DiMaggio, Reg. No. 31,823  
MALIN, HALEY, & ~~DiMAGGIO~~, P.A.  
1936 S. Andrews Avenue  
Fort Lauderdale, Florida 33316  
Tel: (954) 763-3303  
Facsimile: (954) 522-6507  
e-mail: INFO@mhdpatents.com

Serial Number: 78/136,403

File Number: 10890.4707

**CERTIFICATE OF EXPRESS MAIL**

I HEREBY CERTIFY that the following correspondence: *Trademark Amendment responsive to the Office Action dated August 27, 2003; one (1) multi-page color brochure specimen; five (5) color pages printed from Applicant's web-site as specimens; and Return Postcard For Confirmation Of Receipt*, is being deposited with the United States Postal Service as Express Mail No. EV 338411159 US, addressed to: Box Responses No Fee, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, this 27<sup>th</sup> day of February, 2004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Any additional charges, including extension of time, please bill our Account No. 13-1130.



Lisa M. Kerkorian  
Paralegal

Date: Friday, February 27, 2004

**MALIN, HALEY & DiMAGGIO, P.A.  
1936 S. Andrews Ave.  
Fort Lauderdale, Florida 33316  
(954) 763-3303**

where fun lives™



BAYLINER | 2003



[www.bayliner.com](http://www.bayliner.com) P.O. Box 9029, Everett, WA 98206 USA

Information contained within this publication is believed to be correct at time of printing.  
Note: Not all accessories shown in pictures or described are standard equipment or even  
available as options. Options and features are subject to change without notice. Not all  
model year boats may contain all the features or meet the specifications described herein.  
Confirm availability of all the accessories and equipment with an authorized Bayliner dealer  
prior to purchase. Bayliner is a BFBC Company. © 2002 BFBC Inc. Printed in USA

Bayliner®

**BAYLINER®**  
where fun lives™

help me pick a boat

order a brochure

showroom

about us

boating

owners

b-store

fun stuff

events/promos

**FUN HAS NEVER BEEN  
MORE AFFORDABLE!**

**SAVE UP TO \$3,500!**

Save on select Bayliner models  
from January 1 - February 29!

product reviews

2004 Bayliner 185  
BoatTEST

new product showcase

Check out the all new Bayliner  
225 Runabout



**fun is:** being spontaneous

**where fun lives™**

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dealer locator

Zip/Post



**BAYLINER®** where fun lives™

showroom • about us • boating • owners • b-store • fun stuff • events/promos

help me pick a boat  
order a brochure

**FUN HAS NEVER BEEN MORE AFFORDABLE!**  
**SAVE UP TO \$3,500!**  
Save on select Bayliner models from January 1 - February 29!

**product reviews**  
2004 Bayliner 219  
BoatTEST

**new product showcase**  
Check out the all new Bayliner 225 Runabout

**Dealer Locator**

**HARBOR ONE MARINA**

Authorized dealer for:

- Cruisers
- Deck Boats
- Runabouts

**Contact Dealer**

Harbor One Marina  
1495 Old Griffin Road  
Dania Beach, FL 33004  
**Phone:** 954-929-2248  
**Fax:** 954-929-2829

 [Dealer Local Map](#)

**fun is:** being spontaneous

**factoid:** Bayliner boats have deeper bows that give you more space for friends and family.

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dealer locator

Zip/Post

 Go

## 2004 Bayliner 222 Classic

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[overview](#)

[standard features](#)

[specifications](#)

[options](#)

[floorplan](#)

[reviews](#)

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[order a brochure](#)

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[request a quote](#)

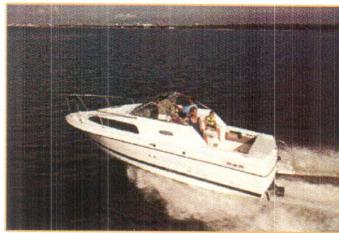
[pricing & options](#)

### Overview

An excellent choice if trailerability, cruising overnight and fishing are your priorities.

### Key Features

- "Agressive-grip" deck surfaces provide sure footing.
- Galley and dinette table in cabin provide convenient place to serve meals, relax or play games with the kids while at anchor.
- Enclosed head in cabin makes extended cruising more enjoyable.
- External swim platform provides great transom access.
- Large fishwell with overboard drain provides convenient place to store the day's catch - doubles as an ice chest.
- Full fiberglass cockpit liner for easy clean-up after a day of fishing or other water sports.



[Click to View Gallery](#)

fun is: being spontaneous

**factoid:** Bayliner has been making affordable, reliable, great-looking family boats for more than 48 years.

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[dealer locator](#)

Zip/Post

[GO](#)

## 2004 Bayliner 222 Classic

[Email A Friend](#)  [Print Spec Sheet](#)  [Download PDF](#) 

overview

standard features

specifications

options

floorplan

reviews

specials

order a brochure

contact a dealer

request a quote

pricing &amp; options

## Specifications

| Type                   | Without Trailer      | With Trailer         |
|------------------------|----------------------|----------------------|
| Length overall (LOA)   | 22'3" (6.78 m)       | 28'9" (8.76 m)       |
| Beam                   | 8'1" (2.46 m)        | 8'3" (2.51 m)        |
| Deadrise               | 21°                  |                      |
| Weight (w/base engine) | 4,078 lbs (1,850 kg) | 5,528 lbs (2,507 kg) |
| Length rigged          | 24'7" (7.49 m)       | 29'6" (9.0 m)        |
| Height rigged          |                      | 10'6" (3.20 m)       |
| Draft hull             | 1'5" (.43 m)         |                      |
| Draft max              | 2'10" (.86 m)        |                      |
| Bridge clearance max   | 7'8" (2.34 m)        |                      |
| Fuel capacity          | 55 gal (208 L)       |                      |
| Holding tank capacity  | (opt)                |                      |
| Water capacity         | 13 gal (49 L)        |                      |

fun is: being spontaneous

**factoid:** Bayliner uses a unitized construction process to increase stability and give you a smooth, reliable ride

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dealer locator

Zip/Post

Go

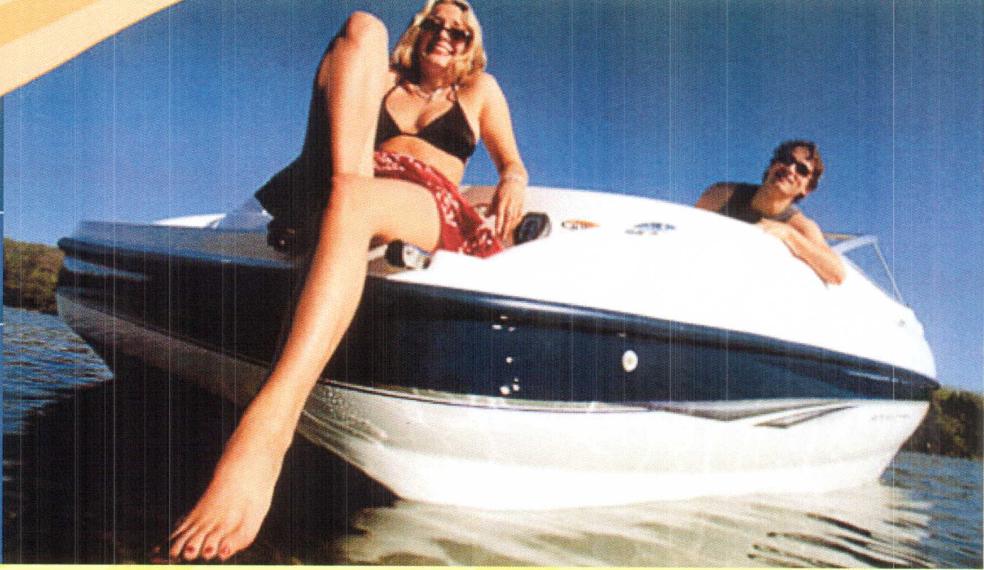
**BAYLINER®** where fun lives™

showroom    about us    boating    owners    b-store    fun stuff    events/promos

**FUN HAS NEVER BEEN MORE AFFORDABLE!**  
**SAVE UP TO \$3,500!**  
Save on select Bayliner models from January 1 - February 29!

**product reviews**  
2004 Bayliner 175 BoatTEST

**new product showcase**  
Check out the all new Bayliner 225 Runabout



fun is: being spontaneous

where fun lives™

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[Terms of Use](#) | [Copyright Notice](#) | [Privacy Policy](#) | [International Dealers](#)

dealer locator

Zip/Post



<SERIAL NUMBER> 78136403  
<MARK> WHERE FUN LIVES  
<LAW OFFICE ASSIGNED> LAW OFFICE 114  
<CONTACT TYPE> Correspondent

<ORIGINAL ADDRESS> Lorraine Linford  
Seed Intellectual Property Law Group PLL  
701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092

<NEW ADDRESS> DALE PAUL DiMAGGIO, ESQ.  
<CORRESPONDENT> MALIN, HALEY & DiMAGGIO, P.A.  
<ORGANIZATION> 1936 SOUTH ANDREWS AVENUE  
<STREET ADDRESS> FORT LAUDERDALE  
<CTIY> FL  
<STATE> 33316  
<POSTAL CODE> 954 763 3303  
<PHONE> 954 522 6507  
<FAX> INFO@mhdpatents.com  
<EMAIL> Y  
<EMAIL AUTHORIZED> Feb 27, 2004  
<SUBMIT DATE>

<BOILERPLATE> The USPTO is authorized to communicate with the applicant at the listed email address.

<SIGNATURE> /dale paul dimaggio/  
<SIGNATURE-NAME> 20040227  
<SIGNATORY-DATE> DALE PAUL DiMAGGIO  
<SIGNATORY-NAME> ATTORNEY FOR APPLICANT  
<SIGNATORY-POSITION>

**To:** Brunswick Family Boat Co. Inc. ([lorrainel@seedlaw.com](mailto:lorrainel@seedlaw.com))  
**Subject:** TRADEMARK APPLICATION NO. 78136403 - WHERE FUN LIVES - 130036.20171  
**Sent:** 8/27/03 2:41:26 PM  
**Sent As:** ECom114  
**Attachments:**

## UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 78/136403

**APPLICANT:** Brunswick Family Boat Co. Inc.

**CORRESPONDENT ADDRESS:**

Lorraine Linford  
Seed Intellectual Property Law Group PLL  
701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092

**RETURN ADDRESS:**

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514  
[ecom114@uspto.gov](mailto:ecom114@uspto.gov)

**MARK:** WHERE FUN LIVES

**CORRESPONDENT'S REFERENCE/DOCKET NO :** 130036.20171

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

## OFFICE ACTION

**TO AVOID ABANDONMENT, WE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF OUR MAILING OR E-MAILING DATE.**

Serial Number 78/136403

The assigned examining attorney has reviewed the statement of use filed on May 22, 2003 and has determined the following.

The specimen is unacceptable as evidence of actual trademark use because it is promotional matter that does not show use of the mark on the goods. Invoices, announcements, order forms, bills of lading, leaflets, brochures, publicity releases and other printed advertising material generally are not acceptable specimens. *In re Bright of America, Inc.*, 205 USPQ 63 (TTAB 1979); TMEP §§904.05 and 904.07. See *In re Ultraflight Inc.*, 221 USPQ 903 (TTAB 1984). The applicant must submit a specimen showing the mark as it is used in commerce. 37 C.F.R. §2.56. Examples of acceptable specimens are tags, labels, instruction manuals, containers, and photographs that show the mark on the goods or packaging. TMEP §§904.04 *et seq.* The applicant must verify, with an affidavit or a declaration under 37 C.F.R. §2.20, that the substitute specimen was in use in commerce at least as early as the filing date of the application. 37 C.F.R. §2.59(a); TMEP §904.09.

The statement supporting use of the substitute specimen must read as follows:

The substitute specimen was in use in commerce prior to the expiration of the time allowed to the applicant for filing a statement of use.

The applicant must sign this statement either in affidavit form or with a declaration under 37 C.F.R. §2.20; TMEP §§904.09 and 1109.09(b).

The following is a properly worded declaration under 37 C.F.R. §2.20. At the end of your response, please insert the declaration signed by someone authorized to sign under 37 C.F.R. §2.33(a):

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. §1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Signature \_\_\_\_\_

Name and Position \_\_\_\_\_

Date \_\_\_\_\_

NOTE: For the signature above, use the same format as the electronic signature on the original e-TEAS application, e.g., /john doe/ or /jd/. 37 CFR §1.4(d)(1)(iii); TMEP §§304.08 and 804.05.

/Vivian Micznik First/  
Vivian Micznik First  
Trademark Attorney, Law Office 114  
703-308-9114 ext. 149  
ecom114@uspto.gov

**How to respond to this Office Action:**

To respond formally using the Office's Trademark Electronic Application System (TEAS), visit <http://www.uspto.gov/teas/index.html> and follow the instructions.

To respond formally via E-mail, visit <http://www.uspto.gov/web/trademarks/tmelecresp.htm> and follow the instructions.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the serial number, law office and examining attorney's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

For general and other useful information about trademarks, you are encouraged to visit the Office's web site at <http://www.uspto.gov/main/trademarks.htm>

**FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY.**

Trademark

Serial Number  
(Text)

TRADEMARK



78136403

NEW CASE DELIVERED  
SEP 26 2002  
LAW OFFICE 104

AB

PROSECUTION HISTORY

Entry

Date

Initials

|     |                 |         |
|-----|-----------------|---------|
| 1.  |                 |         |
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| 6.  |                 |         |
| 7.  | NOA<br>10/25/02 |         |
| 8.  |                 |         |
| 9.  | SOU FILED       | 5/22/03 |
| 10. |                 |         |
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See inside of file for additional entries.

10/12/02  
me

## Post Registration

|                             |
|-----------------------------|
| Section 15                  |
| Acknowledged<br>(Signature) |

Cancelled - Section 8  
(Date)

Expired - Section 9  
(Date)

## Trademark

FORM PTO-102  
5/99U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Approved for Publication (Principal Register) (Signature/Date)

*Turan Nugent First* 9/25/02

Approved for Registration (Section 1(d)) (Signature/Date)

Approved for Registration (Supplemental Register) (Signature/Date)

PUBLISHED  
12/03/02

NOA

 Abandoned \_\_\_\_\_

(Date)

**SPECIMEN**

**Internet Transmission Date:**  
05/21/2003

**Serial Number:**  
78136403

**International Class:**  
012



2/25/03

**FEE RECORD SHEET**

**Serial Number:** 78136403



**RAM Sale Number:** 370

**Total Fees:** \$100

**RAM Accounting Date:** 20030522

| <b><u>Transaction</u></b> | <b><u>Fee Code</u></b> | <b><u>Transaction Date</u></b> | <b><u>Fee per Class</u></b> | <b><u>Number of Classes</u></b> | <b><u>Total Fee</u></b> |
|---------------------------|------------------------|--------------------------------|-----------------------------|---------------------------------|-------------------------|
| Statement of Use (SOU)    | 7003                   | 20030522                       | \$100                       | 1                               | \$100                   |

## Statement of Use Filing

**The table below presents the data as entered.**

| Input Field                          | Entered                                   |
|--------------------------------------|---|
| MARK                                 | WHERE FUN LIVES                           |
| OWNER                                |   |
| NAME                                 | Brunswick Family Boat Co. Inc.            |
| STREET                               | P.O. Box 9029                             |
| CITY                                 | Everett                                   |
| STATE                                | WA  |
| ZIP/POSTAL CODE                      | 98206                                     |
| COUNTRY                              | US  |
| ATTORNEY                             |   |
| NAME                                 | Lorraine Linford                          |
| FIRM NAME                            | Seed Intellectual Property Law Group PLLC |
| INTERNAL ADDRESS                     | Suite 6300                                |
| STREET                               | 701 Fifth Avenue                          |
| CITY                                 | Seattle                                   |
| STATE                                | WA  |
| ZIP/POSTAL CODE                      | 98104-7092                                |
| COUNTRY                              | USA                                       |
| PHONE                                | (206) 622-4900                            |
| FAX                                  | (206) 682-6031                            |
| EMAIL                                | lorrainel@seedlaw.com                     |
| AUTHORIZED TO COMMUNICATE VIA E-MAIL | Yes                                       |
| DOCKET NUMBER                        | 130036.20171                              |
| SERIAL NUMBER                        | 78136403                                  |
| LAW OFFICE ASSIGNED                  | TMO Law Office 114                        |
| NOTICE OF ALLOWANCE                  | YES                                       |
| EXTENSION OF USE                     | NO  |

|                                     |   |
|-------------------------------------|---|
| GOODS AND/OR SERVICES               |   |
| KEEP EXISTING GOODS AND/OR SERVICES | YES   |
| INTERNATIONAL CLASS                 | 012   |
| FIRST USE ANYWHERE DATE             | 07/05/2002  |
| FIRST USE IN COMMERCE DATE          | 08/01/2002  |
| SPECIMEN FILE NAME(S)               | 204182125140-21153046946-<br>WHERE_FUN_LIVES_SPECIMEN.jpg   |
| SPECIMEN DESSCRITION                | photo of catalog used at point of sale for identified goods |
| SIGNATURE INFORMATION               |   |
| SIGNATURE                           | /LL/  |
| SIGNATURE DATE                      | 05/21/2003  |
| SIGNATORY NAME                      | Lorraine Linford  |
| SIGNATORY POSITION                  | Attorney for Applicant                                      |
| PAYMENTS                            |   |
| NUMBER OF CLASSES                   | 1   |
| SUBTOTAL AMOUNT                     | 100   |
| TOTAL AMOUNT                        | 100   |
| RAM SALE NUMBER                     | 370   |
| RAM ACCOUNTING DATE                 | 20030522  |

**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK: WHERE FUN LIVES**  
**SERIAL NUMBER: 78136403**

This Allegation of Use is being filed after a Notice of Allowance has issued.

The applicant, Brunswick Family Boat Co. Inc., residing at P.O. Box 9029 , Everett, WA US 98206, is using or is using through a related company the mark in commerce on or in connection with the goods and/or services as follows:

For International Class: 012 all goods and/or services as listed in the Notice of Allowance.

The mark was first used at least as early as 07/05/2002, and first used in commerce at least as early as 08/01/2002, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) photo of catalog used at point of sale for identified goods

Specimen-1

A fee payment in the amount of \$100 will be submitted with the form, representing payment for 1 class.

**Declaration**

Applicant requests registration of the above-identified trademark/service mark 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). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned being hereby 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 this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and 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: /LL/ Date: 05/21/2003  
Signatory's Name: Lorraine Linford  
Signatory's Position: Attorney for Applicant

Go Back

**SPECIMEN**

**Internet Transmission Date:**  
05/21/2003

**Serial Number:**  
78136403

**International Class:**  
012



where fun lives™



BAYLINER | 2003

## Statement of Use Filing

The table below presents the data as entered.

| Input Field                          | Entered   |
|--------------------------------------|---|
| <b>SERIAL NUMBER</b>                 | 78136403  |
| <b>LAW OFFICE ASSIGNED</b>           | TMO Law Office 114  |
| <b>NOTICE OF ALLOWANCE</b>           | YES   |
| <b>EXTENSION OF USE</b>              | NO  |
| <b>MARK SECTION</b>                  |   |
| MARK                                 | WHERE FUN LIVES   |
| <b>OWNER SECTION (no change)</b>     |   |
| <b>ATTORNEY SECTION</b>              |   |
| NAME                                 | Lorraine Linford  |
| FIRM NAME                            | Seed Intellectual Property Law Group PLLC   |
| INTERNAL ADDRESS                     | Suite 6300  |
| STREET                               | 701 Fifth Avenue  |
| CITY                                 | Seattle   |
| STATE                                | WA  |
| ZIP/POSTAL CODE                      | 98104-7092  |
| COUNTRY                              | USA   |
| PHONE                                | (206) 622-4900  |
| FAX                                  | (206) 682-6031  |
| EMAIL                                | lorrainel@seedlaw.com   |
| AUTHORIZED TO COMMUNICATE VIA E-MAIL | Yes   |
| DOCKET NUMBER                        | 130036.20171  |
| <b>GOODS AND/OR SERVICES SECTION</b> |   |
| INTERNATIONAL CLASS                  | 012   |
| KEEP EXISTING GOODS AND/OR SERVICES  | YES   |
| FIRST USE ANYWHERE DATE              | 07/05/2002  |
| FIRST USE IN COMMERCE DATE           | 08/01/2002  |
| SPECIMEN FILE NAME(S)                | <a href="\\tcrs\\EXPORT5\\IMAGEOUT5\\781\\364\\78136403\\xml1\\SO U0002.JPG">\\tcrs\\EXPORT5\\IMAGEOUT5\\781\\364\\78136403\\xml1\\SO U0002.JPG</a> |
| SPECIMEN DESCRIPTION                 | photo of catalog used at point of sale for identified goods   |
| <b>PAYMENT SECTION</b>               |   |
| NUMBER OF CLASSES                    | 1   |
| SUBTOTAL AMOUNT                      | 100   |

|                           |  |
|---------------------------|--|
| TOTAL AMOUNT              | 100  |
| <b>SIGNATURE SECTION</b>  |  |
| SIGNATURE                 | /LL/   |
| SIGNATORY NAME            | Lorraine Linford   |
| SIGNATORY DATE            | 05/21/2003   |
| SIGNATORY POSITION        | Attorney for Applicant   |
| <b>FILING INFORMATION</b> |  |
| SUBMIT DATE               | Wed May 21 18:07:12 EDT 2003   |
| TEAS STAMP                | USPTO/SOU-XXX.XX.XXX.XX-2<br>0030521180712869076-78136<br>403-2005c532d5e26e28654d1<br>cfbbb48ec99358-RAM-370-20<br>030521154435157387 |

---

**Trademark/Service Mark Statement of Use  
(15 U.S.C. Section 1051(d))**

To the Commissioner for Trademarks:

**MARK: WHERE FUN LIVES**

**SERIAL NUMBER: 78136403**

This Allegation of Use is being filed after a Notice of Allowance has issued.

The applicant, Brunswick Family Boat Co. Inc., residing at P.O. Box 9029, Everett, WA US 98206, is using or is using through a related company or licensee the mark in commerce on or in connection with the goods and/or services as follows:

For International Class: 012, the applicant, or the applicant's related company or licensee, is using the mark in commerce on or in connection with all goods and/or services listed in the application or Notice of Allowance.

The mark was first used by the applicant, or the applicant's related company, licensee, or predecessor in interest at least as early as 07/05/2002, and first used in commerce at least as early as 08/01/2002, and is now in use in such commerce. The applicant is submitting one specimen for the class showing the mark as used in commerce on or in connection with any item in the class, consisting of a(n) photo of catalog used at point of sale for identified goods.

[Specimen-1](#)

The applicant hereby appoints Lorraine Linford of Seed Intellectual Property Law Group PLLC, Suite 6300, 701 Fifth Avenue, Seattle, WA USA 98104-7092 to submit this Statement of Use Filing on behalf of the applicant. The attorney docket/reference number is 130036.20171.

A fee payment in the amount of \$100 will be submitted with the form, representing payment for 1 class.

**Declaration**

Applicant requests registration of the above-identified trademark/service mark 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). Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce.

The undersigned being hereby 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 this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and 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: /LL/ Date: 05/21/2003

Signatory's Name: Lorraine Linford

Signatory's Position: Attorney for Applicant

Mailing Address:

Seed Intellectual Property Law Group PLLC  
Suite 6300  
701 Fifth Avenue  
Seattle, WA 98104-7092

RAM Sale Number: 370

RAM Accounting Date: 05/22/2003

Serial Number: 78136403

Internet Transmission Date: Wed May 21 18:07:12 EDT 2003

TEAS Stamp: USPTO/SOU-XXX.XX.XXX.XX-2003052118071286

9076-78136403-2005c532d5e26e28654d1cfbbb

48ec99358-RAM-370-20030521154435157387



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BAYLINER | 2003

**FEE RECORD SHEET****Serial Number:** 78136403**RAM Sale Number:** 370**Total Fees:** \$100**RAM Accounting Date:** 20030522

| <b><u>Transaction</u></b> | <b><u>Fee Code</u></b> | <b><u>Transaction Date</u></b> | <b><u>Fee per Class</u></b> | <b><u>Number of Classes</u></b> | <b><u>Total Fee</u></b> |
|---------------------------|------------------------|--------------------------------|-----------------------------|---------------------------------|-------------------------|
| Statement of Use (SOU)    | 7003                   | 20030522                       | \$100                       | 1                               | \$100                   |

U.S. Patent and Trademark Office (PTO)  
**NOTICE OF ALLOWANCE**

(NOTE: If any data on this notice is incorrect, please submit a written request for correction of the NOA to: Assistant Commissioner for Trademarks, Box ITU, 2900 Crystal Drive, Arlington, VA 22202-3513. Please include the serial number of your application on ALL correspondence with the PTO. 15 U.S.C. 1063(b)(2))

**ISSUE DATE OF NOA:** Feb 25, 2003

Lorraine Linford  
Seed Intellectual Property Law Group PLL  
701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092

ATTORNEY  
REFERENCE NUMBER  
130036.20171

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

To avoid ABANDONMENT of this application, either a "Statement of Use" (a.k.a. "Allegation of Use") or a "Request for Extension of Time to File a Statement of Use" (a.k.a. "Extension Request") and the appropriate fee(s) must be received in the PTO within six months of the issue date of this Notice Of Allowance (NOA) for those goods and/or services based on intent to use. Failure to do so will result in the ABANDONMENT of this application.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements, including fees. These requirements are explained in the PTO booklet "Basic Facts About Trademarks", which can be obtained upon request at (703)308-9000. In addition, there are printed forms contained in this booklet (for "Statements of Use" and "Extension Requests") for your use.

**The following information should be reviewed for accuracy:**

SERIAL NUMBER: 78/136403  
MARK: WHERE FUN LIVES  
OWNER: Brunswick Family Boat Co. Inc.  
P.O. Box 9029  
Everett, WASHINGTON 98206

This application has the following bases, but not necessarily for all listed goods/services:  
Section 1(a): NO      Section 1(b): YES      Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

012-boats

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

**U.S. Patent and Trademark Office (PTO)**  
**NOTICE OF ALLOWANCE**

Lorraine Linford  
Seed Intellectual Property Law Group PLL  
701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092

ATTORNEY  
REFERENCE NUMBER  
130036.20171

**\*\* IMPORTANT INFORMATION: 6 MONTH DEADLINE \*\***

To avoid ABANDONMENT of this application, either a "Statement of Use" (a.k.a. "Allegation of Use") or a "Request for Extension of Time to File a Statement of Use" (a.k.a. "Extension Request") and the appropriate fee(s) must be received in the PTO within six months of the issue date of this Notice of Allowance (NOA) for those goods and/or services based on intent to use. Failure to do so will result in the ABANDONMENT of this application.

Please note that both the "Statement of Use" and "Extension Request" have many legal requirements, including fees. These requirements are explained in the PTO booklet "Basic Facts About Trademarks", which can be obtained upon request at (703)308-9000. In addition, there are printed forms contained in this booklet (for "Statement of Use" and "Extension Requests") for your use.

SERIAL NUMBER: 78/136403  
MARK: WHERE FUN LIVES  
OWNER: Brunswick Family Boat Co. Inc.  
P.O. Box 9029  
Everett , WASHINGTON 98206

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

**GOODS/SERVICES BY INTERNATIONAL CLASS**

012 - boats

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

---

ADDITIONAL INFORMATION MAY BE PRESENT IN THE PTO RECORDS



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Nov 13, 2002

NOTICE OF PUBLICATION UNDER 12(a)

1. Serial No.: 78/136,403  
2. Mark: WHERE FUN LIVES  
3. International Class(es): 12  
4. Publication Date: Dec 3, 2002  
5. Applicant: Brunswick Family Boat Co. Inc.

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 notice of allowance pursuant to section 13(b) of the Statute.

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.

Lorraine Linford  
Seed Intellectual Property Law Group PLL  
701 Fifth Avenue, Suite 6300  
Seattle WA 98104-7092

TMP&I

## TRADE MARK EXAMINATION WORKSHEET

 AMENDMENT STAGE NO CHANGE PUBLICATION/REGISTRATION STAGEName: LOLITA BEST L.O. 104Date OCT 04 2002Serial No. 75/76(78) 136403

INSTRUCTIONS: Place a check mark in the appropriate column and/or box to indicate which data elements have been amended/coded.

**Legal Instrument Examiner (LIE)**

|                          | Amended   | Data Element   |  |
|--------------------------|---|--|--|
| <b>Class Data</b>        | <input type="checkbox"/> Prime/International Class            | <input type="checkbox"/> Goods and Services              |  |
|                          | <input type="checkbox"/> First Use Date                       | <input type="checkbox"/> First Use in Commerce Date      |  |
|                          | <input type="checkbox"/> In Another Form                      | <input type="checkbox"/> Certification                   |  |
|                          | <input type="checkbox"/> 1b                                   | 1a   |  |
| <b>Mark Data</b>         | <input type="checkbox"/> Word Mark                            | <input type="checkbox"/> Pseudo Mark                     |  |
|                          | <input type="checkbox"/> Mark Drawing Code                    | <input type="checkbox"/> Design Search Code              |  |
|                          | <input type="checkbox"/> Scan Sub Drawing                     |  |  |
| <b>Misc. Mark Data</b>   | <input type="checkbox"/> Mark Description                     | <input type="checkbox"/> Disclaimer                      |  |
|                          | <input type="checkbox"/> Lining/Stippling                     | <input type="checkbox"/> Name/Portrait/Consent           |  |
|                          | <input type="checkbox"/> Translation                          |  |  |
| <b>Section 2(f)</b>      | <input type="checkbox"/> Section 2(f) Entire Mark             |  |  |
|                          | <input type="checkbox"/> Section 2(f) Limitation Statement    | <input type="checkbox"/> Section 2(f) in Part            |  |
|                          | <input type="checkbox"/> Amended Register                     | <input type="checkbox"/> Amended Register Date           |  |
| <b>Foreign Reg. Data</b> | <input type="checkbox"/> Foreign Country                      | <input type="checkbox"/> 44(d)                           |  |
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|                          | <input type="checkbox"/> Foreign Registration Number          | <input type="checkbox"/> Foreign Registration Date       |  |
|                          | <input type="checkbox"/> Foreign Registration Expiration Date | <input type="checkbox"/> Foreign Renewal Reg. Number     |  |
|                          | <input type="checkbox"/> Foreign Reg. Renewal Expiration Date | <input type="checkbox"/> Foreign Renewal Reg. Date       |  |
| <b>Owner Data</b>        | <input type="checkbox"/> Owner Name                           | <input type="checkbox"/> DBA/AKA/TA                      |  |
|                          | <input type="checkbox"/> Address 1                            | <input type="checkbox"/> Address 2                       |  |
|                          | <input type="checkbox"/> City                                 | <input type="checkbox"/> State                           |  |
|                          | <input type="checkbox"/> Zip Code                             |  |  |
|                          | <input type="checkbox"/> Citizenship                          | <input type="checkbox"/> Entity                          |  |
|                          | <input type="checkbox"/> Entity Statement                     | <input type="checkbox"/> Composed of                     |  |
|                          | <input type="checkbox"/> Assignment(s)/Name Change            |  |  |
| <b>Amd/Corr Restr.</b>   | <input type="checkbox"/> Concurrent Use                       |  |  |
| <b>Prior U.S. Reg.</b>   | <input type="checkbox"/> Prior Registration                   |  |  |
| <b>Correspondence</b>    | <input type="checkbox"/> Attorney                             | <input type="checkbox"/> Domestic Representative         |  |
|                          | <input type="checkbox"/> Attorney Docket Number               |  |  |
|                          | <input type="checkbox"/> Correspondence Firm Name/Address     |  |  |

I certify that all corrections have been entered in accordance with text editing guidelines.

LIE ABDATE OCT 04 2002

Other:

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\*\*\* User: vfirst \*\*\*

| #  | Total Marks | Dead Marks | Live Viewed Docs | Live Viewed Images | Status/ Search Duration | Search                              |
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| 02 | 11305       | N/A        | 0                | 0                  | 0:02                    | *fun*[bi,ti] or *phun*[bi,ti]       |
| 03 | 7343        | N/A        | 0                | 0                  | 0:01                    | *live*[bi,ti]                       |
| 04 | 222         | 82         | 140              | 21                 | 0:01                    | (1 and 2) or (2 and 3) or (1 and 3) |
| 05 | 1           | N/A        | 0                | 0                  | 0:01                    | 1 and 2 aND 3                       |
| 06 | 1           | 0          | 1                | 0                  | 0:02                    | 4 AND "012"[IC]                     |

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Session finished 9/25/02 4:02:22 PM

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Session duration 2 minutes 40 seconds

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Sent to TICRS as Serial Number: 78136403

\*\*\* User: vfirst \*\*\*

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| 06 | 1           | 0          | 1                | 0                  | 0:02                    | 4 AND "012"[IC]                     |

Session started 9/25/02 3:59:42 PM

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Session duration 2 minutes 39 seconds

Default NEAR limit= 1 ADJ limit= 1

Sent to TICRS as Serial Number: 78136403

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| <b>DOCUMENT INFORMATION</b>                            |   |
| <b>TRADEMARK/SERVICEMARK APPLICATION</b>               |   |
| <b>VERSION 1.24</b>                                    |   |
| <b>APPLICANT INFORMATION</b>                           |   |
| NAME   | Brunswick Family Boat Co. Inc.  |
| STREET   | P.O. Box 9029   |
| CITY   | Everett  |
| STATE  | WA  |
| COUNTRY  | USA   |
| ZIP/POSTAL CODE  | 98206   |
| <b>APPLICANT ENTITY INFORMATION</b>                    |   |
| CORPORATION:<br>STATE/COUNTRY<br>OF<br>INCORPORATION   | Delaware  |
| <b>TRADEMARK/SERVICEMARK INFORMATION</b>               |   |
| MARK   | WHERE FUN LIVES   |
| TYPED FORM   | Yes   |
| <b>BASIS FOR FILING AND GOODS/SERVICES INFORMATION</b> |   |
| INTENT TO USE:<br>SECTION 1(b)                         | Yes   |
| INTERNATIONAL<br>CLASS NUMBER                          | 012   |
| LISTING OF GOODS<br>AND/OR SERVICES                    | boats   |
| <b>ATTORNEY INFORMATION</b>                            |   |
| NAME   | Lorraine Linford  |

78136403

|  |   |
|--|---|
| STREET                                 | 701 Fifth Avenue, Suite 6300              |
| CITY                                   | Seattle                                   |
| STATE                                  | WA  |
| COUNTRY                                | USA                                       |
| ZIP/POSTAL CODE                        | 98104-7092                                |
| E-MAIL ADDRESS                         | lorrainel@seedlaw.com                     |
| AUTHORIZE E-MAIL COMMUNICATION         | Yes                                       |
| FIRM NAME                              | Seed Intellectual Property Law Group PLLC |
| TELEPHONE NUMBER                       | (206) 622-4900                            |
| FAX NUMBER                             | (206) 682-6031                            |
| ATTORNEY DOCKET NUMBER                 | 130036.20171                              |
| <b>FEES INFORMATION</b>                |   |
| TOTAL FEES PAID                        | 325                                       |
| NUMBER OF CLASSES PAID                 | 1   |
| NUMBER OF CLASSES                      | 1   |
| <b>LAW OFFICE INFORMATION</b>          |   |
| E-MAIL ADDRESS FOR CORRESPONDENCE      | lorrainel@seedlaw.com                     |
| <b>SIGNATURE AND OTHER INFORMATION</b> |   |
| SIGNATURE                              | /LL/                                      |
| DATE                                   | 06/17/2002                                |
| NAME                                   | Lorraine Linford                          |

78136403

|                                   |  |
|-----------------------------------|--|
| TITLE                             | Attorney for Applicant   |
| <b>MAILING ADDRESS</b>            |  |
| LINE                              | Lorraine Linford   |
| LINE                              | Seed Intellectual Property Law Group PLLC  |
| LINE                              | 701 Fifth Avenue, Suite 6300   |
| LINE                              | Seattle WA 98104-7092  |
| <b>RAM INFORMATION</b>            |  |
| RAM SALE NUMBER                   | 174  |
| RAM ACCOUNTING DATE               | 20020618   |
| <b>SERIAL NUMBER INFORMATION</b>  |  |
| SERIAL NUMBER                     | 78/136403  |
| INTERNET TRANSMISSION DATE        | Monday, 06-17-2002 19:37:37 EDT  |
| TEAS STAMP                        | USPTO-204182125140-20020617193712032-78/136403-1243dc739c2821498367a6f778bb8b28649-RAM-174-20020617171212032 |
| E-MAIL ADDRESS FOR ACKNOWLEDGMENT | lorrainel@seedlaw.com  |

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<FILING DATE> 06/17/2002

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<TRADEMARK/SERVICEMARK APPLICATION>  
<VERSION 1.24>

**<APPLICANT INFORMATION>**

<NAME> Brunswick Family Boat Co. Inc.  
<STREET> P.O. Box 9029  
<CITY> Everett  
<STATE> WA  
<COUNTRY> USA  
<ZIP/POSTAL CODE> 98206

**<APPLICANT ENTITY INFORMATION>**

<CORPORATION: STATE/COUNTRY OF INCORPORATION> Delaware

**<TRADEMARK/SERVICEMARK INFORMATION>**

<MARK> WHERE FUN LIVES

<TYPED FORM> Yes

\* Applicant requests registration of the above-identified trademark/service mark 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). \*

**<BASIS FOR FILING AND GOODS/SERVICES INFORMATION>**

<INTENT TO USE: SECTION 1(b)> Yes

\* Applicant has a bona fide intention to use or use through a related company the mark in commerce on or in connection with the below-identified goods/services. (15 U.S.C. Section 1051(b), as amended.) \*

<INTERNATIONAL CLASS NUMBER> 012

<LISTING OF GOODS AND/OR SERVICES> boats *012 list*

**<ATTORNEY INFORMATION>**

<NAME> Lorraine Linford  
<STREET> 701 Fifth Avenue, Suite 6300  
<CITY> Seattle  
<STATE> WA  
<COUNTRY> USA  
<ZIP/POSTAL CODE> 98104-7092  
<E-MAIL ADDRESS> lorraine@seedlaw.com

<AUTHORIZE E-MAIL COMMUNICATION> Yes

<FIRM NAME> Seed Intellectual Property Law Group PLLC

<TELEPHONE NUMBER> (206) 622-4900

<FAX NUMBER> (206) 682-6031

<ATTORNEY DOCKET NUMBER> 130036.20171

**<FEE INFORMATION>**

<TOTAL FEES PAID> 325

<NUMBER OF CLASSES PAID> 1

<NUMBER OF CLASSES> 1

**<LAW OFFICE INFORMATION>**

\* The USPTO is authorized to communicate with the applicant's attorney at the below e-mail address \*

<E-MAIL ADDRESS FOR CORRESPONDENCE> lorraine1@seedlaw.com

**<SIGNATURE AND OTHER INFORMATION>**

\* PTO-Application 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 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> /LL/ ✓

<DATE> 06/17/2002 ✓

<NAME> Lorraine Linford

<TITLE> Attorney for Applicant

**<MAILING ADDRESS>**

<LINE> Lorraine Linford

<LINE> Seed Intellectual Property Law Group PLLC

<LINE> 701 Fifth Avenue, Suite 6300

<LINE> Seattle WA 98104-7092

**<RAM INFORMATION>**

**<RAM SALE NUMBER>** 174

**<RAM ACCOUNTING DATE>** 20020618

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**<INTERNET TRANSMISSION DATE>** Monday, 06-17-2002 19:37:37 EDT

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**E-MAIL ADDRESS FOR ACKNOWLEDGMENT>** lorrainel@seedlaw.com

**Internet Transmission Date:**  
2002/06/17

**Serial Number:**  
78136403

**Filing Date:**  
2002/06/17



TRADEMARK APPLICATION

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

TOTAL FEES PAID: \$325

RAM SALE NUMBER: 174  
RAM ACCOUNTING DATE: 20020618



NO OCR



06-17-2002

**Drawing Page**

**Serial Number:**

78136403

**Applicant:**

Brunswick Family Boat Co. Inc.  
P.O. Box 9029  
Everett WA USA 98206



**Goods and Services:**

boats

**Mark:**

WHERE FUN LIVES



NO OCR

**PUBLISHED**  
**12/03/02**



06-17-2002

**Drawing Page****Serial Number:**

78136403

**Applicant:**

Brunswick Family Boat Co. Inc.  
P.O. Box 9029  
Everett WA USA 98206

**Goods and Services:**

boats

**Mark:**

WHERE FUN LIVES



NO OCR



06-17-2002

**Internet Transmission Date:**  
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**Filing Date:**  
2002/06/17



TRADEMARK APPLICATION

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

TOTAL FEES PAID: \$325

RAM SALE NUMBER: 174  
RAM ACCOUNTING DATE: 20020618



NO OCR



06-17-2002

<SERIAL NUMBER> 78136403  
<FILING DATE> 06/17/2002

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<TRADEMARK/SERVICEMARK APPLICATION>  
<VERSION 1.24>

<APPLICANT INFORMATION>

<NAME> Brunswick Family Boat Co. Inc.  
<STREET> P.O. Box 9029  
<CITY> Everett  
<STATE> WA  
<COUNTRY> USA  
<ZIP/POSTAL CODE> 98206

<APPLICANT ENTITY INFORMATION>

<CORPORATION: STATE/COUNTRY OF INCORPORATION> Delaware

<TRADEMARK/SERVICEMARK INFORMATION>

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<INTERNATIONAL CLASS NUMBER> 012

<LISTING OF GOODS AND/OR SERVICES> boats

<ATTORNEY INFORMATION>

<NAME> Lorraine Linford  
<STREET> 701 Fifth Avenue, Suite 6300  
<CITY> Seattle  
<STATE> WA  
<COUNTRY> USA  
<ZIP/POSTAL CODE> 98104-7092  
<E-MAIL ADDRESS> lorrainel@seedlaw.com  
<AUTHORIZE E-MAIL COMMUNICATION> Yes

<FIRM NAME> Seed Intellectual Property Law Group PLLC  
<TELEPHONE NUMBER> (206) 622-4900  
<FAX NUMBER> (206) 682-6031  
<ATTORNEY DOCKET NUMBER> 130036.20171

**<FEE INFORMATION>**

<TOTAL FEES PAID> 325  
<NUMBER OF CLASSES PAID> 1  
<NUMBER OF CLASSES> 1

**<LAW OFFICE INFORMATION>**

\* The USPTO is authorized to communicate with the applicant's attorney at the below e-mail address \*

<E-MAIL ADDRESS FOR CORRESPONDENCE> lorrainel@seedlaw.com

**<SIGNATURE AND OTHER INFORMATION>**

\* PTO-Application 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 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> /LL/  
<DATE> 06/17/2002  
<NAME> Lorraine Linford  
<TITLE> Attorney for Applicant

**<MAILING ADDRESS>**

<LINE> Lorraine Linford  
<LINE> Seed Intellectual Property Law Group PLLC  
<LINE> 701 Fifth Avenue, Suite 6300  
<LINE> Seattle WA 98104-7092

**<RAM INFORMATION>**

<RAM SALE NUMBER> 174

78136403

<RAM ACCOUNTING DATE> 20020618

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<INTERNET TRANSMISSION DATE> Monday, 06-17-2002 19:37:37 EDT

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E-MAIL ADDRESS FOR ACKNOWLEDGMENT> lorrainel@seedlaw.com

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