

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM842953

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Affidavit of Ownership		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Birks Group Inc.		09/28/2023	Corporation: CANADA
RECEIVING PARTY DATA			
Name:	Mayor's Jewelers of Florida, Inc.		
Street Address:	3440 NW 53rd Street		
Internal Address:	Suite 402		
City:	Fort Lauderdale		
State/Country:	FLORIDA		
Postal Code:	33309		
Entity Type:	Corporation: FLORIDA		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	1236663	MAYORS	
Registration Number:	1490121	MAYOR'S	
CORRESPONDENCE DATA			
Fax Number:			
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	2024695558		
Email:	andrea.simonich@hklaw.com		
Correspondent Name:	Andrea Simonich		
Address Line 1:	800 17th Street N.W., Suite 1100		
Address Line 2:	Suite 1100		
Address Line 4:	Washington, D.C. 20006		
ATTORNEY DOCKET NUMBER:	106782.00055		
NAME OF SUBMITTER:	Andrea Simonich		
SIGNATURE:	/Andrea Simonich/		
DATE SIGNED:	09/29/2023		
Total Attachments: 52			
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TRADEMARK AFFIDAVIT OF OWNERSHIP

I, Miranda Melfi, declare as follows:

1. I am authorized to make this declaration on behalf of Birks Group Inc. (“Birks”) and its predecessor in interest, Birks & Mayors Inc. The facts set forth in this Affidavit are based on my personal knowledge and/or documents and records maintained by Birks in the ordinary course of business.
2. I am making this Affidavit to assist in correcting errors in the chain of title in the USPTO’s Assignment Records that were filed against U.S. Trademark Registration 1,236,663 for MAYORS and U.S. Trademark Registration 1,490,121 for MAYOR’S.
3. The correct owner of U.S. Trademark Registration 1,236,663 for MAYORS (“Registered Mark 1”) and U.S. Trademark Registration 1,490,121 for MAYOR’S (“Registered Mark 2”) (collectively, “Registered Mayors Marks”) is Mayor's Jewelers of Florida, LLC (formerly known as Mayor’s Jewelers of Florida, Inc. prior to an entity conversion, which must be recorded with the USPTO), a limited liability company organized and existing under the laws of the State of Florida and having an address of 3440 NW 53rd Street, Suite 402, Fort Lauderdale, FL, 33309 (“Mayor’s”). As the entity conversion of Mayor’s Jewelers of Florida, Inc. to Mayors Jewelers of Florida, LLC has not yet been recorded with the USPTO, the correct owner of the Registered Mayors Marks in the USPTO database should be Mayors Jewelers of Florida, Inc.
4. Birks improperly became listed as the owner of the Registered Mayors Marks after a change of name from Birks & Mayors Inc. to Birks Group Inc. was filed and recorded at the Trademark Office on January 31, 2014 against the Registered Mayors Marks. *See Exhibit 1* showing the recordation at Reel/Frame 5205/0935. Although it was a party to a security agreement filed against the Registered Mayors Marks, Birks & Mayors Inc. was never an owner of the Registered Mayors Marks. Therefore, the filing of the name change from Birks & Mayors Inc. to Birks Group Inc. was erroneously recorded against the Registered Mayors Marks as if it was a name change of the owner of the registrations. This erroneous filing led the USPTO to update the owner of record for Registered Mark 1 to Birks Group Inc. in TSDR and TESS.
5. In an attempt to correct the erroneous recordation and reflect Mayor’s as the proper owner, Birks subsequently filed a Corrective Assignment to Correct the Receiving Party’s Data Previously Recorded at Reel/Frame 5205/0935 on July 11, 2017. *See Exhibit 2* showing Reel/Frame 6098/0133. However, this corrective assignment was not necessary or accurate because Birks & Mayors Inc. was never an owner of the Registered Mayors Marks.
6. Based on my review of all assignments and interests related to the mark, the accurate chain of title for Registered Mark 1 is as follows:
 - a. The registration was issued to Mayor’s Jewelers, Inc., a Florida corporation on May 3, 1983.
 - b. The registration was assigned from Mayor’s Jewelers, Inc. to Mayor’s Jewelers Intellectual Property Holding Company, a Delaware corporation on January 31, 1996 and

recorded at the Trademark Office on February 12, 1996. See Exhibit 3 showing Reel/Frame 1432/0174.

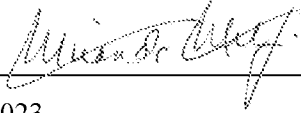
- c. The registration was assigned from Mayor's Jewelers Intellectual Property Holding Company to Mayor's Jewelers of Florida, Inc., a Florida corporation in a Nunc Pro Tunc Assignment Effective February 11, 1996 and recorded at the Trademark Office on September 18, 2013. See Exhibit 4 showing Reel/Frame 5113/0397.
 - d. The erroneous Change of Name Conveyance from Birks & Mayors Inc. to Birks Group Inc. was executed and recorded at the Trademark Office on January 31, 2014 and reflected in Reel/Frame 5205/0935.
 - e. The erroneous Corrective Assignment from Birks Group Inc. to Mayor's Jewelers of Florida, Inc. was executed on June 21, 2017 and recorded at the Trademark Office on July 11, 2017 and reflected in Reel/Frame 6098/0133.
 - f. Given that all other recordations on file are related to security interests and not ownership interests, the last correct owner and continued owner of Registered Mark 1 is Mayor's Jewelers of Florida, Inc.
7. Based on review of the chain of title and all assignments filed related to the mark, the accurate chain of title for Registered Mark 2 is as follows:
- a. The registration was issued to Mayor's Jewelers, Inc., a Florida corporation on October 7, 1987.
 - b. A Change of Name Conveyance from Mayor's Jewelers, Inc. to Mayor's Jewelers of Florida, Inc. was executed on August 22, 2003 and recorded at the Trademark Office on December 20, 2005. See Exhibit 5 showing Reel/Frame 3214/0112.
 - c. The erroneous Change of Name Conveyance from Birks & Mayors Inc. to Birks Group Inc. was executed and recorded at the Trademark Office on January 31, 2014 and reflected in Reel/Frame 5205/0935.
 - d. The erroneous Corrective Assignment from Birks Group Inc. to Mayor's Jewelers of Florida, Inc. was executed on June 21, 2017 and recorded at the Trademark Office on July 11, 2017 and reflected in Reel/Frame 6098/0133.
 - e. Given that all other recordations on file are related to security interests and not ownership interests, the last correct owner and continued owner of Registered Mark 2 is Mayor's Jewelers of Florida, Inc.

We hereby request that the conveyance recorded at 5205/0935 and assignment recorded at 6098/0133 be removed from the records and the owner of the Registered Mayors Marks be updated to properly reflect Mayor's Jewelers of Florida, Inc. instead of Birks.

All statements made herein of my own knowledge are true and all statements made on information and belief or review of documents in the USPTO records are believed to be true; and further, these statements are 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 and that such willful false statements may jeopardize the validity of the chain of title.

Birks Group Inc.

Signature: _____



Date: 09/28/2023

Name: Miranda Melfi

Title: Vice-President, Human Resources, Chief Legal Officer and Corporate Secretary