# OP \$40,00 1195913

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 ETAS ID: TM423562

Stylesheet Version v1.2

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
PARROT JUNGLE AND GARDENS OF WATSON ISLAND, INC.		04/04/2017	Corporation: FLORIDA

#### **RECEIVING PARTY DATA**

Name:	ESJ JI LEASEHOLD, LLC	
Street Address:	ress: 19950 W. COUNTRY CLUB DR.	
Internal Address:	SUIT # 800	
City:	AVENTURA	
State/Country:	ountry: FLORIDA	
Postal Code:	<b>Code:</b> 33180	
Entity Type:	Limited Liability Company: FLORIDA	

#### **PROPERTY NUMBERS Total: 1**

Property Type	Number	Word Mark	
Registration Number:	1195913	PARROT JUNGLE	

#### CORRESPONDENCE DATA

**Fax Number:** 5616508350

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.

**Phone:** 561-650-8518

**Email:** ptomail@shutts.com, ait@shutts.com

Correspondent Name: DANIEL J. BARSKY and ALEXANDER TACHMES

Address Line 1: SHUTTS & BOWEN LLP

Address Line 2:525 OKEECHOBEE BLVD, SUITE 1100Address Line 4:WEST PALM BEACH, FLORIDA 33401

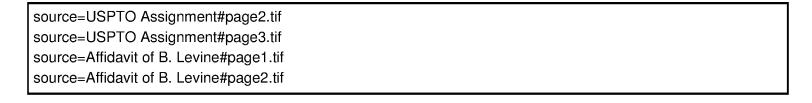
ATTORNEY DOCKET NUMBER:	39988.0010
NAME OF SUBMITTER:	Daniel J. Barsky
SIGNATURE:	/Daniel J. Barsky/
DATE SIGNED:	04/13/2017

**Total Attachments: 5** 

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## ASSIGNMENT OF RIGHTS

This Agreement made this Aday of April, 2017, by and between PARROT JUNGLE AND GARDENS OF WATSON ISLAND, INC. ("Assignor"), and ESJ JI LEASEHOLD, LLC ("Assignee").

Now therefore, in consideration of the mutual terms, conditions and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, Assignor and Assignee agree as follows:

- 1. "Property," as used herein shall be the trademarks attached as Exhibit "A" and any and all goodwill associated therewith.
- 2. Assignor hereby assigns, grants, transfers, sets over and delivers to Assignee, its successors and assigns, all right, title and interest in the Property. This Assignment shall be exclusive and complete and include, but not limited to, the unlimited and exclusive right to copy, use, distribute, import, export, market, improve, and sue for the infringement of, and sell the Property. Assignor shall not have any right, title or interest remaining in the Property or any right, title, or interest in additional compensation.
- 3. The Assignor shall execute and deliver to the Assignee such instruments of transfer and take such other action that the Assignee may reasonably request, including, but not limited to, executing and filing, at the Assignee's expense, trademark applications, copyright applications, assignments and other documents required for the protection of the Assignee's exclusive right, title, and interest to the Property.
- 4. This Agreement shall be enforced under and construed in accordance with the laws of the State of Florida (without regard to its conflict of laws principles) and adjudicated in a court of competent jurisdiction in Miami-Dade County, Florida.
- 5. Both Assignor and Assignee have read the entire Agreement and agree to all the terms and conditions contained herein.

[SIGNATURES ON NEXT PAGE]

# Signature Page for Assigned Trademarks from PARROT JUNGLE AND GARDENS OF WATSON ISLAND, INC. to ESJ JI LEASEHOLD, LLC

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# Exhibit "A"

Assigned Trademarks from PARROT JUNGLE AND GARDENS OF WATSON ISLAND, INC. to ESJ JI LEASEHOLD, LLC.

- 1. JUNGLE ISLAND trademark including USPTO registration number of 3280712
- 2. PARROT JUNGLE trademark including USPTO registration number of 2196869
- 3. PARROT JUNGLE trademark including USPTO registration number of 1195913
- 4. TREETOP BALLROOM trademark including Florida Department of State, Division of Corporations registration number P97000057939

## AFFIDAVIT OF BERNARD M. LEVINE

STATE OF FLORIDA (COUNTY OF PADE)

BEFORE ME, the undersigned authority personally appeared who after being first duly sworn, states as follows:

- My name is Bernard M, Levine. I am a resident of the State of Florida, over the age of 18
  vears and have personal knowledge of the facts stated herein.
- 2. At all times material hereto. I served as President for the following entities:
  - a. Parrot Jungle, Inc., an entity formerly registered to do business in Florida.
  - b. PJ Birds., Inc., an entity formerly registered to do business in Florida.
  - Parrot Jungle and Gardens Limited, Inc., an entity formerly registered to do business in Florida.
  - d. Parrot Jungle and Gardens of Watson Island, Inc., an entity currently registered to do business in Florida.
- On May 18, 1982, while serving as President for Parrot Jungle, Inc., we obtained a
  certificate of registration from the United States Patent and Trademark Office certifying
  the Parrot Jungle, Inc.'s right to protected use of the trademark PARROT JUNGLE,
  Registration Number 1195913 ("Trademark 913").
- 4. On or around October, 1995, Parrot Jungle, Inc., underwent a merger with PJ Birds, Inc., and changed its name to PJ Birds, Inc. Parrot Jungle, Inc., was the non-surviving entity and PJ Birds, Inc. was the surviving entity. In connection with this merger, Parrot Jungle, Inc., assigned all of its rights, title and interest in Trademark 913 to PJ Birds, Inc.
- On April 24, 2000, PJ Birds, Inc., assigned all of its rights, title and interest in Trademark
   913 to Parrot Jungle and Gardens Limited, Inc. An Assignment of Rights was recorded

with the United States Patent and Trademark Office at reel/frame, 2075/0994. Due to a scrivener's error, the recorded Assignment of Rights reflects that the Assignor was Parrot Jungle, Inc., when in actual fact, the Assignor was PJ Birds, Inc.

- 6. On or around December, 2009, PJ Birds, Inc. and Parrot Jungle and Gardens Limited, Inc., both merged with and into Parrot Jungle and Gardens of Watson Island, Inc. PJ Birds, Inc. and Parrot Jungle and Gardens Limited, Inc. were non-surviving corporations and Parrot Jungle and Gardens of Watson Island, Inc. was the surviving corporation.
- As a result of the Plan and Merger Agreement referenced hereinabove in paragraph 6,
   Parrot Jungle and Gardens of Watson Island, Inc. acquired all rights, title and interest in
   Trademark 913.
- Accordingly, Parrot Jungle and Gardens of Watson Island, Inc. currently holds all rights.
   title and interest in Trademark 913.

FURTHER AFFIANT SAYETH NAUGHT.

Sworn and subscribed before me this 3 day of April. 2017, by as identification and who did take an oath.

Votary Public

DELIA D ALVAREZ
MY COMMISSION # FF989347
EXPIRES May 04, 2020
Floridanulary Service.com

TRADEMARK REEL: 006034 FRAME: 0273

RECORDED: 04/13/2017