



**Town of Arlington
Select Board**

Meeting Agenda

September 24, 2018

7:15 PM

EMERGENCY ADDENDUM Select Board Chambers, 2nd Floor, Town Hall

1. For Approval: Common Victualler and All Alcohol License
Mini Punjab, 444 Massachusetts Avenue, Kashmir Singh
(postponed from 9.12.18 meeting)



Town of Arlington, Massachusetts

For Approval: Common Victualler and All Alcohol License

Summary:

Mini Punjab, 444 Massachusetts Avenue, Kashmir Singh
(postponed from 9.12.18 meeting)

ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	Mini_Punjab_Ref.pdf	Reference

The Gerson Group LLC

Admitted in Massachusetts

Via Email amaher@town.arlington.ma.us
dheim@town.arlington.ma.us

Ashley Maher
Board of Selectman
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476-4908

September 21, 2018

Re: Samar Group LLC ("Samar Group").

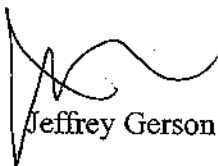
Dear Ms. Maher;

This office represents Samar Group LLC d/b/a Mini Punjab in its application for a common victuallae license and a food vendor license. My client holds an exclusive Registered Trademark/Service mark Registration (Number 86385) from the Secretary of State for the Commonwealth of Massachusetts for the name "Mini Punjab Modern Indian Cuisine". A copy of the Registration is attached hereto as Exhibit A. My client has also duly filed a D/B/A certificate with the Town of Arlington under the name "Mini Punjab". A copy of the D/B/A Certificate is attached hereto as Exhibit B. Please put this matter on the list for the September 24, 2018 Board of Selectman meeting

It has come to our attention that another business is raising an objection to the use of the word "Punjab" in my client's name. As you may well know Punjab is a state in northern India with a population of over 28 million people, and the name "Punjab" is commonly used to describe the popular culinary style of the region, much like the terms "Mandarin" and "Sichuan" (names of provinces in China) are used to describe the cuisine of each respective region. Currently there are no less than sixteen (16) Massachusetts entities that incorporate the word "Punjab" in their name, many of which are restaurants or food service businesses, and no less than nine (9) trademarks have been issued by the Commonwealth with the word "Punjab" in it. There are countless entities doing business with the name "Punjab" in the Commonwealth. "Punjab" is a region, a dialect, a culinary style, and some say an ethnicity – no entity has can claim sole ownership to this word.

Please do not hesitate to call me if you have any questions on this matter.

Very truly yours;



Jeffrey Gerson

EX A

MA SOC Registration Number: 86385 Date: 09/12/2018

**TM
SM**

The Commonwealth of Massachusetts

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Filing Fee \$50.00 per class
5 year registration period

FORM MUST BE TYPED

Trademark / Service Mark Application (General Laws Chapter 110H, Section 3)

FORM MUST BE TYPED

All information must be completed or this document will not be accepted for filing.

(1) Applicant's name and business address:

a) Individual: _____
Last First Middle

Business address: _____
Number Street
City State Zip

or

b) Business Organization: SAMAR GROUP LLC

Business address: 444 MASSACHUSETTS AVE
Number Street
ARLINGTON MA 02474
City State Zip

(2) If applicant is a business, identify type (check box), and if applicable, state and date of organization:

☐ corporation ☒ limited liability company ☐ limited partnership ☐ partnership ☐ sole proprietor

☐ other _____
(indicate entity type)

a) State of incorporation or organization: MA b) Date of incorporation or organization: 07/22/2018

(3) If applicant is a partnership, state the names of the general partners:

(9) The trademark or service-mark has been used by the applicant, or the applicant's predecessor in business, since

08/01/2018

and in the Commonwealth of Massachusetts since

08/01/2018

(month, day, year)

(month, day, year)

(If first use of the mark anywhere was in Massachusetts, use the same date for both.)

(10) a) Has the applicant or predecessor in interest filed an application for the same mark or portions of the same mark with the U.S. Patent and Trademark Office? ☐ Yes ☒ No

b) If yes, for each application, provide (using additional pages if necessary):

Filing date

and serial number

(month, day, year)

c) What is the status of the application (check box)?

☐ awaiting examination

☐ refusal (office action) issued

☐ approved for publication

☐ registered

☐ abandoned/withdrawn

d) If finally refused, or not resulted in a registration, give reason:

(11) Attach a sample showing the mark as actively used. The sample specimen may not be larger than 3" x 3".

Mini Punjab

MODERN INDIAN CUISINE

DINE IN • TAKE OUT • DELIVERY • CATERING

444 Massachusetts Ave (Arlington Center)
Arlington, MA

The applicant is the owner of the mark. The mark is in use, and, to the knowledge of the person verifying the application, no other person has registered, either federally or in this state, or has the right to use such mark either in the identical form thereof or in such near resemblance thereto as to be likely, when applied to the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive.

I, Mandeep Singh, Member, state that I am the applicant or a lawfully authorized
(Name of Applicant / Authorized Representative)

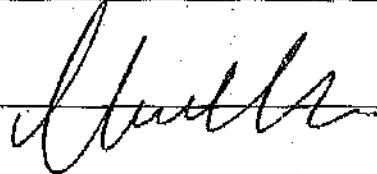
representative of the applicant and declare under penalty of perjury that the foregoing application is true and correct.

Executed on:

09/12/2018

(Month, Day, Year)

Signature:



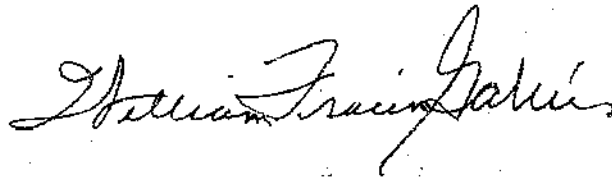
MA SOC Registration Number: 86385 Date: 09/12/2018

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin
Secretary of the Commonwealth
One Ashburton Place, Boston, Massachusetts 02108-1512

Trademark / Service Mark Application
(General Laws Chapter 110H)

Registered with



WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth
on:

September 12, 2018

Trademark Section
One Ashburton Place, Rm. 1717
Boston, MA 02108

Ex-B

Town of Arlington, Massachusetts

Stephanie L. Lucarelli
Town Clerk

OFFICE OF THE TOWN CLERK
730 MASSACHUSETTS AVENUE
ARLINGTON, MA 02476-4908
781-316-3070

New X
Renew

BUSINESS CERTIFICATE

No. 116

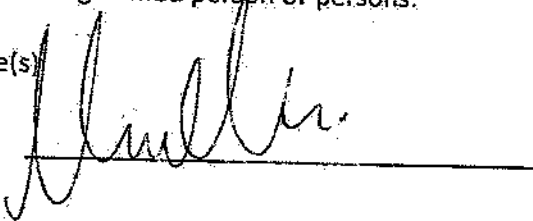
In conformity with the provisions of Chapter 110, Section 5 of the General Laws, as amended,
the undersigned hereby declares that a business is conducted under the name of:

Name & Address of Business

MINI PUNJAB
444 MASSACHUSETTS AVENUE
ARLINGTON, MA 02474

by the following named person or persons:

Signature(s)



Name(s):

MANDEEP SANDHU

Address:

11 FULLER STREET
EVERETT, MA 02149

Telephone No.: 617-961-2085

On: 9/21/2018

the above named person(s) appeared before me that the foregoing statements are true.

Stephanie L. Lucarelli

Town Clerk

This is not a license to do business. The operation of this business at
the said location may still be subject to other local, state or federal laws.
A copy of this certificate is being sent to the Building Department. This
certificate is good for four years, renewable by you. A statement under
discontinuance, retiring or withdrawal from the business or partnership
is \$15.00

Certificate Expires: 9/21/2022 Number:

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