

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO 2017-303

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA DIRECTING THE CITY ATTORNEY TO TAKE ALL NECESSARY ACTION TO PROTECT "MIRACLE MILE" AS A TRADEMARK.

WHEREAS, the City Attorney's Office was recently informed of a pending federal trademark application by a company in Illinois seeking to trademark the phrase "Miracle Mile" as part of "Miracle Mile Shops"; and

WHEREAS, the phrase "Miracle Mile" has been used by and associated with the City of Coral Gables as well as the City's Business Improvement District for decades; and

WHEREAS, in Resolution 2791, adopted by the City Commission on March 4, 1947 the City designated the portion of Coral Way between Douglas Road and Le Jeune Road as the "Miracle Mile Section of Coral Way"; and

WHEREAS, Miracle Mile is the City's main street and is actively used to market businesses and other uses in the City; and

WHEREAS, protection of the phrase "Miracle Mile" is on utmost importance to the City, as well as the Business Improvement District; and

WHEREAS, the City Attorney's Office, with the assistance of outside special trademark counsel, is directed to take all necessary action to protect "Miracle Mile" as a trademark, including, but not limited to, requesting an extension of the pending application by the Illinois company, and formally opposing the application, should a settlement not be reached; and

WHEREAS, the City Attorney's office is also directed to prepare and file necessary trademark applications on behalf of the City and the City's Business Improvement District in order to assert and protect existing rights regarding use of the phrase "Miracle Mile";

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission does hereby direct the City Attorney's Office to take all necessary action to protect "Miracle Mile" as a trademark, including, but not limited to, requesting an extension of the pending application by the Illinois company, and formally opposing the application for trademark, should a settlement not be reached.

SECTION 3. That the City Commission does hereby direct the City Attorney's Office to prepare and file necessary trademark applications on behalf of the City and the City's Business Improvement District in order to assert and protect existing rights regarding use of the phrase "Miracle Mile."

SECTION 4. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TENTH DAY OF OCTOBER, A.D., 2017.

(Moved: Lago / Seconded: Keon)

(Yeas: Keon, Lago, Mena, Quesada, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: J-2)

APPROVED:

A handwritten signature in blue ink, consisting of a stylized 'W' or 'V' shape enclosed in a circle, with a long tail extending downwards.

RAUL VALDES-FAULI
MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read 'Walter J. Foeman' in a cursive style.

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to read 'Craig E. Leen' in a cursive style.

CRAIG E. LEEN
CITY ATTORNEY