

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	87092837
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK	https://tmng-al.uspto.gov/resting2/api/img/87092837/large
LITERAL ELEMENT	JUMPIN' JACK'S DRIVE-IN
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_6610954174-20171113165733487819 . Request for Reconsideration HI045600xD16FB .pdf
CONVERTED PDF FILE(S) (77 pages)	\\TICRS\EXPORT17\IMAGEOUT17\870\928\87092837\xml6\RFR0002.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\870\928\87092837\xml6\RFR0003.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\870\928\87092837\xml6\RFR0004.JPG
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	\\TICRS\EXPORT17\IMAGEOUT17\870\928\87092837\xml6\RFR0078.JPG
DESCRIPTION OF EVIDENCE FILE	Arguments in support of the Request for Reconsideration
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	043
DESCRIPTION	
Fast food restaurants; ice cream shop services in the nature of a restaurant	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/01/1964
FIRST USE IN COMMERCE DATE	At least as early as 10/01/1964
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	043
TRACKED TEXT DESCRIPTION	
Fast food restaurants; ice cream shop services in the nature of a restaurant; Drive-in restaurants; ice cream stand services	
FINAL DESCRIPTION	Drive-in restaurants; ice cream stand services
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/01/1964

FIRST USE IN COMMERCE DATE	At least as early as 10/01/1964
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Shanna K. Sanders/
SIGNATORY'S NAME	Shanna K. Sanders
SIGNATORY'S POSITION	Attorney of record, New York bar member
SIGNATORY'S PHONE NUMBER	5184525600
DATE SIGNED	11/13/2017
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Nov 13 17:27:39 EST 2017
TEAS STAMP	USPTO/RFR-XX.XXX.XX.XXX-2 0171113172739928502-87092 837-5101d8da114c7de70a3a7 bdc3454aa168e8167755dd52 0c2d13b07c3f95fba4-N/A-N/ A-20171113165733487819

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1960 (Rev 10/2011)

OMB No. 0651-0050 (Exp 09/20/2020)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **87092837** JUMPIN' JACK'S DRIVE-IN(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/87092837/large>) has been amended as follows:

EVIDENCE

Evidence in the nature of Arguments in support of the Request for Reconsideration has been attached.

Original PDF file:

[evi_6610954174-20171113165733487819_-_Request_for_Reconsideration_H1045600xD16FB_.pdf](#)

Converted PDF file(s) (77 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

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[Evidence-74](#)
[Evidence-75](#)

[Evidence-76](#)

[Evidence-77](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 043 for Fast food restaurants; ice cream shop services in the nature of a restaurant

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/01/1964 and first used in commerce at least as early as 10/01/1964 , and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Fast food restaurants;~~ [Drive-in restaurants;](#) ~~ice cream shop services in the nature of a restaurant;~~ [ice cream stand services](#)

Class 043 for Drive-in restaurants; ice cream stand services

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 10/01/1964 and first used in commerce at least as early as 10/01/1964 , and is now in use in such commerce.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Shanna K. Sanders/ Date: 11/13/2017

Signatory's Name: Shanna K. Sanders

Signatory's Position: Attorney of record, New York bar member

Signatory's Phone Number: 5184525600

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 87092837

Internet Transmission Date: Mon Nov 13 17:27:39 EST 2017

TEAS Stamp: USPTO/RFR-XX.XXX.XX.XXX-2017111317273992

8502-87092837-5101d8da114c7de70a3a7bdc3

454aa168e8167755dd520c2d13b07c3f95fba4-N

/A-N/A-20171113165733487819

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION**

In re Application of: Jumpin Jacks Drive-In Inc.

Serial No.: 87/092,837

Trademark Law Office: 107

Filing Date: 10/13/2015

Attorney: Kelly Trusilo

Mark: JUMPIN' JACK'S DRIVE-IN

Our File No.: 3701.002

REQUEST FOR RECONSIDERATION

In the Office Action dated May 11, 2017, the Examining Attorney maintained and made final her refusal under Trademark Act Section 2(d) based upon an alleged likelihood of confusion between Applicant's Mark and U.S. Registration No. 3,621,099 (hereinafter the "Cited Registration").

Applicant's Mark	JUMPIN' JACK'S DRIVE-IN	<i>Presently Amended: Drive-in restaurants; Fast food restaurants; ice cream stand services ice cream shop services in the nature of a restaurant.</i>
Cited Registration	JUMPIN JACK'S	<i>Coffee-house services; and catering services.</i>

Applicant respectfully submits that there is no potential conflict between Applicant's Mark and the Cited Registration. In support of its Request for Reconsideration, Applicant presents extensive new evidence supporting the unique connotation associated with the phrase "DRIVE-IN", which distinguishes Applicant's Mark and the Cited Registration. Applicant further submits that the parties' services, as presently amended, are not related. Moreover, as discussed below, the sample third party registrations and internet usage cited by the Examining Attorney for the first time in the May 11, 2017 Office Action do not establish that the services are related. The only arguable similarity between the parties' services is that they both fall

within the broad umbrella of food services. However, drive-in restaurants, ice cream stands, coffee houses and catering are distinct niches within the food industry that are non-competitive, and the existence of such a tangential relationship between services cannot support a finding of likelihood of confusion. Applicant respectfully submits that the differences in services, as presently amended, particularly when considered in conjunction with the differences in appearance, connotation and commercial impression, eliminate any potential for confusion. Based on the argument below and upon consideration of the relevant DuPont factors, Applicant respectfully submits that there is no likelihood of confusion between the Applicant's mark and the Cited Registration.

ARGUMENT

In testing for likelihood of confusion under Section 2(d), the following factors must be considered:

- (1) The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression.
- (2) The similarity or dissimilarity and nature of the goods or services as described in an application or registration or in connection with which a prior mark is in use.
- (3) The similarity or dissimilarity of established, likely-to-continue trade channels.
- (4) The conditions under which and buyers to whom sales are made, i.e. "impulse" vs. careful, sophisticated purchasing.
- (5) The fame of the prior mark (sales, advertising, length of use).
- (6) The number and nature of similar marks in use on similar goods.
- (7) The nature and extent of any actual confusion.
- (8) The length of time during and conditions under which there has been concurrent use without evidence of actual confusion.
- (9) The variety of goods on which a mark is or is not used (house mark, "family" mark, product mark).
- (10) The market interface between applicant and the owner of a prior mark.

- (11) The extent to which applicant has a right to exclude others from use of its mark on its goods.
- (12) The extent of potential confusion, i.e., whether *de minimis* or substantial.
- (13) Any other established fact probative of the effect of use.

In re E. I. DU Pont de Nemours & Co., 476 F.2d 1357, 1361 (C.C.P.A. 1973).

One or more of the *DuPont* factors may be more dominant than others in a particular case. In this case, the differences in overall appearance and connotation and the dissimilarities of the services of are particular importance.

1. The Marks are Dissimilar in Overall Appearance and Connotation

When comparing the two marks' appearance, the marks must be perceived in their entireties. *Opryland USA Inc. v. Great American Music Show, Inc.*, 970 F.2d 847, 851 (Fed. Cir. 1992). Applicant's Mark contains a phrase (i.e., "DRIVE-IN") that is not present in the Cited Registration. To be clear, Applicant's disclaimer of "DRIVE-IN" does not remove the disclaimed matter from the mark. The mark must still be regarded as a whole, including the disclaimed matter, in evaluating similarity to other marks. *See, In re Nat'l Data Corp.*, 753 F.2d 1056, 1059, 224 USPQ 749, 751 (Fed. Cir. 1985).

In addition to creating an obvious visual distinction, the component "DRIVE-IN" triggers a unique connotation and commercial impression in the minds of consumers. To consumers, the phrase "DRIVE-IN" connotes a restaurant at which people are served fast-food at their cars, or a place where people can watch movies outdoors while sitting in their cars. This connotation is confirmed by multiple dictionaries that define the phrase "drive-in" as "an establishment (such as a theater or restaurant) so laid out that patrons can be accommodated while remaining in their automobiles." (*See attached* dictionary definitions of the phrase "drive-in"). Both connotations (drive-in movies and drive-in restaurants) strongly and immediately invoke a unique commercial

impression of Americana and an unmistakable nostalgia for times past. Drive-in restaurants have been an iconic symbol of American culture since their heyday in the 1950s and 1960s. (See attached articles: “*The Drive-In Theater – An Icon of American Culture*”; “*14 Classic American Drive-In Restaurants that are Still in Operation*”; “*Carhop To It: 5 Classic American Drive-In Restaurants*”, which describes the history and classic experience associated with American drive-in restaurants; “*The History of the Drive-In Movie Theater*”, which describes the “iconic feel of a classic 1950s-style drive-in”). It was during this era that drive-in restaurants solidified their place in our country’s history. Since that time, countless books, articles and theses have discussed the impact and historical significance of drive-in restaurants on American culture. (See attached sampling of books, e.g., “*The American Drive-In: History and Folklore of the Drive-In Restaurant in American Car Culture*” by Michael Karl Witzel; “*Car Hops and Curb Service: A History of American Drive-In Restaurants 1920-1960*” by Jim Heimann; “*Diners, Drive-Ins, and Dives: The Funky Finds in Flavortown: America’s Classic Joints and Killer Comfort Food*” by Guy Fieri). Drive-in restaurants have inspired songs, artwork and served as the backdrop of countless movies and television series – for example, “Mel’s Drive-In” in the classic 1973 film *American Graffiti* and “Arnold’s Drive-In” from *Happy Days*. (See attached Wikipedia entry for “Drive-In”). The Cited Registration does not include the phrase “DRIVE-IN” and thus lacks the powerful, unique connotation and commercial impression associated with Applicant’s mark “JUMPIN’ JACK’S DRIVE-IN”.

To the contrary, the connotation of the Cited Registration (JUMPIN JACK’S for coffee) is decidedly different. The Cited Registration connotes the common, physical jumping exercise performed by jumping to a position with the legs spread wide and the hands touching overhead, and then returning to a position with the feet together and the arms at the sides. (See attached

dictionary definition of the phrase “jumping jack”). The commercial impression upon the consumer is the high-energy rush created by both the jumping exercise and the caffeine in the Registrant’s coffee products.

Applicant submits that the presence of “DRIVE-IN” in Applicant’s Mark sufficiently distinguishes Applicant’s Mark from the Cited Registration in both appearance, connotation and commercial impression. *See, In re Farm Fresh Catfish Co.*, 231 USPQ 495, 495-96 (TTAB 1986) (holding CATFISH BOBBERS (with “CATFISH” disclaimed) for fish, and BOBBER for restaurant services, not likely to cause confusion). *See, e.g., Shen Mfg. Co. v. Ritz Hotel Ltd.*, 393 F.3d 1238, 1245 (Fed. Cir. 2004) (use of THE RITZ KIDS for clothing items (including gloves) and RITZ for various kitchen textiles (including barbeque mitts) is not likely to cause confusion, because, inter alia, THE RITZ KIDS creates a different commercial impression).

2. The Goods are Distinguishable and Not Closely Related

The mere fact that the services relate to the food industry is an insufficient basis for likelihood of confusion. *See, In re Giovanni Food Co.*, 97 USPQ2d at 1991 (TTAB 2011) (**no likelihood of confusion between “JUMPIN JACK’S” for catering services and “JUMPIN’ JACKS” for barbeque sauce**). The same can be said for arguably related goods or services in other large industries. *See, e.g., Astra Pharm. Products, Inc. v. Beckman Instruments, Inc.*, 718 F.2d 1201, 1206 (1st Cir. 1983) (finding that any similarity between the parties’ goods –hospital laboratory equipment vs. local anesthetics –was limited to their use in the medical industry, which was an insufficient basis to find likelihood of confusion). Any potential for confusion in the present case is far less likely than *In re Giovanni*, which involved the identical marks “JUMPIN’ JACKS”, considering that the Applicant’s Mark and Cited Registration **are not identical and have significantly different connotations and commercial impressions.**

Applicant's presently amended "drive-in restaurants" and "ice cream stand services" do not include catering services, nor does Applicant offer coffee-house services.

Courts recognize that distinct market niches within the same general product category or industry can render confusion unlikely, even if the marks are identical or very similar. *See, Checkpoint Systems, Inc. v. Check Point Software Technologies, Inc.*, 269 F.3d 270 (3d Cir. 2001). In the present case, the Applicant's presently amended "drive-in restaurants" and "ice cream stand services" and the Cited Registrant's "coffee-house services" and "catering services" are each distinct niches within the food industry that are not otherwise related, and are not competitive. As discussed above, drive-in restaurants are a highly unique subset of food providers – in terms of both menu and ambiance. The same is true for Applicant's ice cream stand services, which are specialized, often seasonal, outdoor walk-up stands where consumers can purchase single service ice cream. (For examples, see attached article: "*Upstate New York's best ice cream stand: And the winners are...*").

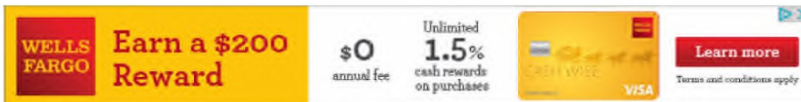
Finally, none of the sample registrations or online advertisements cited by the Examining Attorney for the first time in the May 11, 2017 Office Action recite Applicant's presently amended "drive-in restaurants" and "ice cream stand services". Thus, there is no evidence that the services presently identified by Applicant and Registrant are likely to be performed by a single entity.

In summary, Applicant respectfully submits that the mere fact that both Applicant's services and the services identified in the Cited Registration relate to the food industry is an insufficient basis for likelihood of confusion.

CONCLUSION

Based on the foregoing remarks, Applicant respectfully requests withdrawal of the likelihood of confusion refusal. The Examining Attorney is requested to contact Applicant's undersigned attorney if she has any further objection that may be handled by telephone or e-mail.

the day/) definitions drive-in



drive-in

[drahyv-in]

Examples Word Origin See more synonyms on Thesaurus.com (http://www.thesaurus.com/browse/drive-in)

noun

- 1. a motion-picture theater, refreshment stand, bank, or other public facility designed to accommodate patrons in their automobiles.

adjective

- 2. of, relating to, or characteristic of such an establishment: Drive-in business far exceeded walk-in business.

Origin of drive-in

1925-1930

1925-30, Americanism; noun, adj. use of verb phrase drive in

Dictionary.com Unabridged Based on the Random House Dictionary, © Random House, Inc. 2017. Cite This Source

Examples from the Web for drive-in

Contemporary Examples

On the way out of town we stopped at a drive-in grocery to buy ice for the cooler.

The land of the permanent wave is Bud Shrake's classic take on '60s Texas (http://www.thedailybeast.com/articles/2014/02/02/the-land-of-the-permanent-wave-is-bud-shrake-s-classic-take-on-60s-texas.html?source=dictionary) Edwin Shrake (http://www.thedailybeast.com/contributors/edwin-shrake.html?source=dictionary) February 2, 2014

He made suggestions to the manager of the drive-in burger restaurant about what should be on the jukebox.

And P.J. O'Rourke is grabbing the keys to happiness (http://www.thedailybeast.com/articles/2014/01/24/p-j-o-rourke-on-grabbing-the-keys-to-happiness.html?source=dictionary) P. J. O'Rourke (http://www.thedailybeast.com/contributors/p-j-o-rourke.html?source=dictionary) January 24, 2014

drive-in burger restaurants played a crucial role in cruising.

And P.J. O'Rourke is grabbing the keys to happiness (http://www.thedailybeast.com/articles/2014/01/24/p-j-o-rourke-on-grabbing-the-keys-to-happiness.html?source=dictionary) P. J. O'Rourke (http://www.thedailybeast.com/contributors/p-j-o-rourke.html?source=dictionary)

The weirdest jobs that actually exist (http://www.dictionary.com/e/s/odd-jobs/?src=dcnm-serp-tab)

British Dictionary definitions for drive-in

drive-in

adjective

- denoting a public facility or service designed to be used by patrons seated in their cars: *a drive-in bank*

noun

- (**mainly US & Canadian**) a cinema designed to be used in such a manner

Collins English Dictionary - Complete & Unabridged 2012 Digital Edition
 © William Collins Sons & Co. Ltd. 1979, 1986 © HarperCollins
 Publishers 1998, 2000, 2003, 2005, 2006, 2007, 2009, 2012
 Cite This Source

Word Origin and History for drive-in

adj.

in reference to of restaurants, banks, etc., 1929; from drive (/browz/drɪv) (v.) + in (/browz/ɪn). Of movie theaters by 1933 (the year the first one opened, in Camden, N.J.).

Online Etymology Dictionary, © 2010 Douglas Harper
 Cite This Source

Slang definitions & phrases for drive-in

drive-in

modifier

: *drive-in bank/ drive-in church/ drive-in movie*

noun

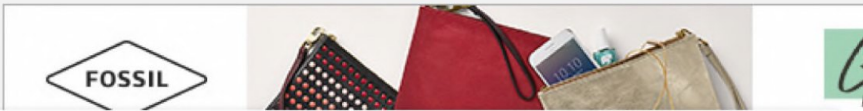
A place where one eats, watches movies, worships, etc, while sitting in one's parked car (1930+)

The Dictionary of American Slang, Fourth Edition by Barbara Ann Kipfer, PhD, and Robert L. Chapman, Ph.D.
 Copyright (C) 2007 by HarperCollins Publishers.
 Cite This Source

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The weirdest jobs that actually exist (<http://www.dictionary.com/e/s/odd-jobs/?src=dc=dm-serp-tab>)



drive-in

noun | \ 'drīv-, in \

Popularity: Bottom 30% of words



Definition of DRIVE-IN

: an establishment (such as a theater or restaurant) so laid out that patrons can be accommodated while remaining in their automobiles

—drive-in *adjective*

See [drive-in](#) defined for English-language learners

See [drive-in](#) defined for kids

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Words of the Year:
1066



Trending: 'Veteran'
Searches Up Ahead of
Holiday



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Name That Thing:
Animal Edition

First Known Use of DRIVE-IN

1937

DRIVE-IN Defined for English Language Learners

drive-in 

noun

Definition of DRIVE-IN for English Language Learners

: a place where people can watch movies outdoors while sitting in their cars

: a restaurant at which people are served in their cars

DRIVE-IN Defined for Kids

drive-in

noun | \ 'drīv-,in\

Definition of DRIVE-IN for Students

: a restaurant or theater that serves customers while they stay in their vehicles

See [words that rhyme with drive-in](#)

Seen and Heard

What made you want to look up *drive-in*? Please tell us where you read or heard it (including the quote, if possible).

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WORD OF THE DAY

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TRENDING NOW

- 1 veteran, Veterans Day**
"a former member of the armed forces"
- 2 referendum**
"submitting to a popular vote"
- 3 blowhard**
"braggart" or "wind"

5 apoplectic

"extremely enraged"

[SEE ALL >](#)

BROWSE DICTIONARY

[drive-by](#)

[drivehead](#)

[drive-in](#)

[drivel](#)

[driveline](#)

TEST YOUR VOCABULARY

Name That Thing: Animal Edition

alt-5a023732e6f75

Name that animal:

wombat

paca

guinea pig

capybara

True or
False

Test your knowledge - and maybe learn something along the way.

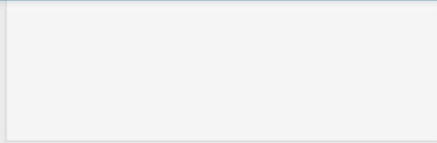
[TAKE THE QUIZ >](#)

Word
Winder's
CrossWinder

Test Your Knowledge - and learn some interesting things along the way.

[TAKE THE QUIZ >](#)

WORDS AT PLAY



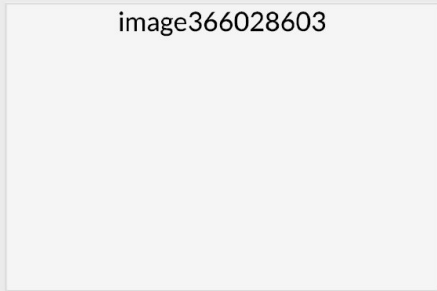
Do We Get 'On Track' or 'Untracked'?

Anything to get out of this slump



Fruit vs. Vegetable

Are you sure you know which is what?



8 Words and Phrases from the Road

Just you, these words, and the horizon

ASK THE EDITORS

Words of the Year: 1066

Or, Why Pig Meat is Called 'Pork'
and Cow Meat is Called 'Beef'

payday

How Often Is 'Biweekly'?

Don't get us started on
'bimonthly'

video-irregardless-grammar-peeve-
blend-of-the-synonyms-irrespective-
and-regardless

Irregardless

It is in fact a real word (but that
doesn't mean you should use it).

WORD GAMES

name-that-thing-animal-edition



(/)

FILM ([HTTP://WWW.ULTRASWANK.NET/CATEGORY/FILM/](http://www.ultraswank.net/category/film/))

The Drive-In Theater – An Icon of American Culture

Written by Guest Writer • June 10th, 2013



Drive-In Cinema in Utah, 1958 showing The Ten Commandments — From the Life Magazine Collection

The idea of an open air movie theater first phased Richard Hollingshead of Camden, New Jersey in the early 1930s. Hollingshead, who worked as a sales manager at his father's company, Whiz Auto Parts, had extensive knowledge in automobiles. A motion picture buff, he combined these interests and envisioned a concept where people could watch a movie from the comfort of their own cars under the stars.

With the start of the Great Depression, it goes without saying that the 1930s was a difficult period for most Americans. Motion pictures seemed a natural escape from the hardships that plagued people of all social class and stature during this time. Movies of the time tended to give audiences a sense of hope for a future that seemed realistically attainable to them – A future much more positive than the harsh

reality that awaited them beyond the theater walls.

Hollingshead, intent on making his vision a reality, conducted hours of experimentation in his own driveway. He used white sheets as screening, pinning them up between trees and put significant effort into arranging cars, adjusting heights and spacing, testing angles to ultimately ensure maximized capacity and optimal viewing ability. Speakers were placed in various areas in an effort to ensure sufficient sound ability. Hollingshead even went as far as using his own sprinkler system to recreate nature's elements to devise ways to protect against inclement weather. Perhaps his most significant challenges during this experimental phase however, were with the sound and projection capabilities, a problem that would continue to plague drive-in theaters for decades to come.

It wasn't until he mounted a 1928 Kodak projector to the hood of his car that he realized he had a concept worthy of a US Patent. On May 16th, 1933, less than one year after applying for one, Hollingshead was issued US Patent #1909537. Under patent law at the time, Hollingshead would now be allowed to collect royalties from licensed drive-in theater operators for the next 17 years.

FIRST DRIVE-IN

With an investment of \$30,000 (equivalent to nearly \$500,000 US today), Hollingshead opened the world's very first drive-in theater on June 6th, 1933 in nearby Pennausken Township under Park-In Theaters Inc. The new Automobile Movie Theater, which could accommodate up to 400 cars, had a screen 30 ft. high by 40 ft. wide with "directional sound" amplified through three six-foot square RCA speakers situated next to the screen (this proved problematic to those situated in the back row). Hollingshead advertised the drive-in by focusing on the advantages it offered patrons, including the fact that it was affordable entertainment for the whole family. Admission was 25 cents per car, 25 cents per person with no more than a \$1 maximum. The movie was the 1932 British comedy, "Wives Beware" starring Adolphe Menjou and Margaret Bannerman. Hollingshead operated the theatre until he sold it in 1956, though he retained a 30% interest in Park-In Inc. for the next several years.

THE YEARS THAT FOLLOWED

Years of legal complications regarding patent infringement ensued as a result of those who wanted to capitalize on the success recently experienced by Hollingshead. Though numerous drive-in theaters began to spring up all over the country, many of them were not licensed. Others that were licensed stopped paying royalty fees altogether. With these challenges and after reconsideration about whether Hollingshead's original concept was really actually a novel idea, the State of Delaware overturned his patent in 1949, much to his dismay.

As time went on, both projection and sound quality began to improve most notably thanks to the advent of in-car speakers produced by RCA in the early 1940s. Now sound came directly from the car's FM radio. These advances enabled the drive-in theaters to see some further growth, though it remained relatively slow at first. It would not be until the American car culture reached its peak in the late 1940s and early 1950s that the drive-in theater would reach its own height in popularity. Subsequently, further growth would be in the Baby Boom years immediately following WW2 and continue through to the late 1950s and early 1960s. New families were now afforded the opportunity to partake in a wholesome form of family entertainment while staying true to the household budget. According to [statistics \(http://www.drive-ins.com/\)](http://www.drive-ins.com/), a total of 4,063 drive-in theaters existed across the United States and Canada in 1958 alone, a significant increase from only a decade earlier.

As a result of this popularity, competition grew and as such, many drive-in theaters introduced gimmicks to draw patrons and ultimately, increase sales. One theater in Greensboro, North Carolina offered bell hop service and another in Chicago offered automobile maintenance while the movie played. [The Circle Autoscope Drive-In \(http://www.studio-nibble.com/\)](http://www.studio-nibble.com/), located in Albuquerque, New Mexico featured "autosopes", which were individualized screens for each parking space. Perhaps the most novel of all drive-in theater concepts however, was the brainchild of owner, Ed Brown, airplane enthusiast and former Navy pilot. He opened Ed Brown's Drive-In and Fly-In Theater, in 1948. Located in Asbury Park, New Jersey, this theater had room for 500 cars and 50 airplanes. An airstrip was built adjacent to the lot where airplanes could taxi in and park at the back behind the cars. Once it closed, this novel concept for a drive-in theater was never duplicated.

For the most part however, the drive-ins continued to cater to the family unit. Many opened their gates hours before twilight to accommodate children and allow them time at the playground before the movie began.

Perhaps the largest drive-in theater ever built was the All Weather Drive-In in Copiague, New York. Also known as [Johnny's All Weather Drive In \(http://www.newyorkdriveins.com/\)](http://www.newyorkdriveins.com/), this theatre could accommodate 2,500 cars on its 28-acre site, as well as 1,200 seated patrons in its air-conditioned indoor viewing area. In addition to a full service restaurant, it also boasted a shuttle train, an extensive children's playground and an animal farm.

THE DECLINE BEGINS

As the 1960s gradually came to a close, popularity subsequently began to dwindle. More and more families owned television sets and as such, attendance began to decrease steadily. In the eyes of the media, drive-ins were merely referred to as "passion pits" because of the amount of privacy they afforded patrons – Particularly teenagers who now seemed to be represent the majority of the patrons. This teenage culture has been immortalized in movies such as American Graffiti and Grease.

In the 1970s and 1980s, as more and more theaters closed down, many resorted to running b-rated and x-rated movies to draw patrons. To no surprise, the reputation of this once wholesome means of entertainment suffered severely. In the years that followed, real estate costs began to skyrocket due to suburban expansion causing even more theaters to go under. With so much suburban development, the number of indoor theaters and multiplex theaters began to increase affording patrons more quality movies for less money in modern, air-conditioned settings.

Another major factor contributing to the demise of the drive-in was the 1966, official adoption of Daylight Savings Time. As a result, a full hour of outdoor viewing was subsequently lost, especially posing challenges to families with younger children. Even though many owners worked to devise ways to accommodate daylight viewing, attempts proved unsuccessful and as such, no viable solution ever materialized.

WHAT'S OLD IS NEW AGAIN!

It wasn't until the early 1990s that the drive-in theater began to experience a small resurgence in popularity to such extent that many drive-ins that had been closed only decades before were reopening their doors. Many brand new drive-in theaters were also opened – each one now adapting to the changes in technology that had taken place in recent years. In the years that followed, new digital cinema, though expensive would now allow drive in theaters to compete with indoor multiplexes and for the first time, they now had the ability to acquire first run movies, something almost unheard of in the early days of the drive-in.

The drive-in theater was a unique cultural institution and a piece of the past that perhaps many of us long for -a convenient, cheap and a wholesome retreat for the entire family. Today, perhaps due to the nostalgia associated with them, people continue to flock to drive-in theaters as a way to escape the stresses of today and in essence, revert back to a seemingly more simpler time.

Though today, less than 400 drive-in theaters remain in operation worldwide, there continues to be a steady interest in countries such as Spain and China where new drive-in theaters have been opened in recent years. In addition, much has been written about the drive-in theater culture – both past and present. Several sites on the world wide web are dedicated to nostalgic pastime and to the “ozoners” who specialize in all things “drive-in”.

So with all that being said, I am excited to be taking in a drive-in movie tonight at the Starlite Drive-In (<http://www.starlitehamilton.com/>), one of Canada's oldest drive-in theaters still in operation and situated only 5 miles away from me in Stoney Creek, Ontario. Tonight, I go back in time... even if only for a few hours.

June 6th 2013, marks the 80th birthday for the drive-in theater!

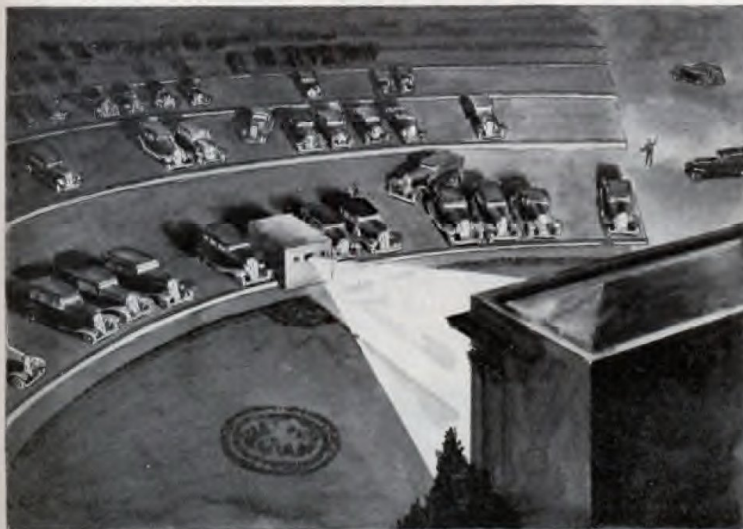
Written by: Karen DeBreau



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Movie Theater Lets Cars Drive Right In

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FIRST of its kind in the world, an open-air movie theater exclusively for motorists has just been opened at Camden, N. J. Patrons drive in and park their cars in semicircular rows. Then, without leaving the vehicles, they enjoy talkies projected on a sixty-foot screen. Occupants of a car may chat or smoke without fear of disturbing others, since their car is for practical purposes a private theater box. A newly perfected system of directional sound projection make the talkies as plainly audible to the farthest as to the nearest of the 400 cars accommodated. Each row is inclined so that cars may see the rear part as an aisle without interrupting anyone's view.

Drawing at left shows the outdoor movie theater designed to accommodate patrons who view the show from their cars. Below, how cars are parked so that uninterrupted vision is obtained

60-FOOT TALKIE SCREEN

OCCUPANTS CAN SEE OVER PARKED AND INCOMING CARS

ENTERING CAR USES SUNKEN AISLE

PROJECTION BOOTH



Above: Automobile Movie Theater — You can drive your car right in!



Above: At A Drive-In Theater — A uniformed drive-in theater attendant hands a clip-on speaker to the driver of convertible while the car's other passengers watch, New York, early 1950s. (Photo by Hulton Archive/Getty Images)

[1940S \(/TAG/1940S/\)](#) [1950S \(/TAG/1950S/\)](#) [1960S \(/TAG/1960S/\)](#) [AMERICA \(/TAG/AMERICA/\)](#) [DRIVE-IN \(/TAG/DRIVE-IN/\)](#)
[MOVIES \(/TAG/MOVIES/\)](#) [POP CULTURE \(/TAG/POP-CULTURE/\)](#)

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(<http://www.ultraswank.net/inspiration/audrey-hepburn-mid-century-icon/>)

Audrey Hepburn – Mid-Century Icon (<http://www.ultraswank.net/inspiration/audrey-hepburn-mid-century-icon/>)



(<http://www.ultraswank.net/film/monty-python-holy-grail/>)

Monty Python And The Holy Grail – A British Film Icon (<http://www.ultraswank.net/film/monty-python-holy-grail/>)

RESTAURANTS · October 23rd

14 classic American drive-in restaurants that are still in operation

By Jacquelyn Hart, Fox News



Try not to get ketchup on the interior, OK? (iStock)

Drive-ins have been around for decades, serving up burgers, shakes and fries to any hungry customer who pulls in for a bite to eat.

But while chains like Sonic and Checkers have put a modern spin on things, nothing can replace the iconic feel of a classic 1950s-style drive-in. And lucky for us, many smaller drive-in burger joints across the country have remained open for over 60 years.

So the next time you're craving a double cheeseburger or a vanilla shake, skip the table service and check out one of these blasts from the past:

Dick's Drive-In – Seattle, Wash.

The [first Dick's location](#) in Seattle was established in 1954, and now there are a total of six Washington locations (with [another on the way](#)). The Capitol Hill location was also [featured](#) in Macklemore's "White Walls" music video.



aimeenicolekim
Dick's Drive In

Follow



13 likes 0 comments

When on Capitol Hill.... @dicksdrivein #dicksdrivein #capitolhill

SEPTEMBER 26

Classic 50's Drive-In – Norman, Okla.

Founded in 1957, the [Classic 50's Drive-In](#) in Norman, Okla., actually operated as a Sonic for 28 years, according to [NewsOK](#). Then later, after it became the Classic 50's Drive-In, Sonic actually offered to purchase the place. But when owner Juel Sweatte said he wasn't interested, Sonic opened a location a block away in the early '90s. Business never took a hit, however, and the Classic 50's Drive-In remains open to this day.

 **lionheartprints**
Classic 50's Drive-in Follow



106 likes 5 comments

When in Norman...❤️

JUNE 28, 2015

BURGER KING OFFERS FREE WHOPPERS TO PEOPLE JUST FIRED FROM THEIR JOBS

Keller's Drive-In – Dallas, Texas

Keller's has been around for over 50 years. The spot was also a favorite among bikers, though the owner claimed he would no longer serve customers on motorcycles after incidents of "unruly" behavior," Eater notes.



motzburger
Keller's Drive-In

Follow




143 likes 8 comments


First stop in #Dallas, one of the best! A great way to set the tone for my tear thru town with @davidhalesmith and @bbqsnob #burgerandabeer

FEBRUARY 11, 2016

The Varsity – Atlanta, Ga.

The first Varsity in downtown Atlanta opened in 1928, where it became the world's largest drive-in restaurant. It's been owned and operated by the same family since, and now boasts eight locations (but not all offer curbside service). Past patrons include former presidents Bill Clinton, Barack Obama, Jimmy Carter, George W. Bush, and George H.W. Bush — though it's unclear if they all used the correct lingo while ordering.

 **colbyjd3**
The Varsity Follow




60 likes 5 comments


When in ATL... #thevarsity #atlanta

SEPTEMBER 16

Wayne's Drive Inn – Lawton, Okla.

Opening behind a service station as Wayne's Burger Bar in 1950, this Lawton, Okla. hangout later opened two additional locations, but the owner, Wayne, decided to sell off all but one. In 2007, Wayne's grandson, Joe, joined the family business and opened a second Drive Inn (Wayne's Drive Inn II) just a few miles away.

 **youneedkelly**
Wayne's Drive Inn Follow



36 likes 3 comments
a deep fried memory
APRIL 30, 2016

DRINKING MILKSHAKES MAY HELP YOU STICK TO A HEALTHIER DIET, STUDY FINDS

Matt's Place Drive-In – Butte, Mont.

Matt's, which opened in 1930 was awarded the 2016 James Beard Foundation America's Classic Award. "The food does the roadside genre proud," writes the site of the foundation, which also notes that the restaurant's "masterpiece" is the "nut burger," which comes with crushed peanuts and mayonnaise.

 **hedoubletoothpics**
Matt's Place Drive-In Follow



267 likes 10 comments

AUGUST 27

Ardy & Ed's Drive In – Oshkosh, Wis.

Ardy's & Ed's originally opened up as the [Southside A & W Drive In](#) in 1948. It was renamed in 1972, and has since continued to operate, serving both the staples and Ardy's & Ed's famous specials.



tanybrown
Ardy & Ed's Drive In

Follow



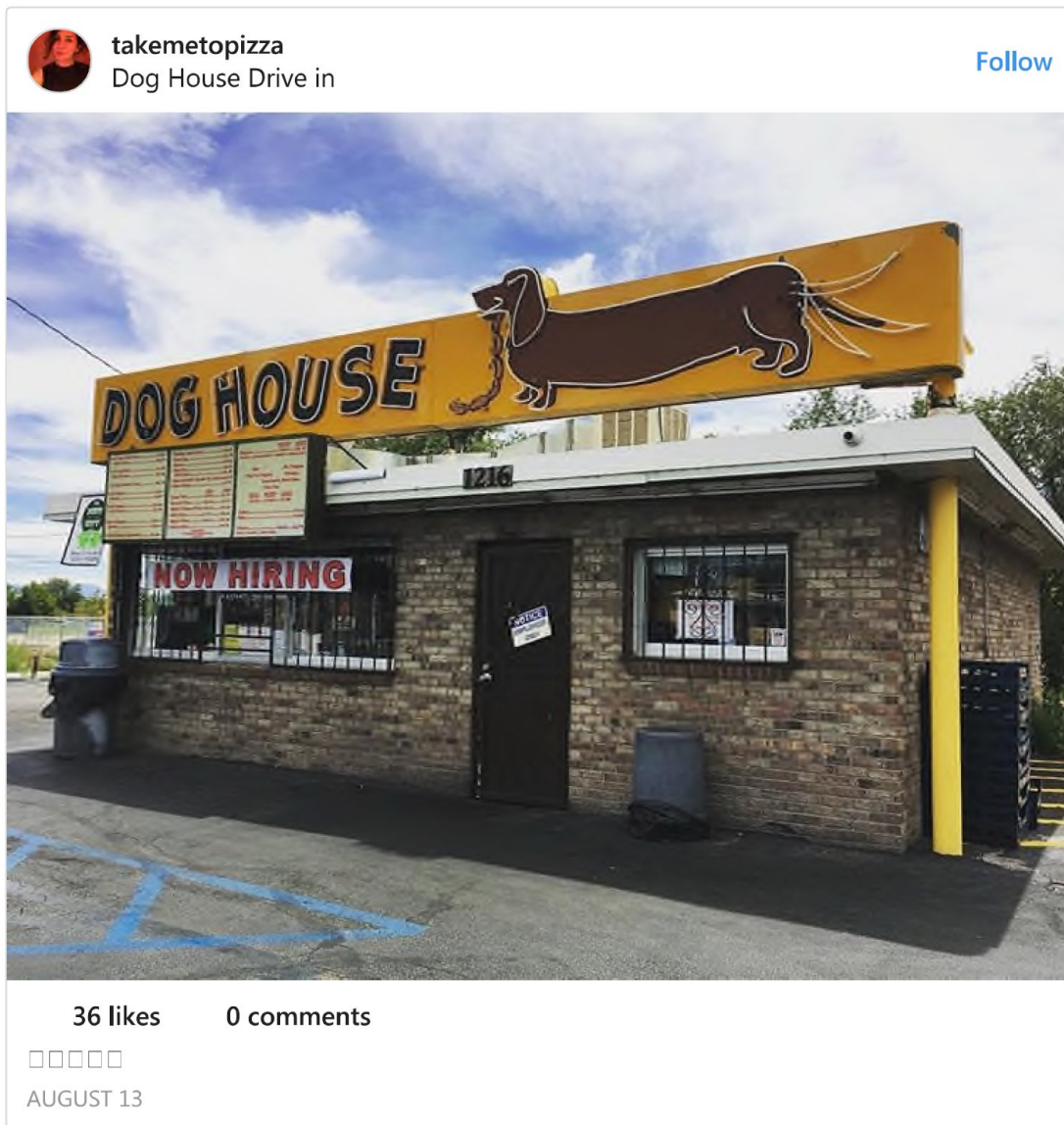
374 views 5 comments

When in Wisconsin

JULY 19, 2016

Dog House Drive-In – Albuquerque, N.M.

Dog House, which was featured prominently on [“Breaking Bad,”](#) serves up classic fare like [tater tots](#) and [foot-long hot dogs](#). Don't forget to top it all off with the restaurant's signature chili.



[LOVE BURGERS? HERE'S 6 WAYS TO MAKE YOUR HABIT HEALTHIER](#)

Bobo's Drive-In – Topeka, Kan.

Burgers and onion rings abound at this drive-in, which opened [in 1953](#). During a restaurant profile for an episode of Food Network's "Diners, Drive-Ins, and Dives," Guy Fieri said he especially loved the crust on Bobo's burgers, which they attribute to their flat-top grill.

 **elwoodshaun**
Bobos Drive In Follow



10 likes 0 comments

#BoboDriveIn #DinersDriveInsDives #OldNeon #NeonSign

JUNE 29, 2015

Doumar's – Norfolk, Va.

Also featured on "Diners, Drive-Ins, and Dives," [Doumar's](#) now serves North Carolina-style barbeque in addition to the [waffle cones](#) first created by restaurant founder, Abe Doumar, in 1904. He actually started with a chain of ice cream stands before opening the current location in [1934](#) — though he still makes his cones with the original machine.

 **grahamelliott**
Doumar's Cones and Barbecue

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831 likes 11 comments

"Sweet"

JANUARY 21

The Parkette Drive-In – Lexington, Ky.

The Parkette opened in 1951, and had sold an estimated 19.2 million of their unique “Poor Boy” burgers by 1991. Co-owner Randy Kaplan even cooked up the restaurant’s Kentucky Hot Brown Burger on an episode of "The Rachel Ray Show" in 2013.



leannashoniker
Parkette Drive In

Follow



152 likes 1 comment

collective decision: Parkette has the best veggie burgers to ever exist

JULY 12, 2016

GUY FIERI OPENS RESTAURANT IN WORLD'S LARGEST RETIREMENT COMMUNITY

Jerry's Curb Service – Beaver, Penn.

This spot offers an "old meets new" experience where carhops use hand-held units instead of paper and pen to take orders, but everything is still cooked the old-fashioned way. Jerry's has been family owned since 1947, too.



kennyblahblah
Jerry's Curb Service

Follow



59 likes 5 comments

Just ate a steak salad in my car 🚗🍴

MAY 25, 2016

Charlie's Drive-In – Hortonville, Wis.

Owned by the same family since 1965, Charlie's is more than just a place to grab burgers and fries: Every Tuesday, classic car enthusiasts and hot-rodders gather at Charlie's to show off their rides to the public. And while the restaurant's website hasn't been updated since 2014, [TripAdvisor](#) reviews and [Instagram](#) evidence indicates that Charlie's is still very much alive and well.



Dandy's Drive-In – Bend, Ore.

Opened in 1968, Dandy's has been serving up classic burgers and shakes curbside for decades. The staff even wheels out your order on roller skates – just like they always have.



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Conversation (43)



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PlutolsAPlanet ★ Leader



The Dairy Bar, Darlington, South Carolina.

Reply · Share ·  



bsdetector424 ★ Leader

Wow, proper roller skates. ;)

Reply · Share · 1 Like ·



2ND1ST ★ Leader

Edited
Top Notch in Austin on Burnet Rd. would make my list. They filmed Dazed and Confused at that location. They have classic car events there often.

Reply · Share · 1 Like ·



Mellsworth782 ★ Leader

Nobody should have to eat at a Sonic.

Reply · Share · 3 Likes ·



Smokeyjcat910 ★ Leader → Mellsworth782

No one has to eat anywhere.

Reply · Share · 1 Like ·



Stopwhinning ★ Leader

Kent Ohio has an A&W drive in as well. awesome burgers and foot long chili dogs.

Reply · Share ·



POED1952 ★ Leader

A&W Lodi Calif where A&W started.

Reply · Share · 2 Likes ·



POED1952 ★ Leader

Ya Sonic is pure garbage.

Reply · Share · 4 Likes ·



crperreira

A&W drive in, Hanford, CA

Reply · Share ·



buthewasagoodboy ★ Leader

Sonic should be ashamed of themselves, disgusting food.

Reply · Share · 4 Likes ·



jimbo58 ★ Leader



Damn - I think I need a burger now, and maybe a chocolate shake!

Reply · Share · 4 Likes ·  



RichLando ★ Leader 

No Biff-Burger? Biff-Burger in St. Petersburg FL. is definitely a unique experience with 2 restaurants in one, Buffy's on one side and Biff's on the other the variety is great the atmosphere is like no other. Car shows, hula hoop contests, Football, live performances and/or DJ's on the weekends with an outdoor bar. I remember getting beers and Biff burgers from the drive-thru in the early 80's. It has been around since the 50's and I imagine one day we'll see a 100 yr mark.

Reply · Share · 4 Likes ·  



buthewasagoodboy ★ Leader → Rich Lando 

I've never been, but I'll give it a try, I'm about 45 minutes from there.

Reply · Share ·  



RichLando ★ Leader → buthewasagoodboy 

Buffy's has a smokehouse and the BBQ is great, I hear they have a full service bar now, heck I may have to go this weekend. On a Saturday night parking is near impossible and if you like cars and bikes this place is nirvana during the shows. They have a website with an events calendar.

Reply · Share · 1 Like ·  



Stopwhinning ★ Leader → Rich Lando 

I think the article is focused on 1950s style pull in and they serve you in the car, I don't think Biffs is like that...could be wrong. nonetheless, great place to go.

Reply · Share · 1 Like ·  

Show 1 more replies ▾

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#CocaColaRenew • 5by20 • #cokestyle • 2016 Sustainability Report • Our Commitment to Transparency

FRONT PAGE > FOOD & RECIPES > CARHOP TO IT: 5 CLASSIC AMERICAN DRIVE-IN RESTAURANTS

Food

Carhop To It: 5 Classic American Drive-In Restaurants

By: Mackensy Lunsford | Sep 27, 2016

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American post-war culture comes alive in a 1973 film classic, bathed in the lights of [Mel's Drive-in](#). The setting, all buzzing neon and classic cars, hearkens to an era when the drive-in restaurant was *everything*.

The classic eateries came of age in a time when cars symbolized post-war economic recovery. There was a certain freedom in hitting the road after years of belt-tightening. People were settling in for a period of relative indulgence, gulping down burgers and sodas in gas guzzlers, without ever having to leave the comfort of the front seat.

“Back in the day, that was huge,” says Robin Cockhill, whose parents in 1943 purchased the '30s-era Matt's Place Drive-In in Montana. “I think for younger kids, it was a way to hang out and still be private, but you still got to eat. If you had kids of your own, you didn't have to haul them in and out of the car.”

Hauling kids remains an obstacle, even if eating in the car has lost much of its veneer. At Matt's, Cockhill says, more people partake of the counter service than the classic carhop configuration. “I don't know if people have newer cars now and don't want to eat in them or what, but in the day way back, that was cool,” she adds.

Mel's Drive-In now boasts several locations through the Golden State, but the roller skate-wearing carhop is a thing of the past at all of them.

“I don't know why, but I would assume it's because of insurance,” says Guy Williams, an employee working the midnight to early morning shift at the 24-hour location in West Hollywood.

THIS WEEK IN FOOD

Jay Moyer Recommends
Chefs Aarón Sánchez, Roblé Ali Dish On Why Coca-Cola Complements Any Meal

Hannah Nemer Recommends
An 'Infatuation' With Food and Music: Andrew Steinthal's Journey From Record Exec to...

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SHARE YOUR RECIPE



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This Hibiscus-Lemonade Tea Makes the Perfect Spring Drink

Journey Staff Recommends
A Charleston, S.C. Restaurant's Legendary Coca-Cola Cake

THE FIZZ

MOST READ

TOP 10 ▶

People still come in droves, he notes, including some members of Hollywood royalty. No one seems to miss the carhops these days. "They come for the food for one, the classic experience for another," he said.

Though they're hard to find, overtaken by more modern restaurants and shifting food tastes, the classic drive-in remains a relic of Americana, a reminder of a simpler time.

Here are five restaurants keeping the drive-in dream alive:



[The Varsity](#)

This Atlanta, Ga. institution, located just blocks away from Coca-Cola headquarters, claims the title of the world's largest drive-in. The Varsity serves up to 30,000 people on its busiest days, including when Georgia Tech is playing a home game just down North Avenue.

The Varsity has held the same address in the heart of midtown for 87 years. Now situated on five acres, the iconic spot accommodates up to 800 people inside and has space outside for 630 vehicles.

"The V," as it's known, sells more Coca-Cola than any single outlet. It also turns two miles of hot dogs, 300 gallons of famous Varsity chili and 5,000 fried pies every day, much of it delivered by a fleet of carhops like the revered Flossie Mae, who sang the menu to customers for 50 years.



[Matt's Place Drive-In](#)

Established in Butte, Montana in 1930, Louis and Mae Laurence bought the place in the '40s, moving into the upstairs apartment. Matt's remains a real family affair. Robin Cockhill, whose husband, Brad, co-owns the restaurant and works the stove,



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says more than 40 relatives have worked at the restaurant. "It's helped some go on to college and earn degrees, providing them with a source of income to do that," she says. "I doubt there's many places that could say that."

Matt's, listed on the National Register of Historic Places, offers curb service with an old-school carhop and trays diners can hang from their car windows. It's a service many skip, though some are coming around to the nostalgia of eating hamburgers and house-churned ice cream in their cars.

But if people prefer to eat inside at Matt's, it could be all about the atmosphere, carefully cultivated by Cockhill's mother, Mae Laurence, who carried the restaurant through the rise of commercial hamburger eateries, some with their own curbside service.

This year, Matt's is a recipient of the 2016 James Beard American Classics Award, given for restaurants with quality food and timeless appeal. With its soda fountain serving Coke floats and milkshakes, Matt's fits the bill.

"People are kind of coming back to things that are older," Cockhill says. "It's all new to them, so that might be cool."



Wayne's Drive Inn

This family-owned Oklahoma eatery was founded in 1950 as Wayne's Burger Bar by World War II vet Wayne Abshere. Today, the restaurant's two locations are serviced by carhops, who deliver the restaurant's diner fare with a side of nostalgia.

The menu is extensive, with double-stacked burgers carrying all the classic fixings. If you're feeling particularly peckish, there's also the upholstery-unfriendly "Big As You Want Burger", which can be tailored to fit the demands of your appetite with as many patties as you'd like.



Dari-ette Drive-in

This third-generation drive-in opened in 1951 in Saint Paul, Minn. Current owner Angela Fida, whose parents met while working at the restaurant, said the Dari-ette continues to draw customers, who come for the nostalgia and stay for the food.

“And the elders who’ve been coming around for years stay because we don’t change anything,” she says.

At least that’s been the case since the ’60s, when Dari-ette started serving Italian food. Now the restaurant goes through about 40 gallons of red sauce every other day. Italian food in the front seat? “We are pretty dang good about putting it in a proper container,” Frida explains.

There certainly aren’t many places where a carhop can deliver a bowl of spaghetti and an old-fashioned Cherry Coke. And the concept has real staying power, Fida says.

“People come in with their old cars and say ‘I met my wife here, and we’ve come in ever since,’” she says. “I’ve heard that from quite a few customers.”

'It brings them back to the olden days.'

Ammons Drive-In Restaurant and Dairy Bar

Located in Waynesville, N.C., this restaurant serves more than 300 guests daily, according to server Jennifer Robinson.

Open for about 33 years, the restaurant offers both carhop and in-house service. Menu items trend all-American and include hot dogs, hamburgers, fried-fish platters and hot-fudge sundaes, all dispensed with the restaurant's signature service.

“We have dedicated employees who make sure the food goes out properly, and waitresses that greet everyone with a smile, treat everyone with respect and really stay on top of the customers,” Robinson says.

The restaurant serves people visiting western North Carolina for conferences, families and regular working joes too tired to leave their cars, she says. But no matter who shows up, they're all mostly there for the nostalgia.

“It brings them back to the olden days,” Robinson says.


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Smithsonian.com

The History of the Drive-In Movie Theater

The continued attraction of viewing movies under the stars



Viewers watch a movie at Shankweiler's drive-in during the heyday of drive-in theaters.
(Courtesy of Shankweiler's Drive-In Theatre Archives)

By Robin T. Reid
smithsonian.com
May 27, 2008

On June 6, 2008 the flag flying over the U.S. Capitol commemorated the 75th birthday of a distinctive slice of Americana: the drive-in movie theater.



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It was on that day in 1933 that Richard Hollingshead opened the first theater for the auto-bound in Camden, N.J. People paid 25 cents per car as well as per person to see the British comedy *Wives Beware* under the stars.

The concept of showing movies outdoors wasn't novel; people often watched silent films on screens set up at beaches or other places boasting an abundance of sky. However, it took an auto-parts salesman such as Hollingshead to see the genius in giving a car-loving society one more activity they could do in their vehicles.

He first conceived the drive-in as the answer to a problem. "His mother was—how shall I say it?—rather large for indoor theater seats," said Jim Kopp of the United Drive-in Theatre Owners Association. "So he stuck her in a car and put a 1928 projector on the hood of the car, and tied two sheets to trees in his yard."

Hollingshead experimented for a few years before he created a ramp system for cars to park at different heights so everyone could see the screen. He patented his concept in May 1933 and opened the gates to his theater the next month.

The second drive-in, Shankweiler's, started a year later in Orefields, Pa. A few others followed, but the concept didn't really get traction until the advent of in-car speakers in the early 1940s. By 1958, the number of drive-ins peaked at 4,063.

"Drive-ins started to really take off in the '50s," Kopp said. "They offered family entertainment. People could sit in their cars, they could bring their babies, they could smoke. Drive-ins offered more flexibility than indoor theaters."

The indoor theaters were more flexible about scheduling, however, and could show one film five or six times a day instead of only at night. So to sell as many tickets as possible, the movie studios sent their first-runs to the indoor theaters. Drive-ins were left to show B movies and, eventually, X-rated ones. And being naughty helped some drive-ins survive.



Cars lined up to watch a film at Shankweiler's drive-in, the second oldest drive-in in the U.S. (Courtesy of Shankweiler's Drive-In Theatre Archives)

D. Vogel, owner of the Benjies Drive-In near Baltimore, Md., said the price of land is the real reason many drive-ins folded.

“People would build on the outskirts of town, and the town would grow,” he said. Combine that with the fact that so many drive-ins were mom-and-pop businesses that few descendants chose to continue running, he explained. The results were a sinking number of drive-ins throughout the country.

“There’s not enough income in it or else you’d see AMC or others getting drive-ins,” Vogel said. “It’s hard-earned money.”

Today some 400 drive-ins remain in the United States, a number that has not changed much in the past five years. Another 100 drive-ins exist outside the United States, mainly in Canada and Australia. Kopp said the concept is suddenly becoming popular in China.

More than 75 percent of the drive-ins in this country are privately owned small businesses, according to the National Association of Theatre Owners.

“Digital cinema will be both an opportunity and a threat for drive-in owners,” said the association’s director of media and research Patrick Corcoran in an e-mail. “An opportunity because digital will allow them to get new movies sooner than they do—they are often weeks behind the break for new films. It’s a threat in that the digital transition will be expensive to manage, and some may not be able to do it.”

Kopp of course bets on the drive-ins’ survival. In 2005, he and his wife bought the Raleigh Road Outdoor Theatre in Henderson, N.C., for \$22,000 on eBay. He said they’ve invested about \$300,000 since to clear the seven acres of weeds and modernize the technology. Today the theatre can accommodate 265 cars and show movies in a 60-foot-by-80-foot screen. The sound comes through car radios.

Film fare of the Raleigh Road and other drive-ins typically consists of G-rated films, Kopp said. Disney movies thrive, as do animated films.

“We’ve had some folks that come out on a weekly basis. It’s almost like a tailgate party,” Kopp said.

He’s seen his share of fogged-up windows too, including a middle-aged couple too “passionately involved” to notice that the theatre’s lights were off and gates were locked.

And then there are the people who sneak in without paying.

“Last week we were patrolling the property in the golf cart, and we saw a hole in the fence,” Kopp said. “Some kids had been running through. So we put some chairs up and some popcorn out and left a sign that said, ‘At least sit down and watch the movie.’ We were kids once too.”

The next day, the popcorn was gone.

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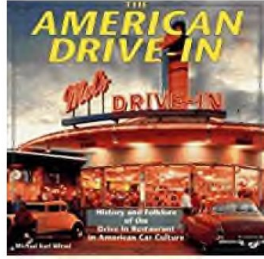


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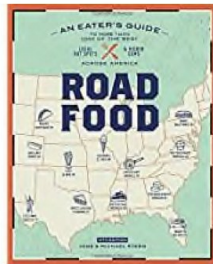
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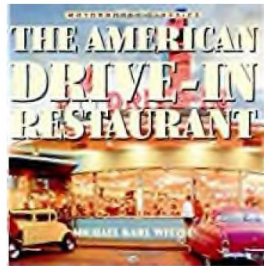
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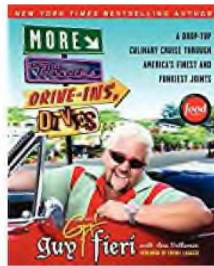


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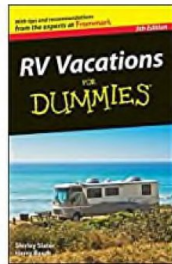
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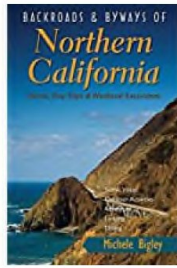
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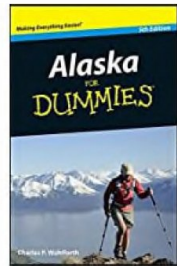
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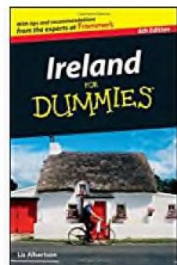
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Drive-in

A **drive-in** is a facility (such as a restaurant or movie theater) where one can drive in with an automobile for service. At a drive-in restaurant, for example, customers park their vehicles and are usually served by staff who walk or rollerskate out to take orders and return with food, encouraging diners to remain parked while they eat. Drive-in theaters have a large screen and a car parking area for film-goers.

It is usually distinguished from a drive-through, in which drivers line up to make an order at a microphone set up at window height, and then drive to a window where they pay and receive their food. The drivers then take their meals elsewhere to eat. Notably however, during peak periods, patrons may be required to park in a designated parking spot and wait for their food to be directly served to them by an attendant walking to their car, resulting in the perceived relationship between the two service-types. In the German-speaking world, the term is now often used instead of "drive-through" for that kind of service. In Japan, the term refers to a rest area. In France, this term has become popular because of American movies showing that kind of service, and more recently due to the expansion of fast-food restaurants.

The first drive-in restaurant was Kirby's Pig Stand, which opened in Dallas, Texas, in 1921.^{[1][2]} In North America, drive-in facilities of all types have become less popular since their heyday in the 1950s and 1960s, with drive-throughs rising to prominence since the 1970s and 1980s.



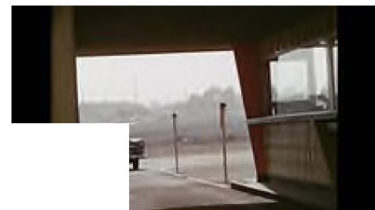
Drive-in theater in Neu-Isenburg, Germany



Drive-in Ferris wheel

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(Video) Scenes in and around a drive-in restaurant in Long Beach, California, 1952.

In popular culture

As a symbol of the 1950s, a drive-in is featured in many films and TV series about this period. The film *American Graffiti* (1973) has several scenes in or around a drive-in, while in *Happy Days*, "Arnold's Drive-In" is one of the main settings for much of the series.

See also

- Drive-through
- Drive-in theater
- Drive-In Classics, a Canadian TV channel
- List of drive-in restaurants

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2. Jones, Dwayne. "What's New with the Pig Stands—Not the Pig Sandwich!" (<http://crm.cr.nps.gov/archive/19-9/19-9-5.pdf>) Archived (<https://web.archive.org/web/20130222090555/http://crm.cr.nps.gov/archive/19-9/19-9-5.pdf>) 2013-02-22 at the [Wayback Machine](#).

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- [Drive-in theatres refuse to fade away](http://news.bbc.co.uk/2/hi/americas/4332896.stm) (<http://news.bbc.co.uk/2/hi/americas/4332896.stm>)
- [Jilly's drive-in restaurant page](http://www.jazzkeyboard.com/jill/drivein/index.html) (<http://www.jazzkeyboard.com/jill/drivein/index.html>)
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Recent Examples of JUMPING JACK from the Web

On another occasion, Adrian told a case worker that he was forced to stand in the corner and do *jumping jacks* and push-ups all day.

- Samantha Schmidt, *chicagotribune.com*, "Boy, 7, was tortured to death and fed to pigs; state agencies failed him, says lawsuit," 1 Sep. 2017

Those are like *jumping jacks* compared to the more strenuous task of the finding the under-the-radar difference makers.

- Bob Klapisch, *USA TODAY*, "MLB playoffs: Five players who could make or break World Series hopes," 28 Sep. 2017

Start with shadow boxing to get your heart rate up, then move to pushups, skipping, crunches, *jumping jacks*, punching in the air (great for a shoulder pump!).

- Natalie B. Compton, *GQ*, "How to Never Miss a Workout When You Travel," 3 Oct. 2017



These example sentences are selected automatically from various online news sources to reflect current usage of the word 'jumping jack.' Views expressed in the examples do not represent the opinion of Merriam-Webster or its editors. [Send us feedback.](#)

1883

JUMPING JACK Defined for English Language Learners

jumping jack

noun

Definition of JUMPING JACK for English Language Learners

: an exercise in which a standing person jumps to a position with the legs and arms spread out and then jumps back to the original position

JUMPING JACK Defined for Kids

jumping jack

noun

Definition of JUMPING JACK for Students

: an exercise in which a person who is standing jumps to a position with legs and arms spread out and then jumps back to the original position

Seen and Heard

What made you want to look up *jumping jack*? Please tell us where you read or heard it (including the quote, if possible).

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MERRIAM-WEBSTER UNABRIDGED

WORD OF THE DAY

roué 

one devoted to a life of sensual pleasure

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TRENDING NOW

- 1 **veteran, Veterans Day**
"a former member of the armed forces"
- 2 **referendum**
"submitting to a popular vote"
- 3 **blowhard**
"braggart" or "windbag"
- 4 **epistemic**
"of or relating to knowledge"
- 5 **apoplectic**
"extremely enraged"

SEE ALL >

BROWSE DICTIONARY

jumping deer

jumping hare

jumpingly

jumping mouse

TEST YOUR VOCABULARY

Name That Thing: Animal Edition

alt-5a023732e6f75

Name that animal:

guinea pig

paca

wombat

capybara

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WORDS AT PLAY

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Do We Get 'On Track' or 'Untracked'?

Anything to get out of this slump



Fruit vs. Vegetable

Are you sure you know which is what?



image366028603

8 Words and Phrases from the Road

Just you, these words, and the horizon


ASK THE EDITORS



video-title-words-of-the-year-1066

Words of the Year: 1066

Or, Why Pig Meat is Called 'Pork' and Cow Meat is Called 'Beef'



How Often Is 'Biweekly'?

Don't get us started on 'bimonthly'

video-irregardless-grammar-peeve-blend-of-the-synonyms-irrespective-and-regardless

Irregardless

It is in fact a real word (but that doesn't mean you should use it).

WORD GAMES

name-that-thing-animal-edition

Name That Thing: Animal Edition

How many animals can you identify?

[TAKE THE QUIZ >](#)

portrait-of-a-boy-in-fancy-dress-

UPSTATE NY RESTAURANTS

Upstate New York's best ice cream stand: And the winners are...

Posted May 26, 2017 at 06:21 AM | Updated May 30, 2017 at 11:37 AM

5.3k shares

[16 Comments](#)



By Allie Healy | ahealy@syracuse.com

Upstate New York's best ice cream stand: And the winners are...

Money doesn't buy happiness, but it sure buys ice cream. **We searched** for the best ice cream stand Upstate NY has to offer. After hundreds of nominations and votes for semifinalists, the readers narrowed down our **[list to six finalists](#)**.

Here are the winners for Upstate New York's Best Ice Cream Stand:

Readers' Choice: The Snowman in Troy

Judges' Choice: Seneca Farms in Penn Yan

Read on for the judges' ranking of the finalists and details on all six of the stands.

**No. 6 - The Snowman (Readers' Choice)**

Troy, N.Y., is home of The Snowman ice cream stand. It's full of nostalgia and exudes the classic charm of yesteryear. Community pride is very evident here, with customers complimenting the workers on making it to the finalist round of the ice cream stand search. Posters, framed flyers and even the napkin dispenser encouraged its fan base to vote. We truly appreciated the enthusiasm and gusto of The Snowman ice cream stand.

Address: 531 5th Ave, Troy

[See more photos of The Snowman here.](#)

**No. 6 - The Snowman (Readers' Choice)**

At The Snowman, we ordered (from left) the Creamsicle twist, the Samoa sundae with salted caramel ice cream and the PB&J hard ice cream. Judge Sunny Hernandez said the PB&J ice cream had an unexpected flavor. "Very subtle peanut butter taste, mostly tasting the strawberry and graham crackers," she said.

The Creamsicle twist was a classic menu item and tasted good. The Samoa sundae included tons of toasted coconut, caramel, fudge and salted caramel ice cream. It was a flavor explosion, but lacked in balance.



No. 5 - Gannon's Isle

A Syracuse summertime staple, Gannon's Ice Cream serves up homemade flavors at four Central NY locations. Every batch of ice cream is hand made at the Valley Drive location by the Gannon family themselves. We were mesmerized by the colorful murals and artwork at Gannon's -- something that can't be missed or not photographed when visiting the stand. The service was quick and the facility was very accommodating. It's no wonder Syracusans go crazy for this place.

Address: 1525 Valley Dr, Syracuse

[See more photos of Gannon's here.](#)



No. 5 - Gannon's Isle

At Gannon's, we ordered (pictured from left) the Batter Up hard ice cream, the Snickers Explosion sundae and the Fruit & Berry twist. Batter Up, a brownie batter ice cream with cookie dough chunks, was missing a crucial component -- its cookie dough. We came across only a couple pieces throughout the scoops. That was a major letdown.

The Snickers Explosion sundae was loaded with caramel, Snickers pieces and nuts. The caramel, however, truly overpowered the Snickers Cheesecake ice cream we paired with the dish. The Fruit & Berry twist was our favorite item. Judge Sunny Hernandez said the twist was "very flavorful with both flavors well represented."



No. 4 - Gilligan's Island

Located just south of Hamilton, Sherburne is home to Gilligan's Island. Despite its name, the stand actually has nothing to do with the well-known television show. It was a simple, old-school drive-in where you could either order outside or dine-in. There was plenty of parking and, for warmer weather, picnic tables for customers to sit down and enjoy the homemade ice cream. The dining room, filled with booths, is neatly decorated with vintage ice cream signs and advertisements. This feature added charm to the stand.

Address: 64 N Main St, Sherburne

See more photos of Gilligan's here.



No. 4 - Gilligan's Island

Our order at Gilligan's was (pictured from left) a vanilla and chocolate soft serve twist, the Professor's Delight sundae and the Marauder Pride hard ice cream. The twist was very creamy, but lacked some much-needed flavor. The sundae consisted of chocolate ice cream, peanut butter sauce and hot fudge, peanut butter cups and Reese's Pieces. Judge Katie Kramer said it was big enough to share and required some mixing to combine the flavors.

The Marauder Pride ice cream, named in honor of the nearby Sherburne-Earlville Central Schools, was delicious. Judge Sunny Hernandez was impressed by the size and fluffiness of the white cake chunks that were distributed throughout the cherry ice cream.



No. 3 - Lugia's Ice Cream

Lugia's made a yucky day very yummy. On the day of our visit, the weather wasn't entirely ice cream-friendly. It was pouring rain and 54 degrees. Sounds more like hot tea and blanket weather, right? But we stuck it out and visited Spencerport, N.Y., to taste the scoops at Lugia's Ice Cream. Despite the stone exterior and dreary weather, Lugia's menus and lights were bright and colorful.

Address: 4719 Lyell Rd, Spencerport

[Find more photos of Lugia's here.](#)



No. 3 - Lugia's Ice Cream

At Lugia's, we ordered (from left) the Sponge Candy hard ice cream, the Cookie Crumb sundae and a black raspberry and vanilla custard twist. There were so many options for hard ice cream flavors at Lugia's -- it was very difficult to settle on just one. But the Sponge Candy flavor did not disappoint. "This caramel sugar ice cream was so delicious and bursting with flavor and sponge candy pieces," judge Sunny Hernandez said.

The sundae was a very basic sundae with crumb pieces you may find at the bottom of an ice cream cake. The black raspberry vanilla twist was also delicious. Judge Sunny Hernandez said she would "totally order again in a chocolate dip."



No. 2 - Martha's Dandee Creme

Martha's Dandee Creme, a classic walk-up style ice cream stand, is located across the street from The Great Escape amusement park. This was the largest stand we visited yet. The facility was made up of an ice cream stand and a grill, with plenty of windows to order.

Between its size and loyal customer base, we could only imagine how crowded this place gets during the summer months. There was plenty of seating under a gazebo and an extra lot for spill-over parking. These people are prepared. Just to balance out our meal, we grabbed a hot dog before leaving. Even that was a tasty treat.

Address: 1133 U.S. 9, Queensbury

See more photos from Martha's here.



No. 2 - Martha's Dandee Creme

After debating about flavors for quite some time, we ordered (from left) the lime creme twist, a brownie sundae and the salted caramel soft serve. We decided to get the single flavor soft serve because Martha's didn't have hard ice cream -- and we aren't complaining. The salted caramel ice cream was our favorite item. Even though the ice cream melted almost instantly, the texture was so velvety.

The lime creme twist was a bit too sweet, judge Katie Kramer said. The brownie sundae was massive! The chocolate ice cream was superior and complemented the brownie and hot fudge. We are still dreaming about that salted caramel soft serve, though.



No. 1 - Seneca Farms (Judges' Choice)

Oh, Penn Yan, How we love you. Seneca Farms greeted us at the counter with large "vote for us" posters and enthusiastic young women working behind the counter. We knew our cover was definitely blown when we were offered freshly made strawberry ice cream. It was straight out of the machine and impossibly silky.

A clear red and white theme was present at Seneca Farms. Coca-Cola memorabilia covered the shelves and walls of both sides of the restaurant/ice cream shop. Pick up a T-shirt or take a picture in their face-in-a-hole display outside. Either way, memories will be made at this hidden gem of the Finger Lakes.

Address: 2485 NY-54A, Penn Yan

[See more photos of Seneca Farms here.](#)

**No. 1 - Seneca Farms (Judges' Choice)**

After tasting the freshest ice cream this side of I-81, we decided on (from left) Strawberry Cheesecake hard ice cream, the Corn Fritter Sundae and a dark chocolate and banana soft serve twist.

We need to take a moment for the Corn Fritter Sundae. This concoction of homemade corn fritters layered with maple syrup, walnuts and vanilla ice cream was inspired by a customer's request. We would like to thank that customer for influencing this decadent dish.

Everything we tasted was fantastic at Seneca Farms. Across the board, we enjoyed each of our items. The ice cream was exquisite, the service was friendly and the stand was comfortable and welcoming. Now, excuse us while we head back for more corn fritters.

**Honorable Mentions**

We ate and experienced so much while on this ice cream stand tour that we couldn't go without honoring the finalists with more specific awards.

Best hard ice cream: Sponge Candy – Lugia's Ice Cream

Best soft serve flavor: Salted Caramel – Martha's Dandee Creme

Best soft serve twist: Fruit & Berry – Gannon's Isle

Best sundae: Corn Fritter Sundae – Seneca Farms

Best atmosphere: Martha's Dandee Creme

Most original signage: The Snowman

Best service: The Snowman

Pictured: Sponge Candy hard ice cream from Lugia's in Spencerport.



Our next search: Upstate New York's Best Burger 2017

Our Best Of Upstate New York searches have come full circle. We are looking for the best burger in the region again. **[Nominate your favorites here!](#)**

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