

11-18-1999

RECC



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Our Ref.: 43573-0084

101204453

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID # \_\_\_\_\_
- Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_
- Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_



Conveyance Type

- Assignment  License
  - Security Agreement  Nunc Pro Tunc Assignment
  - Merger
  - Change of Name
  - Other \_\_\_\_\_
- Effective Date  
Month Day Year \_\_\_\_\_

Conveying Party

\_\_\_\_ Mark if additional names of conveying parties attached

Name Zuka Juice, Inc.

Execution Date  
Month Day Year

Formerly \_\_\_\_\_

March 24, 1999

- Individual  General Partnership  Limited Partnership  Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization Utah

Receiving Party

\_\_\_\_ Mark if additional names of receiving parties attached

Name ZJI Acquisition Corp.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 1700 17th St.

Address (line 2) San Francisco, CA 94103

Address (line 3) \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- Corporation  Association
- Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization California

11/17/1999 DCDATES 00000049 2046849

FOR OFFICE USE ONLY

01 FC:481  
02 FC:482

40.00 OP  
800.00 OP

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 200231

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name \_\_\_\_\_  
Address (line 1) \_\_\_\_\_  
Address (line 2) \_\_\_\_\_  
Address (line 3) \_\_\_\_\_  
Address (line 4) \_\_\_\_\_

**Correspondent Name and Address**

Area Code and Telephone Number (202) 467-7517

Name Carole R. Klein, Esq.  
Address (line 1) MORGAN, LEWIS & BOCKIUS LLP  
Address (line 2) 1800 M Street, N.W., Attn: TMSU  
Address (line 3) Washington, D.C. 20036

**Pages** Enter the total number of pages of the attached conveyance document including any attachments.

# 5

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers are attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

See attached.

**Registration Number(s)**

See attached.

**Number of Properties** Enter the total number of properties involved. 33

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$ 840.00

Method of Payment: Enclosed X Deposit Account \_\_\_\_\_

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.) Deposit Account Number: 13-4520

Authorization to charge additional fees: Yes X No \_\_\_\_\_

**Statement and Signature**

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*

Carole R. Klein

*Carole R. Klein*

November 12, 1999

Name of Person Signing

Signature

Date Signed

# TRADEMARK ASSIGNMENT

WHEREAS, ZUKA JUICE, INC., a Utah corporation with a principal place of business at 488 East 6400 South, Suite 200, Salt Lake City, Utah 84107 ("Assignor"), has adopted, used, and is using the trademarks set forth in Exhibit "A" hereto in connection with goods and services with respect to the ongoing and existing business founded by its predecessors of making and selling nutritious fruit drinks and smoothies and associated products; and has obtained or has sought to obtain registration of said trademarks on the Principal Register in the United States Patent and Trademark Office as also set forth in Exhibit "A" (hereinafter the "Marks"); and

WHEREAS, JAMBA JUICE COMPANY is a California corporation with a principal place of business at 1700 17th Street, San Francisco, California 94103 ("Jamba");

WHEREAS, ZJI ACQUISITION CORP. is a California corporation with a principal place of business at 1700 17th St., San Francisco, CA 94103 ("Assignee"), and is a wholly-owned subsidiary of Jamba;

WHEREAS, pursuant to that certain "Agreement and Plan of Merger" executed concurrently herewith, Assignee desires to acquire all rights of Assignor in and to said Marks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns and transfers unto Assignee, its successors, assigns, and legal representatives, Assignor's full and exclusive worldwide right, title, and interest in and to said Marks, including the goodwill of the business symbolized by the Marks, and the applications and registrations therefore, as identified in Exhibit "A", and the right to sue for and collect damages for infringements and past infringements thereof.

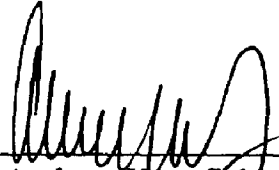
Assignor hereby authorizes and requests the United States Commissioner of Patents and Trademarks to record this Assignment for the sole benefit of Assignee, its successors, assigns, and legal representatives.

Assignor hereby agrees, upon request of Assignee, and without further remuneration, to promptly provide Assignee with all pertinent facts and documents relating to the foregoing trademarks as reasonably may be known and accessible to Assignor.

DATED this 24th day of March, 1999.

ZUKA JUICE, INC., a Utah corporation

By \_\_\_\_\_

  
Andrew Hartsfeld, its Vice President

ASSIGNOR

STATE OF UTAH )

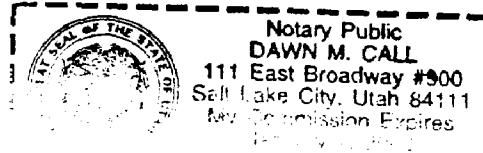
County of Salt Lake ) ss:

On this 24<sup>th</sup> day of March, 1999, before me, a notary public in and for said county, appeared ANDREW HARTSFIELD, the Vice President of ZUKA JUICE, INC., a Utah corporation, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

Dawn M. Call  
Notary Public

My commission expires:

January 2, 2000



**EXHIBIT "A" to  
TRADEMARK ASSIGNMENT**

<b>Mark</b>	<b>Reg. No. and Reg. Date</b>	<b>Original Applicant</b>
<b>CARROT QUENCHER</b>	Reg. No. 2,046,849 registered: 3-18-97	Juice Concepts, L.C.
<b>OCEAN SUNRISE</b>	Reg. No. 2,070,089 registered: 6-10-97	Juice Concepts, L.C.
<b>ORANGE OCTANE</b>	Reg. No. 2,072,008 registered: 6-17-97	Juice Concepts, L.C.
<b>JUST PEACHY</b>	Reg. No. 2,072,010 registered: 6-17-97	Juice Concepts, L.C.
<b>TRIATHLETE</b>	Reg. No. 2,074,091 registered: 6-24-97	Juice Concepts, L.C.
<b>CANTALOUPE CRAVE</b>	Reg. No. 2,072,007 registered: 6-17-97	Juice Concepts, L.C.
<b>ZUKA BOOSTERS</b>	Reg. No. 2,072,011 registered: 6-17-97	Juice Concepts, L.C.
<b>ZUKA POWER PUNCH</b>	Reg. No. 2,072,009 registered: 6-17-97	Juice Concepts, L.C.
<b>ZUKA JUICE</b>	Reg. No. 2,131,274 registered: 1-20-98	Juice Concepts, L.C.
<b>PEENYA-KOWLADA</b>	Reg. No. 2,102,423 registered: 9-30-97	Juice Concepts, L.C.
<b>LIME SUBLIME</b>	Reg. No. 2,207,974 registered: 12-8-98	Juice Concepts, L.C.
<b>CHOCOLATE M'OOD</b>	Reg. No. 2,174,375 registered: 7-21-98	Juice Concepts, L.C.
<b>PINEAPPLE SQUEEZE</b>	Reg. No. 2,145,970 registered: 3-24-98	Juice Concepts, L.C.
<b>BLACKBERRY BURST</b>	Reg. No. 2,145,969 registered: 3-24-98	Juice Concepts, L.C.
<b>CALYPSO GUAVA</b>	Reg. No. 2,153,461 registered: 4-28-98	Juice Concepts, L.C.

<b>STRAWBANNA</b>	Reg. No. 2,144,233 registered: 3-17-98	Juice Concepts, L.C.
<b>P-NUT BUTTER BASH</b>	Reg. No. 2,130,159 registered: 1-20-98	Juice Concepts, L.C.
<b>APPLE SQUEEZE</b>	Reg. No. 2,145,968 registered: 3-24-98	Juice Concepts, L.C.
<b>DESIGN ONLY</b>	Ser. No. 75/221,013 filed: 1-03-97	Juice Concepts, L.C.
<b>ORANGE BERRY</b>	Reg. No. 2,046,851 registered: 3-18-97	Juice Concepts, L.C.
<b>RASPBERRY REFRESHER</b>	Reg. No. 2,046,850 registered: 3-18-97	Juice Concepts, L.C.
<b>CARIBBEAN PASSION</b>	Reg. No. 2,243,494 registered: 5-4-99	Zuka Juice, L.C.
<b>CRANBERRY SPLASH</b>	Reg. No. 2,219,672 registered: 1-19-99	Zuka Juice, L.C.
<b>GARDEN SQUEEZE</b>	Ser. No. 75/374,067 filed: 8-26-97	Zuka Juice, L.C.
<b>GRAPE D'VINE</b>	Reg. No. 2,219,671 registered: 1-19-99	Zuka Juice, L.C.
<b>ZUKA SPRINGS</b>	Reg. No. 2,202,757 registered: 11-10-98	Zuka Juice, L.C.
<b>ZUKACCINO</b>	Reg. No. 2,187,725 registered: 9-8-98	Zuka Juice, L.C.
<b>ZUKA</b>	Ser. No. 75/376,680 filed: 10-21-97	Zuka Juice, Inc.
<b>WATERMELON BURST</b>	Ser. No. 75/376,681 filed: 10-21-97	Zuka Juice, Inc.
<b>ZUKA</b>	Ser. No. 75/376,682 filed: 10-21-97	Zuka Juice, Inc.
<b>NOG NOG</b>	Ser. No. 75/381,197 filed: 10-29-97	Zuka Juice, Inc.
<b>LEMON TSUNAMI</b>	Ser. No. 75/494,818 filed: 6-2-98	Zuka Juice, Inc.

**ZUKA SLIM**

Ser. No. 75/524,678  
filed: 7-23-98

Zuka Juice, Inc.

1-WA/1314992.1

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**RECORDED: 11/12/1999**

**TRADEMARK  
REEL: 001989 FRAME: 0345**