

06-12-2000

MRD 5.02.00



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TRADEMARKS ONLY

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
Effective Date
Month Date Year

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Date Year

Name

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City State/Country Zip Code

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

Corporation Association

Other

Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

06/12/2000 ASCOTT 00000003 74298291

01 FC:481 40.00 DP
02 FC:482 25.00 DP

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Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 002085 FRAME: 0578

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

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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

Trademark Application Number(s) or Registration Number(s) Mark if additional numbers attached

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

Trademark Application Number(s)

Registration Number(s)

<input type="text" value="74-298291"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2000149"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Number of Properties Enter the total number of properties involved. #

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

Method of Payment: Enclosed Deposit Account

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

Deposit Account Number: #

Authorization to charge additional fees: Yes 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.

Stephen B. Salai

Name of Person Signing


Signature

May 19, 2000

Date Signed

ASSIGNMENT

THIS ASSIGNMENT (this "*Assignment*") is made as of May 15, 2000, by and between **Richard D. Bristow**, an individual residing at 14526 Ridgelyop Tenn. ("*Seller*") and **The Jolt Company, Inc.**, d/b/a Wet Planet Beverages, a New York corporation with an office at 130 Linden Oaks Drive, Rochester, New York 14625 ("*Buyer*").

WHEREAS, pursuant to that certain Asset Purchase Agreement dated the date hereof, by and among Buyer, Seller and Rocket Brands, LLC, a Texas limited liability company (the "*Purchase Agreement*"), Seller has agreed to assign to Buyer all of Seller's right, title and interest in and to a registered trademark for "Cherry Bomb," as more particularly described on Annex A hereto (the "*Registered Mark*"); and

WHEREAS, pursuant to the Purchase Agreement, Seller has agreed to assign to Buyer all of Seller's right, title and interest in and to a trademark and a pending trademark application for "Cherry Bomb Cola," as more particularly described on Annex B hereto (the "*Pending Mark*") and collectively with the Registered Mark, the "*Marks*").


NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

1. Seller hereby conveys, assigns and transfers unto Buyer all of Seller's right, title and interest in and to the Registered Mark, and all of the goodwill associated therewith, and registration No. 2000149, to have and to hold unto Buyer, its successors and assigns, for its and their own use, benefit and behalf forever.

2. Seller hereby conveys, assigns and transfers unto Buyer all of Seller's right, title and interest in and to the ~~Pending~~ Mark, and all of the goodwill associated therewith, and pending application No. 74-298291, to have and to hold unto Buyer, its successors and assigns, for its and their own use, benefit and behalf forever.

3. Seller hereby agrees to take whatever actions and execute whatever further documents, instruments or agreements of assignment and transfer are reasonably requested by Buyer to convey, transfer and assign unto Buyer all of Seller's right, title and interest in and to the Marks and all of the goodwill associated therewith, registration No. 2000149, and pending application No. 74-298291.

IN WITNESS WHEREOF, Seller has executed and delivered this Assignment as of the date first written above.


Richard D. Bristow

ANNEX A
REGISTERED MARK

Mark: Cherry Bomb
Registered: September 10, 1996
Registration Number: 2000149
Goods: Carbonated soft drinks

ANNEX B
PENDING MARK

Mark: Cherry Bomb Cola
Serial Number: 74-298291
Filed: July 24, 1992
Goods: Men's, women's, and children's clothing; namely, shirts, caps, jackets, and pants in Class 25; and soft drinks in Class 32