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06-12-2000



101378682

To the Honorable Assistant Commissioner  
for Trademarks: **OFFICE OF FINANCE** Please

Original documents or copy thereof.

1. Name of conveying party(ies):  
 Jarritos, Inc. *MHO 5.15.00*

Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation-Texas  
 Other \_\_\_\_\_

Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies):  
 Name: Tipp Distributors, Inc.  
 Internal Address: \_\_\_\_\_  
 Street Address: 1477 Lomaland, Building E, Office 7  
 City: El Paso, Texas 79935

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Corporation-State Texas  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached  Yes  No  
 (Designation must be a separate document from Assignment)  
 Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

Execution Date: April 13, 2000

Application number(s) or trademark number(s):  
 A. Trademark Application No(s).  
75/581,395

B. Trademark registration No(s).  
 \_\_\_\_\_

Additional numbers attached?  Yes  No

4. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: William Y. Klett, III  
 Internal Address: AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.  
 Street Address: P.O. Box 12870  
 City: San Antonio State: TX Zip: 78212

5. Total number of applications and registrations involved: ..... 1

6. Total fee (37 C.F.R. § 3.41) ..... \$ 40  
 Enclosed  
 Authorized to be charged to deposit account

7. Deposit account number:  
01-0477  
 (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

8. 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.

*William Y. Klett, III*  
 \_\_\_\_\_  
 William Y. Klett, III, Reg. 41,903

5/10/00  
 \_\_\_\_\_  
 Date

Total number of pages including cover sheet, attachments and document: 4

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## TRADEMARK ASSIGNMENT

WHEREAS, Jarritos, Inc., a corporation organized under the laws of the State of Texas, whose address is 1477 Lomaland; Building E, Suite 7; El Paso, Texas 79935, hereinafter referred to as Assignor, is the owner of the mark CANE FARMER DESIGN, allowed on November 28, 1999, which is listed in Schedule A attached hereto and made a part hereof, and the rights appurtenant thereto (the "Trademark"); and


WHEREAS, Tipp Distributors, Inc., a corporation organized under the laws of the State of Texas, whose address is 1477 Lomaland, Building E, Office 7; El Paso, Texas 79935, hereinafter referred to as Assignee, has acquired and is desirous of affirming it has acquired said Trademark, together with the goodwill of the business symbolized by said Trademark in Schedule A; and further affirms that the acquisition is for the purpose of immediate assignment to the corporation Dulceco by way of a companion document;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for and in consideration of the sum of Ten Dollars (\$10.00) and for the covenant that the assignee will promptly assign in turn all rights acquired herein to Dulceco by way of a companion document and for other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby acknowledges that he has sold, transferred, conveyed, and assigned unto said Assignee the entire right, title, and interest in and to said Trademark on April 13, 2000; all registrations of said Trademark, including those specifically herein before identified, the right to recover for past infringement of said Trademark, and the goodwill of the business in connection with which said Trademark is used and which is symbolized by said Trademark.

ASSIGNOR HEREBY covenants and represents that ASSIGNOR has the full right to convey the entire interest herein assigned, and that ASSIGNOR has not executed, and will not execute, any agreement in conflict herewith.

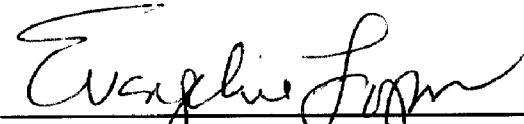
ASSIGNOR HEREBY further covenants and agrees that ASSIGNOR will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to ASSIGNOR respecting said mark, and testify in any legal proceeding, sign all lawful papers, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper protection for said mark.

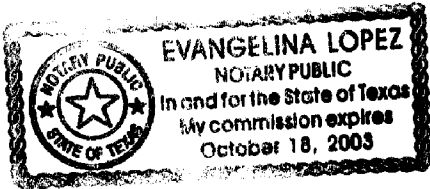
[signature page follows]

  
Ramon Carrasco, President  
Jarritos, Inc.  
1477 Lomaland  
Building E, Suite 7  
El Paso, Texas 79935

STATE OF TEXAS       §  
                                  §  
COUNTY OF EL PASO   §

On this 13<sup>th</sup> day of April, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared RAMON CARRASCO, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

  
\_\_\_\_\_  
Notary Public in and for the State of Texas



My Commission expires:

# SCHEDULE A

<u>Trademark</u>	<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Reg. No.</u>	<u>International Class</u>
CANE FARMER DESIGN	75/581,395	10/13/98	(allowed)	30