

08-21-2000

FORM PTO-1594  
(Rev. 6/93)



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

RE

RET

101439182  
TRADEMARKS ONLY

Attorney's Docket No. 019911-069

Med 7-27-00

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Klein Foods, Inc.

- Individual(s)
- General Partnership
- Corporation-State (California)
- Association
- Limited Partnership

Other: \_\_\_\_\_

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Merger
- Change of Name

Other: \_\_\_\_\_

Execution Date: April 20, 2000

2. Name and address of receiving party(ies):

Name: Mildara Blass Inc.

Address: 110 Horizon Drive, Suite 110  
Raleigh, North Carolina 27615

- Individual(s) Citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State California
- Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designations must be a separate document from Assignment)

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

- 1,050,217 (ADEQUATE WHITE)
- 1,093,944 (CALIFORNIA GOLD)
- 1,882,679 (CELLAR'S MARKET)
- 2,085,160 (CELLAR'S MARKET YOUR DIRECT...)
- 1,028,857 (TIBURON VINTNERS)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Fred W. Hathaway, Esq.

Address: BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404

Alexandria, Virginia 22313-1404

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41): \$ 140.00

Enclosed

Authorized to be charged to deposit account, if necessary

8. Deposit account number:

02-4800

08/18/2000 NTHAI1 00000219 1050217

DO NOT USE THIS SPACE

01 FC 481 40.00 OP  
02 FC 482 100.00 OP

9. 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.

Fred W. Hathaway  
Name of Person Signing

Fred W. Hathaway  
Signature

July 27, 2000  
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

(09/99)

## TRADEMARK ASSIGNMENT

**WHEREAS**, Klein Foods, Inc., a California corporation, with its principal place of business at 11455 Old Redwood Hwy., P.O. Box 368, Windsor, CA 95492, (“Assignor”), has adopted, owns and is using the following trademarks for which Assignor owns the following identified federal registrations on the Principal Register of the United States Patent and Trademark Office and the California registrations for the goods and/or services identified therein (the “Marks”):

### Federal Trademark Registrations

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
Adequate White	1050217	10/12/76
California Gold	1093944	6/20/78
Cellar’s Market	1882679	3/7/95
Cellar’s Market Your Direct Line to Great Wine Values and Design	2085160	8/5/97
Tiburon Vintners	1028857	12/30/75

### California Trademark Registrations

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
Bonded Winery No. 999 (Stylized)	47070 (trademark)	4/30/69
Cellar’s Market and Design	43528 (servicemark)	7/19/94
Cellar’s Market Your Direct Line to Great Wine Values and Design	43532 (servicemark)	7/19/94
Tiburon Vintners (Stylized)	46671 (trademark)	10/4/68
Windsor Vineyards (Stylized)	46672 (trademark)	10/4/68

; and

**WHEREAS**, Mildara Blass Inc., a California corporation, with its principal place of business at Mildara Blass, Inc., 110 Horizon Drive, Suite 110, Raleigh, NC 27615 ("Assignee"), desires to acquire the Marks, together with the goodwill of all of the business symbolized by the Marks and the above-referenced Registrations therefor;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee all right, title and interest in and to each of the Marks, together with the goodwill of all the business symbolized by the Marks, and the registrations thereof.

**ASSIGNOR:**

**KLEIN FOODS, INC.**

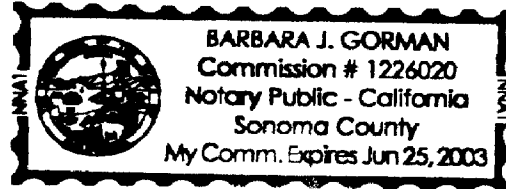
By: *T. Klein*

Title: *President*

Dated effective as of: April *20*, 2000

SUBSCRIBED and SWORN to before me this *25<sup>th</sup>* day of *July*, 2000.

*Barbara J. Gorman*  
Notary Public



My commission expires: *June 25, 2003*