

12-08-2000

TRADEMARK  
Docket No. 0246-4364

MWD



11-16-00

IN THE UNITED

101545370

MARK OFFICE

TRADEMARK RECORDATION COVER SHEET

HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
BOX ASSIGNMENTS  
Washington, D.C. 20231

Sir:

Please record the attached original documents or copies thereof.

1. Submission Type:

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

2. Name Of Conveying Party(ies):

Name: The Heaven Group, L.C.

Formerly \_\_\_\_\_

Execution Date (Month/Day/Year) July 31, 2000

- Individual(s)
- General Partnership
- Corporation
- Association
- Limited Partnership
- Other: Limited Liability Company \_\_\_\_\_

Citizenship/State of Incorporation Florida

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

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

Name: General Cigar Co., Inc.

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

Address: 100 Northfield Drive

City Windsor State Connecticut ZIP 06095

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

Citizenship/State of Incorporation Delaware

583842\_1

TRADEMARK  
REEL: 002191 FRAME: 0178

If assignee is not domiciled in the U.S., a domestic representative designation is attached:  Yes  No  
(Designation must be a separate document from Assignment).

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

4. Conveyance Type:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger                   |
| <input type="checkbox"/> Security Agreement    | <input type="checkbox"/> Change of Name           |
| <input type="checkbox"/> License               | <input type="checkbox"/> Nunc Pro Tunc Assignment |
| <input type="checkbox"/> Other                 |   |

Effective Date: \_\_\_\_\_ (if nunc pro tunc assignment)

5. Application Number(s) and marks or Registration Number(s) and marks:

Trademark Application No.(s) \_\_\_\_\_ (Mark: \_\_\_\_\_ ); \_\_\_\_\_

Trademark registration No.(s) 2,135,912 (Mark: EL DIABLO); \_\_\_\_\_

Additional numbers attached?  Yes  No

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

Name: Scott Greenberg, Esq. c/o Morgan & Finnegan L.L.P.

Internal Address: \_\_\_\_\_

Street Address: 345 Park Avenue

City New York State New York ZIP 10154

Area Code and Telephone Number (212) 415-8543

7. Total number of applications and registrations involved:

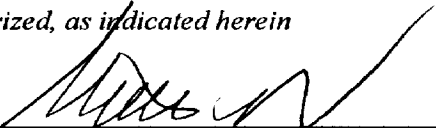
8. Total fee (37 CFR 3.41):.....\$ 40.00

- Enclosed  
 Authorized to be charged to deposit account

9. Deposit Account Number: 13-4500. Authorization to charge additional fees to deposit account:  Yes  No

10. Statement and Signature

*Charges to deposit account are authorized, as indicated herein*

Scott Greenberg                                            11/15/00  
Name of Person Signing                      Signature                      Date

Total amount of pages in cover sheet:   3  

FORM: REC-TM.NY  
Rev. 10/04/94

EXHIBIT 1


ASSIGNMENT

WHEREAS, The Heaven Group, L.C., a Florida limited liability company with a place of business at 2950 Tamiami Trail North, The Hibiscus Center, Naples, Florida 33940 ("Assignor") owns, has adopted and is using the trademark EL DIABLO and is the owner of United States Trademark Registration No. 2,135,912, dated February 10, 1998, for said mark;

WHEREAS General Cigar Co., Inc., a Delaware corporation with a place of business at 100 Northfield Drive, Windsor, Connecticut 06095 ("Assignee") is desirous of acquiring said mark and registration and all related rights;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said Assignor does hereby assign to the said Assignee all right, title, and interest in and to the trademark EL DIABLO, U.S. Trademark Registration No. 2,135,912 therefor, and the goodwill of the business symbolized thereby.

THE HEAVEN GROUP, L.C.

By:   
\_\_\_\_\_  
Otto G. Obermaier, Receiver  
as Member and as Receiver  
of David M. Mobley, Sr.


By: \_\_\_\_\_  
David M. Mobley, Sr.  
Member

STATE OF ~~FLORIDA~~ <sup>NEW YORK</sup> )  
) SS.:  
COUNTY OF ~~\_\_\_\_\_~~ <sup>NEW YORK</sup>

STATE OF FLORIDA )  
) SS.:  
COUNTY OF \_\_\_\_\_ )

On this 31<sup>st</sup> day of July 2000,  
before me appeared Otto G. Obermaier,  
Receiver, the person who signed this instrument,  
who acknowledged that he signed it as a free act  
on behalf of the identified company with  
authority to do so.

On this \_\_\_\_\_ day of \_\_\_\_\_ 2000,  
before me appeared David M. Mobley, Sr.,  
Member, the person who signed this  
instrument, who acknowledged that he signed  
it as a free act on behalf of the identified  
company with authority to do so.

  
\_\_\_\_\_  
(Signature of Notary Public)  
M. EILEEN KOYL  
Notary Public, State of New York  
No. 31-5007375  
Qualified in New York County  
Commission Expires January 25, 20 01

\_\_\_\_\_  
(Signature of Notary Public)

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THE HEAVEN GROUP, L.C.

By: \_\_\_\_\_  
Otto G. Obermaier, Receiver  
as Member and as Receiver  
of David M. Mobley, Sr.

By: *David M. Mobley, Sr.*  
David M. Mobley, Sr.  
Member

STATE OF FLORIDA )  
 ) ss.:  
COUNTY OF \_\_\_\_\_ )


STATE OF FLORIDA )  
 ) ss.:  
COUNTY OF Lee )

On this \_\_\_\_\_ day of \_\_\_\_\_ 2000,  
before me appeared Otto G. Obermaier,  
Receiver, the person who signed this instrument,  
who acknowledged that he signed it as a free act  
on behalf of the identified company with  
authority to do so.

On this 24 day of JULY 2000,  
before me appeared David M. Mobley, Sr.,  
Member, the person who signed this  
instrument, who acknowledged that he signed  
it as a free act on behalf of the identified  
company with authority to do so.

\_\_\_\_\_  
(Signature of Notary Public)

*Chandra E. Cantu*  
(Signature of Notary Public)

 Chandra E Cantu  
My Commission 8999J  
Expires January 05, 2004