

02-20-2001

FORM PTO-1618A

Expires 06/30/99

OMB0651-0027



U.S. Department of Commerce

Patent and Trademark Office

TRADEMARK

101614615

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

Submission Type

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11-22-01

☐ Resubmission
Document ID#

(Non-Recordation)

☐ Correction of PTO Error

Reel #

Frame #

☐ Corrective Document

Reel #

Frame #

Conveyance Type

☐ Assignment☐ License☐ Security☐ Nunc Pro Tunc Assignment☐ Merger☐ Change of Name☒ Other

Notice of Trademark License In the Event of Default

Effective Date

Month Day Year

08/19/99

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

CONCORD BEVERAGE LP

Execution Date

Month Day Year

08/19/00

Formerly

☐ Individual☐ General Partnership☒ Limited Partnership☐ Corporation☐ Association☐ Other☒ Citizenship/State of Incorporation/Organization

Delaware

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

First Union National Bank, as Administrative Agent

DBA/AKA/TA

Composed of

Address (line 1)

201 S. College Street

Address (line 2)

Charlotte Plaza, CP-6

Address (line 3)

Charlotte

North Carolina

28288-0608

City

State/Country

Zip Code

☐ Individual☐ General Partnership☐ Limited Partnership☐ Corporation☐ Association☒ Other

national banking association

☐ Citizenship/State of

Incorporation/Organization

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.)

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FORM PTO-1618B

Expires 06/30/99

OMB 0651-0027

Page 2

U.S. Department of Commerce

Patent and Trademark Office

TRADEMARK

Domestic Representative Name and Address

Enter for the first Receiving Party Only.

Name N/AAddress (line 1) Address (line 2) Address (line 3) Address (line 4) **Correspondent Name and Address**Area Code and Telephone Number (919) 286-8000Name Steven D. ThomasAddress (line 1) Moore & Van Allen, PLLCAddress (line 2) 2200 West Main StreetAddress (line 3) Suite 800Address (line 4) Durham, North Carolina 27705**Pages**

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

3**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)

1,091,0571,273,007**Number of Properties**

Enter the total number of properties involved.

2**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 65.00

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:

13-4365

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.

Steven D. Thomas

Name of Person Signing

Signature

Date Signed February 16, 2001

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12-07-2000

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK



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Reel # 11 Frame # 22

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Month Day Year
08/19/99

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Name CONCORD BEVERAGE LP

Execution Date
Month Day Year
08/19/00

Formerly

☐ Individual ☐ General Partnership ☒ Limited Partnership ☐ Corporation ☐ Association

☐ Other

☒ Citizenship/State of Incorporation/Organization Delaware

Receiving Party

☐ Mark if additional names of receiving parties attached

Name FIRST UNION NATIONAL BANK, as Administrative Agent

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

☐ Individual ☐ General Partnership ☐ Limited Partnership ☐

☐ Corporation ☐ Association

☒ Other national banking association

☐ Citizenship/State of Incorporation/Organization

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12/06/2000 MTHAI1 00000386 1091057

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Steven D. Thomas

Name of Person Signing

Signature

Date Signed

NOTICE
OF
TRADEMARK LICENSE
IN THE EVENT OF DEFAULT

United States Patent and Trademark Office

Ladies and Gentlemen:

Please be advised that pursuant to the Security Agreement dated as of August 19, 1999 (the "Security Agreement") by and among the Borrowers party thereto (collectively, the "Obligors"), First Union National Bank, as administrative agent (the "Administrative Agent") for the lenders referenced therein (the "Lenders") and National Bank of Canada, as Canadian administrative agent for the Lenders (the "Canadian Agent"), upon the occurrence of an Event of Default, the undersigned Obligor has granted an exclusive license and right to use the trademarks and trade names shown in the attached Schedules A to the Administrative Agent for the ratable benefit of the Lenders.

The Obligor and the Administrative Agent, on behalf of the Lenders, hereby acknowledge and agree that the exclusive license and right to use the trademarks and trade names set forth in Schedules A (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment or sale of any trademark or trade name.

Very truly yours,

CONCORD BEVERAGE LP,
a Delaware limited partnership

By: Concord Holding GP Inc.

By: C. Brennan
Name: C. Brennan
Title: VP Treasurer

Acknowledged and Accepted:

FIRST UNION NATIONAL BANK,
as Administrative Agent

By: _____
Name: _____
Title: _____

NOTICE
OF
TRADEMARK LICENSE
IN THE EVENT OF DEFAULT

United States Patent and Trademark Office

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The Obligor and the Administrative Agent, on behalf of the Lenders, hereby acknowledge and agree that the exclusive license and right to use the trademarks and trade names set forth in Schedules A (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment or sale of any trademark or trade name.

Very truly yours,

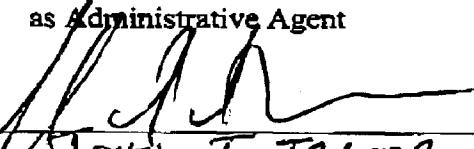
CONCORD BEVERAGE LP,
a Delaware limited partnership

By: Concord Holding GP Inc.

By: _____
Name: _____
Title: _____

Acknowledged and Accepted:

FIRST UNION NATIONAL BANK,
as Administrative Agent

By: 
Name: JOHN T. TRAINOR
Title: VICE PRESIDENT

Schedule A

VINTAGE, U.S. Registration Number 1,091,057

VINTAGE and design, U.S. Registration Number 1,273,007