

02-22-2001

ET



101616718

Tab settings → → →

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

11.3.00

1. Name of conveying party(ies): **The Seagram Company Ltd.**

- Individual(s) Association
- General Partnership Limited Partnership
- Corporation-State
- Other Canadian Corporation

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other Withdrawal of Filing of Judgment/Lien Without Prejudice

Execution Date: November 1, 2000

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

Name: St. Maarten Spirits Limited
 Internal Address: c/o St. Maarten Spirits, Ltd.
 Street Address: 6510 Hinson Street
 City: Las Vegas State: NV ZIP: 89118

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State _____
- Other British West Indies Corporation

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

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

A. Trademark Application No.(s)

See Attached Schedule A

B. Trademark Registration No.(s)

See Attached Schedule A

Additional numbers attached? Yes No

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

Name: David W. Ichel, Esq.
 Internal Address: Simpson Thacher & Bartlett.

 Street Address: 425 Lexington Avenue

 City: New York State: New York ZIP: 10017

6. Total number of applications and registrations involved: 18

7. Total fee (37 CFR 3.41): \$465.00
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:

465E

(Attached duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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.

David W. Ichel, Esq.
Name of Person Signing

Signature

11/3/00
Date

Total number of pages comprising cover sheet: 3

SCHEDULE A

| TITLE | REG. NO. | APP. NO. |
|---|-----------------|-----------------|
| CERVEZA PATRON | | 75/940,738 |
| PATRON 51 TEQUILA | | 75/813,071 |
| PATRON | | 75/703,427 |
| PATRON 51 | | 75/567,332 |
| HOTEL PATRON | | 75/513,353 |
| PATRON | | 75/513,354 |
| CERVEZA PATRON | | 75/079,783 |
| GRAN PATRON | | 75/393,484 |
| IMPORTED RESERVE PATRON XO CAFE COFFEE LIQUEUR MADE WITH TEQUILA | 2,187,055 | |
| DESIGN ONLY | 2,147,067 | |
| DESIGN ONLY | 1,989,809 | |
| PATRON XO CAFE | 1,950,491 | |
| ST. MAARTEN XO CAFE | 1,859,922 | |
| CITRONGE | 1,863,884 | |
| FIP | 1,883,853 | |
| PATRON | 1,809,473 | |
| SILVER PATRON TEQUILA 100% AGAVE | 1,847,446 | |
| DESIGN ONLY | 1,693,459 | |

WITHDRAWAL OF FILING OF JUDGMENT/LIEN WITHOUT PREJUDICE

This WITHDRAWAL OF FILING WITHOUT PREJUDICE, dated as of November 1, 2000, is executed by The Seagram Company Ltd., a Canadian corporation located at 1430 Peel Street, Montreal, Quebec, Canada H3A 1S9 ("Seagram Ltd.").

WITNESSETH

WHEREAS, pursuant to a certain Judgment After Trial By Court filed by the Superior Court of the State of California for the County of Los Angeles on September 13, 2000 ("Judgment"), Seagram Ltd. received a judgment in its favor and against St. Maarten Spirits Limited, a British West Indies corporation ("Judgment Debtor");

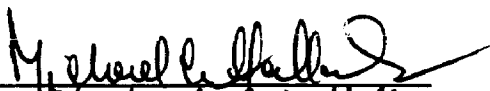
WHEREAS, the Judgment was recorded in the Trademark Division of the United States Patent and Trademark Office as a lien on September 18, 2000, at Reel 002114, Frame 0546 ("Recordation");

WHEREAS, on October 30, 2000, Seagram Ltd. and the Judgment Debtor executed a Settlement and Forbearance Agreement (the "Settlement Agreement"), pursuant to which Seagram Ltd. agreed to withdraw recorded liens subject to the right to re-record the liens in the event that payment is not made to Seagram Ltd. as provided in items 5(a) (i) (ii) and (iii) or subparagraph 5(c) of the Settlement Agreement or cured by John Paul DeJoria as provided in subparagraph 5(b) therein;

NOW, THEREFORE, Seagram Ltd. hereby withdraws its Recordation without prejudice to, or detrimental effect on, any of its rights to enforce the Judgment with respect to the trademarks listed on Schedule A attached hereto as provided in the Settlement Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Withdrawal of Filing Without Prejudice by its duly authorized officer as of the date first written above.

THE SEAGRAM COMPANY LTD.

By: 
Name: Michael C.L. Hallows
Title: Secretary