

41-5-01



101673853

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

1. Name of conveying party(ies):

Naya, Inc.

- Individual(s)
- Association
- General Partnership
- Corporation-Canadian
- 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: June 14, 2000

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

Name: 3746879 Canada Inc.

Address: 615 boul. Rene-Levesque West
Suite 1010
Montreal, Quebec, H3B1P9 Canada

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-Canadian
- 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)
Designations filed with PTO on 1/23/01
Additional name(s) & address(es) attached? Yes No

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

A. Trademark Application No.(s)

NAYA 75/440,667; GIMME THE NAYA, BABY! 75/724,825; THE GODDESS OF SPRING WATER 76/643,902

B. Trademark registration No.(s)

CANADA'S HERITAGE 1,763,786; Women's Head Design 1,472,560; LAVAL 1,772,525; NAYA 1,471,586; NAYA & Design 1,948,602; HUNGRY FOR LIFE THIRSTY FOR NAYA 2,102,237; TIMBERLINE SPRINGS 2,116,824; BEBELA Y VIVE 2,217,371; SED DE VIDA, SED DE NAYA 2,254,352; NAYA CANADIAN NATURAL SPRING WATER & Design 2,348,479

Additional numbers attached? Yes No

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

Jeffrey H. Kaufman
OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
Attorneys at Law
Fourth Floor
1755 Jefferson Davis Highway
Arlington, Virginia 22202

OSMMN Ref: 7116-200283US-33

6. Total number of applications and registrations involved: 13

7. Total fee (37 CFR 3.41): . . . \$ 340

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 15-0030
(Attach 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.

Jeffrey H. Kaufman
Name of Person Signing

Jeffrey H. Kaufman
Signature

4/5/01
Date

Total number of pages including cover sheet, attachments, and document: 6

OMB No. 0651-0011 (exp. 4/94)

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02 FC:482

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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

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ASSIGNMENT

ASSIGNMENT made as of the 14th day of June, 2000, by and between Naya, Inc., a Canadian corporation ("Assignor"), having an address of 2550 Daniel-Johnson Blvd., Suite 400, Laval, Quebec, CANADA H7T 2L1, herein represented by RICHTER & ASSOCIÉS, ^{Inc.} acting as Interim Receiver to Naya Inc. and:

3746879 CANADA INC. ("Assignee") a corporation
having an address of 615, boul. René-Lévesque west, suite 1010,
Montreal, Quebec, H3B 1P9, Canada

WHEREAS, Assignor owns the marks identified in the attached Schedules 2, 3, and 4 ("the Marks") in the United States.

WHEREAS, Assignee is desirous of acquiring the Marks and the goodwill of the business associated therewith, as well as all United States federal and state applications and registrations therefor.

NOW, THEREFORE, in consideration of ten dollars (\$10.00), the receipt of which is hereby acknowledged, Assignor conveys, transfers, and assigns to Assignee all its rights, title, and interest in and to the Marks and all United States federal and state applications and registrations therefor, together with the goodwill of the business symbolized thereby.


Assignor further assigns to Assignee all rights to sue for and receive all damages occurring from past infringing uses of the Marks.

Assignor warrants that it has good and valid title to the Marks, including the applications and registrations therefor. Assignor agrees that upon request by Assignee, Assignor shall execute all papers, make all rightful oaths, testify on behalf of Assignee and do all other lawful acts necessary to carry out the intent of this Assignment at Assignee's expense and request, as well as provide such other material, information, or assistance as Assignee may consider necessary.

This Assignment shall be binding on the parties, their successors and/or assigns and all others acting by, through, with, or under their direction, and all those in privity therewith.

NAYA, INC., represented by
RICHTER & ASSOCIÉS INC.

3746879 CANADA INC.

By: 

By: 

Printed Name: XOCS VICO

Printed Name: ANDRÉ BÉGIN

Title: S. VICO - PRESIDENT

Title: SECRETARY

U.S. - SCHEDULE 2

TRADE-MARK REGISTRATIONS (cont'd)

<u>Country</u>	<u>Trade-mark</u>	<u>Reg.No.</u>	<u>Registration Date</u>	<u>Renewal Date</u>
United States	CANADA'S HERITAGE	1,763,786	April 6, 1993	April 6, 2003
United States	Women's Head Design	1,472,560	Jan. 12, 1982	Jan. 12, 2003
United States	LAVAL	1,772,525	May 18, 1993	May 18, 2003
United States	NAYA	1,471,586	Jan. 5, 1988	Jan. 5, 2008
United States	NAYA & Design (1991 version)	1,948,602	Jan. 16, 1996	Jan. 16, 2006
United States	HUNGRY FOR LIFE THIRSTY FOR NAYA	2,102,237	Sept. 30, 1997	Sept. 30, 2007
United States	TIMBERLINE SPRINGS	2,116,824	Nov. 25, 1997	Nov. 25, 2007
United States	BEBELA Y VIVE	2,217,371	Jan. 12, 1999	Jan. 12, 2009
United States	SED DE VIDA, SED DE NAYA	2,254,352	June 15, 1999	June 15, 2009

U.S. – SCHEDULE 3

UNITED STATES REGISTRATION

1. CANADIAN GLACIERS

Application no.: 73-724340
Registration no.: 1,583,855
Date of application: April 25, 1988
Date of registration: February 20, 1990
Current Owner: Naya Inc.
Status: Registered until February 20, 2000

We have received advice from Naya Inc. that this trade-mark is not _____ in use in the United States. Proof of use must be filed at the time of renewal. We are instructed to prepare an intent to use application for filing following the expiration of the current registration.

2. SELKIRK SPRINGS

Application no.: 74-049767
Registration no.: 1,840,059
Date of Application: April 13, 1990
Date of Registration: June 14, 1994
Current Owner: Selkirk Springs (Canada) Corporation
Status: Proof of current use required by June 14, 2000.

Notes: The Change in owner name (to Naya Inc.) has not been recorded in respect of this trade-mark. If proof of current use is not filed by June 14, 2000, the registration may be cancelled. In the event of cancellation of the registration, Naya Inc. may elect to file a new intent to use application for this trade-mark.

TRADE-MARK APPLICATIONS(cont'd)

<u>Country</u>	<u>Trade-mark</u>	<u>App. No.</u>	<u>Filing Date</u>	<u>Comments</u>
United States	NAYA (Class 25)	75/354,389	Sept 10, 1997	Deadline of July 12, 2000 for filing the Statement of use
United States	UNDENAYABLE	75/099,959	May 17, 1996	Deadline of May 27, 2000 for filing the Statement of use
United States	GLOBAL COOLING	75/102,465	May 10, 1996	Deadline of June 3, 2000 for filing the Statement of use
United States	UNDENAYABLY	75/099,958	May 7, 1996	Deadline of May 27, 2000 for filing the Statement of use
United States	NAYA (class 3)	75/440,667	Nov. 4, 1997	Advertised on November 2, 1999
United States	THE GODDESS OF SPRING WATER	75/643,902	Feb. 19, 1999	Deadline of July 18, 2000 for filing the Statement of use
United States	NAYA & Design (1997 version)	75/668,541	April 21, 1999	Advertised on January 25, 2000
United States	GIMME THE NAYA, BABY	75/724,825	June 8, 1999	Waiting for advertisement