

08-10-2001

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

101805445

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

8901

1. Name of conveying party(ies): Portropica, L.L.C.

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other Limited Liability Company

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

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other

Execution Date: August 1, 2001

2. Name and address of receiving party(ies)

Name: Jamba Juice Company

Internal Address:

Street Address: 1700 17th Street San Francisco California 94103 City: State: Zip:

- 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)

2,110,410

Additional number(s) attached Yes No

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

Name: Michael B. Adlin, Esq.

Internal Address: Manatt, Phelps & Phillips

Street Address: 1501 M Street, N.W.

Suite 700

Washington D.C. 20005 City: State: Zip:

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) \$ 160.00 (\$40.00 + \$120.00 expedited service)

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

(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.

Signature: Michael B. Adlin Name of Person Signing

Signature

Date: 8/9/01

Total number of pages including cover sheet, attachments, and document: 2

08/09/2001 GT0N11 00000159 2110410

Mall documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

01 FC:481 40.00 OP 02 FC:484 120.00 OP

TRADEMARK REEL: 002306 FRAME: 0470

**NUNC PRO TUNC ASSIGNMENT OF TRADEMARK AND
THE UNITED STATES REGISTRATION THEREOF**

This Assignment is made by and between the Portropica, L.L.C., a Washington limited liability company located at 1712 East 34th Avenue, Spokane, Washington 99203 ("Assignor") and Jamba Juice Company, a California corporation located at 1700 17th Street, San Francisco, California 94103-5136 ("Assignee").

WHEREAS, Assignor previously acquired all rights in and to the trademark and United States Registration thereof identified below (hereinafter the "Mark" and "Registration," respectively), along with the goodwill of the business appurtenant to the Mark:

<u>Trademark</u>	<u>U.S. Registration No.</u>	<u>Registration Date</u>	<u>Date of First Use</u>
JAMBA	2,110,410	November 4, 1997	June 27, 1996

WHEREAS, on or about June 4, 2001 (hereinafter the "Effective Date"), by virtue of a Trademark Purchase Agreement, Assignee acquired all rights in and to the Mark and Registration from Assignor;

WHEREAS, Assignor and Assignee desire to further document Assignee's acquisition of the entire right, title and interest in and to the Mark and Registration, and the attendant goodwill symbolized thereby, ~~nunc pro tunc~~ nunc pro tunc the Effective Date, and to correctly, fully and completely reflect the proper chain of title in and to the Mark and Registration in the records of the U.S. Patent and Trademark Office ("PTO");

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns to Assignee on the Effective Date all right, title and interest in the United States and in any other country in the world in and to the Mark and Registration, together with the goodwill of the business symbolized by the Mark and the Registration, ~~nunc pro tunc~~ nunc pro tunc the Effective Date. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but which together shall be deemed to constitute a single document. Assignor agrees to perform any further acts and to execute and deliver any additional documents that may be necessary to carry out the provisions of this Assignment, including any filings required to be made with the PTO.

The Commissioner of Patents and Trademarks is requested to issue the Certificate of Registration to and in the name of Assignee Jamba Juice Company.

Signed at Spokane, WA effective this 1 day of August 2001.

Portropica, L.L.C.

Lew Strachman
Lew Strachman, Manager

Signed at San Francisco, California, effective this 6 day of August 2001.

Jamba Juice Company

J.P. O'Neill
J.P. O'Neill, Vice President and
Chief Financial Officer

30111671.1