

11-23-2001  
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TRADEMARK

PBWT File: G6578-002

Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
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SHEET 1 U.S. DEPARTMENT OF COMMERCE  
PLY U.S. Patent and Trademark Office

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

1. Name of conveying party(ies):  
Roaring Water Bay Spirits Company, LTD.  
 Individual(s)  Association  
 General Partnership  Limited Partnership  
 Corporation-State  
 Other An Irish Comany  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)  
Name: Great Spirits Company, LLC  
Internal Address: \_\_\_\_\_  
Street Address: 1131 Lamar, Suite 900  
City: Houston State: TX Zip: 77010  
 Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State Delaware  
 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

3. Nature of conveyance: 9-13-2001  
50% of Assignor's  
 Assignment right, title and interest  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
Execution Date: May 24, 2001

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s)  
75/978853\*\*  
Additional number(s) attached  Yes  No

B. Trademark Registration No.(s)

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Evelyn M. Sommer  
Internal Address: Patterson, Belknap, Webb & Tyler  
Street Address: 1133 Avenue of the Americas  
City: New York State: NY Zip: 10471

6. Total number of applications and registrations involved: 1  
7. Total fee (37 CFR 3.41).....\$ 40.00  
 Enclosed Already Paid  
 Authorized to be charged to deposit account  
8. Deposit account number: 16-0633 Charge 40.00  
(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.*  
Evelyn M. Sommer [Signature] 09/13/2001  
Name of Person Signing Signature Date  
Total number of pages including cover sheet, attachments, and document: 8

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

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08-30-2001

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



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

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To the Honorable Commissioner of Patent,

original documents or copy thereof.

1. Name of conveying party(ies):  
Roaring Water Bay Spirits Company, Ltd.  
 Individual(s)  Association  
 General Partnership  Limited Partnership  
 Corporation-State  
 Other An Irish Company  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)  
Name: Great Spirits Company, LLC  
Internal  
Address: MAY 31  
Street Address: 1331 Lamar, Suite 900  
City: Houston State: TX Zip: 77010  
 Individual(s) citizenship  
 Association  
 General Partnership  
 Limited Partnership  
 Corporation-State Delaware  
 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

3. Nature of conveyance:  
 Assignment of 50% of assignor's right to trademark  Merger  
 Security Agreement  Change of Name  
 Other  
Execution Date: May 24, 2001

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s)  
75/978853 \*\*  
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Evelyn M. Sommer Evelyn M. Sommer 05/31/01  
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: 4

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

\*\* We have since been made aware that on 05/22/01 the USPTO granted registration to this Trademark: Reg. No. 2,452,996. The agreement refers to the Application since it was drafted before the Trademark was registered.

## ASSIGNMENT OF UNITED STATES TRADEMARKS

WHEREAS, The Roaring Water Bay Spirits Company Ltd., an Irish company, referred to herein as "Assignor" has adopted and used in its business the trademarks set forth on, and as contemplated by, the attached Schedule A-1 (collectively, the "Trademark"); and

WHEREAS, Great Spirits Company LLC, a Delaware limited liability company referred to herein as "Assignee" is desirous of acquiring joint ownership of the Trademark:

NOW, THEREFORE, in consideration of and in exchange for ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, said Assignor, does sell, assign, transfer, and set over unto said Assignee, fifty percent (50%) of its entire right, title and interest in, to and under the Trademark insofar as and solely to the extent used or applied to vodka and vodka-related products (including merchandise) which are now in existence or are developed by Assignor in the future (excluding Boru Rocks if Assignor and Assignee fail to negotiate a license agreement for distribution of Boru Rocks), together with fifty percent (50%) of the entire goodwill of the business in connection with which the said marks are used and in and to all income, royalties, damages and payments now or hereafter due or payable with respect thereto in and to all causes of action (either in law or in equity) and the right to sue, counterclaim, and recover for past, present and future infringement of the rights assigned or to be assigned under this Assignment.

IN TESTIMONY WHEREOF, Assignor has caused this Assignment to be executed by its duly authorized officers this 24<sup>th</sup> day of May, 2001.

Assignor:

THE ROARING WATER BAY SPIRITS COMPANY LTD.

By [Signature]  
Title: Joint Managing Director

U.S. ACKNOWLEDGEMENT:

State of New York )  
County of New York ) ss.:

On this 24<sup>th</sup> day of May, 2001, before me, a Notary Public, personally appeared Patrick Rigney, to me known and known to me to be the Joint Managing Director of The Roaring Water Bay Spirits Company Ltd., who signed the foregoing instrument, and he/she acknowledged the same to be his/her free act and deed.

[Seal]

Notary Public  
By: [Signature]

MILAGROS A. GRAU  
Notary Public, State of New York  
No. 31-520064  
Qualified in New York County  
Commission Expires June 12, 2003

or

REPUBLIC OF IRELAND )  
COUNTY OF DUBLIN ) ss.:  
CITY OF DUBLIN )

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, a Notary Public in and for the County and City of Dublin, Country of Ireland, personally appeared \_\_\_\_\_, known and known to me to be the \_\_\_\_\_ of \_\_\_\_\_. I certify that \_\_\_\_\_ is a \_\_\_\_\_ organized under the laws of the Country of Ireland, and has present legal existence. I further certify that \_\_\_\_\_, in his/her aforesaid capacity, is authorized by the above-named company to execute the annexed document.

[Seal]

Notary Public  
By: \_\_\_\_\_

U.S. Consular Authentication

**TRADEMARK SCHEDULE A-1**

| <u>Mark:</u> | <u>Serial No.:</u> | <u>Filed:</u> | <u>Status:</u>    |
|--------------|--------------------|---------------|-------------------|
| BORU         | 75/978853          | 7/22/98       | Published 2/27/01 |

**Common Law Marks**

BORU VODKA

Note: It is agreed that Great Spirits will cooperate with the Supplier to finalize the registration of the trademarks "Boru" and "Boru Vodka" and such other related marks as the parties shall agree.