

04-04-2002

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



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

102035994

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

4/4/02

1. Name of conveying party(ies):

William A. H. Rhodes

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

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

3. Nature of conveyance:

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

Execution Date: 5/20/00

2. Name and address of receiving party(ies)

Name: Southern Smoke LLC

Internal Address: Suite 2260

Street Address: 3340 Peachtree Road, N.E.

City: Atlanta State: GA Zip: 30326

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

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): TO CORRECT ASSIGNEE'S ENTITY

A. Trademark Application No.(s)

75/355,719; 75/355,718; 75/290,762; 75/291,192

B. Trademark Registration No.(s)

2233349; 2197479

ON REEL 2102
FRAME 0362

Additional number(s) attached Yes No

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

Name: Rosanna L. Suriano, Esquire

Internal Address: _____

Street Address: White and Williams LLP

1800 One Liberty Place

City: Philadelphia State: PA Zip: 19103

6. Total number of applications and registrations involved: 5 6

7. Total fee (37 CFR 3.41): \$ 165

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

501292

(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.

Rosanna L. Suriano

Name of Person Signing

Signature

3/12/02

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

6-19-00

D

FORM PTO-1618A
Expires 09/30/99
OMB 0651-0027

06-19-2000

03-12-2002

U.S. Patent & TMOff/TM Mail Rept. Dt. #40



102014573

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID # _____
- Correction of PTO Error
Reel # _____ Frame # _____
- Corrective Document
Reel # _____ Frame # _____

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
Effective Date
Month Day Year _____
- Merger
- Change of Name
- Other _____

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name William A. H. Rhodes

Formerly _____

- Individual General Partnership Limited Partnership Corporation Association
- Other _____
- Citizenship/State of Incorporation/Organization _____

Receiving Party

Mark if additional names of receiving parties attached

Name Southern Smoke L.L.C.

DBA/AKA/TA _____

Composed of _____

Address (line 1) 3340 Peachtree Road, N.E., Suite 2260

Address (line 2) _____

Address (line 3) Atlanta

City

Georgia

State/Country

30326

Zip Code

- Individual General Partnership Limited Partnership 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)
- Corporation Association
- Other _____

Citizenship/State of Incorporation/Organization Georgia

07/14/2000 ASCOTT 00000180 7535719

FOR OFFICE USE ONLY

01 FC:481 40.00 OP
02 FC:482 125.00 OP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practices. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

FORM PTO-1618B
April 06/2002
USPS 9821-5827

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

Domestic Representative Name and Address Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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

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)		
<input type="text" value="75355719"/>	<input type="text" value="75291192"/>	<input type="text"/>	<input type="text" value="2233349"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="75290762"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2197479"/>	<input type="text"/>	<input type="text"/>
<input type="text" value="75355718"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Number of Properties Enter the total number of properties involved. #

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed Deposit Account

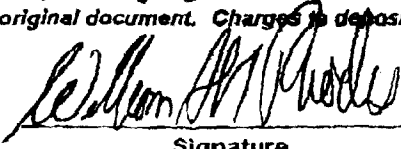
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: #

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.

William A. H. Rhodes 

Name of Person Signing Signature Date Signed

TRADEMARK ASSIGNMENT

This Agreement, entered into on May 20, 2000 (Effective Date) is by and between William A.H. Rhodes, with a principal place of business at 3203 Lanier Road, Atlanta, Georgia 30319 ("Seller"), and Southern Smoke, L.L.C., with a principal place of business at 3340 Peachtree Road, NE, Suite 2260, Atlanta, Georgia 30326 its successors and assigns ("Buyer").

WHEREAS, Sellers wish to assign to Buyer all right, title and interest in and to the Trademarks specified herein; and

WHEREAS, Buyer wishes to accept such Assignment;

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

1. **Assignment.** Seller hereby assigns to Buyer, and Buyer hereby accepts, all rights, title and interest in and to the Trademarks specified below, including renewal rights therein, the exclusive right to enforce and to obtain registrations therefore in the United States and throughout the world in the sole name of Buyer, its successors or assigns, and including the goodwill of the business symbolized by such marks. Seller makes no representation to Buyer on whether the Trademarks listed below will or can be registered with the United States Patent and Trademark Office ("USPTO") and Seller's rights to such marks. Buyer has had an opportunity to investigate and complete due diligence as to these marks.

<u>Trademarks</u>	<u>Application/Registration No. (if Applicable)</u>
1) VICTOR SINCLAIR	Common law mark.
2) DON RAFAEL HAND MADE DOMINICAN REPUBLIC	Serial Number 75-291192
3) LA FLORA DOMINGUEZ	Serial Number 75-355718
4) VICTOR SINCLAIR GRAND RESERVE	Common law mark.
5) RUM ROYALE HAND MADE DOMINICAN REPUBLIC	Registration Number 2233349
6) VANILLA DELIGHT	Serial Number 75-355719
7) CHATEAU AMARETTO HAND MADE DOMINICAN REPUBLIC	Serial Number 75-290762
8) VS VICTOR SINCLAIR GRAND RESERVE HAND MADE DOMINICAN REPUBLIC	Registration Number 2197479
9) WWW.VICTOR SINCLAIR.COM	Common law mark.

2. **Hold Harmless and Indemnify.** Buyer agrees to hold harmless and indemnify Seller from and against any and all "Damage" incurred by Seller in connection with the Assignment contemplated by this Agreement. "Damage" shall mean any and all damages, losses, liabilities, judgments, fines, penalties, costs, and expenses (including

reasonable attorney fees and court costs) at any time incurred by Seller by reason of or arising out of, but not limited to, any of the following:

- a. The nonperformance of any covenant, agreement, or obligation of, or misrepresentation by Seller contained in this Agreement.
- b. The unauthorized use of any intellectual property assigned or owned by Seller including, but not limited to, designs, drawings, specifications, techniques, or other proprietary information or property by Seller in connection with his performance of duties hereunder..

IN WITNESS WHEREOF, the Parties hereto are duly authorized to and do hereby execute this Agreement as of the Effective Date.

SELLER

By: *William A. Rhodes*

Title: _____

Date: 5/20/00

BUYER

By: *William Rhodes*

Title: Manager - Southern Smoke

Date: 5/20/00

a.rhodes wpd