

03-06-2002

DT-3738

MAD 2-15-02



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

To the Honorable Commissioner of Patent

102003284

Attached original documents or copy thereof.

Name of conveying party(ies): H. Schmitt Soehne, Inc.
 Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State
 Other
Additional name(s) of conveying party(ies) attached?
 Yes No

MAD 2-15-02

2. Name and address of receiving party(ies)

Name: Schmitt Soehne GmbH Weinkellerei

Internal Address: _____

Street Address: Weinstrasse 8

City: Longuich State: Germany Zip: 54340

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

If Assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designation must be separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: January 16, 2002

FEB 15 2002

4. Application number(s) or registration numbers:

A. Trademark Application No.(s) B. Trademark registration No.(s) 1,238,688; 1,329,966; 1,223,624 & 1,273,036 (w/Declaration of Assignment and Power of Attorney w/ Appointment of Domestic representative att.)

Additional numbers attached? Yes No

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

Name: David Toren
Internal Address: SIDLEY AUSTIN BROWN & WOOD LLP
Street Address: 875 Third Avenue
9th Floor
City: NEW YORK State: N.Y. Zip: 10022

6. Total number of applications and registrations involved 4

7. Total fee (37 CFR 3.41) \$115.00
 Enclosed
 Authorized to be charged to deposit account #50-0955

8. Deposit account number: 50-0955
(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.

for David Toren
Name of Person Signing

Alexander Zinclud / ALEXANDER ZINCHUK
Signature

January 29, 2002
Date

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

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1,223,624

IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

Owner : **H. Schmitt Soehne, Inc.**
 Registration No. : 1,238,688
 Registered : May 17, 1983
 Marks : H. SCHMITT SÖHNE
 Assignee : **Schmitt Soehne GmbH Weinkellerei**

Owner : **H. Schmitt Soehne, Inc.**
 Registration No. : 1,329,966
 Registered : April 9, 1985
 Marks : SCHMITT SÖHNE
 Assignee : **Schmitt Soehne GmbH Weinkellerei**

Owner : **H. Schmitt Soehne, Inc.**
 Registration No. : 1,223,624
 Registered : January 11, 1983
 Marks : FROM THE SUNNY SIDE OF THE MOSEL. FOR THE SUNNY SIDE
 OF LIFE
 Assignee : **Schmitt Soehne GmbH Weinkellerei**

Owner : **H. Schmitt Soehne, Inc.**
 Registration No. : 1,273,036
 Registered : April 3, 1984
 Marks : (2) DESIGN ONLY
 Assignee : **Schmitt Soehne GmbH Weinkellerei**

Honorable Commissioner of Patents and Trademarks
 Washington, D.C. 20231

**POWER OF ATTORNEY AND
 APPOINTMENT OF DOMESTIC REPRESENTATIVE**

The assignee, **Schmitt Soehne GmbH Weinkellerei** of Longuich, Federal Republic of Germany, hereby appoints, jointly and severally, David Toren, Reg. No. 19,468, Peter Toren, Joseph V. Jest, Shifra Malina, Ronit Gillon and Paul Scott, all of Sidley Austin Brown & Wood, LLP, with offices at 875 Third Avenue, New York, New York 10022 its attorney, to transact all business in the Patent and Trademarks Office in connection with the above-referenced trademarks registrations, thereby revoking all previous powers of attorney.

David Toren, Peter Toren, Joseph V. Jest, Shifra Malina, Ronit Gillon and Paul Scott, jointly and severally, whose postal address is Sidley Austin Brown & Wood, LLP, 875 Third Avenue, New York, New York 10022, are hereby designated assignee's representatives upon whom notices or process in proceedings affecting the marks may be served.

Schmitt Soehne GmbH Weinkellerei

By: 

Title: Managing Director

Dated: 16.01.02.

Sidley Austin Brown & Wood LLP
875 Third Avenue, New York, NY 10022

ASSIGNMENT OF U.S. TRADEMARKS REGISTRATIONS

WHEREAS,

H. Schmitt Soehne, Inc.

of

400 Colony Square
Atlanta, Georgia 30361

has adopted, used and is using the marks "**H. Schmitt Soehne**", "**Schmitt Soehne**", "**From the Sunny Side of the Mosel. For The Sunny Side of Life**" and "**(2) Design Only**", which are registered in the United States Patent and Trademarks Office under Reg. Nos. 1,238,688 granted on May 17, 1983; 1,329,966 granted on April 9, 1985; 1,223,624 granted on January 11, 1983 and 1,273,036 granted on April 3, 1984 respectively;

AND WHEREAS,

Schmitt Soehne GmbH Weinkellerei

of

Longuich
Federal Republic of Germany

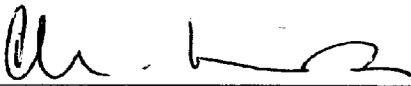
is desirous of acquiring said marks and said registrations thereof;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said **H. Schmitt Soehne, Inc.** does hereby assign unto the said

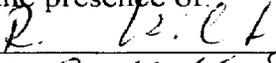
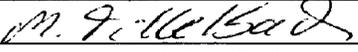
Schmitt Soehne GmbH Weinkellerei

all rights, title and interest in and to the said marks, together with the good will of the business symbolized by the marks, and the above-identified registrations thereof.

✓ **H. Schmitt Soehne, Inc.**

By: 

Title: Managing Director

In the presence of:


Dated: 16. 01. 02

Sidley Austin Brown & Wood LLP
875 Third Avenue, New York, NY 10022