



To the Honorable Commissioner of Patents and Trademarks, 102008787

Attached original documents or copy thereof.

1. Name of conveying party(ies):

TIMOTHY J. SHEEHAN  
218 W. 4th Street  
Austin, TX 78701

11.19.01

- 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
- Merger
- Change of Name

Execution Date: August 14, 2001

2. Name and address of receiving party(ies)

Name: RUTA MAYA ROYALTY, LTD.

Internal Address: 218 W. 4th Street

Street Address: \_\_\_\_\_

City: Austin State: TX ZIP: 78701

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership Texas
- Corporation-State \_\_\_\_\_
- 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 patent number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,252,228

Additional numbers attached?  Yes  No

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

Name: John E. Athey

Internal Address: 8140 N. Mopac; 2-150  
Austin, TX 78701

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

- 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.

John E. Athey  
Name of Person Signing

Signature

11/19/01

Date

Total number of pages including cover sheet, attachments, and document: 9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant/Applicant: RUTA MAYA ROYALTY, LTD.

Reg. No./Ser. No.: 2,252,228

Mark: CUBITA®

APPOINTMENT OF DOMESTIC REPRESENTATIVE

BOX NO FEE

Assistant Commissioner for Trademarks 2900 Crystal Drive  
Arlington, VA 22202-3513

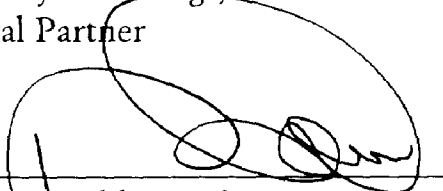
Sir:

The firm of John E. Athey, Attorney at Law, whose postal address is 8140 N. Mopac, Bld. 2, Ste. 150, Austin, Texas 78759, is hereby designated as the registrant's/applicants's representative, upon whom notices of proceedings affecting the mark may be served.

Executed this 14<sup>th</sup> day of August, 2001

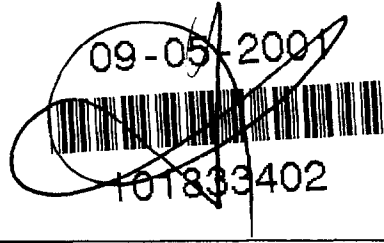
RUTA MAYA ROYALTY, LTD.  
Ruta Maya Holdings, LC  
General Partner

By: \_\_\_\_\_

  
Ronald Dennie  
Chief Executive Officer

D

JOHN E. ATHEY



8.70.01

8140 N. MOPAC BLDG 2  
SUITE 150  
AUSTIN, TEXAS 78759-8860

Attorney at Law

(512) 345-8902  
Fax (512) 346-8441  
Email athey@onr.com

August 17, 2001

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: Registrant/Applicant: RUTA MAYA ROYALTY, LTD., Reg. No./Ser. No.:2,252,228;  
Mark: CUBITA®

Dear Commissioner:

Please find enclosed:

- Assignment of the above Mark
- Appointment of Domestic Representative
- A check for \$40.00 for transfer fee.

Please file the assignment. Should there be questions, please contact me.

Sincerely yours,

John E. Athey

09/04/2001 JJALLAH2 00000009 2252228

01 FC:481

40.00 OP

TRADEMARK  
REEL: 002457 FRAME: 0718

## ASSIGNMENT

This Assignment, effective as of October 5, 1998, is being made by and between TIMOTHY J. SHEEHAN (ASSIGNOR), an individual with offices at 218 West 4th Street, Austin, Texas 78701 and RUTA MAYA ROYALTY, LTD. , (ASSIGNEE) a Texas limited partnership located at 218 West 4th Street, Austin, Texas 78701.

WHEREAS, TIMOTHY J. SHEEHAN was granted the mark CUBITA® (hereinafter designated as "the said mark");

AND WHEREAS, ASSIGNOR has adopted and is using the mark CUBITA®; and has registered the said mark in the United States Patent and Trademark Office as follows:

Registration No. 2,252,228

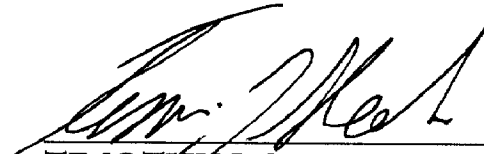
CUBITA

Issued June 15, 1999

WHEREAS, ASSIGNEE is desirous of acquiring all rights that ASSIGNOR has in and to the said mark, the registration thereof together with the goodwill of the business in connection with which the said mark is used and which is symbolized by the said mark, along with the right to recover for damages and profits for past infringements thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby expressly acknowledged, ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE all right, title and interest in and to the said mark and the registration therefor, together with the goodwill of the business in connection with which the said mark is used and which is symbolized by the said mark, along with the right to recover damages and profits for past infringement thereof;

ASSIGNOR agrees to execute and deliver, at the request of ASSIGNEE, all papers, instruments and assignments, and to perform any other reasonable acts which the ASSIGNEE may require in order to vest all the ASSIGNOR's rights, title and interest in and to the said mark in ASSIGNEE and/or to provide evidence to support any of the foregoing in the event such evidence is in the possession and/or control of the ASSIGNOR.


  
TIMOTHY J. SHEEHAN

STATE OF TEXAS

COUNTY OF TRAVIS

On this 14<sup>th</sup> day of <sup>August</sup> ~~July~~, 2001, before me appeared Timothy J. Sheehan,, who signed this instrument, and who acknowledged that he signed it as his free act and deed and with authority to do so.



  
Notary Public  
In and for the State of Texas

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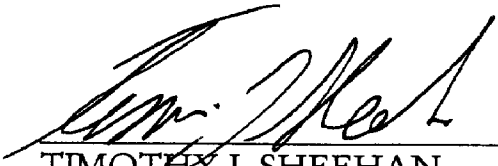
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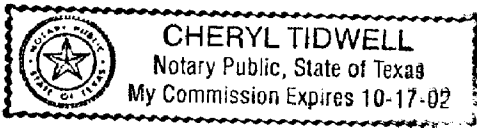
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