

FORM PTO-1594
1-31-92

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
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):
Native Tobacco Direct Company

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State **Sac and Fox Indian Nation**
 Other _____

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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: **September 26, 2002**

2. Name and address of receiving party(ies):
 Name: **Native Wholesale Supply Company**
 Street Address: _____
P.O. Box 214, Gowanda, NY 14070

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State **Sac and Fox Nation**
 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)

 Additional numbers attached? Yes No

B. Trademark registration No.(s)
2422894
2460960

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: **Anne F. Downey, Esq.**
 Internal Address: **Downey & Downey**

 Street Address: **8999 Rockwood Rd.**

 City: **Boston** State: **NY** ZIP: **14025**

6. Total number of applications and registrations involved **2**

7. Total fee (37 CFR 3.41) \$ **65.00**

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
501511

(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.

Anne F. Downey, Esq. *Anne F. Downey Esq.* **9-30-02**
 Name of Person Signing Signature Date

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

OMB No.: 0651-0011

TRADEMARK ASSIGNMENT

WHEREAS, NATIVE TOBACCO DIRECT COMPANY, a corporation organized under tribal law of the Sac and Fox Nation, a federally recognized Indian tribe, with an address at P.O. Box 214, Gowanda, NY 14070 ("Assignor"), is the owner of the SENECA trademark for cigarettes (the "Mark"), which mark is registered under the following US trademark registrations (the "Registrations"):

| <u>Mark</u> | <u>Reg. No.</u> | <u>Reg. Date</u> |
|---------------------------|-----------------|------------------|
| SENECA (stylized letters) | 2422894 | January 23, 2001 |
| SENECA (and design) | 2460960 | June 19, 2001 |

WHEREAS, NATIVE WHOLESALE SUPPLY COMPANY, a corporation organized under tribal law of the Sac and Fox Nation, a federally recognized Indian tribe, with an address at P.O. Box 214, Gowanda, NY 14070 ("Assignee"), desires to acquire the Mark and the Registrations, together with the goodwill of the business in connection with which the Mark is used;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby transfers and assigns unto Assignee all of its right, title and interest in and to the Mark and the Registrations, together with the goodwill of Assignor's business in connection with which the Mark is used and which is symbolized by the Mark, and the right to sue for past, present or future infringements thereof and to recover damages and other amounts related thereto.

TO HAVE AND TO HOLD the same unto said Assignee, its successors and assigns, forever.

NATIVE TOBACCO DIRECT COMPANY

By: *[Signature]*
Print Name: Arthur A Montour
Print Title: Vice-President
Date: 9/26/02

Arthur Montour
Vice President
September 26, 2002