

09-16-2002



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

RE

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

102222437

MPD 9-12-02

OFFICE OF PUBLIC RECORDS SEP 12 AM 11:26 FINANCE SECTION

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

1. Name of conveying party(ies): MOUNTAIN DISTRIBUTING & SUPPLY
Individual(s) Association
General Partnership Limited Partnership
[X] Corporation-State--MONTANA
Other
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
Name: Mountain Mudd LLC
Internal
Address:
Street Address: 2923 Montana Ave
City: Billings State: MT Zip: 59101
Individual(s) citizenship
Association
General Partnership liability company-Montana
Limited Partnership
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

3. Nature of conveyance:
[X] Assignment Merger
Security Agreement Change of Name
Other
Execution Date: AUGUST 30, 2002

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
B. Trademark Registration No.(s) MOCHA MUDD (and Design) 2,520,227
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Mark I. Feldman
PIPER RUDNICK
Internal Address:
Street Address: P.O. BOX 64807
City: Chicago State: IL Zip: 60664-0807

6. Total number of applications and registrations involved: 1
7. Total fee (37 CFR 3.41): \$ 40.00
[X] Enclosed
[X] Any additional fees are authorized to be charged to deposit account
8. Deposit account number: 18-2284
(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.
MARK I FELDMAN Name of Person Signing
Signature
9-5-02 Date
DL D
Total number of pages including cover sheet, attachments, and document: 2

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

09/16/2002 RANMED1 00000007 2520227 40.00 DP 01 FC:481

TRADEMARK REEL: 002582 FRAME: 0031

**ASSIGNMENT OF U.S. TRADEMARK**

**WHEREAS**, Mountain Distributing & Supply, a Montana corporation, having a place of business at 2923 Montana Avenue, Billings, MT 59101 ("Assignor"), is the sole and exclusive owner of the mark MOCHA MUDD, United States trademark registration, Reg. No. 2,520,227 (the "Mark"); and

**WHEREAS**, Mountain Mudd LLC, a Montana limited liability company, having a place of business at 2923 Montana Avenue, Billings, MT 59101 ("Assignee"), desires to acquire the entire right, title and interest in, to and under said Mark and the registration thereof;

**NOW, THEREFORE**, for and in consideration of the sum of One Dollar (\$1.00), to it in hand paid by said Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said Assignor does hereby sell, assign, transfer and set over to said Assignee all its right, title and interest in, to and under said Mark and registration, together with the goodwill of the business symbolized by the Mark, together with all rights and privileges granted and secured thereby, including the right to sue and recover for any past infringement, said rights to be held and enjoyed by said Assignee, for its own use and benefit and for the use and benefit of its successors, assigns or other legal representatives as fully and entirely as the same would have been held and enjoyed by said Assignor if this Assignment and sale had not been made.

**IN TESTIMONY WHEREOF**, Assignor has executed this Assignment by its proper officers thereunto duly authorized.

**MOUNTAIN DISTRIBUTING & SUPPLY**

By: 

Name: Brenda Burkhardt-Meyer

Title: V.P. - President

August 30, 2002