

03-03-2003

FORM PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 05/31/02)



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

102378292

To the Honorable Commissioner of Patents and Trademarks, copy thereof.

1. Name of conveying party(ies):
 800 JR CIGAR, INC. 2.12.03

Individual(s) Association

General Partnership Limited Partnership

Corporation - State Delaware

Other _____

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

2. Name and address of receiving party(ies):

Name: J.C. Newman Cigar Company

Address: 2701 Sixteenth Street
Tampa, Florida 33605

Individual(s) citizenship

Association 2

General Partnership

Limited Partnership

Corporation - Florida

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:

Assignment Merger

Security Agreement Change of Name

Other _____

Execution Date: _____

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)
76/457,432

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

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

Jordan S. Weinstein, Esquire
 OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
 Attorneys at Law
 1940 Duke Street
 Alexandria, Virginia 22314
 OSMMN Ref: 234064US

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: 50-2014
(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.

Jordan S. Weinstein
Name of Person Signing

Jordan S. Weinstein
Signature

February 12, 2003
Date

Total number of pages, including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

02/28/2003 TDIAZ1 00000002 502014 76457432
01 FC18521 40.00 CH

TRADEMARK
REEL: 002680 FRAME: 0671

ASSIGNMENT

WHEREAS, 800 JR CIGAR, INC. is a Delaware corporation, with its principal offices located at 301 Route 10 East, Whippany, NJ 07981.

WHEREAS, 800 JR CIGAR, INC. (hereinafter referred to as "ASSIGNOR") owns a trademark application in the name of PERLA DEL MAR, as depicted in Exhibit A attached hereto, along with the goodwill of the business in connection with said trademark application and which is symbolized by said trademark application; and

WHEREAS, J.C. NEWMAN CIGAR CO. ("Assignee") is a Florida corporation with principal offices located at 2701 Sixteenth Street, Tampa, Florida, and is desirous of acquiring the aforesaid trademark application, registration and goodwill.

NOW, THEREFORE, that for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by said Assignor, the Assignor has sold, assigned, and transferred, and by these presents does sell, assign, and transfer unto the Assignee, the Assignor's entire right, title and interest in and to the trademark application thereof depicted in Exhibit A attached to this Assignment, including the right to bring actions for infringements of said trademark occurring prior to the date of this Assignment, together with that part of the goodwill of the Assignor's business connected with and symbolized by said trademark application.

As additional consideration, J.C. NEWMAN CIGAR CO. hereby agrees to have the PERLA DEL MAR brand manufactured by NICARAGUA AMERICAN TOBACCO, S.A. (hereinafter referred to as "NATSA") of Aptdo, postal 64, Bo Rosario, Esteli, Nicaragua for a period of five (5) years. If the PERLA DEL MAR brand is manufactured by a company other than NATSA during the said five year period, without the written approvals of 800 JR CIGAR, INC., this agreement shall immediately become null and void

IN TESTIMONY WHEREOF, the Assignor has caused this Assignment to be executed

by its authorized representative.

AGRRED and ACCEPTED:
J.C. NEWMAN CIGAR CO.

800 JR CIGAR, INC.

By: *J.J. Newman* By: *W.C. Pallett*

Title: CHAIRMAN OF THE BOARD Title: CEO

Date: JANUARY 30, 2003 Date: 1/15/03

SCHEDULE A

REGISTERED TRADEMARK

SERIAL NO.

FILING DATE

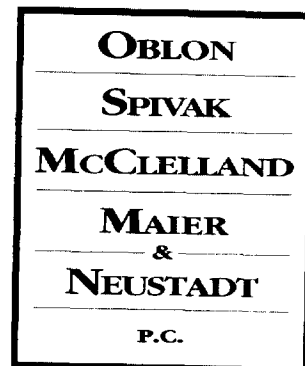
PERLA DEL MAR

76/457432

10/10/02



February 12, 2003



ATTORNEYS AT LAW

JORDAN S. WEINSTEIN
(703) 412-6442
JWEINSTEIN@OBLON.COM

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

Re: J.C. NEWMAN CIGAR COMPANY
Mark: PERLA DEL MAR
U.S. Appln. Serial No.: 76/457,432
Class(es): 34
Atty Dkt. No.: 234064US56

Dear Commissioner:

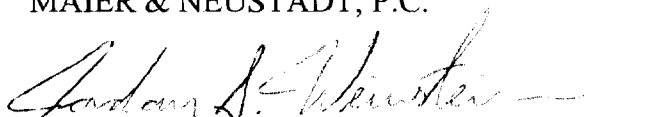
We enclose the following for filing in the U.S. Patent and Trademark Office:

- Recordation Form Cover Sheet
- Assignment

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Account No. 50-2014.

Respectfully submitted,

OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, P.C.


Jordan S. Weinstein

JSW/dlb

1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.
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RECORDED: 02/12/2003

TRADEMARK
REEL: 002680 FRAME: 0675