

3-27-03



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To the Honorable Commissioner of Patents

102419843

attached original documents or copy thereof.

1. Name of conveying party(ies):

Polyphenolics, Inc.

- Individual(s)
- General Partnership
- Corporation-State New York
- Other
- Association
- Limited Partnership

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

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

Name: Canandaigua Wine Company, Inc.

Internal Address:

Street Address: 116 Buffalo Street

City: Canandaigua State: NY ZIP: 14424

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State New York
- 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
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: February 27, 2002

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

A. Trademark Application No.(s)

761042, 819

B. Trademark registration No.(s)

Additional numbers attached?  Yes  No

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

Name: Stephen L. Baker

Internal Address:

Street Address: 626 North Thompson Street

City: Raritan State: NJ ZIP: 08869

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.-

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

04/2003: BTOM11 00000151 76642819

01/0352: 40.00 BP

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.

Stephen L. Baker  
Name of Person Signing

Signature

March 25, 2003  
Date

Total number of pages containing this sheet: 1

JAN-28-2003 12:47  
FEB-27-2002 13:16

CONSTELLATION  
CANANDAIGUA BRANDS

585 218 3601 P.03/06  
716 218 2155 P.05/08

F020227000734

67-07

CERTIFICATE OF MERGER

OF

POLYPHENOLICS, INC.

INTO

CANANDAIGUA WINE COMPANY, INC.

(Under Section 504 of the Business Corporation Law of the State of New York)

*Handwritten:* 2/28/02

ICC  
STATE OF NEW YORK  
DEPARTMENT OF STATE

FEB 27 2002

FILED  
TAXES  
BY: MAUR  
ontario

**DRAWDOWN**

Nixon Peabody LLP  
1300 Clinton Square  
Rochester, New York 14604

*Vertical stamp:* FEB 27 11:30

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2002 FEB 27 PM 2:28

RECEIVED

TOTAL P. 08

4

TRADEMARK TOTAL P. 05

REEL: 002711 FRAME: 0851

**CERTIFICATE OF MERGER****OF****POLYPHENOLICS, INC.****INTO****CANANDAIGUA WINE COMPANY, INC.**

(Under Section 904 of the Business Corporation Law of the State of New York)

We, the undersigned, being the Presidents of Canandaigua Wine Company, Inc., a corporation organized and existing under and by virtue of the laws of the State of New York and Polyphenolics, Inc., a corporation organized and existing under and by virtue of the laws of the State of New York, hereby certify:

1. The constituent corporations are Polyphenolics, Inc. and Canandaigua Wine Company, Inc. Polyphenolics, Inc. was formed under the name of New Poly, Inc. Canandaigua Wine Company, Inc. was formed under the name of Canandaigua West, Inc. The surviving corporation is Canandaigua Wine Company, Inc.

2. Polyphenolics, Inc. has currently authorized capital consisting of 200 shares of common stock, no par value per share, of which 100 shares are issued and outstanding. Canandaigua Wine Company, Inc. has currently authorized capital consisting of 200 shares of common stock, no par value per share, of which 100 shares are issued and outstanding. The number of shares aforementioned is not subject to change prior to the effective date of the merger.

3. The Certificate of Incorporation of Polyphenolics, Inc. was filed by the Department of State of the State of New York on March 13, 1998. The Certificate of Incorporation of Canandaigua Wine Company, Inc. was filed by the Department of State of the State of New York on July 8, 1994.

4. The merger was authorized by the unanimous written consent of the Board of Directors of Canandaigua Wine Company, Inc. followed by the written consent of its sole shareholder. The merger was authorized by the unanimous written consent of the Board of Directors of Polyphenolics, Inc. followed by the written consent of its sole shareholder.

5. This Certificate of Merger shall be effective on the 28<sup>th</sup> day of February, 2002.

6. This certificate may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same certificate.

IN WITNESS WHEREOF, this Certificate has been signed on the 27<sup>th</sup> day of February, 2002.

**CANANDAIGUA WINE COMPANY, INC.**

By: Jon Moramarco  
Jon Moramarco, President

**POLYPHENOLICS, INC.**

By: \_\_\_\_\_  
Anil Shrikhande, President

IN WITNESS WHEREOF, this Certificate has been signed on the 27<sup>th</sup> day of February, 2002.

CANANDAIGUA WINE COMPANY, INC.

By: \_\_\_\_\_  
Jon Moramarco, President

POLYPHENOLICS, INC.

By: Anil Shrikhande  
Anil Shrikhande, President

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