


<b>RECORDATION FORM COVER SHEET</b> <b>TRADEMARKS ONLY</b>		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office Docket No. 535052400000 Client Reference
Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)		
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies):  A.K.A. Elephant dba A.K.A. Gourmet <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation- California Subchapter S <input type="checkbox"/> Other _____ Additional names(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies) Name: <u>Wine.Com, Inc.</u> Internal Address: _____  Street Address: <u>114 Sansome Street, 6<sup>th</sup> Floor</u>  City: <u>San Francisco</u> State: <u>CA</u> Zip: <u>94104</u>  <input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State <u>Delaware</u> <input type="checkbox"/> Other _____ If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>December 1, 2003</u>		
4. Application number(s) or registration number(s): A. Trademark Application No.(s)  B. Trademark Registration No.(s) 1,960,082 2,528,961 2,477,330 2,497,614 2,537,638 2,551,605 2,548,850 2,696,938  Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed:  Jennifer Lee Taylor Morrison & Foerster LLP 425 Market Street San Francisco, CA 94105-2482	6. Total number of applications and registrations involved: ..... <u>8</u>	
	7. Total fee (37 CR 3.41).....\$ <u>215.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account	
	8. Deposit account number: <u>03-1952</u> (Attach duplicate copy of this page if paying by deposit account)	
<b>DO NOT USE THIS SPACE</b>		
9. Statement and signature. <i>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.</i>  <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <u>Jennifer Lee Taylor</u>            Name of Person Signing         </div> <div style="width: 30%; text-align: center;">             Signature         </div> <div style="width: 30%; text-align: right;"> <u>Dec. 5, 2003</u>            Date         </div> </div> Total number of pages including cover sheet, attachments, and document: <u>3</u>		

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Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
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sf-1609447

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**TRADEMARK**  
**REEL: 002758 FRAME: 0984**

**TRADEMARK ASSIGNMENT**

WHEREAS, A.K.A. Elephant dba A.K.A. Gourmet, a California Subchapter S corporation ("ASSIGNOR") owns certain trademarks and/or service marks, and applications and/or registrations for such marks, as listed in Exhibit A attached hereto and incorporated herein by this reference ("MARKS"); and

WHEREAS, Wine.Com, Inc., a Delaware corporation ("ASSIGNEE"), desires to acquire all of the right, title and interest of ASSIGNOR in, to and under the MARKS, together with the goodwill of the business symbolized by the MARKS;

WHEREAS, ASSIGNEE is a successor to a portion of the business of the ASSIGNOR to which the MARKS pertain;

WHEREAS, ASSIGNOR and ASSIGNEE have entered into that certain Asset Purchase Agreement dated November 5, 2003, and that certain Intellectual Property Assignment, dated December 1, 2003, assigning, among other things, all right, title and interest in and to the MARKS and in and to the registrations and/or applications for same from ASSIGNOR to ASSIGNEE;

NOW, THEREFORE, for good and valuable consideration recited in the Asset Purchase Agreement, the receipt and sufficiency of which hereby is acknowledged, ASSIGNOR does hereby sell, assign, transfer and convey unto ASSIGNEE its entire right, title and interest in and to the MARKS, and to the applications and/or registrations for the MARKS, together with the goodwill of the business symbolized by the MARKS and the portion of the business of the ASSIGNOR to which the MARKS pertain, including the right to sue and recover for any past infringement thereof, and agrees not to use or seek to register the MARKS in any jurisdiction anywhere in the world at any time after the date of this Trademark Assignment.

IN WITNESS WHEREOF, ASSIGNOR has caused this Assignment to be duly executed by an authorized officer on this 1<sup>st</sup> day of December, 2003.

ASSIGNOR

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

*Eric Seder*

Name: \_\_\_\_\_

ERIC SEDER

**EXHIBIT A****MARKS**

A.K.A. GOURMET	U.S. Reg. No. 1,960,082
THE GRAND GOURMET	U.S. Reg. No. 2,528,961
SAME DAY GOURMET	U.S. Reg. No. 2,477,330
CHOCOLATE PARTY	U.S. Reg. No. 2,497,614
CALIFORNIA PARTY	U.S. Reg. No. 2,537,638
SPA SECRETS	U.S. Reg. No. 2,551,605
CLASSIC COMBO	U.S. Reg. No. 2,548,850
GOLDEN GATE GREETING	U.S. Reg. No. 2,696,938
YEAR OF SAN FRANCISCO	California State Reg. No. 43081