


Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings $\Rightarrow \Rightarrow \Rightarrow$	<b>RECORDATION FORM COVER SHEET</b> <b>TRADEMARKS ONLY</b>	U.S. DEPARTMENT OF COMMERCE U.S. 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): <u>The Gambrinus Company</u>  <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State - <u>Texas</u> <input type="checkbox"/> Other _____  Additional name(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>Old Bridge Cellars</u> Internal _____ Address: _____  Street Address: <u>703 Jefferson Street</u> City: <u>Napa</u> State: <u>CA</u> Zip: <u>94559</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>California</u> <input type="checkbox"/> Other _____  <small>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No          (Designations must be a separate document from assignment)          Additional name(s) &amp; address( es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</small>	
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>February 9, 2004</u>	4. Application number(s) or registration number(s): A. Trademark Application No.(s) <u>76/496,372; 76/496,371</u>  B. Trademark Registration No.(s)  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: Name: <u>J. Scott Gerien, Esq.</u> Internal Address: <u>Owen, Wickersham &amp; Erickson</u> <u>Suite 1910</u>  Street Address: <u>455 Market Street</u>  City: <u>San Francisco</u> State: <u>CA</u> Zip: <u>94105</u>	6. Total number of applications and registrations involved: ..... <span style="border: 1px solid black; padding: 2px;">2</span>  7. Total fee (37 CFR 3.41).....\$ <u>65.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account  8. Deposit account number: <u>502333</u> <small>(Attach duplicate copy of this page if paying by deposit account)</small>	
<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>  <u>J. Scott Gerien</u>  <u>February 10, 2004</u> Name of Person Signing                                      Signature                                      Date  Total number of pages including cover sheet, attachments, and document: <span style="border: 1px solid black; padding: 2px;">2</span>		

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Mail documents to be recorded with required cover sheet information to:  
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Certificate of Transmission

I hereby certify that this paper or fee was faxed to the Commissioner for Patent & Trademarks under 37 CFR 1.8 on the date indicated below and is addressed to the Commissioner for Patent & Trademarks, Assignments at Fax: **TRADEMARK**

700065289                      Dated: 2/10/04

**ASSIGNMENT OF INTENT TO USE APPLICATIONS**

WHEREAS, The Gambrinus Company, a Texas corporation, located at 14800 San Pedro Avenue, San Antonio, Texas 78232 ("Assignor"), owns and has a *bona fide* intent to use the mark SHOO FLY ("the Mark") in connection with beer and wine in the United States; and

WHEREAS, Assignor has applied to register the Mark on the Principal Register of the United States Patent and Trademark Office based on Assignor's *bona fide* intent to use the Mark in commerce in connection with beer, Application Serial No. 76/496,372 for SHOO FLY filed on March 10, 2003, and with wine, Application Serial No. 76/496,371 for SHOO FLY filed on March 10, 2003; and

WHEREAS, Old Bridge Cellars, a California corporation, located and doing business at 703 Jefferson Street, Napa, California 94559 ("Assignee"), desires to acquire certain assets of Assignor in connection with which Assignor has a *bona fide* intent to use the Mark in the United States and the pending U.S. Applications;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee all right, title and interest in and to the Mark and the pending U.S. Applications therefor, together with that portion of Assignor's assets in connection with which it has a *bona fide* intent to use the Marks.

Dated: February 9, 2004

The Gambrinus Company

By William A. Lennie

Name: William A. Lennie

Title: Secretary