

10-29-2003

Form PTO-1594  
6-93

RF



EET

U.S. DEPARTMENT OF COMMERCE

OMB No. 0651-0011 (exp. 4/94)

102587426

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):

Names: **Gosling Brothers Limited**

- Individual  Association
- General Partnership  Limited Partnership
- Corporation
- Other Swiss Cooperative

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

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

Name: **Gosling's Export (Bermuda) Limited**

Internal Address:

17 Dundonald Street  
Hamilton HM12  
Bermuda

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation
- 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: October 1, 2003

Effective Date: May 1, 2002

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2001017  
2002621  
1657574  
2011630  
2159481

Additional numbers attached?  Yes  No

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

Name: **Paula Jill Krasny**

Internal Address: **One Prudential Plaza**

Street Address: **130 East Randolph Drive, Suite 3500**

City: **Chicago** State: **Illinois** ZIP: **60601**

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41): \$140

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

501-649

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.

Paula J. Krasny

Name of Person Signing

Signature

10/23/03

Date

Total number of pages comprising cover sheet: 4

2003 OCT 27 AM 9:20  
OPR/FINANCE

2001017

10/29/2003 LNWELLER 00000065 501649

40.00 DA  
100.00 DA

01 FC:8521  
02 FC:8522

## CONFIRMATORY DEED OF ASSIGNMENT

This Assignment is made on the 1st day of October 2003

**BETWEEN:** **Gosling Brothers Limited** a company duly incorporated and existing in good standing under the laws of **the Islands of Bermuda** with business offices at **17 Dundonald Street, Hamilton HM 12, Bermuda** (the Assignor),

**AND:** **Gosling's Export (Bermuda) Limited** a company duly incorporated and existing in good standing under the laws of **the Islands of Bermuda** with business offices at **17 Dundonald Street, Hamilton HM 12, Bermuda** (the Assignee),

### WHEREAS:

- A. The Assignor owns the Trade Mark registrations and applications for Trade Mark registration in Bermuda more particularly set out and described in the Schedule hereto annexed (the Trade Marks).
- B. The Assignor is desirous of selling to the Assignee and the Assignee is desirous of purchasing from the Assignor all such right title and interest as the Assignor has in the Trade Marks.

### THIS ASSIGNMENT WITNESSETH as follows:

1. **Grant**  
In consideration of the sum of ten (10) United States Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee all its rights, title and interests in and to the Trade Marks together with the right to sue and obtain damages and other relief for any infringement or unlawful use of the Trade Marks which may have occurred before the date of this Assignment.
2. **Goodwill**  
This Assignment includes the goodwill symbolized by the Trade Marks together with the business concerned in the goods and/or services with respect to which the Trade Marks are registered and applied and/or used.
3. **Effective Date**  
The assignment contemplated by these presents shall have effect from the 1st day of May 2002.
4. **Acceptance**  
Assignee hereby accepts the assignment and transfer of the Trade Marks as expressed herein.

IN WITNESS WHEREOF the parties have duly executed this Assignment as a Deed.

**SCHEDULE**

- Trade mark registration N° 2001017 BLACK SEAL in Classes 25 and 33
- Trade mark registration N° 2002621 BLACK SEAL Label 1980 in Classes 25 and 33
- Trade mark registration N° 1657574 DARK 'N STORMY in Class 33
- Trade mark registration N° 2011630 DARK 'N STORMY in Class 25
- Trade mark registration N° 2159481 GOSLINGS STORMY in Class 32

**SIGNED SEALED AND DELIVERED**  
 By  
 For and on behalf of the Assignor  
 In the presence of:

) *Chris Guly*  
 ) *D. Regan*  
 ) *M. Gosling*  
 ) *Director / Secretary*

**SIGNED SEALED AND DELIVERED**  
 By  
 For and on behalf of the Assignee  
 In the presence of:

) *M. Gosling*  
 ) *GMB President*  
 ) *M. Gosling*  
 ) *Director / Secretary*

Co-Binary Assignment 0101

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Gosling's Export (Bermuda) Limited hereby appoints Paula J. Krasny of the law firm of Baker and McKenzie as its domestic representative upon whom notice or process in proceedings affecting the mark may be served.

Please address all correspondence and telephone inquiries to:

Paula J. Krasny, Esq.  
BAKER & MCKENZIE  
130 East Randolph Drive  
One Prudential Plaza  
Chicago, IL 60601  
312/861-8000

GOSLING'S EXPORT (BERMUDA) LIMITED

By: C. TERCEIRA

Name: CLAIRE L. TERCEIRA

Title: EXPORTS MANAGER

Dated: 17<sup>TH</sup> OCTOBER, 2003

CHIDOC01, 386907.1