

11/3/03

11-05-2003



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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

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): Estela Garcia-Mesana Trinidad
Individual(s) [X] Association []
General Partnership [] Limited Partnership []
Corporation-State []
Other []
Additional name(s) of conveying party(ies) attached? [X] Yes [] No

2. Name and address of receiving party(ies)
Name: Max Rohr, Inc.
Internal Address:
Street Address: 913 Market Street, Suite 202
City: Wilmington State: DE Zip: 19801
Individual(s) citizenship []
Association []
General Partnership []
Limited Partnership []
Corporation-State Delaware [X]
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 Assignment of 60% interest [X]
Execution Date: September 22, 2003

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
75/403499 75/336221 75/398436
Additional number(s) attached [] Yes [X] No

B. Trademark Registration No.(s)
2,742,149

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Charles W. Grimes
Internal Address: Grimes & Battersby, LLP
Street Address: 488 Main Avenue
Third Floor
City: Norwalk State: CT Zip: 06851

6. Total number of applications and registrations involved: 4
7. Total fee (37 CFR 3.41): \$ 115.00
[X] Enclosed
[] Authorized to be charged to deposit account
8. Deposit account number:
(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.
Charles W. Grimes
Name of Person Signing
Signature
Date 10/27/03
Total number of pages including cover sheet, attachments, and document: 6

Documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

11/04/2003 LMUELLER 00000178 75403499
01 FC:8521 40.00 DP
02 FC:8522 75.00 DP

TRADEMARK REEL: 002857 FRAME: 0038

CONTINUATION OF THE INFORMATION IN ITEM 1

1. Name of Conveying parties:

Trinidad U.S.A. Corporation (a Florida Corporation)

Diego Trinidad (Individual)

Exhibit B - ASSIGNMENT OF INTEREST IN TRINIDAD TRADEMARKS
and
NOTICE OF GRANT OF SOLE AND EXCLUSIVE LICENSE

THIS ASSIGNMENT and NOTICE OF LICENSE (the "Assignment") is made this 22nd day of September, 2003, by and between, on the one hand, MAX ROHR, INC., a Delaware corporation with offices at 913 Marker Street, Suite 202, Wilmington, DE 19801 (the "Assignee") and, on the other hand, Estela Garcia-Mesana Trinidad, an individual residing at 11261 S.W. 184th Street, Miami, Florida 33157, and Diego Trinidad, an individual residing at 8942 S.W. 212th Street, Miami, Florida 33189, and Trinidad U.S.A. Corporation, a Florida corporation with offices at 20547 Old Cutler Road, Suite 130, Miami, Florida 33189 (hereinafter collectively referred to as the "Assignor")

1. Assignor hereby grants, assigns and conveys to Assignee sixty percent (60%) of Assignor's right, title and interest in and to the following (hereinafter collectively referred to as the "Assets"):

- (i) the TRINIDAD trademarks used by Assignor's predecessors-in-interest, including without limitation, TRINIDAD, TRINIDAD Y HERMANO, DIEGO TRINIDAD and DIEGO TRINIDAD CENTROFINOS and the associated goodwill (collectively the "Cuban Marks"), in Cuba and elsewhere throughout the world since at least as early as 1905 and continuing up through 1960 when the Cuban Marks were confiscated by the Cuban Government;
- (ii) the trademark registration protection for the Cuban Marks obtained by Assignor's predecessors-in-interest in Cuba and elsewhere throughout the world prior to the confiscation in 1960, including without limitation, Cuban Trademark Registration No. 100,675 for the designation TRINIDAD for cigarettes (collectively the "Cuban Registrations");
- (iii) the rights of Assignor and Assignor's predecessors-in-interest in and to the Cuban Marks, and of the Cuban Registrations therefore, all of which were purportedly confiscated by the Cuban government in 1960, and any and all claims against the Cuban Government as a result of such confiscation of such Cuban Marks and Cuban Registrations and in connection with past, present and future use, infringement and counterfeiting of such Cuban Marks and Cuban Registrations (collectively the "Cuban Claims");
- (iv) the worldwide intellectual property rights in and to the TRINIDAD trademarks and associated goodwill (hereinafter collectively referred to as the "Trinidad Trademarks"), including without limitation: (a) the Cuban Marks; (b) the marks covered by the following applied for and issued registrations with the U.S. Patent and Trademark Office, to wit,
TTT TRINIDAD

S/N:75403499 Filed: December 5, 1997 Reg # _____ Issued: _____

TRINIDAD

S/N:75336221 Filed: August 5, 1997 Reg # _____ Issued: _____

TRINDIAD Y HERMANO, S.A. PRUEBEY ... COMPAREI

S/N:75257874 Filed: March 17, 1997 Reg #2742149 Issued: July 19, 2003

CENTROFINOS DIEGO TRINIDAD

S/N:75398436 Filed: December 1, 1997 Reg # _____ Issued: _____

and (c) marks covered by the following State of Florida trademark registrations:

1996-CENTROFINO DIEGO TRINIDAD T96-0000005

1997-TRINIDAD T97-000001472

1997-TTI TRINIDAD T97-000001476

- (v) corresponding international trademark rights (including without limitation rights based upon application(s) and registration(s) identified in the attachment hereto, common law or any other legal theory);
- (vi) goodwill associated with and symbolized by the Cuban Marks and Trinidad Trademarks;
- (vii) all renewals therefore;
- (viii) all past, present and future proceeds therefrom (including, but not limited to, all license royalties and proceeds in connection with past, present and/or future claims and/or lawsuits); and
- (ix) past, present and/or future claims against and the right to sue third parties for use, infringement, counterfeiting and/or confiscation thereof.

2. Notice is hereby given that, by separate document, the sole and exclusive licensed right to exploit the Trinidad Trademarks worldwide has been granted to Altadis U.S.A. Inc., 5900 N. Andrews Avenue, Fort Lauderdale, FL 33309 (the "Licensee").

3. Assignor and Assignee hereby reaffirm such license and agree not to grant any other license under the Trinidad Trademarks to any third party.

4. Any unilateral attempt by either Assignor or Assignee to grant any other license under the Cuban Marks and/or the Trinidad Trademarks to any other party shall be null and void ab initio.

5. Future use of the Cuban Marks and/or the Trinidad Trademarks by the Licensee shall inure to the collective benefit of Assignor and Assignee.

6. Maintenance, policing and enforcement of the Cuban Marks and/or Trinidad Trademarks shall be undertaken by Assignee for the collective benefit of Assignor and Assignee.

7. This Assignment may not be altered, amended or modified except by a writing signed by both Assignor and Assignee.

8. This Assignment shall be binding upon and inure to the benefit of Assignor and Assignor's heirs, partners, affiliates, successors and assigns, and Assignee and Assignee's partners, affiliates, successors and assigns.

9. This Assignment shall be governed by and construed in accordance with the laws of the state of Florida.

IN WITNESS WHEREOF, this Assignment has been duly executed on the day and year first above written.

MAX ROHR, INC.

By: Margaret Civetta
Title: MARGARET CIVETTA, DIRECTOR
Date: 9/23/03

TRINIDAD U.S.A. CORPORATION

By: Diego Trinidad
Title: Diego Trinidad, V.P.
Date: 9-22-03

Diego Trinidad
(Individually)
Diego Trinidad
Date: 9-22-03

Estela Garcia-Mesana Trinidad
(Individually)

By: Estela Garcia-Mesana Trinidad
Date: 9-22-03

List of International Trademark Applications and Registrations

Dominican Republic registration #4525, filed January 24, 2003

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF New York

COUNTY OF New York

ss.:

Before me, the undersigned, a Notary Public, on this 24th day of September, 2003, personally appeared Margaret Civetta to me known personally, and who being by me duly sworn, deposes and says that he is the Director of Max Rohr, Inc., a Delaware corporation, and that he signed the foregoing instrument in such capacity and that he acknowledges such signing to be the free act and deed of Max Rohr, Inc.

[Signature]
Notary Public

TOTAL PAID

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF Florida

SS.:
COUNTY OF FLORIDA / Broward

Before me, the undersigned, a Notary Public, on this 22nd day of September, 2003, personally appeared Diego Trinidad, to me known personally, and who being by me duly sworn, deposes and says that he is the V.P. of Trinidad U.S.A. Corporation, a Florida corporation, and that he signed the foregoing instrument in such capacity and that he acknowledges such signing to be the free act and deed of Trinidad U.S.A. Corporation.

ROBIN LANE JACOBY
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # CC926750
EXPIRES 7/21/2004
BONDED THRU ASA 1-888-NOTARY1

Rain Lane Jacoby
Notary Public

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF Florida

SS.:
COUNTY OF FLORIDA / Miami-Dade

Before me, the undersigned, a Notary Public, on this 22nd day of September, 2003, personally appeared Estela Garcia-Mesana Trinidad, to me known personally, and who being by me duly sworn, deposes and says that the representations in the foregoing instrument are truthful and accurate, that she signed the instrument and that she acknowledges such signing to be her free act and deed.

[Signature]
Notary Public

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF Florida

SS.:
COUNTY OF FLORIDA / Broward

Before me, the undersigned, a Notary Public, on this 22nd day of September, 2003, personally appeared Diego Trinidad, to me known personally, and who being by me duly sworn, deposes and says that the representations in the foregoing instrument are truthful and accurate, that he signed the instrument and that he acknowledges such signing to be his free act and deed.

ROBIN LANE JACOBY
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # CC926750
EXPIRES 7/21/2004
BONDED THRU ASA 1-888-NOTARY1

Rain Lane Jacoby
Notary Public



Ramon E. Fernandez
Commission # DD 030997
Expires July 16, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRANSMITTAL FORM

Assignor: **Estela Garcia-Mesana Trinidad,
Diego Trinidad and Trinidad
U.S.A. Corporation**

Docket No.: CC000USG

Assignee: **Max Rohr, Inc.**

Marks: **TTT TRINIDAD, TRINIDAD, TRINIDAD
Y HERMANO, S.A. PRUEBE ... Y COMPARE, and
CENTROFINOS DIEGO TRINIDAD**

Registration No.: **2,742,149**

Application Nos.: **75/403499, 75/336,221 & 75/398436**

Execution Date: **September 22, 2003**

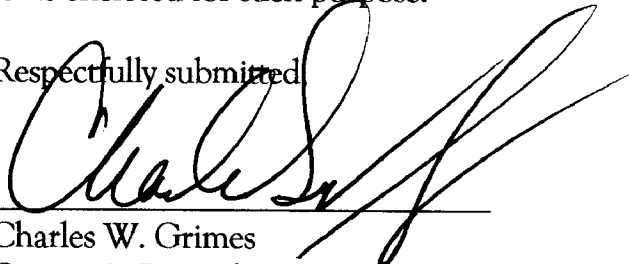
Enclosed herewith for filing in respect of the above-noted matter are:

- 1) Cover Letter;
- 2) Recordation Form Cover Sheet;
- 3) Copy of Assignment Document;
- 4) Firm's check No. 16134 in the amount of \$115.00
- 5) Postcard; and
- 6) Transmittal form in duplicate.

The Commissioner is authorized to charge any amounts due or to credit any overpayments to our firm's Deposit Account No. 07-2162. A duplicate copy of this letter is enclosed for such purpose.

Respectfully submitted

Date: October 27, 2003



Charles W. Grimes
Grimes & Battersby, LLP
488 Main Avenue, Suite 300
Norwalk, Connecticut 06851-1008
Telephone: (203) 849-8300

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box: ASSIGNMENTS Washington, DC, 20231, on October 27, 2003.

CHARLES W. GRIMES
NAME OF REGISTERED
REPRESENTATIVE



SIGNATURE

October 27, 2003
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRANSMITTAL FORM

Assignor: ~~Estela Garcia-Mesana Trinidad,~~
Diego Trinidad and Trinidad
U.S.A. Corporation

Docket No.: CC000USG

Assignee: Max Rohr, Inc.

Marks: TTT TRINIDAD, TRINIDAD, TRINIDAD
Y HERMANO, S.A. PRUEBE ... Y COMPARE, and
CENTROFINOS DIEGO TRINIDAD

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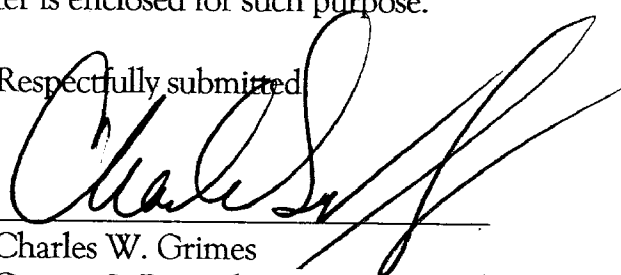
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CHARLES W. GRIMES

NAME OF REGISTERED
REPRESENTATIVE


SIGNATURE

October 27, 2003

DATE

RECORDED: 11/03/2003

TRADEMARK
REEL: 002857 FRAME: 0045