

01-29-2004

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

102656724

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael C. Houlihan

1-23-04

- Individual(s) [checked] Association [] General Partnership [] Limited Partnership [] Corporation-State [] Other []

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

3. Nature of conveyance:

- Assignment [] Merger [] Security Agreement [] Change of Name [] Other [checked] Gift Trademark Assignment

Execution Date: December 23, 2003

2. Name and address of receiving party(ies)

Name: Bonnie M. Harvey

Internal

Address:

Street Address: 5950 Russell Lane

City: Forestville State: CA Zip: 95436

Individual(s) citizenship U.S.A. [checked]

Association []

General Partnership []

Limited Partnership []

Corporation-State []

Other []

If assignee is not domiciled in the United States, a domestic representative designation is attached: [] Yes [] No

Additional name(s) & address(es) attached? [] Yes [checked] No

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1,657,573; 1,708,291;

1,792,682; 2,022,700; 2,022,699; 2,022,845

Additional number(s) attached [] Yes [checked] No

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

Name: Brian I. Marcus, Esq.

Internal Address:

Vierra Magen Marcus Harmon & DeNiro LLP

Street Address: 685 Market Street, Suite 540

City: San Francisco State: CA Zip: 94105

6. Total number of applications and registrations involved:

6

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

Enclosed [checked]

Authorized to be charged to deposit account []

8. Deposit account number:

501826

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Refund Re9: Signature. 01/28/2004 MGETACHE 0000133572

CHECK Refund Total: \$75.00 Brian I. Marcus

Name of Person Signing

Signature of Brian I. Marcus

January 21, 2004

Date

01/28/2004 MGETACHE 00000041 1657573

Total number of pages including cover sheet, attachments, and document: 7

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

01 FC:8521 40.00 OP 02 FC:8522 125.00 OP

GRAPE LINKS, INC.

GIFT TRADEMARK ASSIGNMENT

RECITALS

WHEREAS Michael C. Houlihan ("Mr. Houlihan"), a United States citizen and the President and Chief Executive Officer of Grape Links, Inc., a California corporation doing business as Barefoot Cellars Winery, located at 420 Aviation Boulevard, Suite 106, Santa Rosa, California 95403 (the "Company"), is the proprietor of the registered marks as per Schedule A attached hereto (the "Marks"); and

WHEREAS Bonnie M. Harvey ("Ms. Harvey"), a United States citizen and the Vice President of the Company, is desirous of acquiring one-half (1/2) of Mr. Houlihan's interest in the Marks together with the business and the goodwill of the business in connection with which the Marks are used insofar as they relate to and cover the territory of the United States; and

WHEREAS Mr. Houlihan desires to gift, assign, irrevocably transfer, convey and deliver to Ms. Harvey one-half (1/2) of the rights, title and interest in and to the Marks, free and clear of any and all applicable federal and state gift taxes or other liens:

ASSIGNMENT

NOW, THEREFORE, Mr. Houlihan hereby gives, assigns, irrevocably transfers, conveys and delivers to Ms. Harvey one-half (1/2) of the rights, title and interest in and to the Marks together with the goodwill symbolized by the Marks and that portion of the business which is ongoing and existing to which the Marks pertain. Such transfer is intended by Mr. Houlihan as a gift without consideration effective upon the Effective Date of this Gift Trademark Assignment.

GIFT TAXES AND LIENS

Mr. Houlihan agrees to pay any and all applicable federal and state gift taxes that may be required as a result of the transactions contemplated by this Gift Trademark Assignment.

FURTHER ASSURANCES

Mr. Houlihan agrees to execute, acknowledge and deliver or cause to be executed, acknowledged and delivered to Ms. Harvey such other instruments of transfer, assignment and conveyance as shall be necessary or desirable to vest in Ms. Harvey all the right, title and interest in and to the Marks and to implement the purposes of this Gift Trademark Assignment.

LEGAL COUNSEL

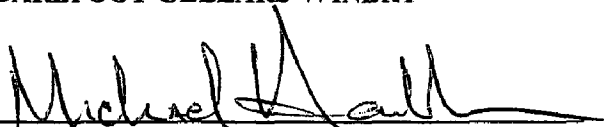
Mr. Houlihan and Ms. Harvey understand and acknowledge that the law firm of Pillsbury Winthrop LLP has acted as counsel to the Company, and has not represented Mr. Houlihan's or Ms. Harvey's interests as individuals. Accordingly, the Company strongly encourages Mr. Houlihan and Ms. Harvey, and Mr. Houlihan and Ms. Harvey hereby acknowledge having been encouraged, to seek independent counsel in connection with the decision to become a party to this Gift Trademark Assignment.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have set their hands this 23 day of December, 2003 (the effective date) in Santa Rosa, California, U.S.A.

COMPANY:

**GRAPE LINKS, INC.
DBA BAREFOOT CELLARS WINERY**

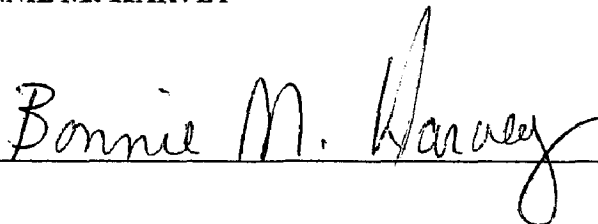


Michael C. Houlihan
President and Chief Executive Officer

MICHAEL C. HOULIHAN



BONNIE M. HARVEY



Schedule A to
Gift Trademark Assignment

<u>Registered Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
<u>Class 33 is for wine</u>		
<u>Class 25 is for clothing</u>		
<u>UNITED STATES</u>		
BAREFOOT LOGO – class 33	1,657,573	September 17, 1991
BAREFOOT – class 25	1,708,291	August 18, 1992
BAREFOOT & LOGO – class 33	1,792,682	September 14, 1993
BAREFOOT – class 33	2,022,700	December 17, 1996
BAREFOOT LOGO – class 33	2,022,699	December 17, 1996
BAREFOOT – class 33	2,022,845	December 17, 1996
<u>UNITED STATES -</u> <u>CALIFORNIA</u>		
BAREFOOT & LOGO – class 47	80,838	April 8, 1986
<u>CANADA</u>		
BAREFOOT – class 33	TMA 487,698	January 6, 1998
<u>DENMARK</u>		
BAREFOOT – class 33	VR 03.040 1996	May 17, 1996
<u>JAPAN</u>		
BAREFOOT – class 33	2,367,641	December 25, 1991
BAREFOOT LOGO – class 33	2,479,872	November 30, 1992
BAREFOOT		
<u>UNITED KINGDOM</u>		
BAREFOOT – class 33	2030350	August 14, 1995

FRANCE

Assignment from Parliament Import Company	237112	May 12, 1997
BAREFOOT – class 33	1.409.934	May 12, 1987
BAREFOOT BYNUM – class 33	1.409.935	May 12, 1987

CHINA

6 pending TM's; one each for BAREFOOT, BAREFOOT and DESIGN, and BAREFOOT LOGO in classes 25 & 33		Application October 2003
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AUSTRALIA

BAREFOOT – class 33	787,765	May 6, 1999
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EUROPEAN COMMUNITY

BAREFOOT – class 33	2,275,709	August 26, 2002
BAREFOOT LOGO – class 33	Pending – application # 2275677	Filed June 25, 2001
BAREFOOT & LOGO – class 25	2,319,655	February 3, 2003

NOTARY PUBLIC ACKNOWLEDGEMENT

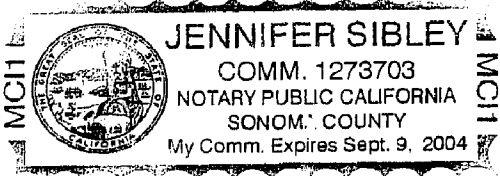
State of California)
County of Sonoma) SS.

On December 23, 2003, before me Jennifer Sibley, Notary Public

personally appeared Michael C. Houlihan & Bonnie M. Harvey

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the Gift Trademark Assignment and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the Gift Trademark Assignment the person(s), or the entity upon behalf of which the person(s) acted, executed the Gift Trademark Assignment.

Witness my hand and official seal



Place Notary Seal Above

Signature of Notary Public

Capacity(ies) Claimed by Signer

Signer's Name: Michael C. Houlihan & Bonnie M. Harvey

- Individual
Corporate Officer - Title(s): M.C. Houlihan Bonnie M. Harvey
Partner -- Limited General
Attorney in Fact
Trustee
Guardian or Conservator
Other:

Right Thumbprint of Signer:

