

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
------------------	----------------

NATURE OF CONVEYANCE:	Nunc Pro Tunc Assignment of an Undivided part of Assignor's Interest
-----------------------	--

CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
BankBoston, N.A.		03/01/2001	National Banking Association: UNITED STATES

RECEIVING PARTY DATA	
Name:	South Beach Beverage Company, LLC
Street Address:	40 Richards Avenue
City:	Norwalk
State/Country:	CONNECTICUT
Postal Code:	06854
Entity Type:	Limited Liability Company: CONNECTICUT

PROPERTY NUMBERS Total: 7		
Property Type	Number	Word Mark
Registration Number:	2065837	DRAIN THE LIZARD
Registration Number:	2076309	
Serial Number:	75417672	WISDOM
Serial Number:	75417669	QI ESSENTIALS
Serial Number:	75417668	DRIVE
Serial Number:	75417667	ADRENALINE
Serial Number:	75001760	

CORRESPONDENCE DATA	
Fax Number:	(203)849-9300
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	203-849-8300
Email:	lamb@gandb.com
Correspondent Name:	James G. Coplit
Address Line 1:	Grimes & Battersby, LLP
Address Line 2:	488 Main Avenue, Suite 300
Address Line 4:	Norwalk, CONNECTICUT 06851-1008

OP \$190.00 2065837

ATTORNEY DOCKET NUMBER:

GBG017UST

NAME OF SUBMITTER:

George K. Lamb

Total Attachments: 3

source=BB Assignment\_1#page1.tif

source=BB Assignment\_2#page1.tif

source=BB Assignment\_3#page1.tif

**ASSIGNMENT**

THIS AGREEMENT is entered into, *nunc pro tunc*, this 1<sup>st</sup> day of March, 2001 by and between BANKBOSTON, N.A., a National Banking Association having a mailing address of 100 Pearl Street, Hartford, Connecticut 06103 ("ASSIGNOR") and SOUTH BEACH BEVERAGE COMPANY, LLC, a Connecticut limited liability company with offices at 40 Richards Avenue, Norwalk, Connecticut 06854, U.S.A. ("ASSIGNEE").

**WITNESSETH:**

WHEREAS, ASSIGNOR is the sole and exclusive owner of the trademark applications and registrations for the marks identified more fully in the attached Schedule A (the "Trademarks"), and further is the sole and exclusive owner of all business goodwill related therewith; and

WHEREAS, ASSIGNEE is in full compliance with the Loan Agreement dated May 29, 1998 and desires to acquire all rights, title and interest in and to the Trademarks and all business goodwill related therewith;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt and

sufficiency of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto ASSIGNEE the full and exclusive entire right, title and interest in and to the Trademarks, and the business goodwill associated therewith, including, without limitation, all renewals therefor, all proceeds therefor (including, but not limited to, all license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, and the good will of the business associated with and symbolized by the Trademarks.

IN WITNESS THEREOF, this Assignment has been duly executed on this 15<sup>th</sup> day of November, 2004.

Assignor: FLEET CAPITAL CORPORATION,  
successor to BANKBOSTON, N.A.

By: Step P. Phalen

Name: Stephen P. Phalen

Title: Executive Vice President

Sworn and subscribed to before me  
this 15<sup>th</sup> day of November, 2004.

Jolanta M. Bialek  
Notary Public

JOLANTA M. BIALEK, NOTARY PUBLIC  
MY COMMISSION EXPIRES MAY 9, 2008

## SCHEDULE A

### TRADEMARK REGISTRATIONS

<u>Mark</u>	<u>Registration No.</u>	<u>Reg. Date</u>
DRAIN THE LIZARD	2,065,837	May 27, 1997
DESIGN OF LIZARD	2,076,309	July 1, 1997

### TRADEMARK APPLICATIONS

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
ELIXIR	75/417,678	January 14, 1998
HERBAL INFUSION	75/417,677	January 14, 1998
WISDOM	75/417,672	January 14, 1998
QI ESSENTIALS	75/417,669	January 14, 1998
DRIVE	75/417,668	January 14, 1998
ADRENALINE	75/417,667	January 14, 1998
EUPHORIA	75/417,666	January 14, 1998
DESIGN OF BOTTLE W/LIZARD	75/001,760	October 5, 1995
KARMA	75/418,007	January 14, 1998
OCEAN DRIVE	75/001,973	ABANDONED