

TRADEMARK ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	07/01/2004

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Marmot Mountain Ltd.		05/03/2005	CORPORATION: NEVADA

RECEIVING PARTY DATA

Name:	Marmot Mountain LLC
Street Address:	2321 Circadian Way
City:	Santa Rosa
State/Country:	CALIFORNIA
Postal Code:	95407
Entity Type:	Limited Liability Company: DELAWARE

PROPERTY NUMBERS Total: 23

Property Type	Number	Word Mark
Registration Number:	1994649	ALPINIST
Registration Number:	1973237	CLOTHING AS EQUIPMENT
Registration Number:	2563008	DRICLIME
Registration Number:	2773850	DRICLIME
Registration Number:	1462942	MARMOT
Registration Number:	1461945	MARMOT
Registration Number:	2564989	MARMOT
Registration Number:	2756636	MARMOT
Registration Number:	2563011	MARMOT BIOSPAN
Registration Number:	2563009	MARMOT FOR LIFE
Registration Number:	2826222	MEMBRAIN
Registration Number:	2563010	MEMBRAIN
Registration Number:	2074576	MEMBRAIN

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Registration Number:	2570792	PRECIP
Registration Number:	2741133	THE BOULDER MOUNTAINEER
Serial Number:	76112629	
Serial Number:	76112630	
Serial Number:	76584235	ALPINIST
Serial Number:	76599636	BACTERIASTAT
Serial Number:	76535386	COUNT ON IT
Serial Number:	76977004	MARMOT MOUNTAIN WORKS
Serial Number:	76598147	PRECIP PLUS
Serial Number:	76599258	SPIRAFIL

CORRESPONDENCE DATA

Fax Number: (202)344-8300
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 2023444000
Email: mbharrison@venable.com
Correspondent Name: Mark B. Harrison
Address Line 1: Venable, 575 7th Street, NW
Address Line 4: Washington, DISTRICT OF COLUMBIA 20004

NAME OF SUBMITTER:	Mark B. Harrison
Signature:	/mark b. harrison/
Date:	05/09/2005

Total Attachments: 4
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NUNC PRO TUNC ASSIGNMENT

WHEREAS, Marmot Mountain, Ltd., (hereinafter "Assignor"), a Nevada corporation having its offices and principal place of business at 2321 Circadian Way, Santa Rosa, California, 95407, is the owner of the Trademark Registrations and Applications shown in Schedule "A" attached hereto, and of the trademarks shown in said registrations and applications, and of the goodwill of the business symbolized by said marks;

AND WHEREAS, Marmot Mountain, LLC, (hereinafter "Assignee"), a Delaware limited liability company having a mailing address at 2321 Circadian Way, Santa Rosa, California, 95407, is desirous of acquiring the entire right, title and interest in and to the said trademark registrations and applications, the trademarks shown in said registrations and applications, the goodwill of the business symbolized by said marks, and the right to sue for past infringements;

NOW, THEREFORE, for One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign, sell and transfer unto the said Assignee the entire right, title and interest in and to the said trademark registrations and applications, and the trademarks shown in the said registrations and applications, together with the goodwill of the business symbolized by said marks, the right of Assignor to conduct business under said trademarks, and the right to sue for past infringements of said marks. This Assignment shall be deemed effective as of July 1, 2004.

Done, this 3rd day of May, 2005.

MARMOT MOUNTAIN, LTD.

By: [Signature]

Name: Thomas J. Fritz

Title: VP Marketing - Marmot Mountain LLC

SCHEDULE "A"**Registered Trademarks:**

1. Trademark: ALPINIST
Registration Number: 1,994,649
Issued: August 20, 1996
2. Trademark: CLOTHING AS EQUIPMENT
Registration Number: 1,973,237
Issued: May 7, 1996
3. Trademark: DRICLIME
Registration Number: 2,563,008
Issued: April 23, 2002
4. Trademark: DRICLIME
Registration Number: 2,773,850
Issued: October 14, 2003
5. Trademark: MARMOT
Registration Number: 1,462,942
Issued: October 27, 1987
6. Trademark: MARMOT
Registration Number: 1,461,945
Issued: October 20, 1987
7. Trademark: MARMOT
Registration Number: 2,564,989
Issued: April 30, 2002
8. Trademark: MARMOT
Registration Number: 2,756,636
Issued: August 26, 2003
9. Trademark: MARMOT BIOSPAN
Registration Number: 2,563,011
Issued: April 23, 2002
10. Trademark: MARMOT FOR LIFE
Registration Number: 2,563,009
Issued: April 23, 2002
11. Trademark: MEMBRAIN
Registration Number: 2,826,222
Issued: March 23, 2004

12. Trademark: MEMBRAIN
Registration Number: 2,563,010
Issued: April 23, 2002
13. Trademark: MEMBRAIN
Registration Number: 2,074,576
Issued: June 24, 1997
14. Trademark: PRECIP
Registration Number: 2,570,792
Issued: May 21, 2002
15. Trademark: THE BOULDER MOUNTAINEER
Registration Number: 2,741,133
Issued: July 29, 2003

Pending Trademarks:

1. Trademark: Miscellaneous Design
Serial Number: 76/112,629
Filing Date: August 18, 2000
2. Trademark: Miscellaneous Design
Serial Number: 76/112,630
Filing Date: August 18, 2000
3. Trademark: ALPINIST
Serial Number: 76/584,235
Filing Date: March 31, 2004
4. Trademark: BACTERIASTAT
Serial Number: 76/599,636
Filing Date: June 29, 2004
5. Trademark: COUNT ON IT
Serial Number: 76/535,386
Filing Date: July 28, 2003
6. Trademark: MARMOT MOUNTAIN WORKS
Serial Number: 76/336,116
Filing Date: November 9, 2001
7. Trademark: MARMOT MOUNTAIN WORKS
Serial Number: 76/977,004
Filing Date: November 9, 2001
8. Trademark: MEMBRAIN
Serial Number: 76/029,158
Filing Date: April 19, 2000

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9. Trademark: PRECIP PLUS
Serial Number: 76/598,147
Filing Date: June 18, 2004

10. Trademark: SPIRAFIL
Serial Number: 76/599,258
Filing Date: June 25, 2004

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