

02-16-2005

RECC
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102942232

To the Director of the U. S. Patent and Trademark Office

Documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Donald J. Mac Donald

MRD
1-13-05

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

Citizenship (see guidelines) USA

Execution Date(s) May 7, 2003

Additional names of conveying parties attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached?

- Yes
- No

Name: Louis W. Childress, Jr.

Internal

Address: Suite 200

3 2003

Street Address: 280 South Harrison Street

City: East Orange

State: New Jersey

Country: USA Zip: 07018

- Association Citizenship
- General Partnership Citizenship
- Limited Partnership Citizenship
- Corporation Citizenship
- Other Individual Citizenship USA

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)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

76352930

B. Trademark Registration No.(s)

2744316

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

Bottled spring water and bottled oxygenated water

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

Name: Kamau J. King

Internal Address:

Street Address: One Coca-Cola Plaza

City: Atlanta

State: Georgia Zip: 30313

Phone Number: (404) 676-3478

Fax Number: (404) 598-3478

Email Address: kaking@na.ko.com

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 032325

Authorized User Name Kamau J. King

9. Signature:

Signature

12 JAN. 05

Date

Kamau J. King

Name of Person Signing

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

10

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

02/16/2005 JJALLAH2 00000004 032325 76352930

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ASSIGNMENT OF TRADEMARK

~~THIS~~ THIS ASSIGNMENT OF TRADEMARK (this "Assignment") is made and entered into as of April 5/3 2003, by Donald J. Mac Donald, a U.S. citizen ("Assignor"), for the benefit of Louis W. Childress, a trustee on behalf of an undisclosed principal ("Assignee").

WHEREAS, Assignor adopted, is using, and is the sole owner of the "YOU CAN'T LIVE WITHOUT IT! OXYGEN" and/or "YOU CAN'T LIVE WITHOUT IT . . . OXYGEN!" or some variation thereof and pending application Serial Number 76352930 at the United States Patent and Trademark Office ("Trademark") for bottled spring water and bottled oxygenated water.

WHEREAS, Assignee's principal wishes to acquire, and Assignor wishes to assign to Assignee's Trustee, all of Assignor's rights, title and interest in and to the Trademark, together with the goodwill of the business symbolized thereby.

NOW, THEREFORE, for and in consideration of the amount of U.S. \$75,000 .00 and other valuable consideration the receipt and adequacy of which is hereby acknowledged, Assignor hereby agrees as follows:

Assignor agrees to take such further action and to execute such further documents as Assignee's principal may request to effectuate or confirm the conveyance to said principal of the Trademark and related goodwill.

Assignor hereby agrees not to use or apply for registration of Trademark, or any variation thereof, or any confusing similar trademark in the United States or any other country.

Assignor hereby agrees not to contest or challenge any application or registration filed by Assignee's principal for Trademark, or any variation thereof, in the United States or any other country.

Assignor hereby warrants and represents:

That Assignor has the sole right, title and authority to assign all right, title and interest in and to the Trademark;

That there exists no limitations, litigation or dispute with any third party related to the Trademark such as consents, litigation, disputes or restrictions as to use of the Trademark;

That Assignor has not granted any third party a license to use Trademark that will continue beyond the date hereof; and


That Assignor has not encumbered its title to the Trademark in any way; and

That Trademark does not infringe any trademark, patent, copyright or intellectual property rights of any third party; and

That Assignor shall cooperate with Assignee's principal to defend the principal if a third party files a petition for the invalidation or cancellation of the registration of the Trademark.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed as of the date first above written.

Dated: May 7, 2003


DONALD J. MAC DONALD,
U.S. Citizen

Dated: , 2003

LOUIS W. CHILDRESS, JR.
Trustee on behalf of undisclosed principal

STATE OF *PA*
COUNTY OF *Montgomery* ^{SS}

On this *7* day of *May*, 2003 before me appeared Donald J. Mac Donald, the above signatory, who acknowledged that he signed it as a free and voluntary act on his own behalf (or on behalf of the identified corporation or other juristic entry with authority to do so) for the purpose set forth.

Denise A. Bruce
NOTARY PUBLIC

My Commission Expires: _____

NOTARIAL SEAL
DENISE A. BRUCE, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Aug. 2, 2004



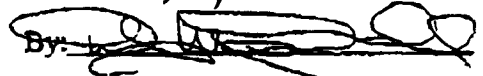
TRADEMARK ASSIGNMENT

Assignor: Donald J. Mac Donald
Assignee: Louis W. Childress, Jr.
Trademark: "You Can't Live Without It! Oxygen!"
Serial No.: 76352930
Filing Date: December 27, 2001

WHEREAS, Assignor, Donald J. Mac Donald, an individual, of 412 Bay Avenue, Ocean City, New Jersey 08226, has adopted, used and is using the aforementioned trademark for which an application is now pending in the United States Patent and Trademark, Office, and Assignee, Louis W. Childress, Jr., a trustee on behalf of an undisclosed principal, is desirous of acquiring said trademark.

In consideration of Seventy Five Thousand (\$75,000.) Dollars and other good and valuable consideration, Assignor hereby assigns to Assignee all right, title and interest in and to said trademark and said application therefor, together with the goodwill of the business symbolized by said trademark, and the application to register said trademark.

Dated: MAY 7, 2003

By: 

Name: Donald J. Mac Donald

Title: OWNER