

Form PTO 1594 (Rev 07/05)
Attorney Docket: DEN652US01 (2)

U.S. Department of Commerce
U.S. Patent and Trademark Office

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or the new address(es) below.

<p>1. Name of Conveying Party(ies): Fronsac Investment S.A.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <input type="checkbox"/> Other _____</p> <p>Citizenship (see guidelines) <u>Luxembourg</u> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and Address of Receiving Party(ies): Additional names(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Name: <u>Fronsac SW S.A.</u> Address: <u>29, avenue Monterey</u> City: <u>Luxembourg</u> State: _____ Country: <u>Luxembourg</u> Zip: <u>L-2163</u> <input type="checkbox"/> Association, Citizenship _____ <input type="checkbox"/> General Partnership, Citizenship _____ <input type="checkbox"/> Limited Partnership, Citizenship _____ <input checked="" type="checkbox"/> Corporation, Citizenship <u>Luxembourg</u> <input type="checkbox"/> Other, Citizenship _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment)</p>
<p>3. Nature of Conveyance/Execution Date(s): Execution Date: <u>December 30, 2005</u></p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p>	

4. Application Number(s) or Registration Number(s) and Identification or Description of the Trademark:

A. Trademark Application Number(s): 78/445,140 B. Trademark Registration Number(s): 2,116,525 2,712,573

C. Identification or Description of Trademark(s) (and Filing Date if Applicable or Registration Number if unknown):
 Registration: 2,116,525 Mark: MURPHY & NYE Design
 Registration: 2,712,573 Mark: MURPHY & NYE Design
 Application: 78/445,140 Mark: MURPHY & NYE Design

Additional sheet(s) attached? Yes No

<p>5. Name & Address of Party to Whom Correspondence Concerning Document Should Be Mailed:</p> <p>Name: <u>Thomas S. Baker, Jr.</u> Address: <u>Thomas S. Baker, Jr., Attorney at Law, LLC. 1371 West 3rd Avenue</u> City: <u>Columbus</u> State: <u>Ohio</u> Zip: <u>43212</u> Phone Number: <u>(614) 488-2202</u> Fax Number: <u>(614) 488-2232</u> Email Address: _____</p>	<p>6. Total Number of Applications and Registrations Involved: <u>3</u></p> <p>7. Total Fee (37 CFR 2.6(b)(6) & 3.41): <u>\$90.00</u> <input type="checkbox"/> Authorized to be Charged to by Credit Card <input checked="" type="checkbox"/> Authorized to be Charged to Deposit Account <input type="checkbox"/> Enclosed</p> <p>8. Payment Information A. Credit Card: Last 4 Numbers _____ Expiration Date _____ B. Deposit Account Number: <u>020413</u> Authorized User Name: <u>Thomas S. Baker, Jr.</u></p>
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9. Signature:

Thomas S. Baker, Jr.
Name of Person Signing


Signature

13/12/06
Date

Total number of pages including cover sheet, attachments and documents: _____

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450



DECLARATION

I, the undersigned, J. SECKLER, notary, having its place of business
Luxembourg, in JUNGLINSTER, S.D. of LUXEMBOURG

certify that according to the Commercial Register of Luxembourg Fronsac Investment S.A.,
29 avenue Monterrey, 2163 Luxembourg, Grand-Duchy of Luxembourg, owner of the
trademark(s) listed on the attached in **United States of America**:

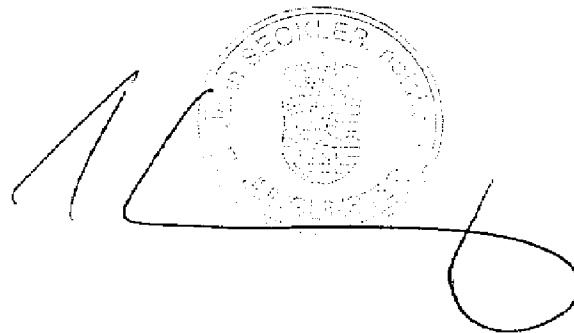
has been split into four new companies on December 30, 2005, namely:

- The joint stock company Fronsac TM S.A., having its seat at 29 avenue Monterrey,
2163 Luxembourg, Grand-Duchy of Luxembourg
- The joint stock company Usted RE S.A., having its seat at 29 avenue Monterrey, 2163
Luxembourg, Grand-Duchy of Luxembourg
- The joint stock company Fronsac SW S.A., having its seat at 29 avenue Monterrey,
2163 Luxembourg, Grand-Duchy of Luxembourg
- The joint stock company Upcoming TM S.A., having its seat at 29 avenue Monterrey,
2163 Luxembourg, Grand-Duchy of Luxembourg

In accordance with the Act of Fission, the trademark portfolio of Fronsac Investment S.A. is
divided among the succeeding companies as per the attached listing.

In testimony thereof, I put my stamp this 28.04.2006

Signature of the notary



The image shows a handwritten signature in black ink, which appears to be 'J. Seckler'. To the right of the signature is a circular notary stamp. The stamp contains the text 'J. SECKLER, Notary' around the perimeter and a central emblem. The stamp is partially obscured by the signature.

Trademarks to be transferred to Fronsac SW S.A.

Country	Trademark	Registered Owner	Class	App. No.	Reg. No.	TM Status
USA	MURPHY & NYE (logo)	Fronsac SW S.A.	2225	74/523728	2116525	Inactive
USA	MURPHY & NYE (logo)	Fronsac SW S.A.	9	76/155878	2712573	Registered
USA	MURPHY & NYE (logo)	Fronsac SW S.A.	22, 25	78/445140		Pending

Attorney Docket No. DEN652US01 (2)

In re Trademark

Mark: MURPHY & NYE Design, MURPHY & NYE Design, MURPHY & NYE Design

Registrations/Applications: 2,116,525 2,712,573 78/445,140

Applicant: Fronsac SW S.A., 29 avenue Monterey, 2163 Luxembourg, Grand-Duchy of Luxembourg

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Thomas S. Baker, Jr., Attorney at Law, Registration Number 25,662, whose postal address is 1371 West 3rd Avenue, Columbus, Ohio 43212, U.S.A., Phone: 614/488-2202; Fax: 614/488-2232, is hereby designated Applicant's domestic representative upon whom notice of process in proceedings affecting the mark may be served and to receive the Certificate of Registration and to record assignment, change of name, address, merger or similar changes.

Date:

May 10, 2006

By:

Hari-Fox RIES-BANANI

Title:

DIRECTOR DIRECTOR

Hari-Fox RIES-BANANI Jitman ARNO

TRADEMARK

REEL: 003348 FRAME: 0790

Attorney Docket: DEN652US01(2)

PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being transmitted to the
United States Patent and Trademark Office

on 13 JUL 06
Date


Signature

Thomas S. Baker, Jr.

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

To record the assignment from Fronsac Investment S.A. to Fronsac SW S.A.

Registration/Application Numbers: 2,116,525, 2,712,573, 78/445,140

Trademarks: MURPHY & NYE Design, MURPHY & NYE Design and MURPHY & NYE
Design

1. Recordation Form Cover Sheet Trademarks Only
2. Trademark Declaration Document with attached list of 3 Trademarks
3. Appointment of Domestic Representative
4. Certificate of Transmission under 37 CFR 1.8

Total Transmission Pages: 5