



RE

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TRADEMARKS ONLY

JUL 26 PM 2:57

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

FINANCIAL SECTION

7-26-06

1. Name of conveying party(ies):

E. & J. Gallo Winery

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

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: Aldi Inc.
 Internal Address: _____
 Address: _____
 Street Address: 1200 N. Kirk Road
 City: Batavia
 State: Illinois
 Country: USA Zip: 60510

- Association Citizenship _____
- General Partnership Citizenship _____
- Limited Partnership Citizenship _____
- Corporation Citizenship Illinois
- Other _____ Citizenship _____

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)

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) May 22, 2006

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

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

A. Trademark Application No.(s)
78/382324

B. Trademark Registration No.(s)
2,974,593

Additional sheet(s) attached? Yes No

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

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

Name: Allen L. Landmeier
 Internal Address: _____
 Street Address: 15 N. Second Street
 City: Geneva
 State: IL Zip: 60134
 Phone Number: 630-232-2880
 Fax Number: 630-232-2889
 Email Address: trademarks@smithlandmeier.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 _____
 Authorized User Name _____

9. Signature:

07/27/2006 BYRME 00000008 78382324

Signature

Date

01 FC:0521

40.00 (Allen L. Landmeier)

Name of Person Signing

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

2

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

TRADEMARK ASSIGNMENT

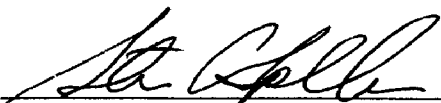
WHEREAS, E. & J. Gallo Winery (“Assignor”), is the owner of all right, title and interest in the trademark WINKING OWL VINEYARDS for wine in the United States, and the federal registration thereof, namely Reg. No. 2,974,593, and the goodwill associated therewith; and

WHEREAS, Aldi, Inc. (“Assignee”) is desirous of acquiring all of Assignor’s right, title and interest in the trademark WINKING OWL VINEYARDS for wine in the United States, and the federal registration thereof, namely Reg. No. 2,974,593, and the goodwill associated therewith.

NOW THEREFORE, for good and valuable consideration, receipt of which hereby is acknowledged, Assignor hereby irrevocably transfers to Assignee all of its right, title and interest in and to the trademark WINKING OWL VINEYARDS for wine in the United States, and the federal registration thereof, namely Reg. No. 2,974,593 and the goodwill associated therewith.

The registration certificate and file wrapper are tendered herewith.

E. & J. GALLO WINERY

By 
Steve Sprinkle
Vice President

Dated: May 22, 2006

SMITH, LANDMEIER & ELDERS, P.C.

15 NORTH SECOND STREET
P.O. BOX 127
GENEVA, ILLINOIS
60134-0127

TEL: (630) 232-2880

FAX: (630) 232-2889

E-Mail: a_landmeier@smithlandmeier.com

ALLEN L. LANDMEIER
VINCENT J. ELDERS

HOWARD E. SMITH, JR.
OF COUNSEL

July 24, 2006

Mail Stop Assignment Recordation Services
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**Re: E. & J. Gallo Winery and Aldi Inc.
Trademark: WINKING OWL VINEYARDS**

Ladies and Gentlemen:

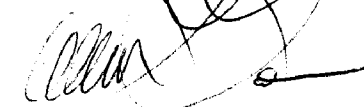
Enclosed herewith please find the following documents for recording:

1. Recordation Form Cover Sheet - Assignment; and
2. Check in the amount of \$40.00 for payment of the recording fee.

If you have any questions, please contact us. Thank you for your assistance in this matter.

Very truly yours,

SMITH, LANDMEIER & ELDERS, P.C.



Allen L. Landmeier

ALL/skg
Encs.

cc: Mr. Carl T. Munyon
Vice President of Corporate Purchasing, Aldi Inc.

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