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**TRADEMARKS ONLY**

2006 OCT 16 AM 11:25

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

10.97.01

**1. Name of conveying party(ies):**  
Buffalo Rock Company

Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation- State: Alabama  
 Other \_\_\_\_\_

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: Sun Fresh Beverages, Inc  
 Internal Address: 111 Oxmoor Road  
 Street Address: 111 Oxmoor Road  
 City: Birmingham  
 State: Alabama  
 Country: U.S. Zip: 35209

Association Citizenship \_\_\_\_\_  
 General Partnership Citizenship \_\_\_\_\_  
 Limited Partnership Citizenship \_\_\_\_\_  
 Corporation Citizenship Georgia-U.S.  
 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) April 13, 2006

Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

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

A. Trademark Application No.(s) \_\_\_\_\_  
 B. Trademark Registration No.(s) 1529948, 0381562, 76638076

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):  
Grapico 1529948 filed 7-5-88 Dr. Wham 76638076  
Grapico 0381562 filed 7-13-39 filed 5-6-05

**5. Name & address of party to whom correspondence concerning document should be mailed:**  
 Name: Melissa M. Jones  
 Internal Address: 111 Oxmoor Road, Birmingham AL 35209  
 Street Address: 111 Oxmoor Road,  
 City: Birmingham  
 State: AL Zip: 35209  
 Phone Number: 205-944-2440  
 Fax Number: 205-944-2491  
 Email Address: mjones@buffalorock.com

**6. Total number of applications and registrations involved:** 3

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 90.00**

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:** Melissa M. Jones 10-11-06  
 Signature Date  
Melissa M. Jones  
 Name of Person Signing

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

## ASSIGNMENT

THIS ASSIGNMENT is made by **BUFFALO ROCK COMPANY**, an Alabama corporation ("Buffalo Rock"), having its principal offices at 111 Oxmoor Road, Birmingham, Alabama 35209 in favor of **SUN FRESH BEVERAGES, INC.**, a Delaware corporation ("Sun Fresh"), having its principal offices at 111 Oxmoor Road, Birmingham, Alabama 35209.

WHEREAS, Buffalo Rock has adopted, used, is using and is the owner of the following trademarks now registered in the United States Patent and Trademark Office:

<u>Trademark</u>	<u>Registration No.</u>	<u>Date of Registration</u>
Grapico	1529948	July 05, 1988
Grapico	0381562	July 13, 1939
Dr. Wham	76638076	May 06, 2005

WHEREAS, Sun Fresh is desirous of acquiring said registered trademarks,

NOW, THEREFORE, in consideration, of the sum of Twenty Dollars (\$20.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Buffalo Rock hereby assigns to Sun Fresh all right, title and interest in the United States and to said trademarks together with the goodwill of the business symbolized by said trademarks and registrations thereof.

Signed at Birmingham, Alabama, this 13 day of April, 2006.

**BUFFALO ROCK COMPANY**

By: 

James C. Lee, III  
Its: President and CEO

STATE OF ALABAMA  
JEFFERSON COUNTY

On this 13 day of April, 2006 personally appeared James C. Lee, III, to me known and known to me to be President and CEO of Buffalo Rock Company, the assignor above named, and acknowledged that he executed the foregoing Assignment on behalf of said assignor and pursuant to authority duly received.

  
Notary Public

**JESSICA SUTHERLAND**  
Notary Public Alabama State At Large  
My Commission Expires 1/10/10