

TRADEMARK ASSIGNMENT

WHEREAS, TYLER MOUNTAIN WATER COMPANY, INC., having its principal office located at 159 Harris Drive, Poca, West Virginia 25159, hereinafter "ASSIGNOR," has adopted, used, licensed use, is using and is the owner of all right, title and interest in and to, including, all common law rights whether federal or state, the trademark application pending in the U.S. patent and trademark office, serial no. 78707173 relating to the standard character mark Citrus Xtreme for International Class 32, U.S. Class 45, 46, 48; G&S: non-carbonated fruit flavored drinks (the "Mark"); and

WHEREAS, AMERICAN BEVERAGE CORPORATION, a Delaware corporation, having its principal office located at One Daily Way, Verona, Pennsylvania 15147, hereinafter "ASSIGNEE," is desirous of acquiring the entire right, title and interest in, to and under the Mark; and

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby mutually acknowledged, ASSIGNOR hereby irrevocably sells, assigns, transfers and conveys unto ASSIGNEE, its successors and assigns, all right, title and interest, if any, in and to: (a) the Mark and the words "Citrus Xtreme"; (b) any and all registrations of the Mark; (c) all common law rights in, to and under the Mark; (d) all other rights in, to and under the Mark, together with the goodwill of the business symbolized by the Mark; (e) any and all rights to royalties, profits, compensations, license fees or other payments or remuneration of any kind relating to the Mark and/or the goodwill under the Mark; and (f) all claims or causes of action ASSIGNOR has or may have in connection with the Mark, including, but not limited to, the right to sue and recover damages for any and all past infringements of any of the Mark.

IN WITNESS WHEREOF, ASSIGNOR, has caused this Trademark Assignment to be executed on this 31~~st~~ day of July, 2007.

ASSIGNOR:

TYLER MOUNTAIN WATER COMPANY, INC.

By: Richard H. Merrill
Richard H. Merrill, President

ACKNOWLEDGMENT

STATE OF PENNSYLVANIA
COUNTY OF ALLEGHENY

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid, the foregoing instrument was acknowledged before me by Richard H. Merrill, in his capacity as President of Tyler Mountain Water Company, Inc., who is personally known to me or who has produced WEST VIRGINIA DR. LIC. as identification.

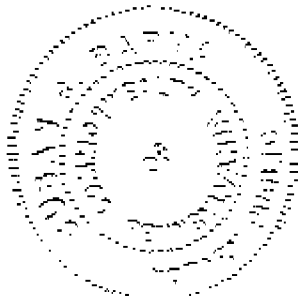
WITNESS my hand and official seal in the County and State last aforesaid this 31 day of July, 2007.

Susan G. Barva
Notary Public

(NOTARY SEAL)

My Commission Expires On: 2/2/08

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Susan G. Barva, Notary Public
Shaler Twp., Allegheny County
My Commission Expires Feb. 2, 2008
Member, Pennsylvania Association Of Notaries



TRADEMARK ASSIGNMENT

WHEREAS, TYLER MOUNTAIN WATER COMPANY, INC., having its principal office located at 159 Harris Drive, Poca, West Virginia 25159, hereinafter "ASSIGNOR," has adopted, used, licensed use, is using and is the owner of all right, title and interest in and to, including, all common law rights whether federal or state, the trademark application pending in the U.S. patent and trademark office, serial no. 78707182 relating to the standard character mark Apple Xtreme for International Class 32, U.S. Class 45, 46, 48; G&S: non-carbonated fruit flavored drinks (the "Mark"); and

WHEREAS, AMERICAN BEVERAGE CORPORATION, a Delaware corporation, having its principal office located at One Daily Way, Verona, Pennsylvania 15147, hereinafter "ASSIGNEE," is desirous of acquiring the entire right, title and interest in, to and under the Mark; and

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby mutually acknowledged, ASSIGNOR hereby irrevocably sells, assigns, transfers and conveys unto ASSIGNEE, its successors and assigns, all right, title and interest, if any, in and to: (a) the Mark and the words "Apple Xtreme"; (b) any and all registrations of the Mark; (c) all common law rights in, to and under the Mark; (d) all other rights in, to and under the Mark, together with the goodwill of the business symbolized by the Mark; (e) any and all rights to royalties, profits, compensations, license fees or other payments or remuneration of any kind relating to the Mark and/or the goodwill under the Mark; and (f) all claims or causes of action ASSIGNOR has or may have in connection with the Mark, including, but not limited to, the right to sue and recover damages for any and all past infringements of any of the Mark.

IN WITNESS WHEREOF, ASSIGNOR, has caused this Trademark Assignment to be executed on this 31st day of July, 2007.

ASSIGNOR:

TYLER MOUNTAIN WATER COMPANY, INC.

By: Richard H. Merrill
Richard H. Merrill, President

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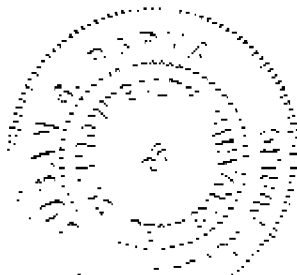
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Susan G. Barva
Notary Public

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WHEREAS, TYLER MOUNTAIN WATER COMPANY, INC., having its principal office located at 159 Harris Drive, Poca, West Virginia 25159, hereinafter "ASSIGNOR," has adopted, used, licensed use, is using and is the owner of all right, title and interest in and to, including, all common law rights whether federal or state, the trademark application pending in the U.S. patent and trademark office, serial no. 78466559 relating to the standard character mark Rainbow for International Class 32, U.S. Class 45, 46, 48; G&S: non-carbonated fruit flavored drinks (the "Mark"); and

WHEREAS, AMERICAN BEVERAGE CORPORATION, a Delaware corporation, having its principal office located at One Daily Way, Verona, Pennsylvania 15147, hereinafter "ASSIGNEE," is desirous of acquiring the entire right, title and interest in, to and under the Mark; and

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which are hereby mutually acknowledged, ASSIGNOR hereby irrevocably sells, assigns, transfers and conveys unto ASSIGNEE, its successors and assigns, all right, title and interest, if any, in and to: (a) the Mark and the words "Rainbow"; (b) any and all registrations of the Mark; (c) all common law rights in, to and under the Mark; (d) all other rights in, to and under the Mark, together with the goodwill of the business symbolized by the Mark; (e) any and all rights to royalties, profits, compensations, license fees or other payments or remuneration of any kind relating to the Mark and/or the goodwill under the Mark; and (f) all claims or causes of action ASSIGNOR has or may have in connection with the Mark, including, but not limited to, the right to sue and recover damages for any and all past infringements of any of the Mark.

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ASSIGNOR:

TYLER MOUNTAIN WATER COMPANY, INC.

By: Richard H. Merrill
Richard H. Merrill, President

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WITNESS my hand and official seal in the County and State last aforesaid this 31 day of JULY, 2007.

Susan G. Barva
Notary Public

(NOTARY SEAL)

My Commission Expires On: 2/2/08

COMMONWEALTH OF PENNSYLVANIA
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