

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|------------------------------|--|
| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL |

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|---|----------|----------------|---------------|
| Edmont P. D'Ascoli, Trustee of the Edmont P. D'Ascoli Revocable Living Trust Dated May 24, 1996 | | 09/05/2007 | TRUST: HAWAII |

RECEIVING PARTY DATA

| | |
|------------------------|----------------------------|
| Name: | Seal Trademarks Pty Ltd |
| Street Address: | 1 Billabong Place |
| City: | Burleigh Heads, Queensland |
| State/Country: | AUSTRALIA |
| Postal Code: | 4220 |
| Entity Type: | CORPORATION: AUSTRALIA |

PROPERTY NUMBERS Total: 11

| Property Type | Number | Word Mark |
|----------------------|---------|------------|
| Registration Number: | 2957141 | EXCEL LITE |
| Registration Number: | 2975385 | XCEL PRO |
| Registration Number: | 2977752 | XCEL |
| Registration Number: | 2836886 | |
| Registration Number: | 2825694 | XCEL |
| Registration Number: | 2948566 | XCEL |
| Registration Number: | 2345952 | EXCELWEAR |
| Registration Number: | 2217115 | XCEL |
| Registration Number: | 1965081 | XCEL |
| Registration Number: | 1622623 | XCEL |
| Registration Number: | 1292982 | XCEL |

CORRESPONDENCE DATA

OP \$290.00 2957141

Fax Number: (808)540-5049

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 8085443835

Email: mhsia@caedes.com, jmolloy@caedes.com, msaito@caedes.com,
edd@xcelwetsuits.com, lskipp@billabong.com.au

Correspondent Name: Martin E. Hsia 32,471

Address Line 1: 1000 Bishop Street, Suite 1200

Address Line 4: Honolulu, HAWAII 96813

DOMESTIC REPRESENTATIVE

Name: Martin E. Hsia 32,471

Address Line 1: 1000 Bishop Street, Suite 1200

Address Line 4: Honolulu, HAWAII 96813

NAME OF SUBMITTER:

Martin E. Hsia 32,471

Signature:

/Martin E. Hsia/

Date:

10/11/2007

Total Attachments: 5

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RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

1. Name of conveying party(ies):

EDMONT P. D'ASCOLI, Trustee of the EDMONT P.
 D'ASCOLI REVOCABLE LIVING TRUST DATED
 MAY 24, 1996

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

Citizenship (see guidelines) Hawaii
 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: SEAL TRADEMARKS PTY LTD

Internal Address: _____
 Address: _____

Street Address: 1 Billabong Place

City: Burleigh Heads

State: Queensland

Country: Australia Zip: 4220

- Association Citizenship _____
 General Partnership Citizenship _____
 Limited Partnership Citizenship _____
 Corporation Citizenship Australia
 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) September 5, 2007

- 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)

2957141; 2975385; 2977752; 2836886; 2825694; 2948566;
 2345952; 2217115; 1965081; 1622623; 1292982

Additional sheet(s) attached? Yes No

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

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

Name: Martin E. Hsia 32.471

Internal Address: _____

Street Address: 1000 Bishop Street, 12th Floor

City: Honolulu

State: HI Zip: 96813

Phone Number: (808) 544-3835

Fax Number: (808) 540-5049

Email Address: mhsia@caedes.com

6. Total number of applications and registrations involved:

11

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$290.00

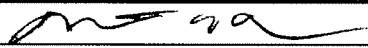
- Authorized to be charged by credit card
 Authorized to be charged to deposit account
 Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers 4510
 Expiration Date 10/09

b. Deposit Account Number _____
 Authorized User Name _____

9. Signature:



Signature

10/11/07

Date

Martin E. Hsia

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 5

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 OF TRADEMARKS

WHEREAS, **EDMONT P. D'ASCOLI, an individual, and EDMONT P. D'ASCOLI, Trustee of the EDMONT P. D'ASCOLI REVOCABLE LIVING TRUST DATED MAY 24, 1996** (hereinafter collectively referred to as "Assignor"), having a principal place of business at 66-590 Kamehameha Highway, Haleiwa, Hawaii 96712, has adopted, used, is using and is to the best of its knowledge and belief, the owner of, the trademarks identified in the attached Schedule A (the "Marks"), registered or unregistered.

WHEREAS, **SEAL TRADEMARKS PTY LTD, an Australian corporation** (the "Assignee"), having a principal place of business at 1 Billabong Place, Burleigh Heads, Queensland, 4220, Australia, is desirous of acquiring the entire right, title and interest in and to the Marks and the registrations thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Assignor hereby assigns to Assignee, all right, title and interest in and to said Marks, together with the goodwill of the business symbolized by and associated with said Marks and registrations thereof, and the right to sue for past infringement, if any there may be.

The Assignor hereby authorizes and requests that such officials as are duly authorized by the laws of United States to register trademarks, to issue any and all certificates of registration of the Marks to the Assignee as the owner of the entire interest, for the sole use of the said Assignee, its permitted successors, assigns and legal representatives.

Assignor, by such execution of this Assignment, irrevocably constitutes and appoints the Assignee as Assignor's true and lawful attorney and agent, with full power and authority in Assignor's name, place and stead only to execute, acknowledge and deliver and to file or record in any appropriate public office any certificate or other instrument which may be necessary, desirable or appropriate to record the assignment of all or any part of the Marks to Assignee in accordance with the provisions of this Assignment. Notwithstanding the existence of this power of attorney, Assignor agrees to join in the execution, acknowledgment and delivery of the instruments referred to above if requested to do so by the Assignee. This power of attorney granted to the Assignee is a limited power of attorney that does not authorize the Assignee to act on behalf of Assignor except to execute the documents described in this paragraph.

IN WITNESS WHEREOF, the undersigned Assignor has executed this Assignment as of September 5, 2007, nunc pro tunc.



EDMONT P. D'ASCOLI, Trustee of the EDMONT P. D'ASCOLI REVOCABLE LIVING TRUST DATED MAY 24, 1996



EDMONT P. D'ASCOLI

SCHEDULE A

| Mark | Registration No. | Registration Date | Mark Type | Goods/Services | Class |
|---------------------------------|-------------------------|--------------------------|------------------|---|--------------|
| EXCEL LITE (stylized) | 2,957,141 | 05/31/2005 | Trademark | Low calorie pre-sweetened powdered mix used in the preparation of soft drinks | 32 |
| XCEL PRO | 2,975,385 | 07/26/2005 | Service Mark | Arranging and conducting athletic competitions | 41 |
| XCEL | 2,977,752 | 07/26/2005 | Trademark | Life jackets | 09 |
| Three arrows forming a triangle | 2,836,886 | 04/27/2004 | Trademark | Wetsuits, swimwear, T-shirts, sweat shirts, sweat pants, jerseys, jackets, shirts, shorts, headwear, footwear, namely surf bootees and dive bootees, and gloves | 25 |
| XCEL | 2,825,694 | 03/23/2004 | Trademark | Canoe bags and canoe paddle bags | 12 |
| XCEL | 2,948,566 | 05/10/2005 | Trademark | Surfboard bags and bodyboard bags | 28 |
| EXCELWEAR | 2,345,952 | 04/25/2000 | Trademark | Outdoor clothing, namely, shirts, shorts | 25 |
| XCEL | 2,217,115 | 01/12/1999 | Service mark | Retail stores featuring wetsuits, swimsuits and watersport related goods | 35 |
| XCEL | 1,965,081 | 04/02/1996 | Trademark | Wetsuits, swimwear, T-shirts, sweat shirts, sweat pants, jerseys, jackets, shirts, shorts, headwear, footwear, namely surf bootees and dive bootees | 25 |
| XCEL (stylized) | 1,622,623 | 11/13/1990 | Trademark | Bathing suits and bicycling apparel, namely, shirts, tights, jackets, jerseys, shorts, hats | 25 |
| XCEL (stylized) | 1,292,982 | 09/04/1984 | Trademark | Wetsuits | 25 |

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Commissioner of Patents and Trademarks
Mail Stop Assignment Recordation Services
P.O. Box 1450
Alexandria, VA 22313-1450

DESIGNATION OF DOMESTIC REPRESENTATIVE


Dear Sir:

SEAL TRADEMARKS PTY LTD, an Australia corporation, with its mailing address at 1 Billabong Place, Burleigh Heads, Queensland, 4220, Australia, the assignee named in the Assignment of Trademarks submitted concurrently herewith (the "Assignment"), hereby designates the person named below as its domestic representative upon whom all notices or process in proceedings affecting the registrations subject to the Assignment (identified in Schedule A attached hereto and made a part hereof) may be served:

Martin E. Hsia, Esq.
Cades Schutte LLP
1000 Bishop Street, 12th Floor
Honolulu, Hawaii 96813

Respectfully submitted,

SEAL TRADEMARKS PTY LTD

By 
Name: LESLEY ELLEN SKIPP
Title: IP MANAGER

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