# Electronic Version v1.1 Stylesheet Version v1.1

 SUBMISSION TYPE:
 NEW ASSIGNMENT

 NATURE OF CONVEYANCE:
 ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

## **CONVEYING PARTY DATA**

| Name                       | Formerly | Execution Date | Entity Type           |
|----------------------------|----------|----------------|-----------------------|
| CONSTELLATION SPIRITS INC. |          | 03/23/2009     | CORPORATION: DELAWARE |

## **RECEIVING PARTY DATA**

| Name:           | Barton Incorporated          |
|-----------------|------------------------------|
| Street Address: | 1 South Dearborn, Suite 1700 |
| City:           | Chicago                      |
| State/Country:  | ILLINOIS                     |
| Postal Code:    | 60603                        |
| Entity Type:    | CORPORATION: DELAWARE        |

PROPERTY NUMBERS Total: 26

| Property Type        | Number  | Word Mark                 |
|----------------------|---------|---------------------------|
| Registration Number: | 2882674 | BEACHCOMBER               |
| Registration Number: | 3177172 |                           |
| Registration Number: | 3177169 |                           |
| Registration Number: | 3177168 |                           |
| Registration Number: | 3177174 |                           |
| Registration Number: | 3177171 |                           |
| Registration Number: | 3177170 |                           |
| Registration Number: | 3177173 |                           |
| Registration Number: | 3177166 |                           |
| Registration Number: | 3177167 |                           |
| Registration Number: | 3027211 | COCKTAILS BY JENN         |
| Registration Number: | 3038085 |                           |
| Registration Number: | 2735562 | THE VODKA OF THE GODS     |
| Registration Number: | 3481823 | THIS IS YOUR WAKE-UP CALL |
|                      |         | TDADEMARK                 |

TRADEMARK

REEL: 003957 FRAME: 0521

900129979

| Registration Number: | 3344786  | WIDE EYE              |
|----------------------|----------|-----------------------|
| Registration Number: | 3406409  | WIDE EYE              |
| Registration Number: | 3406410  | WIDE EYE              |
| Registration Number: | 3410189  | WIDE EYE              |
| Registration Number: | 3410188  |                       |
| Serial Number:       | 77440868 |                       |
| Serial Number:       | 77394203 | ASCENDER BRANDS       |
| Serial Number:       | 77442617 | ASCENDER BRANDS       |
| Serial Number:       | 77517850 | BADLANDS              |
| Serial Number:       | 77424742 | CONSTELLATION SPIRITS |
| Serial Number:       | 77426910 | CONSTELLATION SPIRITS |
| Serial Number:       | 77426909 | CONSTELLATION SPIRITS |

#### **CORRESPONDENCE DATA**

Fax Number: (312)222-0818

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

Phone: 312.222.0800

Email: jhbrown@michaelbest.com

Correspondent Name: Jeffrey H. Brown

Address Line 1: Michael Best & Friedrich LLP
Address Line 2: 180 N. Stetson, Suite 2000
Address Line 4: Chicago, ILLINOIS 60601

| ATTORNEY DOCKET NUMBER: | 017587-0011        |  |
|-------------------------|--------------------|--|
| NAME OF SUBMITTER:      | Jeffrey H. Brown   |  |
| Signature:              | /Jeffrey H. Brown/ |  |
| Date:                   | 03/23/2009         |  |

Total Attachments: 2

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#### TRADEMARK ASSIGNMENT

WHEREAS, Constellation Spirits Inc., a Delaware corporation, having offices located at 1 South Dearborn, Suite 1700, Chicago, IL 60603 USA ("ASSIGNOR"), owns all right, title and interest in and to the trademarks, registrations and applications therefor listed on <u>Schedule A</u> attached hereto and made a part hereof and the goodwill of the business symbolized by the aforesaid trademarks;

WHEREAS, ASSIGNOR is assigning the trademarks identified in the applications set forth on Schedule  $\underline{A}$  along with the portion of ASSIGNOR's ongoing and existing business to which those trademarks pertain; and

WHEREAS, Barton Incorporated, a Delaware corporation, having offices located at 1 South Dearborn, Suite 1700, Chicago, IL 60603 USA ("ASSIGNEE"), the successor to that portion of the ongoing and existing business of ASSIGNOR to which the trademarks set forth on <u>Schedule A</u> pertain, desires to acquire all of ASSIGNOR's right, title and interest in and to the aforesaid trademarks, registrations and applications therefor listed on attached <u>Schedule A</u> and the goodwill of the business symbolized by said trademarks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR has sold, transferred, and assigned and by these presents does hereby sell, transfer, and assign to ASSIGNEE, its successors, assigns and legal representatives, all of the right, title, and interest in and to said trademarks, registrations and applications therefor listed on attached <a href="Schedule A">Schedule A</a>, and the goodwill of the business symbolized by said trademarks, together with all rights under any applicable international treaties and agreements, the same to be held and enjoyed by ASSIGNEE for its own use and benefit and the use and benefit of its successors, assigns and legal representatives, as fully and entirely as the same would have been held and enjoyed by ASSIGNOR, together with all income, royalties, damages or payments resulting from or attributable to activity or conduct after the effective date of this Trademark Assignment, including, without limitation, all worldwide rights to the aforesaid trademarks, registrations and applications therefor, the goodwill of the business symbolized by said trademarks and the right to sue and collect for all future, present and past infringements thereof, including infringements which may have occurred prior to the execution of this Trademark Assignment.

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Notary Public, State of Illinois My Commission States Aug. 21, 2011

TRADEMARK
REEL: 003957 FRAME: 0523

# **SCHEDULE A**

| Trademark                          | Registration/Serial No. |
|------------------------------------|-------------------------|
| ASCENDER BOTTLE DESIGN             | 77/440868               |
| ASCENDER BRANDS                    | 77/394203               |
| ASCENDER BRANDS (and design)       | 77/442617               |
| BADLANDS                           | 77/517850               |
| BEACHCOMBER                        | 2882674                 |
| CBJ CELLPHONE DESIGN               | 3177172                 |
| CBJ HANGER DESIGN                  | 3177169                 |
| CBJ HEART DESIGN                   | 3177168                 |
| CBJ ICE CREAM SUNDAE DESIGN        | 3177174                 |
| CBJ PERFUME BOTTLE DESIGN          | 3177171                 |
| CBJ PURSE DESIGN                   | 3177170                 |
| CBJ RING DESIGN (JEWELRY)          | 3177173                 |
| CBJ SHOE DESIGN                    | 3177166                 |
| CBJ TELEVISION DESIGN              | 3177167                 |
| COCKTAILS BY JENN                  | 3027211                 |
| COCKTAILS BY JENN DESIGN ONLY      | 3038085                 |
| CONSTELLATION SPIRITS              | 77/424742               |
| CONSTELLATION SPIRITS (and design) | 77/426910               |
| CONSTELLATION SPIRITS (and design) | 77/426909               |
| THE VODKA OF THE GODS              | 2735562                 |
| THIS IS YOUR WAKE-UP CALL          | 3481823                 |
| WIDE EYE                           | 3344786                 |
| WIDE EYE (banner design)           | 3406409                 |
| WIDE EYE (and design)              | 3406410                 |
| WIDE EYE (stylized)                | 3410189                 |
| WIDE EYE FACE DESIGN               | 3410188                 |

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RECORDED: 03/23/2009 REEL: 003957 FRAME: 0524