

TRADEMARK ASSIGNMENT

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
Plum TV Inc.		04/03/2012	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	Plum Media LLC		
Street Address:	340 South Lemon Avenue		
Internal Address:	#1017		
City:	Los Angeles		
State/Country:	CALIFORNIA		
Postal Code:	91789		
Entity Type:	LIMITED LIABILITY COMPANY: NEW YORK		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	78839216	PLUM	
CORRESPONDENCE DATA			
Fax Number:			
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	212.579.5943		
Email:	jklear@klearlawfirm.com		
Correspondent Name:	Jennifer A. Klear		
Address Line 1:	445 Park Avenue		
Address Line 2:	9th floor		
Address Line 4:	New York, NEW YORK 10022		
NAME OF SUBMITTER:	Jennifer A. Klear		
Signature:	/Jennifer A. Klear/		
Date:	10/05/2012		

OP \$40.00 78839216

Total Attachments: 12

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ASSIGNMENT

WHEREAS, Plum TV, Inc., a corporation organized under the laws of the State of Delaware (the "Assignor"), and having an address at 890 Garrison Avenue, 2d Floor, The Bronx, New York 10474, has the goodwill of the business symbolized by trademarks, trade names, logos and/or slogans, including without limitation, those trademarks or service marks identified in Schedule "A" ("Trademarks");

AND WHEREAS, Plum Media, LLC., a limited liability company organized under the laws of the state of Delaware (the "Assignee"), and having a place of business at c/o Joseph Varet, 1212 Abbot Kinney Blvd., #B, Venice, CA 90291, is desirous of acquiring all right, title and interest in and to the Trademarks for the United States of America and all other foreign countries, and in and to any Trademarks that may be granted thereon and in any extension thereof;

AND WHEREAS the Assignor is willing to sell, assign, transfer and convey such rights unto Assignee for the said Trademarks;

NOW THEREFORE in consideration of the payment to the Assignor by the Assignee of the sum of ONE DOLLAR (\$1.00) in the lawful money of the United States of America and other good and valuable consideration, the receipt of which is hereby acknowledged by the Assignor, the Assignor does hereby sell, assign, transfer and convey unto the Assignee, its successors and assigns, all of the right, title and interest in and to the Trademarks, together with the goodwill of the business symbolized by and associated with the Trademarks, including all common law rights and trademark registrations for the Trademarks, and any application for Trademarks in any country to be filed, the same to be held and enjoyed by the Assignee as it would have been held and enjoyed by the Assignor had the sale, assignment, transfer and conveyance not been made; together with all rights to past, present and future income, royalties, and license fees deriving from the Trademarks, all claims for damages by reason of past, present and future infringements of the Trademarks and the right to sue for and collect such damages, as permitted under the applicable laws for any jurisdiction or country in which such claims may be asserted for the use and benefit of Assignee and its successors, assigns and other legal representatives.

THE Assignor hereby further agrees, undertakes and covenants that it will, without charge to Assignee, sign or execute such further documents, assurances, applications, instruments or any other writing that may be requested by the Assignee or its legal representatives, for the purpose of obtaining or registering any Trademarks therein, and perform any other act deemed necessary or desirable by Assignee in order that all of their right, title and interest in the Trademarks may be vested in the Assignee, its successors and assigns. Such acts may include assistance and cooperation in the registration and enforcement of applicable intellectual property rights or other legal proceedings, including providing documents and materials in the possession or control of Assignor, testifying in any legal proceedings, signing lawful papers and making all lawful oaths at Assignee's expense, and generally doing everything that is reasonable to aid Assignee in obtaining and enforcing proper protection for applicable intellectual property rights. If Assignee or its successor or assignee is unable, for any reason, to obtain a signature of an Assignor on a document necessary to perfect the transfer or assignment of the Trademarks, such Assignor hereby irrevocably appoints Assignee as its agent and attorney-in-fact, which appointment is coupled with an interest, to act for and on behalf of such Assignor to execute, verify, and file any documents with the same legal force and effect as if executed by such Assignor.

Executed at _____, on APRIL 3, 2012.

ASSIGNOR:

PLUM TV, INC.

By: 

Name: Thomas Scott

Title: Authorized Signatory

ASSIGNEE:

PLUM MEDIA, LLC

By: _____

Name:

Title:

[Signature Page to Trade Mark Assignment]

TRADEMARK
REEL: 004875 FRAME: 0440

Executed at _____, on APRIL 3, 2012.

ASSIGNOR:

PLUM TV, INC.

By: _____

Name: Thomas Scott

Title: Authorized Signatory

ASSIGNEE:

PLUM MEDIA, LLC

By:  _____

Name: JOSEPH VARET

Title: MANAGER

[Signature Page to Trade Mark Assignment]

TRADEMARK
REEL: 004875 FRAME: 0441

SCHEDULE "A"

TRADEMARKS

Trademarks registered with U.S. Patent and Trademark Office as follows:

1.

Typed Drawing

Word Mark	PLUM TV
Goods and Services	IC 041. US 100 101 107. G & S: TELEVISION PRODUCTION, PROGRAMMING, AND DISTRIBUTION SERVICES. FIRST USE: 20030501. FIRST USE IN COMMERCE: 20030501
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	76538051
Filing Date	August 19, 2003
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	April 12, 2005
Registration Number	2964562
Registration Date	July 5, 2005
Owner	(REGISTRANT) Plum Television, LLC LIMITED LIABILITY COMPANY MASSACHUSETTS 22 Bassett Road Nantucket MASSACHUSETTS 02554
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE TV APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR).
Live/Dead Indicator	LIVE

2.



Word Mark PLUM
Goods and Services IC 041. US 100 101 107. G & S: Production and distribution of television programs. FIRST USE: 20040101. FIRST USE IN COMMERCE: 20040101
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 05.09.06 - Avocados; Fruits with pits (apricots, peaches, plums, olives and the like)
26.03.21 - Ovals that are completely or partially shaded
26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)
Trademark Search Facility Classification Code SHAPES-COLORS-2 Design listing or lined for two colors
SHAPES-OVALS Oval figures or designs including incomplete ovals and one or more ovals
VEG Plant life such as trees, flowers, fruits, grains, nuts, wreaths, and leaves
Serial Number 78839216
Filing Date March 16, 2006
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition August 7, 2007
Registration Number 3317501
Registration Date October 23, 2007
Owner (REGISTRANT) Plum Television, LLC LIMITED LIABILITY COMPANY DELAWARE 419 Lafayette Street, 7th Floor New York NEW YORK 10012
Attorney of Record Toby M.J. Butterfield
Prior Registrations 2964562
Description of Mark The color(s) purple and white is/are claimed as a feature of the mark. The mark consists of a purple plum design with white lettering.
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

3.

Word Mark PLUM TV

Goods and

Services

IC 041. US 100 101 107. G & S: TELEVISION PRODUCTION, PROGRAMMING, AND DISTRIBUTION SERVICES. FIRST

USE: 20030501. FIRST USE IN COMMERCE: 20030501

Mark Drawing

Code (1) TYPED DRAWING

Serial Number 76539051

Filing Date August 19, 2003

Current Filing

Basis 1A

Original Filing

Basis 1A

Published for

Opposition April 12, 2005

Registration

Number 2964562

Registration

Date July 5, 2005

Owner (REGISTRANT) Plum Television, LLC LIMITED LIABILITY COMPANY MASSACHUSETTS 22 Bassett Road
Nantucket

MASSACHUSETTS 02554

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE TV APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead

Indicator

4.

THE BEST THINGS IN LIFE ARE PLUM

Word Mark THE BEST THINGS IN LIFE ARE PLUM

Goods and

Services

IC 041. US 100 101 107. G & S: Production and distribution of television programming; production and distribution of nondownloadable

television programs via video-on-demand service; entertainment services, namely, providing an interactive

community website featuring on-going television programs about upscale lifestyles and links to the entertainment information

websites of others via the Internet, wireless networks, interactive television, IPTV and Internet Protocol based delivery methods;

online non-downloadable videos and blogs featuring news and information in the fields of current event news, entertainment,

recreation, food, leisure and education. FIRST USE: 20090915. FIRST USE IN COMMERCE: 20090915

Standard

Characters

Claimed

Mark

Drawing

Code

(4) STANDARD CHARACTER MARK

Serial

Number 85068158

Filing Date June 21, 2010

Current

Filing Basis 1A

Original

Filing Basis 1A

Published for

Opposition May 24, 2011

Registration

Number 4008399

Registration

Date August 9, 2011

Owner (REGISTRANT) Plum Television, LLC LIMITED LIABILITY COMPANY DELAWARE 7th Floor 419 Lafayette Street New York NEW

Attorney of YORK 10012

Record Robert S. Broder

Prior

Registrations 2964562;3317501

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead

Indicator LIVE

Published Trademarks

1.

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Mark: PLUM MIAMI

US Serial

Number:

85241804 **Application**

Filing Date:

Feb. 14, 2011

Register: Principal

Mark Type: Trademark, Service Mark

Status:

An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVUE on the Trademark Trial and Appeal Board web page.

Status Date: Nov. 30, 2011

Publication

Date:

Aug. 02, 2011

Mark Information

Mark Literal

Elements:

PLUM MIAMI

Standard

Character Claim:

Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing

Type:

4 – STANDARD CHARACTER MARK

Disclaimer: "MIAMI"

Goods and Services

Note: The following symbols indicate that the goods and services have been amended after registration of the Mark. Double parenthesis ((.)) identify any goods not claimed in Section 15 affidavit; Single brackets [.] indicate deleted goods; and, Single asterisks *..* identify additional (new) wording in the goods.

For:

Print publications, namely, lifestyle magazines featuring television, film, sports, fitness, fashion, nightlife, entertainment, restaurants, food and drink, art, music, travel, ecology, business and technology

Class Status: 6 – ACTIVE International

Class:

016

Basis: 1(b)

For:

Providing on-line lifestyle magazines featuring television, film, sports, fitness, fashion, nightlife, entertainment, restaurants, food and drink, art, music, travel, ecology, business and technology

Class Status: 6 – ACTIVE International

Class:

041

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No **Currently Use:** No **Amended Use:** No

Filed ITU: Yes **Currently ITU:** Yes **Amended ITU:** No

Filed 44D: No **Currently 44D:** No **Amended 44D:** No

Filed 44E: No **Currently 44E:** No **Amended 44E:** No

Filed 66A: No **Currently 66A:** No

Filed No Basis: No **Currently No**

Basis:

No

Current Owner(s) Information

Owner Name: Plum TV, Inc.

Owner Address:

555 Washington Ave.

Miami Beach, FLORIDA 33139

UNITED STATES

Legal Entity

Type:

CORPORATION

State or Country

Where

Organized:

DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Leslie J. Lott **Docket Number:** 16133-1-8010

Correspondent

Correspondent

Name/Address:

LESLIE J LOTT

LOTT & FRIEDLAND PA

PO BOX 141098

CORAL GABLES, FL 33114-1098

UNITED STATES

Phone 305-448-7089 **Fax** 305-446-6191

Domestic Representative – Not Found

Prosecution History

Date Description Proceeding

Number

Nov. 30, 2011 OPPOSITION INSTITUTED NO. 999999 202792

Sep. 01, 2011 EXTENSION OF TIME TO OPPOSE RECEIVED

Aug. 02, 2011 PUBLISHED FOR OPPOSITION

Jul. 13, 2011 NOTICE OF PUBLICATION

Jun. 28, 2011 LAW OFFICE PUBLICATION REVIEW COMPLETED 68123

Jun. 28, 2011 ASSIGNED TO LIEY 68123

Jun. 13, 2011 EXAMINERS AMENDMENT MAILED

Jun. 10, 2011 APPROVED FOR PUB – PRINCIPAL REGISTER

Jun. 10, 2011 EXAMINER'S AMENDMENT ENTERED 88888

Jun. 10, 2011 EXAMINERS AMENDMENT –WRITTEN 67659

May 16, 2011 NON-FINAL ACTION MAILED

May 14, 2011 NON-FINAL ACTION WRITTEN 67659

May 14, 2011 ASSIGNED TO EXAMINER 67659

Feb. 17, 2011

NEW APPLICATION OFFICE SUPPLIED DATA

ENTERED IN TRAM

Feb. 17, 2011 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Attorney: WELLS, KELLEY L Law Office

Assigned:

LAW OFFICE 105

Current Location:

PUBLICATION AND ISSUE

SECTION **Date in Location:** Jun. 28, 2011