

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
BioMaxx, Inc.		01/24/2014	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	Dry Creek Products LLC		
Street Address:	1 Fishers Road		
Internal Address:	Suite 160		
City:	Pittsford		
State/Country:	NEW YORK		
Postal Code:	14534		
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	4222779	SIMPLY PINE	
CORRESPONDENCE DATA			
Fax Number:	5852322152		
	<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>		
Phone:	585-231-1131		
Email:	tmenasco@hselaw.com		
Correspondent Name:	Timothy W. Menasco, Esq.		
Address Line 1:	1600 Bausch & Lomb Place		
Address Line 4:	Rochester, NEW YORK 14604-2711		
ATTORNEY DOCKET NUMBER:	97040.000014		
NAME OF SUBMITTER:	Timothy W. Menasco		
Signature:	/Timothy W. Menasco/		
Date:	01/27/2014		
Total Attachments: 1 source=Trademark_Assignment-BioMaxx_to_Dry_Creek#page1.tif			

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TRADEMARK ASSIGNMENT

This Trademark Assignment is made this 27th day of January 2014, by and between BioMaxx, Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business at 1 Fishers Road, Suite 160, Pittsford, New York 14534 ("BioMaxx") and Dry Creek Products LLC, a limited liability company organized and existing under the laws of the State of Delaware, having a place of business at 1 Fishers Road, Suite 160, Pittsford, New York 14534 ("Dry Creek Products");

WHEREAS, BioMaxx owns rights in the trademark SIMPLY PINE for animal litter; cat litter; cat litter and litter for small animals; cat litters; kitty litter; litter for domestic animals (the "Trademark"), the U.S. Trademark Registration No. 4,222,779 for the trademark SIMPLY PINE for "animal litter; cat litter; cat litter and litter for small animals; cat litters; kitty litter; litter for domestic animals" (the "Registration") (the United States Patent and Trademark Office certificate for the Registration is attached hereto as Exhibit A), and the goodwill associated with the Trademark; and

WHEREAS, BioMaxx wishes to assign to Dry Creek Products all of its right, title, and interest in and to the Trademark, the Registration, and the goodwill associated with the Trademark; and

NOW, THEREFORE, in consideration of One Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BioMaxx does hereby sell, assign, and transfer to Dry Creek Products all of BioMaxx's right, title, and interest in and to the Trademark, the Registration, and the goodwill associated with the Trademark, and the right to sue and recover for past infringement of the Trademark, as fully and completely as permitted by law, it being the intention of the parties that Dry Creek Products shall acquire all rights in the Trademark, leaving BioMaxx with no rights whatsoever.

IN WITNESS WHEREOF, the parties have caused this Trademark Assignment to be executed by their duly authorized representatives as follows:

Executed at PITTSFORD, NY

BioMaxx, Inc.

By: 

Name: Christian Modesti

Title: President

Executed at PITTSFORD, NY

Dry Creek Products, LLC

By: 

Name: Christian Modesti

Title: President