

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Gold Rush Brands, LLC		12/31/2013	LIMITED LIABILITY COMPANY: NEW YORK
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Downs Rachlin Martin PLLC		
<b>Street Address:</b>	199 Main Street		
<b>City:</b>	Burlington		
<b>State/Country:</b>	VERMONT		
<b>Postal Code:</b>	05402		
<b>Entity Type:</b>	professional limited liability corporation: VERMONT		
<b>PROPERTY NUMBERS Total: 2</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	85040311	SURGE	
<b>Serial Number:</b>	86028522	SURGE	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	8028627512		
	<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>		
<b>Phone:</b>	802-863-2375		
<b>Email:</b>	tmip@drm.com		
<b>Correspondent Name:</b>	Peter Kunin		
<b>Address Line 1:</b>	199 Main Street, P.O. Box 190		
<b>Address Line 2:</b>	Downs Rachlin Martin PLLC		
<b>Address Line 4:</b>	Burlington, VERMONT 05402-0190		
<b>ATTORNEY DOCKET NUMBER:</b>	08654-028USG1		
<b>NAME OF SUBMITTER:</b>	Peter Kunin		

OP \$65.00 85040311

**900278552**

**TRADEMARK  
 REEL: 005202 FRAME: 0819**

Signature:	/peter kunin/
Date:	01/28/2014
Total Attachments: 3 source=Assignment SURGE#page1.tif source=Assignment SURGE#page2.tif source=Assignment SURGE#page3.tif	

## TRADEMARK ASSIGNMENT

WHEREAS, GOLD RUSH BRANDS, LLC, a limited liability company formed under the laws of the State of New York, having an address of Box 149H, Scarsdale, New York 10580 ("Assignor"), is the owner of all right, title and interest in and to the trademark SURGE for non-alcoholic beverages in International Class 32 (the "Trademark"), and all goodwill related thereto, and applications Serial Numbers 85/040,311 and 86/028,522 for registration thereof filed with the United States Patent and Trademark Office (the "Applications"); and

WHEREAS, DOWNS RACHLIN MARTIN PLLC, a Vermont professional limited liability corporation having an address of 199 Main Street, Burlington, Vermont 05402 ("Assignee"), is desirous of acquiring the Trademark and goodwill associated therewith, and the Applications, and is the successor to the portion of the business of the Assignor to which the Trademark pertains; and

WHEREAS, the assignment of the Trademark and the Applications shall be made of record in the United States Patent and Trademark Office; and

WHEREAS, Assignor agrees that it will execute or arrange for execution of such further assignment documents or other legal instruments as may be required, if any, from Assignor to permit Assignee to obtain recordation of the assignment of the Trademark and the Applications from Assignor to Assignee.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns and transfers to Assignee, free and clear of all liens and encumbrances, all right, title and interest in and to the Trademark, together with the goodwill of the business symbolized by the

Trademark, and the Applications, as well as all rights to damages and profits, due or accrued, arising out of past infringements of the Trademark, and the right to sue and recover for same.

IN WITNESS WHEREOF, the parties have caused this Trademark Assignment to be signed by their duly authorized representatives this 30 day of December, 2013.

GOLD RUSH BRANDS, LLC

Date: December 30, 2013

By: [Signature]  
Name: Donald Reich  
Title: Manager and Member

ACKNOWLEDGMENT

STATE OF Connecticut  
COUNTY OF Fairfield

Before the undersigned authority duly empowered to administer oaths personally appeared the individual identified above who, after being duly sworn, attested that he/she is the authorized representative of the party identified above, and that he/she signed the foregoing instrument with full authority to do so on behalf of such party.

This 30<sup>th</sup> day of December 2013.

[NOTARY SEAL]

My commission expires:

[Signature]  
Notary Public

ANNAMARIA MASTROIANNI  
NOTARY PUBLIC  
MY COMMISSION EXPIRES NOV. 30, 2015

DOWNS RACHLIN MARTIN PLLC

Date: December 31, 2013

By: [Signature]  
Name: Peter Kunin  
Title: Assistant Secretary

ACKNOWLEDGMENT

STATE OF Vermont  
COUNTY OF Franklin

Before the undersigned authority duly empowered to administer oaths personally appeared the individual identified above who, after being duly sworn, attested that he/she is the authorized representative of the party identified above, and that he/she signed the foregoing instrument with full authority to do so on behalf of such party.

This 31 day of December, 2013.

[NOTARY SEAL]

My commission expires:

2/10/2015

[Signature]  
Notary Public