

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM305335

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER		
EFFECTIVE DATE:	08/25/2003		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Boylan Bottling Co.		08/25/2003	CORPORATION: NEW JERSEY
RECEIVING PARTY DATA			
Name:	Boylan Bottling Co.		
Street Address:	100 Hollister Road, #1		
City:	Teterboro		
State/Country:	NEW JERSEY		
Postal Code:	07608		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	2786049	BB BOYLAN BOTTLING CO SINCE 1891	
Registration Number:	2786047	BOYLAN'S ORIGINAL BIRCH BEER LOCALLY LOV	
CORRESPONDENCE DATA			
Fax Number:	2122182200		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	2122182100		
Email:	tkelly@fchs.com		
Correspondent Name:	Timothy J. Kelly, FITZPATRICK, CELLA		
Address Line 1:	1290 Avenue of the Americas		
Address Line 4:	New York, NEW YORK 01014		
ATTORNEY DOCKET NUMBER:	04311.000030		
NAME OF SUBMITTER:	Timothy J. Kelly		
SIGNATURE:	/tjk/		
DATE SIGNED:	05/22/2014		
Total Attachments: 8			
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CERTIFICATE OF MERGER

OF

BOYLAN BOTTLING CO.
(a New Jersey corporation)

AND

BOYLAN BOTTLING CO.
(a Delaware corporation)

2522201000

FILED

MRG

AUG 25 2003

State Treasurer

To the Secretary of State
of the State of New Jersey

Pursuant to the provisions of Section 14A:10-7 of the New Jersey Business Corporation Act, it is hereby certified as of the 25th day of August, 2003, that:

1. The names of the merging corporations are Boylan Bottling Co., which is a business corporation organized under the laws of the State of New Jersey ("Boylan Bottling Co. (NJ)"), and Boylan Bottling Co., which is a business corporation organized under the laws of the State of Delaware ("Boylan Bottling Co. (DE)").

2. Annexed hereto and made a part hereof is the Plan and Agreement of Merger for merging Boylan Bottling Co. (NJ) with and into Boylan Bottling Co. (DE) as approved by the Board of Directors of each of said corporations.

3. The number of shares of Boylan Bottling Co. (NJ) which were entitled to vote at the time of the approval of the Plan and Agreement of Merger by its shareholders is 200, all of which are of one class.

All of the shareholders entitled to vote of the aforesaid corporation approved the Plan and Agreement of Merger pursuant to their written consent without a meeting of shareholders; and the number of shares represented by such consent is 200. The date of said consent and approval was August 25, 2003.

4. The number of shares of Boylan Bottling Co. (DE) which were entitled to vote at the time of the approval of the Plan and Agreement of Merger by its shareholders is 1, all of which are of one class.

All of the shareholders entitled to vote of the aforesaid corporation approved the Plan and Agreement of Merger pursuant to their written consent without a meeting of shareholders; and the number of shares represented by such consent is 1. The date of said consent and approval was August 25, 2003.

5. The applicable provisions of the laws of the jurisdiction of organization of Boylan Bottling Co. (DE) relating to the merger of Boylan Bottling Co. (NJ) with and into

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Boylan Bottling Co. (DE) will have been complied with upon compliance with any of the filing and recording requirements thereof.

6. Boylan Bottling Co. (DE) hereby agrees that it may be served with process in the State of New Jersey in any proceeding for the enforcement of any obligation of Boylan Bottling Co. (NJ) or any obligation of Boylan Bottling Co. (DE) for which it is previously amenable to suit in the State of New Jersey and in any proceeding for the enforcement of the rights of a dissenting shareholder of Boylan Bottling Co. (NJ) against Boylan Bottling Co. (DE); and Boylan Bottling Co. (DE) hereby irrevocably appoints the Secretary of State of the State of New Jersey as its agent to accept service of process in any such proceeding and designates the following post office address within the State of New Jersey to which said Secretary of State shall mail a copy of the process in such proceeding: 280 Colfax Avenue, Clifton, NJ 07013.

Boylan Bottling Co. (DE) hereby agrees that it will promptly pay to the dissenting shareholders of Boylan Bottling Co. (NJ) the amount, if any, to which they are entitled under the provisions of the New Jersey Business Corporation Act with respect to the rights of dissenting shareholders.

7. Boylan Bottling Co. (DE) will continue its existence as the surviving corporation under its present name pursuant to the provisions of the laws of the jurisdiction of its organization.

* * * * *

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Merger as of the date first set forth above.

BOYLAN BOTTLING CO.,
a New Jersey corporation

By: RC Fiorika
Name: Ronald C. Fiorika
Title: President

BOYLAN BOTTLING CO.,
a Delaware corporation

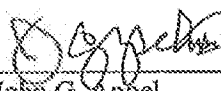
By: _____
Name: John G. Appel
Title: President

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Merger as of the date first set forth above.

BOYLAN BOTTLING CO.,
a New Jersey corporation

By: _____
Name: Ronald C. Fiorina
Title: President

BOYLAN BOTTLING CO.,
a Delaware corporation

By:  _____
Name: John G. Appel
Title: President

**CERTIFICATE OF MERGER
MERCING
BOYLAN BOTTLING CO.
(a New Jersey corporation)
INTO
BOYLAN BOTTLING CO.
(a Delaware corporation)**

**In accordance with Section 252 of the General Corporation Law
of the State of Delaware**

It is hereby certified as of the 25th day of August, 2003, that:

FIRST: The name and the state of incorporation of each of the constituent corporations of the merger (the "Merger") herein certified are as follows:

<u>Name</u>	<u>State of Incorporation</u>
Boylan Bottling Co. (" <u>Boylan Bottling Co. (NJ)</u> ")	New Jersey
Boylan Bottling Co. (" <u>Boylan Bottling Co. (DE)</u> ")	Delaware

SECOND: A Plan and Agreement of Merger between the parties to the Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the provisions of subsection (c) of Section 252 of the General Corporation Law of the State of Delaware, to wit, by Boylan Bottling Co. (NJ) in accordance with the laws of the State of New Jersey and by Boylan Bottling Co. (DE) in the same manner as is provided in Section 251 of the General Corporation Law of the State of Delaware.

THIRD: The name of the surviving corporation of the Merger is Boylan Bottling Co. (previously defined herein as Boylan Bottling Co. (DE)) (the "Surviving Corporation"), which will continue its existence as said Surviving Corporation under its present name upon the effective date of the Merger pursuant to the provisions of the General Corporation Law of the State of Delaware.

FOURTH: The Certificate of Incorporation of the Surviving Corporation, as now in force and effect, shall continue to be the Certificate of Incorporation of the Surviving Corporation until amended and changed pursuant to the provisions of the General Corporation Law of the State of Delaware.

FIFTH: The executed Plan and Agreement of Merger is on file at the principal place of business of the Surviving Corporation. The address of the principal place of business of the Surviving Corporation is: 280 Colfax Avenue, Clifton, NJ 07013.

SIXTH: A copy of the Plan and Agreement of Merger will be furnished by the Surviving Corporation, on request and without cost to any stockholder of the Surviving Corporation or Boylan Bottling Co. (NJ).

SEVENTH: The authorized capital stock of the Surviving Corporation consists of (i) 30,000 shares of Class A Common Stock, par value \$0.01 per share; (ii) 1,000 shares of Class B Common Stock, par value \$0.01 per share; and (iii) 9,000 shares of Class A Preferred Stock, par value \$0.01 per share.

* * * * *

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Merger as of the date first set forth above.

BOYLAN BOTTLING CO.,
a New Jersey corporation

By: 
Name: Ronald C. Fiolina
Title: President

BOYLAN BOTTLING CO.,
a Delaware corporation

By: _____
Name: John G. Appel
Title: President

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Merger as of the date first set forth above.

BOYLAN BOTTLING CO.,
a New Jersey corporation

By: _____
Name: Ronald C. Fiorina
Title: President

BOYLAN BOTTLING CO.,
a Delaware corporation

By:  _____
Name: John G. Appel
Title: President