

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM326484

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Vonu Holdings Limited		09/26/2013	COMPANY: NEW ZEALAND
RECEIVING PARTY DATA			
Name:	Paradise Beverages (Fiji) Limited		
Street Address:	122-164 Foster Road, Walu Bay		
City:	Suva		
State/Country:	FIJI		
Entity Type:	COMPANY: FIJI		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	4029494	VONU	
Registration Number:	4029495		
CORRESPONDENCE DATA			
Fax Number:	4152687522		
<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:	415-268-7000		
Email:	ksamia@mofo.com		
Correspondent Name:	Lynn M. Humphreys		
Address Line 1:	425 Market Street		
Address Line 2:	Morrison & Foerster LLP		
Address Line 4:	San Francisco, CALIFORNIA 94105		
ATTORNEY DOCKET NUMBER:	55593-2402000		
NAME OF SUBMITTER:	Lynn M. Humphreys		
SIGNATURE:	/LMH/		
DATE SIGNED:	12/16/2014		
Total Attachments: 7			
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TRADEMARK

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Confirmatory Deed of Assignment

PARTIES

VONU HOLDINGS LIMITED, a New Zealand company with its registered address at Hfk Limited Chartered Accountants, Level 1, 567 Wairakei Road, Harewood, Christchurch, 8053 (**Assignor**)

PARADISE BEVERAGES (FIJI) LIMITED, a Fijian company at 122-164 Foster Road, Walu Bay, Suva, Fiji (**Assignee**)

INTRODUCTION

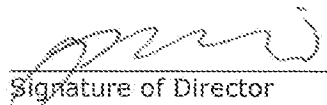
- A. The Assignor is the registered proprietor of the trade marks (including the registrations and applications for those trade marks) set out in the Appendix (**Trade Marks**).
- B. By agreement executed on or about 3 September 2013, with effect from the date of this Deed, the Assignor assigned to the Assignee all of the Assignor's rights, title and interest in and to the Trade Marks (**Agreement for Sale and Purchase**).
- C. The Assignor has agreed to confirm such assignment under the Agreement for Sale and Purchase, subject to the terms and conditions of this deed.

COVENANTS

- 1.1 **Confirmation of assignment:** The Assignor hereby confirms the assignment by the Assignor to the Assignee of all of the Assignor's rights, title and interest in and to the Trade Marks under the Agreement for Sale and Purchase.
- 1.2 **Governing law:** The formation, validity, construction and performance of this deed will be governed by and construed in accordance with the laws of New Zealand. The parties irrevocably agree that the Courts of New Zealand will have non-exclusive jurisdiction to hear and determine all disputes under or in connection with this deed. The parties irrevocably waive any objections to New Zealand as the forum for proceedings on the grounds of forum non-conveniens or any similar grounds.

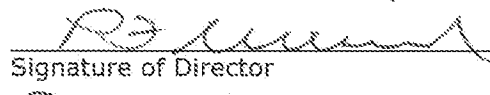
SIGNED AS A DEED

SIGNED on behalf of VONU HOLDINGS LIMITED by:


Signature of Director

Jeremy P. Ullrich
Name of Director

26/9/13
Date


Signature of Director

PETER F. ULLRICH
Name of Director

26/9/13
Date

APPENDIX

Trade Marks:

BULLY HAYES

VONU



TALO

TURTLE











HARD COLA


BULLY HAYES HARD COLA




Applications and Registrations:



Country	No.	Trade Mark	Class(es)/Goods & Services	Application Date/ Status (Renewal date)
Australia	1544841	BULLY HAYES	32: Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages; none of the foregoing goods being energy drinks. Alcohol-free beer erroneously included following error by WIPO – these goods are not in the basic NZ application. Exclusion of energy drinks yet to be processed following agreement with Red Bull. 33: Alcoholic beverages (except beers)	12/12/12 Registered (12/12/22)
Australia	1465985	VONU	32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages	19/12/11 Registered (19/12/21)
Australia	1465987	 VONU	32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages	19/12/11 Registered (19/12/21)
Brazil	831085550	VONU	32: beer; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit; syrups and other preparations for making beverages. (Translation from Brazilian agent)	02/08/11 Published/Application pending
Brazil	831085541		32: beer; mineral and aerated waters and other non-alcoholic drinks; fruit. drinks and fruit juices; syrups and other preparations for making beverages. (Translation from Brazilian agent)	02/08/11 Published/Application pending
Canada	1470628	VONU	32: Beer	23/02/10 Application filed; Allowed
Canada	1470631		32: Beer	23/02/10 Application filed; Allowed
China	10344590	VONU	32: Beers	23/12/11 Registered 27/02/23
China	10344601	 VONU	32: Beers	23/12/11 Registered (27/02/23)
Fiji	144/10	TALO	Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and	16/02/10 Registered (16/02/24)



			beers in Fiji Class 43.	
Fiji	159/10		Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beers in Fiji Class 43.	24/02/10 Registered (24/02/24)
Fiji	158/10	TURTLE	Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beers in Fiji Class 43.	24/02/10 Registered (24/02/24)
Fiji	157/10	VONU	Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beers in Fiji Class 43.	24/02/10 Registered (24/02/24)
Fiji	7/09		Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beers in Fiji Class 43.	07/01/09 Registered (07/01/23)
Fiji	878/08		Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beers in Fiji Class 43.	10/11/08 Registered (10/11/22)
Fiji	788/08		Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beers in Fiji Class 43.	09/10/08 Registered (09/10/22)
Fiji	479/10	BULLY HAYES	Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beer; mixed alcoholic drinks in Fiji Class 43.	30/06/10 Registered (30/06/24)
Fiji	767/2010	HARD COLA	Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beer; mixed alcoholic drinks in Fiji Class 43.	23/09/10 Registered (23/09/24)
Fiji	768/2010	BULLY HAYES HARD COLA	Equivalent to part of International Class 32 and whole of International Class 33. 43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beer; mixed alcoholic drinks in Fiji Class 43.	23/09/10 Registered (23/09/24)
Japan	5525449	VONU	32: Beers, carbonate drinks (refreshing beverages); fruit juices; vegetable juices (beverages); non-alcoholic beverages; syrups for beverages; preparations for making beverages	21/05/12 Registered (28/09/22)
New Zealand	969177	BULLY HAYES	32: Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages; none of the foregoing goods being	20/11/12 Registered (20/11/22)

			energy drinks. 33: Alcoholic beverages (except beers).	
New Zealand	854194	VONU	32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.	19/12/11 Registered (19/12/21)
New Zealand	854195		32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.	19/12/11 Registered (19/12/21)

United States	4029494	VONU	32: Beer	23/02/10 Registered (20/09/21)
United States	4029495		32: Beer	23/02/10 Registered (20/09/21)
United States	79126126	BULLY HAYES	32: Beers; mineral waters; aerated waters; non-alcoholic beverages, namely soft drinks, sports drinks, alcohol-free beer, non-alcoholic malt beverages, carbonated beverages; fruit beverages; fruit juices; preparations for making beverages, namely syrups, concentrates, powders and essences 33: Alcoholic beverages (except beers).	Filed 12/12/12 – Madrid Protocol Designation

International Registration	1149881	BULLY HAYES	32: Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and other preparations for making beverages; Alcohol free beer erroneously included by WIPO – not in international application or in underlying NZ basic application. 33: Alcoholic beverages (except beers).	Registered
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Fiji	791/2008		43: Alcoholic beverages; fermented liquors and spirits including wines, liqueurs, cocktails and beers	Registered (Renewal due 09/10/22)
Fiji	787/2008		43 (Actual goods were not disclosed by Fiji Trade Mark Office, as the mark is not yet registered.)	Application filed in 2008. Application pending. Application has not been approved as mark states a well-known village in Fiji and could cause consumers to be deceived. Lapsed according to

Fiji	792/2008		43 (Actual goods were not disclosed by the Fiji Trade Mark Office, as the mark is not yet registered.)	our records. Application filed in 2008. Application pending. Applicant to provide evidence of distinctiveness as to use. Lapsed according to our records.
Fiji	793/2008		43 (Actual goods were not disclosed by the Fiji Trade Mark Office, as the mark is not yet registered.)	Application filed in 2008. Application pending. Applicant to provide evidence of distinctiveness as to use. Lapsed according to our records.

JK
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