

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM331515

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT OF 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>
Ms. Judith U. Herrell		02/06/2014	INDIVIDUAL: UNITED STATES
Mr. Stephen R. Herrell		02/06/2014	INDIVIDUAL: UNITED STATES
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Ms. Judith U. Herrell		
<b>Street Address:</b>	29 Edwards Road		
<b>City:</b>	Westhampton		
<b>State/Country:</b>	MASSACHUSETTS		
<b>Postal Code:</b>	01027		
<b>Entity Type:</b>	INDIVIDUAL: UNITED STATES		
<b>PROPERTY NUMBERS Total: 4</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	1373919	HERRELL'S ICE CREAM	
<b>Registration Number:</b>	1350902	SMOOSH-INS	
<b>Registration Number:</b>	1540730	NO-MOO	
<b>Registration Number:</b>	4156979		
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	7814819191		
<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>			
<b>Phone:</b>	(781) 307-5680		
<b>Email:</b>	lstraus@cummingsfranchiselaw.com		
<b>Correspondent Name:</b>	Lindsey M. Straus		
<b>Address Line 1:</b>	Two Main Street		
<b>Address Line 2:</b>	Suite 300		
<b>Address Line 4:</b>	Stoneham, MASSACHUSETTS 02180		
<b>NAME OF SUBMITTER:</b>	Lindsey M. Straus		
<b>SIGNATURE:</b>	/Lindsey M. Straus/		
<b>DATE SIGNED:</b>	02/09/2015		
<b>Total Attachments: 3</b>			

OP \$115.00 1373919

source=Trademark Assignments 14 0206#page1.tif

source=Trademark Assignments 14 0206#page2.tif

source=Trademark Assignments 14 0206#page3.tif

## ASSIGNMENT OF TRADEMARKS

THIS ASSIGNMENT OF TRADEMARKS (this "Agreement") is made as of 6<sup>th</sup> day of Feb, 2014 by Stephen R. Herrell, an individual, with a primary residence at 474 Elm Street, Northampton, Massachusetts 01060 and Judith U. Herrell, an individual, with a primary residence at 29 Edwards Road, Westhampton, Massachusetts 01027 (jointly, the "Assignor"), to Judith U. Herrell, with a primary residence at 29 Edwards Road, Westhampton, Massachusetts 01027, (the "Assignee").

### Recitals

WHEREAS The Assignor has developed and used and is using the Trademarks (the "Trademarks") for manufacture and production of ice cream and related products identified on Exhibit A hereto, and is the owner of the Trademarks; and

WHEREAS the Assignee desires to acquire the Trademarks in connection with the manufacture and production of ice cream and related products, and the franchising of businesses which will produce ice cream and operate ice cream stores.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Assignor does hereby assign, sell and transfer unto the Assignee all right, title and interest in and to the Trademarks, together with the goodwill symbolized by and associated with the Trademarks thereof, and the right to sue and recover for, and the right to profits or damages due or accrued arising out of or in connection with, any and all past, present or future infringements or damage or injury to the Trademarks or such associated goodwill.

This Assignment is intended to and shall take effect as a sealed instrument at such time as the Assignee shall complete this instrument by signing its acceptance of this Assignment below.

IN WITNESS WHEREOF, the Assignor has executed this assignment, as an instrument under seal, on the day and year first above written.

**ASSIGNOR: Stephen R. Herrell**

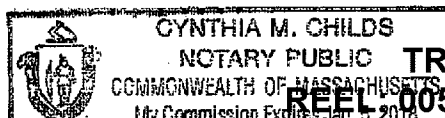
By: Stephen R. Herrell  
Stephen R. Herrell

COMMONWEALTH OF MASSACHUSETTS

County Hampshire

SWORN AND SUBSCRIBED before me on this 6 day of February, 2014, before me, the undersigned notary public, personally appeared Stephen R. Herrell proved to me through satisfactory evidence of identification, which was MA Drivers License to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Cynthia M. Childs  
Notary Public  
My Commission expires:



TRADEMARK

REEL: 005456 FRAME: 0047

SRH  
Jan 4

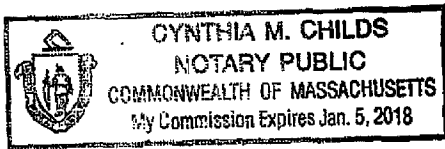
**ASSIGNOR: Judith U. Herrell**

By: Judith U. Herrell  
Judith U. Herrell

COMMONWEALTH OF MASSACHUSETTS

County Hampshire

SWORN AND SUBSCRIBED before me on this 6 day of February, 2014,  
before me, the undersigned notary public, personally appeared Judith U. Herrell,  
proved to me through satisfactory evidence of identification, which was  
MA Drivers License to be the person whose name is signed on the preceding document, and  
acknowledged to me that he signed it voluntarily for its stated purpose.



Cynthia M Childs  
Notary Public  
My Commission expires:

The foregoing assignment of the Trademarks by the Assignor is hereby accepted by Assignee on the day and year first above written.

**ASSIGNEE: Judith U. Herrell**

By: Judith U. Herrell  
Judith U. Herrell

SRH  
JUH

## EXHIBIT A

### TRADEMARKS

Trademark "**Herrell's Ice Cream & design**" registered with the United States Patent and Trademark Office (Registration No. 1,373,919);

Trademark "**Smoosh-ins**" registered with the United States Patent and Trademark Office (Registration No. 1,350,902);

Trademark "**No-Moo**" registered with the United States Patent and Trademark Office (Registration No. 1,540,730);

Trademark "**Herrell's** " registered with the United States Patent and Trademark Office (Registration No. 4,149,265);  
and,

Trademark "**Bear Eating a Bowl Ice cream design**" registered with the United States Patent and Trademark Office (Registration No. 4,156,979).