

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM427628

<b>SUBMISSION TYPE:</b>	CORRECTIVE ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	Corrective Assignment to correct the assignee's name from "Franchise Wholesale, LLC" to "Franchise Wholesale Co., L.L.C." previously recorded on Reel 004687 Frame 0771. Assignor(s) hereby confirms the 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>
Allied Tobacco Consulting & Distribution, Inc.		12/19/2011	Corporation: ILLINOIS
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Franchise Wholesale Co., L.L.C.		
<b>Street Address:</b>	17998 Chesterfield Rd.		
<b>City:</b>	Chesterfield		
<b>State/Country:</b>	MISSOURI		
<b>Postal Code:</b>	63005		
<b>Entity Type:</b>	Limited Liability Company: MISSOURI		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	3977487	CLOUD 9	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	3142592020		
<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>	314-259-2000		
<b>Email:</b>	BCIPDocketing@bryancave.com		
<b>Correspondent Name:</b>	Matthew G. Minder		
<b>Address Line 1:</b>	211 North Broadway, Suite 3600		
<b>Address Line 4:</b>	St. Louis, MISSOURI 63102		
<b>ATTORNEY DOCKET NUMBER:</b>	0369005		
<b>NAME OF SUBMITTER:</b>	Matthew G. Minder, Esq.		
<b>SIGNATURE:</b>	/Matthew G. Minder/		
<b>DATE SIGNED:</b>	05/16/2017		
<b>Total Attachments: 7</b>			
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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	Entity Type
Allied Tobacco Consulting & Distribution, Inc.			CORPORATION: ILLINOIS
		Execution Date	
		12/19/2011	
RECEIVING PARTY DATA			
<i>Co., L.L.C. 05/16/11</i>			
Name:	Franchise Wholesale, LLC		
Street Address:	17998 Chesterfield Rd.		
City:	Chesterfield		
State/Country:	MISSOURI		
Postal Code:	63005		
Entity Type:	LIMITED LIABILITY COMPANY: MISSOURI		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	3977487	CLOUD 9	
CORRESPONDENCE DATA			
Fax Number:	(314)612-1301		
Phone:	314-444-7600		
Email:	ipdept@lewisrice.com		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Correspondent Name:	Samuel A. Yoffie		
Address Line 1:	Lewis, Rice & Fingersh, L.C.		
Address Line 2:	600 Washington Avenue, Suite 2500		
Address Line 4:	St. Louis, MISSOURI 63101		
NAME OF SUBMITTER:		Samuel A. Yoffie	
Signature:		/s/y/	
Date:		12/28/2011	
Total Attachments: 2 source=Cloud9assignment#page1.tif source=Cloud9assignment#page2.tif			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Franchise Wholesale Co., L.L.C.

Mark: CLOUD 9

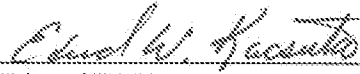
U.S. Reg. No.: 3,977,487

**DECLARATION AND REQUEST FOR CORRECTION OF TYPOGRAPHICAL ERROR IN  
RECORDED ASSIGNMENT DOCUMENT**

Pursuant to TMEP § 503.06(b), Registrant Franchise Wholesale Co., L.L.C. respectfully requests correction of a typographical error in a recorded assignment document to reflect that "Franchise Wholesale Co., L.L.C." is the owner of record for the above-referenced registration. In support of this request, Registrant Franchise Wholesale Co., L.L.C. submits the following declaration of Edward W. Kacsuta:

1. I am the Chief Executive Officer and Vice President of Franchise Wholesale Co., L.L.C., and I make this declaration based on firsthand knowledge of the facts stated herein.
2. The current owner of the above-referenced mark and registration is Franchise Wholesale Co., L.L.C., a Missouri limited liability company.
3. The assignment document recorded at Reel 4687 / Frames 0771-73 erroneously identifies Registrant as "Franchise Wholesale, LLC." Specifically, the recorded assignment document omits "Co." from Registrant's name, and omits the periods in "L.L.C."
4. A Missouri limited liability company with the name "Franchise Wholesale, LLC" did not exist at the time of the assignment. Attached as Exhibit A hereto is a printout of the search results for "Franchise Wholesale" in the Missouri Secretary of State business entity database, showing Registrant Franchise Wholesale Co., L.L.C. as the only entity returned from said search.
5. The recorded assignment document contains an inadvertent typographical error in Registrant's name.
6. The assignor, Allied Tobacco Consulting & Distribution, Inc., an Illinois corporation, is not available to correct the original document or to execute a new document.
7. Attached as Exhibit B hereto is a copy of the originally recorded assignment document with the corrections thereto initialed and dated.
8. Registrant Franchise Wholesale Co., L.L.C. requests correction of the error in the assignment document and in the USPTO database to correctly identify registrant as Franchise Wholesale Co., L.L.C., a Missouri limited liability company.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Edward W. Kacsuta  
Chief Executive Officer and Vice President  
Date: 05/16/17

**Exhibit A**

**Missouri Secretary of State Business Entity Database Search Results**



# MISSOURI ONLINE BUSINESS FILING

Notice: Online filing will be unavailable for maintenance from May 12, 2017 5:00 p.m. CST to May 14, 2017 5:00 p.m. CST



## Search for a Business Entity

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[Business Entity FAQ](#)

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[Business Entity Online Filing](#)

[Business Oversight Office](#)

[Business Entity Contact Us](#)

[UCC Online Filing](#)

[Secretary of State Home Page](#)

Required Field

Exact Match searches should include corporate designations (inc., llc, etc.) and punctuation. We recommend you do not include these for other searches.

Search:

### Search for a Business Entity

Business Name:  includes names:   Only Active Corporations

**Search Results as of 5/10/2017 11:57 AM**

Business Name	Charter No.	Type	Status	Created	Registered Agent Name
<a href="#">FRANCHISE WHOLESALE CO., L.L.C.</a>	<a href="#">LC0816716</a>	Limited Liability Company (Domestic)	Active	11/21/07	<a href="#">David Richard</a>

**Exhibit B**

**Originally Recorded Assignment Document with the Corrections  
Initialed and Dated**

## ASSIGNMENT OF TRADEMARK

WHEREAS, Allied Tobacco Consulting & Distribution, Inc., an Illinois corporation (hereinafter the "Assignor"), whose address is 2541 Technology Drive, Suite 410, Elgin, IL 60123, did obtain the following United States Trademark (hereinafter "Trademark"), on June 14, 2011:

1. "Cloud 9" (Registration No. 3977487).

WHEREAS, Assignor is the sole owner and user of said Trademark; and

WHEREAS, Franchise Wholesale <sup>Co., L.L.C. 2008 S. No. 17</sup> LLC, a Missouri limited liability company, (hereinafter the "Assignee") whose mailing address is 17998 Chesterfield Rd., Chesterfield, MO 63005, is desirous of acquiring the entire right, title and interest in the Trademark.

NOW, THEREFORE, in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Assignor, by these presents, does hereby sell, assign and transfer unto said Assignee the entire right, title and interest in and to the Trademark and the underlying registration therefore, together with the goodwill of the business symbolized by the mark; the same to be held and enjoyed by the said Assignee for its own use and behalf, and for its legal representatives and assigns, to the full end of the term for which said Trademark are granted, as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made.

Executed this 19th day of December, 2011 at Omaha, Nebraska.

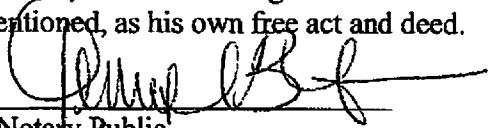
ALLIED TOBACCO CONSULTING &  
DISTRIBUTION, INC.

By: Peter T. Karfias, President



STATE OF Nebraska )  
COUNTY OF Douglas ) SS.

On this 19th day of December 2011, before me, a Notary Public, personally appeared Peter Karfias, to me known to be the person named in and who executed the above Assignment of Trademark, and acknowledged to me that he executed the same for the uses and purposes therein mentioned, as his own free act and deed.

  
Notary Public

My Commission Expires: June 23, 2012

