

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM445481

| | |
|------------------------------|---------------------------|
| SUBMISSION TYPE: | RESUBMISSION |
| NATURE OF CONVEYANCE: | MERGER AND CHANGE OF NAME |
| EFFECTIVE DATE: | 09/05/2017 |
| RESUBMIT DOCUMENT ID: | 900422521 |

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|---------------|----------|----------------|----------------------|
| Menguin, Inc. | | 09/05/2017 | Corporation: INDIANA |

NEWLY MERGED ENTITY DATA

| Name | Execution Date | Entity Type |
|---------------|----------------|-----------------------|
| Gen Tux, Inc. | 09/05/2017 | Corporation: DELAWARE |

MERGED ENTITY'S NEW NAME (RECEIVING PARTY)

| | |
|------------------------|--------------------------|
| Name: | Gen Tux, Inc. |
| Also Known As: | AKA Generation Tux, Inc. |
| Street Address: | 50 Woodcrest Circle |
| City: | Oakland |
| State/Country: | CALIFORNIA |
| Postal Code: | 94602 |
| Entity Type: | Corporation: DELAWARE |

PROPERTY NUMBERS Total: 4

| Property Type | Number | Word Mark |
|-----------------------|----------|-----------|
| Serial Number: | 86752006 | MENGUIN |
| Serial Number: | 86753232 | M |
| Serial Number: | 85852782 | MENGUIN |
| Serial Number: | 87084631 | MBOX |

CORRESPONDENCE DATA

Fax Number: 3175925453

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.

Phone: (317) 236-5882

Email: h.banta@icemiller.com, ipdocket@icemiller.com,
ryan.wilkinson@icemiller.com

Correspondent Name: Holiday W. Banta

Address Line 1: One American Square

TRADEMARK

Address Line 2: Suite 2900
Address Line 4: Indianapolis, INDIANA 46282

ATTORNEY DOCKET NUMBER: 35639.4003

NAME OF SUBMITTER: Holiday W. Banta

SIGNATURE: /Holiday W. Banta/

DATE SIGNED: 10/02/2017

Total Attachments: 2

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CONFIRMATION OF TRADEMARK ASSIGNMENT

This Confirmation of Trademark Assignment is entered into by and between GEN TUX, INC. and MENGUIN, INC.

WHEREAS, pursuant to the Agreement and Plan of Merger between Generation Tux, Inc., a Delaware corporation ("Parent"), Gen Tux, Inc., a Delaware corporation and wholly-owned subsidiary of Parent ("Merger Sub"), (iii) Menguin, Inc., an Indiana corporation ("Company"), and (iv) Justin Delaney, a resident of the State of Arkansas, in his capacity as the representative for the Company Stakeholders (the "Stakeholders' Representative") (the "Merger Agreement"), certain intellectual property rights of Company including but not limited to all rights, titles, and interests in and to the Company's Marks (as defined below) were transferred to Merger Sub.

NOW, THEREFORE, Company and Merger Sub agree as follows and confirm that:

"Company's Marks" means all of Company's trademarks, service marks, trade names, trade dress, logos, designs, and slogans, in word mark, stylized and/or design formats, including without limitation Company's trademark registrations and applications and any and all of Company's common law rights in the aforementioned items, including without limitation the marks identified in Schedule I attached hereto.

Company has assigned and transferred, and Merger Sub has received and accepted, all of Company's worldwide rights, titles, and interests in and to the Company's Marks, together with all registrations thereof or applications therefor in the Trademark Office of the United States of America, and other nations, and in the states or territories thereof, and all rights therein provided by international treaties or conventions, all extensions or renewals of any of the foregoing, all of the goodwill of the business connected with the use of and symbolized by the foregoing, all corresponding rights throughout the world, and all claims against a third party for damages by reason of past infringement, and the right to sue for and collect the same.


Company has agreed to, without further compensation, execute and deliver to Merger Sub or its legal representatives any and all papers, instruments, affidavits, or other documents or agreements which may be necessary or desirable to carry out the purposes of this Agreement, including but not limiting to executing any other documents sufficient to record this assignment with any governmental office.


Company hereby authorizes and requests the United States Commissioner of Patents and Trademarks to implement this Assignment

IN WITNESS HEREOF, the undersigned have caused this Confirmation of Trademark Agreement to be made as of the effective date of the Merger Agreement referenced above.




"Company": Menguin, Inc.

"Merger Sub": Gen Tux, Inc.

Signed: 
Date: _____
Name: Justin Delaney
Title: CEO

Signed: 
Date: _____
Name: George Zimmer
Title: CEO

SCHEDULE 1 TO CONFIRMATION OF TRADEMARK ASSIGNMENT

| Mark Name | Country | Registration Status | Application Number | Application Date | Registration Number | Registration Date |
|---|---------------|-----------------------------------|--------------------|------------------|---------------------|-------------------|
| MENGUIN and Design MENGUIN | United States | Intent to Use Application Pending | 86/752,006 | 09/09/2015 | | |
| M and Design  | United States | Intent to Use Application Pending | 86/753,232 | 09/10/2015 | | |
| MENGUIN and Design  | United States | Surrendered | 85/852,782 | 02/18/2013 | 4,633,100 | 11/04/2014 |
| MBOX and Design  | United States | Abandoned | 87/084,631 | 06/27/2016 | | |

TRADEMARK

REEL: 006165 FRAME: 0180

RECORDED: 09/26/2017