

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM459337

|   |  |                       |                     |
|---|--|-----------------------|---------------------|
| <b>SUBMISSION TYPE:</b>   | CORRECTIVE ASSIGNMENT  |                       |                     |
| <b>NATURE OF CONVEYANCE:</b>  | Corrective Assignment to correct the Exhibit A previously recorded on Reel 004886 Frame 0271. Assignor(s) hereby confirms the ASSIGNS THE ENTIRE INTEREST. |                       |                     |
| <b>CONVEYING PARTY DATA</b>   |  |                       |                     |
| <b>Name</b>   | <b>Formerly</b>  | <b>Execution Date</b> | <b>Entity Type</b>  |
| LEO JOHNSON   |  | 08/31/2012            | INDIVIDUAL: CANADA  |
| KICKING HORSE COFFEE CO. LTD.   |  | 08/31/2012            | Corporation: CANADA |
| <b>RECEIVING PARTY DATA</b>   |  |                       |                     |
| <b>Name:</b>  | KICKING HORSE INVESTMENTS, INC.  |                       |                     |
| <b>Street Address:</b>  | 491 ARROW ROAD   |                       |                     |
| <b>City:</b>  | INVERMERE  |                       |                     |
| <b>State/Country:</b>   | CANADA   |                       |                     |
| <b>Postal Code:</b>   | V0A1K2   |                       |                     |
| <b>Entity Type:</b>   | Corporation: CANADA  |                       |                     |
| <b>PROPERTY NUMBERS Total: 1</b>  |  |                       |                     |
| <b>Property Type</b>  | <b>Number</b>  | <b>Word Mark</b>      |                     |
| <b>Registration Number:</b>   | 2896141  | KICK ASS              |                     |
| <b>CORRESPONDENCE DATA</b>  |  |                       |                     |
| <b>Fax Number:</b>  | 2025858080   |                       |                     |
| <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>   | 2025858000   |                       |                     |
| <b>Email:</b>   | nptm@nixonpeabody.com  |                       |                     |
| <b>Correspondent Name:</b>  | Jeffrey L. Costellia, Nixon Peabody LLP  |                       |                     |
| <b>Address Line 1:</b>  | 799 9th Street, NW, Suite 500  |                       |                     |
| <b>Address Line 4:</b>  | Washington, D.C. 20001   |                       |                     |
| <b>ATTORNEY DOCKET NUMBER:</b>  | 741475-64  |                       |                     |
| <b>DOMESTIC REPRESENTATIVE</b>  |  |                       |                     |
| <b>Name:</b>  | Jeffrey L. Costellia, Nixon Peabody LLP  |                       |                     |
| <b>Address Line 1:</b>  | 799 9th Street, NW, Suite 500  |                       |                     |
| <b>Address Line 4:</b>  | Washington, D.C. 20001   |                       |                     |
| <b>NAME OF SUBMITTER:</b>   | Lauren J Arnold, Attorney of Record  |                       |                     |

CH \$40.00 2896141

|  |                   |
|--|-------------------|
| <b>SIGNATURE:</b>  | /Lauren J Arnold/ |
| <b>DATE SIGNED:</b>  | 01/25/2018        |
| <b>Total Attachments: 8</b><br>source=741475-64 Original Assignment Cover Sheet - KICK ASS#page1.tif<br>source=741475-64 Original Assignment Cover Sheet - KICK ASS#page2.tif<br>source=741475-64 Corrective Assignment - KICK ASS#page1.tif<br>source=741475-64 Corrective Assignment - KICK ASS#page2.tif<br>source=741475-64 Corrective Assignment - KICK ASS#page3.tif<br>source=741475-64 Corrective Assignment - KICK ASS#page4.tif<br>source=741475-64 Corrective Assignment - KICK ASS#page5.tif<br>source=741475-64 Corrective Assignment Comments - KICK ASS#page1.tif |                   |

TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

|                              |  |
|------------------------------|--|
| <b>SUBMISSION TYPE:</b>      | NEW ASSIGNMENT                               |
| <b>NATURE OF CONVEYANCE:</b> | ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL |

**CONVEYING PARTY DATA**

| Name                          | Formerly | Execution Date | Entity Type         |
|-------------------------------|----------|----------------|---------------------|
| Leo Johnson                   |          | 08/31/2012     | INDIVIDUAL: CANADA  |
| Kicking Horse Coffee Co. Ltd. |          | 08/31/2012     | CORPORATION: CANADA |

**RECEIVING PARTY DATA**

|                        |                                 |
|------------------------|---------------------------------|
| <b>Name:</b>           | Kicking Horse Investments, Inc. |
| <b>Street Address:</b> | 491 Arrow Road                  |
| <b>City:</b>           | Invermere                       |
| <b>State/Country:</b>  | CANADA                          |
| <b>Postal Code:</b>    | V0A1K2                          |
| <b>Entity Type:</b>    | CORPORATION: CANADA             |

**PROPERTY NUMBERS Total: 6**

| Property Type        | Number   | Word Mark            |
|----------------------|----------|----------------------|
| Serial Number:       | 85181299 | HOODOO JO            |
| Registration Number: | 4133940  | 454 HORSE POWER      |
| Registration Number: | 4170002  | THREE SISTERS        |
| Registration Number: | 3882890  | KICKING HORSE COFFEE |
| Registration Number: | 3882891  | KICKING HORSE        |
| Registration Number: | 2896141  | KICK ASS             |

**CORRESPONDENCE DATA**

Fax Number: 8043447999  
*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*

Phone: 804-788-7365  
 Email: HWRITM@hunton.com  
 Correspondent Name: Elizabeth L. Brooks - Hunton & Williams  
 Address Line 1: 951 East Byrd Street  
 Address Line 2: Riverfront Plaza - East Tower

CH \$165.00 85181299

|   |                       |
|---|-----------------------|
| Address Line 4: Richmond, VIRGINIA 23219-7074   |                       |
| ATTORNEY DOCKET NUMBER:   | 79569.2               |
| DOMESTIC REPRESENTATIVE   |                       |
| Name:   |                       |
| Address Line 1:   |                       |
| Address Line 2:   |                       |
| Address Line 3:   |                       |
| Address Line 4:   |                       |
| NAME OF SUBMITTER:  | Elizabeth L. Brooks   |
| Signature:  | /Elizabeth L. Brooks/ |
| Date:   | 10/23/2012            |
| <b>Total Attachments: 5</b><br>source=Kicking Horse#page1.tif<br>source=Kicking Horse#page2.tif<br>source=Kicking Horse#page3.tif<br>source=Kicking Horse#page4.tif<br>source=Kicking Horse#page5.tif |                       |

## ASSIGNMENT OF TRADEMARKS

THIS ASSIGNMENT of Trademarks dated and made effective as of the 31<sup>st</sup> of August, 2012, between Leo Johnson, a Canadian Individual, with an address of Box 222, Invermere, BC V0A1K0, (“Assignor”) and Kicking Horse Coffee Co. Ltd., a British Columbia corporation with an address of 491 Arrow Road, Invermere, British Columbia, Canada V0A 1K2, (“Assignor”) and Kicking Horse Investments Inc., a British Columbia corporation with an address of 491 Arrow Road, Invermere, British Columbia, Canada V0A 1K2 (“Assignee”), recites and provides:

**WHEREAS**, Assignors own the trademarks listed on Schedule A, one or more of which are registered or applications have been made for registration on the Principal Register in the United States Patent and Trademark Office, with the Serial Numbers and Registration Numbers set forth on Schedule A, (the “Marks”);

**WHEREAS**, pursuant to that certain Purchase and Sale Agreement dated August 15, 2012 by and among Assignors and Assignee, Assignors agreed to transfer the Marks to Assignee;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

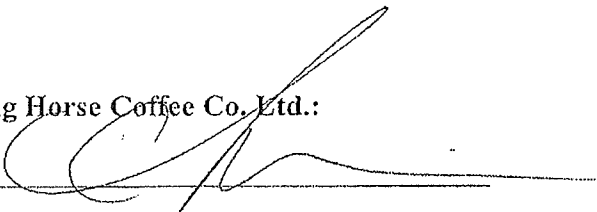
1. Effective as of August 31, 2012, Assignors hereby sell, assign, transfer and set over to Assignee all right, title, goodwill and interest in and to the Marks.

2. Assignors further authorizes the Commissioner of Patents and Trademarks of the United States and any official of any country or countries foreign to the United States whose duty it is to record trademark registrations, applications and title thereto, to record

the Marks and title thereto as the property of the Assignee, its successors, legal representatives and assigns in accordance with the terms of this instrument.

**(Signature Page to Follow)**

Kicking Horse Coffee Co. Ltd.:

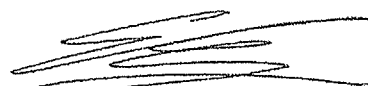
By: 

Title: Elana Rosenfeld, CEO

PROVINCE OF BC )

CITY OF Vancouver )

On this 29 day of August, 2012, before me personal came Elana Rosenfeld, to me known, who, being by me duly sworn, did depose and say that (s)he is CEO of Kicking Horse Coffee the entity described in and which executed the foregoing instrument; and that (s)he signed his/her names thereto were authorized to execute such document.

  
Notary Public

**ENOCH H. CHANG**  
Barilster & Solicitor  
1700 - 1185 W. GEORGIA ST.  
VANCOUVER, B.C. V6E 4E6  
604-689-8000

Notary's printed name: \_\_\_\_\_

My commission expires: Dec 31, 2012

Leo Johnson

PROVINCE OF British Columbia  
CITY OF Vancouver

On this 29th day of August, 2012, before me personal came Leo Johnson and who executed the foregoing instrument; and that he signed his name thereto.

Notary Public

Notary's printed name:

My commission expires: Dec 31, 2012



  
ENOCH H. CHANG  
Barrister & Solicitor  
1700 - 1188 W. GEORGIA ST.  
VANCOUVER, B.C. V6E 4E6  
604-688-8600



EXHIBIT A

Schedule of Trademarks

| Mark  | Country | Owner                                  | Serial or Reg. No. |
|---|---------|--|--------------------|
| HOODOO JO   | U.S.    | Leo Johnson                            | 85/181,299         |
| 454 HORSE POWER   | U.S.    | Leo Johnson                            | 4,133,940          |
| THREE SISTERS   | U.S.    | Leo Johnson                            | 4,170,002          |
|  | U.S.    | Leo Johnson                            | 3,882,890          |
| KICKING HORSE   | U.S.    | Leo Johnson                            | 3,882,891          |
| KICK ASS  | U.S.    | Kicking Horse<br>Coffee, Ltd. Co. Ltd. | 2,896,141          |
| KICK ASS  | UK      | Leo Johnson                            | 2466170            |
| KICKING HORSE   | CTM     | Leo Johnson                            | 6257885            |
| KICKING HORSE   | Japan   | Leo Johnson                            | 5117127            |

USA 1/18/2018

## **CORRECTIVE ASSIGNMENT**

### **COMMENTS**

Registrant herein files a Corrective Assignment of the August 31, 2012 Assignment of Trademarks from Kicking Horse Coffee Co. Ltd. and Leo Johnson to Kicking Horse Investments Inc. (recorded with the USPTO on October 23, 2012 at Reel/Frame 4886/0271) (the "2012 Assignment") in order to correct the ownership details listed in Exhibit A for Registration No. 2896141 for the mark KICK ASS (the "'141 Registration.") The owner of the '141 Registration is incorrectly listed in Exhibit A to the 2012 Assignment as "Kicking Horse Coffee, Ltd.," which is a non-existent entity. At the time of the 2012 Assignment and at the time of filing of the initial application for the '141 Registration, the KICK ASS Mark was owned by Kicking Horse Coffee Co., Ltd. As such, the Assignors listed in the 2012 Assignment correctly include the entity, Kicking Horse Coffee Co., Ltd. The reference to the non-existent entity Kicking Horse Coffee, Ltd. in Exhibit A and in any prosecution of the application for the '141 Registration were in error. Applicant therefore files this Corrective Assignment to confirm for the record that Kicking Horse Coffee Co. Ltd., as the true and correct owner of the '141 Registration, properly assigned the '141 Registration to Kicking Horse Investments in the 2012 Assignment.

For the sake of clarity, Registrant additionally notes that Kicking Horse Investments later changed its name to Kicking Horse Coffee Co., Ltd., which is of course the same name as the proper, original Applicant. The '141 Registration is therefore in the correct owner name, Kicking Horse Coffee Co., Ltd.