

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM479223

<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>
Erva Mate, Inc.		05/01/2018	Corporation: TEXAS
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	99 Potatoes, LLC		
<b>Street Address:</b>	765 Cypress Road		
<b>City:</b>	Vero Beach		
<b>State/Country:</b>	FLORIDA		
<b>Postal Code:</b>	32963		
<b>Entity Type:</b>	Limited Liability Company: FLORIDA		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	86782793	ERVA YERBA MATE	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>			
<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>	3059719474		
<b>Email:</b>	ic@miamibusinesslitigators.com		
<b>Correspondent Name:</b>	Ira Cohen, Esq.		
<b>Address Line 1:</b>	7480 S.W. 40th Street, Suite 450		
<b>Address Line 4:</b>	Miami, FLORIDA 33155		
<b>NAME OF SUBMITTER:</b>	Ira Cohen, Esq.		
<b>SIGNATURE:</b>	/Ira Cohen/		
<b>DATE SIGNED:</b>	06/25/2018		
<b>Total Attachments: 5</b>			
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APPENDIX B

ASSIGNMENT OF TRADEMARK

WHEREAS, ERVA MATE, INC., of 4500 Steiner Ranch Blvd., Suite 1307, Austin, TX, 78732 (hereinafter "ASSIGNOR") has used the Trademark "ERVA YERBA MATE," as reflected in USPTO documents, *to wit*, U.S. Trademark Application Serial No. 86/782,793, ERVA YERBA MATE, filed October 9, 2015, in Class 30, for beverages made of tea, etc. (hereinafter referred to as "the ERVA Mark"), as set forth in Exhibit "A," which Exhibit "A" is attached hereto and made a part hereof; and

WHEREAS, 99 Potatoes, LLC, a Florida limited liability company, of 765 Cypress Road, Vero Beach, FL 32963 (hereinafter "ASSIGNEE"), is desirous of acquiring any and all rights that ASSIGNOR may have in and to the said ERVA Mark and the Application therefor, together with the goodwill of the business in connection with which the said Mark is used, and which is symbolized by the said Mark, along with the right to recover for damages and profits and for past infringements thereof;

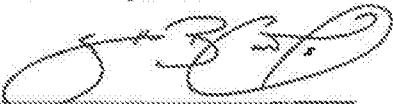
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR does hereby unconditionally and irrevocably assign, unto ASSIGNEE, all right, title, and interest in and to the said ERVA Mark and the Application therefor, for the United States and throughout the world, together with the goodwill of the business in connection with which the said ERVA Mark is used and which is symbolized by the said Mark, along with the right to recover for damages and for profits for past infringements thereof.

ASSIGNOR agrees to execute and deliver, at the request of the ASSIGNEE, all papers, instruments and assignments, and to perform any other reasonable acts the ASSIGNEE may

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Initials

require in order to vest all ASSIGNOR's rights, title, and interest in and to the said ERVA Mark in the ASSIGNEE's name and/or to provide evidence to support any of the foregoing in the event such evidence is deemed necessary by the ASSIGNEE, to the extent such evidence is in the possession, custody, or control of ASSIGNOR.

ASSIGNOR,  
ERVA MATE, INC.

By: 

Name: ~~Elliott Counts~~ Elliott Counts  
Title: President

Dated: ~~April 1st, 2018~~ May 1st, 2018

Individual Acknowledgment Form

STATE OF TEXAS            )  
  ) ss:  
COUNTY OF TRAVIS        )

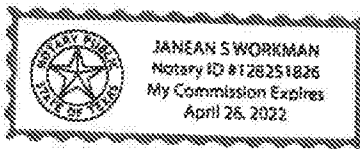
*CBC*


On this 1st day of ~~April~~ <sup>May</sup>, 2018, before me personally came ~~Elliott Counts~~ <sup>Elliott Counts</sup>, the President of ERVA MATE, INC., to me known to be the person described in the foregoing instrument, who signed the foregoing instrument in my presence and declared the same to be of his free act and deed, on the day and year last above written.



Notary Public

[affix notary stamp and notary seal]



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Initials

# EXHIBIT A



United States Patent and Trademark Office

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# Trademarks > Trademark Electronic Search System (TESS)

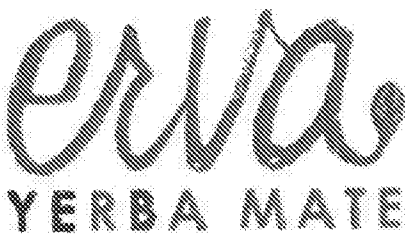
TESS was last updated on Wed Apr 25 04:51:48 EDT 2018



Logout Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

TESS ( Use the "Back" button of the Internet Browser to return to TESS)



**Word Mark** ERVA YERBA MATE

**Translations** The English translation of "ERVA" in the mark is "HERB".

**Goods and Services** IC 030. US 046. G & S: Beverages made of tea; Coffee and tea; Flavorings of tea, other than essential oils, for food or beverages; Tea; Tea-based beverages; Yerba mate. FIRST USE: 20150210. FIRST USE IN COMMERCE: 20150210

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 05.03.25 - Leaf, single; Other leaves

27.01.03 - Letters forming plants; Numbers forming plants; Plants composed of letters or numerals; Punctuation forming plants

**Serial Number** 86782793

**Filing Date** October 9, 2015

**Current Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** April 12, 2016

**Owner** (APPLICANT) Erva Teas, LLC DBA Erva Yerba Mate LIMITED LIABILITY COMPANY TEXAS 1612 W. 9th 1/2 St. Austin TEXAS 78703

**Assignment Recorded** ASSIGNMENT RECORDED

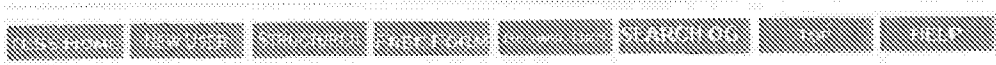
**Attorney of Record** Thomas J. Speiss, III

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ERVA" AND "YERBA MATE" APART FROM THE MARK AS SHOWN

**Description of Mark** Color is not claimed as a feature of the mark. The mark consists of the term "ERVA" in a hand drawn cursive font with the letter "A" forming a leaf design at the end resembling a yerba mate plant leaf. Undemeath the term "ERVA"

appears the wording "YERBA MATE" in stylized form.

Type of Mark TRADEMARK  
Register PRINCIPAL  
Live/Dead Indicator LIVE



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