

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM612600

<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>
CARPE DIEM GmbH & Co KG		07/28/2020	Gesellschaft Mit Beschränkter Haftung (GmbH): AUSTRIA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Distribution & Marketing GmbH		
<b>Street Address:</b>	Nonntaler Hauptstrasse 36		
<b>City:</b>	5020 Salzburg		
<b>State/Country:</b>	AUSTRIA		
<b>Entity Type:</b>	Gesellschaft Mit Beschränkter Haftung (GmbH): AUSTRIA		
<b>PROPERTY NUMBERS Total: 2</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	2812120	CARPE DIEM	
<b>Registration Number:</b>	2904025	KOMBUCHA	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	7166260366		
<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>	7162934300		
<b>Email:</b>	esimpson@colsonlawgroup.com		
<b>Correspondent Name:</b>	COLSON LAW GROUP		
<b>Address Line 1:</b>	5555 Main Street		
<b>Address Line 4:</b>	Williamsville, NEW YORK 14221		
<b>ATTORNEY DOCKET NUMBER:</b>	BA00001		
<b>NAME OF SUBMITTER:</b>	Ellen S. Simpson		
<b>SIGNATURE:</b>	/Ellen S. Simpson/		
<b>DATE SIGNED:</b>	12/04/2020		
<b>Total Attachments: 10</b>			
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## Confirmatory Assignment Agreement

Entered into and between:

**CARPE DIEM GmbH & Co KG**, a company duly organized and existing under the Laws of Austria, of Am Brunnen 1, 5330 Fuschl am See, Austria  
("the Assignor");

and

**Distribution & Marketing GmbH**, a company duly organized and existing under the Laws of Austria, of Nonntaler Hauptstrasse 36, 5020 Salzburg, Austria  
("the Assignee");

WHEREAS:

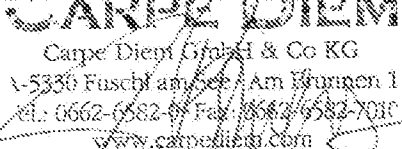
- (a) The Assignor is the registered proprietor of the trademarks and designs as set out in the attached schedule marked "Exhibit 1" and
- (b) The Assignee is desirous of acquiring the trademarks and designs.
- (c) By mutual agreement, the Assignor transfers all rights and obligations associated with the use of the afore-mentioned trademarks and designs to the Assignee.
- (d) The Assignment of the afore-mentioned trademarks and designs became effective on the 28 day of July 2020.

IT IS AGREED THAT:

For consideration of the sum of 10 EUR, receipt of which is hereby acknowledged by the Assignor, the Assignor hereby confirms that it has assigned, transferred and set over unto the Assignee, its successors and assigns, effective on July 28, 2020, all right, title and interests in the trademarks and designs together with the goodwill of the business represented and symbolised by the trademarks and designs, and the Assignee accepts the said assignment.

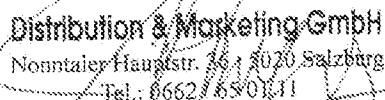
IN WITNESS WHEREOF, the Assignor and Assignee have caused this Assignment to be executed by their authorized representatives.

Place, Date: Fuschl am See, July 28, 2020

  
**CARPE DIEM**  
Carpe Diem GmbH & Co KG  
A-5330 Fuschl am See, Am Brunnen 1  
Tel: 0662-6582-0 Fax: 0662-6582-7010  
www.carpediem.com

CARPE DIEM GmbH & Co KG  
Name: Jennifer Powers  
Title: Intellectual Property Counsel

Place, Date: Fuschl am See, July 28, 2020

  
**Distribution & Marketing GmbH**  
Nonntaler Hauptstr. 36, 5020 Salzburg  
Tel.: 0662/650111






Distribution & Marketing GmbH  
Name: Jennifer Powers  
Title: Intellectual Property Counsel


**Exhibit 1**

National Marks to be assigned from Carpe Diem GmbH & Co KG to Distribution & Marketing GmbH










Country	Trademark Name	Logo	International classes	File status	Registration Date	Registration Number	Application Date	Application Number
Australia	Kombucha & Device		05, 30, 32	Registered		757006	11.Mrz.1998	757006
Australia	CARPE DIEM		05, 30, 32, 41, 42	Registered		878755	08.Jun.2001	878755
Australia	CARPE DIEM		30	Registered		884035	27.Jul.2001	884035
Austria	Kombucha & Device		05, 30, 32	Registered	04.Mai.1998	175419	06.Mrz.1998	AM1428/98
Austria	Kombucha Device		01, 05, 30, 32	Registered	29.Mrz.1996	163381	09.Feb.1996	AM927/96
Austria	CARPE DIEM		05, 30, 32, 41, 42	Registered/Seniority	19.Mrz.2001	194845	04.Jan.2001	AM63/2001
Austria	CARPE DIEM		30, 32, 43	Registered/Seniority	03.Feb.2012	266016	30.Nov.2011	AM5918/2011
Austria	Kombucha & Device in color		01, 05, 30, 32	Registered	22.Jul.2002	204975	15.Mai.2002	AM3154/2002
Austria	3D Carpe Diem Bottle with Carpe Diem Label		05, 30, 32	Registered	19.Aug.2004	219450	25.Mai.2004	AM3641/2004
Austria	Kombucha Device in color		30, 32, 43	Registered/Seniority	03.Mai.2005	224565	09.Feb.2005	AM764/2005
Austria	CARPE DIEM (stylized)		30, 32, 43	Registered	19.Aug.2014	279485	04.Jul.2014	AM51582/2014
Austria	Bowman Device in black & grey		30, 32, 43	Registered	31.Aug.2015	284412	25.Jun.2015	AM51642/2015
Austria	Bowman Device in black & white		30, 32	Registered	23.Mrz.2017	292043	13.Jan.2017	AM 50050/2017



Country	Trademark Name	Logo	International classes	File status	Registration Date	Registration Number	Application Date	Application Number
Austria	Botanic Water & Device in color		30, 32, 43	Registered/Seniority	05.Mai.2006	231633	16.Mrz.2006	AM1903/2006
Brazil	CARPE DIEM		32	Registered	30.Mai.2017	829007547	22.Feb.2007	829007547
Brazil	Kombucha Device in color		32	Registered	02.Aug.2011	829096906	16.Apr.2007	829096906
Brazil	Bowman Device in black & grey		32	Registered	03.Apr.2018	910986428	04.Mai.2016	910986428
Brazil	Botanic Water & Device in color		30	Registered	17.Mai.2011	829007440	22.Feb.2007	829007440
Brazil	Botanic Water & Device in color		32	Registered	02.Aug.2011	829007458	22.Feb.2007	829007458
Cambodia	CARPE DIEM		32	Registered	25.Dez.2012	43195/12	18.Apr.2012	45752
Cambodia	Kombucha Device in color		32	Registered	25.Dez.2012	43196/12	18.Apr.2012	45753
Canada	CARPE DIEM		05, 30, 32, 41, 43	Registered	23.Mai.2013	TMA851456	08.Feb.2007	1334581
Canada	CARPE DIEM		30, 32	Registered	18.Jul.2019	TMA1042645	23.Feb.2016	1769140
Canada	Kombucha Device in color		30, 32, 43	Registered	09.Jun.2011	TMA798656	20.Mai.2005	1258384
Canada	Kombucha Device in color		32	Registered	02.Aug.2019	TMA1046630	16.Apr.2014	1673074
European Union Intellectual Property Office (EUIPO)	Kombucha & Device		30, 32	Registered/Seniority	18.Feb.1999	000658690	15.Dez.1997	000658690

Country	Trademark Name	Logo	International classes	File status	Registration Date	Registration Number	Application Date	Application Number
European Union Intellectual Property Office (EUIPO)	CARPE DIEM		30, 32, 43	Registered/Seniority	25.Mai.2010	005673901	08.Feb.2007	005673901
European Union Intellectual Property Office (EUIPO)	3D Carpe Diem Bottle with Carpe Diem Label		05, 30, 32	Registered	28.Jul.2005	003675964	23.Feb.2004	003675964
European Union Intellectual Property Office (EUIPO)	Botanic Water & Device in color		30, 32, 43	Registered/Seniority	20.Jan.2015	013210323	29.Aug.2014	013210323
Fiji	CARPE DIEM		30	Registered	15.Jan.2018	281/2015	17.Mai.2016	16000281
Fiji	CARPE DIEM		32	Registered	25.Apr.2008	472/07	19.Jun.2007	472/07
Fiji	CARPE DIEM		32	Registered	26.Nov.2007	473/07	19.Jun.2007	473/07
Fiji	CARPE DIEM		32	Registered	26.Nov.2007	474/07	19.Jun.2007	474/07
Fiji	CARPE DIEM		32	Registered	15.Jan.2018	282/2016	17.Mai.2016	16000282
Fiji	CARPE DIEM		32	Registered	15.Jan.2018	283/2016	17.Mai.2016	16000283
Fiji	Bowman Device in black & white		30	Registered	07.Jul.2019	291/16	20.Mai.2016	291/16
Fiji	Bowman Device in black & white		32	Registered	07.Jul.2019	279/16	17.Mai.2016	279/16
Fiji	Bowman Device in black & white		32	Registered	07.Jul.2019	280/16	17.Mai.2016	280/16
Germany	CARPE DIEM		30, 43	Registered/Seniority	18.Jun.1997	39716166	11.Apr.1997	39716166.2
Germany	CARPE DIEM		30, 32	Registered/Seniority	18.Jun.1997	30121499	11.Apr.1997	39716166.2/33




Country	Trademark Name	Logo	International classes	File status	Registration Date	Registration Number	Application Date	Application Number
Germany	CARPE DIEM		43	Registered/Seniority	20.Apr.2015	302014074415	17.Dec.2014	302014074415.5 /43
Hong Kong	CARPE DIEM		32	Registered	11.Feb.2008	300821646	26.Feb.2007	300821646
Hong Kong	CARPE DIEM		32	Registered	10.Nov.2017	304133321	09.Mai.2017	304133321
Hong Kong	Kombucha Device in color		32	Registered	05.Jul.2007	300821655	26.Feb.2007	300821655
Hong Kong	Kombucha Device in color		32	Registered	12.Mai.2014	302737657	13.Sep.2013	302737657
Hong Kong	Device & Kombucha in color		32	Registered	08.Okt.2010	301613051	13.Mai.2010	301613051
India	CARPE DIEM		32	Registered	14.Feb.2012	1531066	14.Feb.2007	1531066
India	Kombucha Device in color		32	Registered	02.Feb.2012	1533780	23.Feb.2007	1533780
Indonesia	CARPE DIEM		32	Registered	15.Dez.2017	IDM000632603	06.Okt.2014	D002014045471
Indonesia	Kombucha Device in color		32	Registered	15.Dez.2017	IDM000632604	06.Okt.2014	D002014045477
Iran	Kombucha Device in color		32	Registered	21.Okt.2013	204682	10.Jul.2011	190041263
Ireland	CARPE DIEM		05, 30, 32, 41, 42	Registered/Seniority	10.Mrz.2004	226702	30.Mai.2001	2001/01691
Ireland	CARPE DIEM		30	Registered/Seniority	04.Sep.2002	221660	23.Jul.2001	2001/02251
Israel	CARPE DIEM		32	Registered	04.Dez.2008	197698	12.Feb.2007	197698
Israel	Kombucha Device in color		32	Registered	06.Aug.2008	197818	15.Feb.2007	197818
Italy	KOMBUCHA		32	Registered	16.Jun.1998	36201800001352 1	02.Apr.1998	TO98C001117
Korea (South)	CARPE DIEM & Frame		32	Registered	28.Nov.2017	40-1307890	06.Feb.2017	40-2017-14811



Country	Trademark Name	Logo	International classes	File status	Registration Date	Registration Number	Application Date	Application Number
Kosovo	CARPE DIEM		05, 30, 32, 41, 42	Registered	16.Mai.2011	3521	02.Jul.2001	7048
Kosovo	CARPE DIEM		32	Registered	26.Jul.2012	8344	05.Mai.2008	514
Kosovo	Kombucha Device in color		32	Registered	26.Jul.2012	8345	05.Mai.2008	515
Mexico	CARPE DIEM		32	Registered	31.Okt.2007	1009904	21.Feb.2007	837739
Mexico	Kombucha Device in color		32	Registered	31.Okt.2007	1009906	21.Feb.2007	837742
Mexico	Device & Kombucha in color		32	Registered	15.Jul.2011	1227557	22.Jul.2010	1106590
Montenegro	Kombucha Device in color		32	Registered	10.Okt.2013	08364	02.Mrz.2011	Z-2011/101
New Zealand	KOMBUCHA		32	Registered	08.Feb.2000	298899	29.Sep.1998	298899
New Zealand	Kombucha & Device		32	Registered	17.Sep.1998	290211	24.Mrz.1998	290211
New Zealand	CARPE DIEM		32	Registered	07.Okt.2002	638777	31.Mai.2001	638777
Norway	3D Carpe Diem Bottle with Carpe Diem Label		05, 30, 32	Registered	29.Aug.2005	227895	20.Aug.2004	200408452
Oman	CARPE DIEM		32	Registered	16.Sep.2007	41747	01.Okt.2006	41747
Russian Federation	CARPE DIEM (stylized)		05, 30, 32, 41, 43	Registered	02.Dez.2011	448423	29.Jun.2010	2010721075
Russian Federation	Carpe Diem & Trapezoid		32	Registered	05.Mrz.2019	701960	21.Sep.2018	2018740985
Rwanda	CARPE DIEM		32	Registered	19.Apr.2012	RW-M10000623	19.Apr.2012	
Rwanda	Kombucha Device in color		32	Registered	19.Apr.2012	RW-M10000624	19.Apr.2012	

Country	Trademark Name	Logo	International classes	File status	Registration Date	Registration Number	Application Date	Application Number
Serbia	CARPE DIEM & Frame		32	Registered	14. Aug. 2017	73241	03. Feb. 2017	Z-2017/139
South Africa	Kombucha & Device		32	Registered	29. Okt. 2004	2000/22210	07. Nov. 2000	2000/22210
South Africa	CARPE DIEM		32	Registered	30. Mrz. 2006	2001/09406	30. Mai. 2001	2001/09406
South Africa	3D Carpe Diem Bottle		30	Registered	08. Feb. 2008	2003/06265	15. Apr. 2003	2003/06265
South Africa	3D Carpe Diem Bottle		32	Registered	08. Feb. 2008	2003/06266	15. Apr. 2003	2003/06266
South Africa	CARPE DIEM & Frame		32	Pending			05. Apr. 2017	2017/09594
South Africa	Bowman Device in black & grey		32	Registered	26. Okt. 2018	2016/12269	05. Mai. 2016	2016/12269
Switzerland	Kombucha & Device		01, 05, 30, 32	Registered	18. Sep. 1998	2P-454555	12. Feb. 1998	01123/1998
Switzerland	3D Carpe Diem Bottle with Carpe Diem Label		05, 30, 32	Registered	29. Jan. 2004	518058	22. Sep. 2003	04848/2003
Tunisia	CARPE DIEM		32	Registered	28. Mai. 2013	TN/E/2012/00689	16. Apr. 2012	TN/E/2012/00689
Tunisia	Kombucha Device in color		32	Registered	28. Mai. 2013	TN/E/2012/00688	16. Apr. 2012	TN/E/2012/00688
United States of America	Kombucha & Device		30, 32	Registered	23. Nov. 2004	2904025	26. Nov. 1997	75/396545
United States of America	CARPE DIEM		32	Registered	10. Feb. 2004	2812120	21. Jun. 2001	75/275927

Designs to be assigned from Carpe Diem GmbH & Co KG to Distribution & Marketing GmbH

Owner	Country	Application Number (AZ) Registration Number (EZ)	Design	Application Date (AT), Registration Date(ET)	Next Renewal Date	End of Protection	Local Counsels Ref.
Carpe Diem GmbH & Co. KG	Austria	AZ: 1080/2003 EZ: 53685	Carpe Diem Bottle Design	AT: 28.03.2003 ET: 20.08.2003	31.03.2023	28.03.2028	C50073AT
Carpe Diem GmbH & Co. KG	EU	AZ: 000020243 EZ: 000020243-0001		AT: 08.04.2003 ET: 08.04.2003	08.04.2023	08.04.2028	C50073ATEU
Carpe Diem GmbH & Co. KG	Monaco	AZ: 000958 EZ: 958A	Carpe Diem Bottle Design	AT: 02.09.2003 ET: 02.09.2003	02.09.2023	02.09.2028	C50073ATMC
Carpe Diem GmbH & Co. KG	Norway	AZ: 20030464 EZ: 077803		AT: 29.08.2003 ET: 05.04.2004	29.08.2023	29.08.2028	C50073NO
Carpe Diem GmbH & Co. KG	Switzerland	EZ: 129604		AT: 09.04.2003 ET: 26.06.2003	09.04.2023	09.04.2028	C50073ATCH

Gebühr in Höhe von € 14,30 entrichtet  
Mag. Dr. Markus Mayrhofer  
öffentlicher Notar  
Sankt Gilgen am Wolfgangsee

B.R.ZI: 2063/2020

Ich bestätige die Echtheit der Unterschrift der Frau Jennifer Austin Powers, geboren am 16.07.1965 (sechzehnter Juli neunzehnhundertfünfundsechzig), Am Brunnen 1, A-5330 Fuschl am See als:-----

a) Intellectual Property Counsel der **CARPE DIEM GmbH & Co. KG** (FN 213956 t) mit dem Sitz in Fuschl am See und der Geschäftsanschrift A-5330 Fuschl am See, Am Brunnen 1 sowie -----

b) Bevollmächtigte der **Distribution & Marketing GmbH** (FN 36878 h) mit dem Sitz in Salzburg und der Geschäftsanschrift A-5020 Salzburg, Nonntaler Hauptstraße 36,----- die mir gegenüber ihre Unterschrift vom 28.07.2020 (achtundzwanzigster Juli zweitausendzwanzig) anerkannt hat.-----

Weiters bestätige ich, dass die Partei erklärt hat, dass sie den Inhalt der Urkunde kennt und deren Unterfertigung frei von Zwang erfolgt.-----

Auf Amtshandlung in Fuschl am See, am 23.11.2020 (dreiundzwanzigster November zweitausendzwanzig))-----

No. 2063/2020 -----

I herewith certify, that the signature of Misses Jennifer Austin Powers, born 16.07.1965 (July sixteenth nineteen hundred sixty-five), Am Brunnen 1, A-5330 Fuschl am See as: -----

a) Intellectual Property Counsel of **CARPE DIEM GmbH & Co. KG** (FN 213956 t registration number of the Commercial Court of Salzburg, Austria) based in Fuschl am See and the business address Am Brunnen 1, A-5330 Fuschl am See and -----

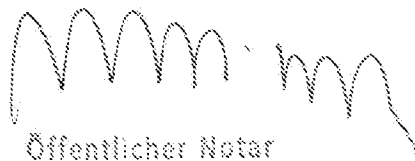
b) empowered person of **Distribution & Marketing GmbH** (FN 36878 h registration number of the Commercial Court of Salzburg, Austria), based in Salzburg and the business address Nonntaler Hauptstraße 36, A-5020 Salzburg, -----

is authentic and she declares before me her signature, given on the 28.07.2020 (July twenty-eight two-thousand-twenty) to be hers. -----

Furthermore, I confirm that the client has stated, that she knows the content of the document and that she signed it without being forced. -----

Officially acting in Fuschl am See, on 23.11.2020 (November twenty-third two-thousand-twenty). -----



  
Öffentlicher Notar