

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
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ETAS ID: TM614877

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
BOLLORE SÉ		11/05/2020	société européenne: FRANCE
RECEIVING PARTY DATA			
Name:	REPUBLIC TECHNOLOGIES INTERNATIONAL S.A.S.		
Street Address:	3750 avenue Julien Panchot		
City:	Perpignan		
State/Country:	FRANCE		
Postal Code:	66004		
Entity Type:	Société Par Actions Simplifiée (Sas): FRANCE		
PROPERTY NUMBERS Total: 10			
Property Type	Number	Word Mark	
Registration Number:	1247856		
Registration Number:	2169549		
Registration Number:	2169540		
Registration Number:	2888068		
Registration Number:	1127946	ZIG ZAG	
Registration Number:	0610530	ZIG ZAG	
Registration Number:	2309274	ZIG-ZAG	
Registration Number:	4393649	ZIG ZAG	
Registration Number:	4527711	FRENCH ORANGE	
Serial Number:	90039199	ZIG-ZAG	
CORRESPONDENCE DATA			
Fax Number:	7325780104		
<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>			
Phone:	7325780103 ext. 227		
Email:	mmishev@kbsiplaw.com		
Correspondent Name:	Milena S. Mishev		
Address Line 1:	90 Matawan Road		
Address Line 2:	Ste. 201		
Address Line 4:	Matawan, NEW JERSEY 07747		

OP \$265.00 1247856

NAME OF SUBMITTER:	Milena S. Mishev
SIGNATURE:	/milena s. mishev/
DATE SIGNED:	12/16/2020
Total Attachments: 6 source=02.RTI_BOLLORE_Zig Zag Trademarks_ Assignment and Confirmative Act_05112020#page1.tif source=02.RTI_BOLLORE_Zig Zag Trademarks_ Assignment and Confirmative Act_05112020#page2.tif source=02.RTI_BOLLORE_Zig Zag Trademarks_ Assignment and Confirmative Act_05112020#page3.tif source=02.RTI_BOLLORE_Zig Zag Trademarks_ Assignment and Confirmative Act_05112020#page4.tif source=02.RTI_BOLLORE_Zig Zag Trademarks_ Assignment and Confirmative Act_05112020#page5.tif source=02.RTI_BOLLORE_Zig Zag Trademarks_ Assignment and Confirmative Act_05112020#page6.tif	

THIS ASSIGNMENT AND CONFIRMATIVE ACT, dated as of November 5, 2020 (with the Schedule hereto, this "Act") is by and between:

BOLLORÉ SE, a French *société européenne* organized under the laws of France, with a capital of 471,393,419.84 Euros, whose registered office is at Odet, Ergue Gaberic, 29500 Ergue-Gaberic, France, registered with the Quimper Commercial and Companies Registry under number 055 804 124 (the "Assignor"),

Represented by Mr. David Smith, duly empowered for the purpose hereof;

And:

REPUBLIC TECHNOLOGIES INTERNATIONAL S.A.S., a *société par actions simplifiée* organized under the laws of France, with a capital of 12.927.800 Euros whose registered office is at 3750 avenue Julien Panchoy, 66004 Perpignan, registered with the Perpignan Commercial and Companies Registry under the number 432 302 156 (the "Assignee")

Represented by Mr. Terrence John Elton, duly empowered for the purpose hereof.

WHEREAS

Pursuant to a Trademarks and Subject Rights Purchase Agreement, also executed today, for good and valuable consideration provided therein, the Assignor has assigned to the Assignee, the trademarks and related copyrights mentioned in Schedule 1 (hereafter the "Trademarks & Copyrights").

The purpose of the present Act is to confirm the transfer with respect to these Trademarks & Copyrights and to enable the registration with any relevant Intellectual Property Offices and registries in order to render the transfer of all the assets enforceable against third parties.

NOW THIS ACT WITNESSES as follows:

1. The Assignor hereby duly assigns, transfers and sells, as of today, the Trademarks & Copyrights to the Assignee, with all the Assignor's rights and interests in respect of the Trademarks & Copyrights.
2. This assignment is made in accordance with the terms and conditions set forth in the Agreement, and notably the Assignor confirms that it has duly assigned, transferred and sold to the Assignee, and hereby does assign, transfer and sell to the Assignee any and all right, title and interest it may have in, to and under the Trademarks & Copyrights, together with that portion of Assignor's business to which the Trademarks & Copyrights pertain, including without limitation: (i) all common law rights therein; (ii) all goodwill associated therewith and symbolized thereby; (iii) the right to further assign and to license any and all right, title and interest in and to the Trademarks & Copyrights; and (iv) the right to sue and collect damages for past, present and future infringements of the Trademarks & Copyrights by any third party, in any country around the world. The Purchaser will be entitled to engage in any action in view of protecting the Trademarks and the Subject Rights against any counterfeiting or to challenge any other trademark, trade name, mark, sign which would be detrimental to the Trademarks or the Subject Rights for any act or matter not statute barred prior to the date first written above.
3. This Act shall be recorded with the relevant trademark registries so as the transfer of the Trademarks & Copyrights be fully enforceable against third parties. Any and all costs in relation with the recording of this transfer shall be borne by the Assignee.

IN WITNESS WHEREOF, the Assignor and the Assignee have duly executed and delivered this Assignment as a deed as of the date written above.

Made in three original copies (including one copy for the registration) in London on November 5, 2020


THE ASSIGNOR :

Bolloré SE

By: 
Name: Mr. David Smith
Title: Attorney in Fact

THE ASSIGNEE :









Republic Technologies International S.A.S.

By: 
Name: Terrence John Elton
Title: Attorney in Fact

Schedule 1: Trademarks & Copyrights

**SCHEDULE 1
TRADEMARKS & COPYRIGHTS**

1. TRADEMARKS

COUNTRY	HOLDER	TRADEMARK	FILED	APPLICATION N°	REGISTRATION N°	EXPIRATION DATE	CLASSES
CANADA	Bolloré SA	KUTCORNERS	June 22, 1982	216677	LCD42476	2027-09-26	34: Cigarette papers and cigarette paper
CANADA	Bolloré SA	MAN'S HEAD DESIGN 	June 22, 1982	488666	LMC278058	2028-03-25	34: Cigarette papers.
CANADA	Bolloré	ROLLING MACHINES 	Sep. 03, 1999	1027893	LMC673058	2021-09-20	34: Pocket machines for rolling cigarettes, cigarette rolling machines
CANADA	Bolloré SA		July 15, 1998	0884500	LMC521681	2030-01-18	34: Cigarette paper tubes.
CANADA	Bolloré	ZIG ZAG	Sep. 03, 1999	1027894	LMC673057	2021-09-20	34: Pocket machines for rolling cigarettes, cigarette rolling
CANADA	Bolloré SA	ZIG-ZAG	July 15, 1998	0884503	LMC580846	2033-05-07	34: Cigarette paper tubes
CANADA	Bolloré SA	ZIG ZAG 	Dec. 28, 1928	0991627	TERD1627	Perpetuity (no need to be renewed)	34: Cigarette papers.
CANADA	Bolloré SA	ZIG-ZAG	Aug. 15, 1962	0216222	LCD44319	2027-08-15	34: Cigarette papers.
USA	Bolloré		Dec. 14, 1981	73341692	1247856	2022-08-09	34: Cigarette Papers.
USA	Bolloré		Jun. 06, 1997	75304818	2169549	2028-06-30	34: Cigarette papers.
USA	Bolloré		Jun. 06, 1997	75304722	2169540	2028/06/30	34: Cigarette papers.
USA	Bolloré		Mar. 19, 1999	75664349	2888068	2024-06-28	34: Filter tips for cigarettes.
USA	Bolloré SA	ZIG ZAG	Nov. 11, 1975	73069676	1127946	2029-12-28	34: Cigarette papers
USA	Bolloré SA	ZIG-ZAG	Apr. 16, 1953	71645385	610530	2025-08-16	34: Cigarette paper.

COUNTRY	HOLDER	TRADEMARK	FILED	APPLICATION N°	REGISTRATION N°	EXPIRATION DATE	CLASSES
USA	Bolloré SA	ZIG-ZAG	Jan. 08, 1999	75618039	2309274	2030-01-18	34: Cigarette lighters (not of precious metals), pocket machines for rolling cigarettes,
USA	Bolloré SA	ZIG ZAG	Jun. 07, 2012	85645831	4383649	2022-08-27	34: Electronic cigarettes
USA	Bolloré SA	ZIG-ZAG	July 7, 2020	90039199	{Application filed}		34: Cigarette lighters (not of precious metals),
USA	Bolloré	FRENCH ORANGE	Jun. 11, 2012	85648905	4527711	2024-05-13	34: Cigarette papers

2. COPYRIGHTS

COUNTRY	HOLDER	TITLE	DOCUMENT N°	REGISTRATION N°	REGISTRATION DATE	PUBLICATION DATE
Canada	Bolloré (Société Anonyme)	Zig Zag cigarette paper packaging #425		1000547	2002-02-11	1992-08-15
Canada	Bolloré (Société Anonyme)	Zig Zag long cigarette paper packaging		1000551	2002-02-20	1998-06-30
Canada	Bolloré (Société Anonyme)	Zig Zag cigarette paper packaging #125		1000865	2002-02-20	1961-04-30
Canada	Bolloré (Société Anonyme)	Zig Zag cigarette paper packaging #325		1000546	2002-02-11	1992-04-05
Canada	Bolloré (Société Anonyme)	Zig Zag cigarette packaging #247		1000548	2002-02-20	1996-06-15
Canada	Bolloré (Société Anonyme)	Zig Zag king size cigarette paper packaging		1000549	2002-02-20	1997-07-01
Canada	Bolloré (Société Anonyme)	Zig Zag classic cigarette paper packaging		1000550	2002-02-20	1997-07-01
Canada	Bolloré (Société Anonyme)	Man's Head Design		495499	2002-01-17	1961-04-30
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Zig Zag cigarette paper packaging #325		VA 812-452	1996-12-23	1992-04-05
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Zig Zag cigarette paper packaging #425		VA 812-451	1996-12-23	1992-06-15
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Zig Zag cigarette paper packaging #247		VA 812-453	1996-12-23	1992-08-15
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Zig Zag cigarette paper packaging #125		TX 4-395-564	1996-12-23	
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Zig Zag king size cigarette paper packaging		VA 891-143	1997-11-03	1997-07-01
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Zig Zag classic cigarette paper packaging		VA 888-783	1997-11-03	1997-07-01
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Zig Zag long cigarette paper packaging		VA 975-805	1998-07-14	1998-06-30
USA	Bolloré SA f.k.a. Bolloré Technologies SA	Injector machine		VAu000502026	2000-05-16	N/A

3. CANCELLATION PROCEEDINGS

COUNTRY	MARK	REGISTRATION NO.	PLAINTIFF	STATUS
USA	ZIG ZAG	4393649	Canadian American Standard Hemp, Inc.	TERMINATED-CANCELLATION WITHDRAWN

4. PRESENT POSSIBLE INFRINGEMENTS

- A. Seller has relied on TPB, as its distributor/licensee, in the US and Canada, to notify Seller of potential infringements in those jurisdictions and determines, on a case by case basis, the appropriate action to take, which in the past has included opposition actions, cancellation actions, and demand letters either from Seller or from TPB. The Seller has been made aware of the following possible current infringement and has authorized TPB to take appropriate action, which Seller believes will initially involve a demand letter from TPB:

A Slovenian company named ZIGGI PROIZVODNJA IN TRGOVINA D.O.O. is advertising cigarette paper under the ZIGGI brand in Canada. The entity has an International Registration



for the following design mark : under International Registration No. 1511692 extended into Canada, USA, Bosnia and Herzegovina, Switzerland, Croatia, Serbia, North Macedonia covering among other goods in Class 25 and services in Class 35, the following goods in Class 34:

"Smokers' articles; matches; cigarette cases; cigarette paper; cigar cases; pipe cleaners for tobacco pipes; tobacco tins; packaging and accessories for hand rolling cigarettes; cigarette filters; tobacco pouches; cigar cutters; cigarette tips".

The Serbian extension has been granted a Statement of Grant of Protection. All of the other extensions are pending.

- B. The US company named Intrepid Brands, LLC, a subsidiary of TPB, filed a US trademark Appln. "ZAGZ" N°88639105 for the following goods *"Tobacco substitutes not for medical purposes; herbal hemp wraps for smoking made with a concentration of THC not more than 0.3 percent on a dry weight basis"*.

The registration of the application was refused under Section 2(d) of the Trademark Act as the USPTO examining attorney concluded that there exists a likelihood of confusion between applicant's proposed mark, ZAGZ (SN: 88639105) and US trademarks registrations for "ZIG-ZAG" and that the use of ZAGZ and a variety of ZIG ZAG marks on the identified goods is likely to lead to consumer confusion or mistake as to the source of the goods.

Said application was abandoned on August 25, 2020

Although the application has been refused, it appears that the sign ZAGZ is indeed used to designate notably goods in relation with hemp (see example: <https://www.hippiebutler.com/product/zagz-hemp-wraps/>).

The Seller considers that the use of the sign "ZAGZ" on hemp wraps is a breach of the Distribution Agreement and an infringement of the Zig Zag marks. The Seller addressed a cease and desist letter to TPB on October 8, 2020 in respect of such matter, TPB answered on October 16, 2020 and the Seller replied on October 27, 2020. True and correct copies of such letters have been provided to the Purchaser.