

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM698829

<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>
Agave Loco LLC		12/14/2021	Limited Liability Company: DELAWARE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	E. & J. Gallo Winery		
<b>Street Address:</b>	600 Yosemite Boulevard		
<b>City:</b>	Modesto		
<b>State/Country:</b>	CALIFORNIA		
<b>Postal Code:</b>	95354		
<b>Entity Type:</b>	Corporation: CALIFORNIA		
<b>PROPERTY NUMBERS Total: 27</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	90655957	AGAVE LOCO	
<b>Registration Number:</b>	3486337	AGAVE LOCO	
<b>Serial Number:</b>	90342186	BACHATA	
<b>Serial Number:</b>	87826324	CAFE CON CHATA	
<b>Registration Number:</b>	4210462	CHATA	
<b>Registration Number:</b>	4600957	CHATA	
<b>Registration Number:</b>	5469880	CHATA	
<b>Registration Number:</b>	5335640	FRAPPACHATA	
<b>Registration Number:</b>	5468599	FRAPPA CHATA	
<b>Registration Number:</b>	5058958	GOCHATAS	
<b>Serial Number:</b>	90122110	JAVACHATA	
<b>Registration Number:</b>	5062965	MINICHATAS	
<b>Serial Number:</b>	90122056	MOCHACHATA	
<b>Registration Number:</b>	4435909	REAL RUMCHATA BRAND RUM CREAM MADE WITHP	
<b>Registration Number:</b>	3464119	RUMCHATA	
<b>Registration Number:</b>	4706590	RUMCHATA	
<b>Registration Number:</b>	5206127	RUMCHATA	
<b>Registration Number:</b>	5347171	RUMCHATA	
<b>Serial Number:</b>	97007024	RUMCHATA	

OP \$690.00 90655957

Property Type	Number	Word Mark
Registration Number:	5425742	RUMCHATA
Serial Number:	90845341	
Registration Number:	6060450	RUMCHATA LIMÓN
Registration Number:	6390601	RUMCHATA PEPPERMINT BARK
Registration Number:	5449136	SHOT-A-CHATA
Serial Number:	87041928	XATA
Serial Number:	97007094	XATA
Registration Number:	6229534	YOU GET A GOLD CAP

**CORRESPONDENCE DATA**

**Fax Number:**

*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.*

**Email:** tm.group@ejgallo.com  
**Correspondent Name:** Kristi W. Whalen  
**Address Line 1:** 600 Yosemite Boulevard  
**Address Line 4:** Modesto, CALIFORNIA 95354

<b>NAME OF SUBMITTER:</b>	Kristi W. Whalen
<b>SIGNATURE:</b>	/kww/
<b>DATE SIGNED:</b>	12/30/2021

**Total Attachments: 7**

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## ASSIGNMENT OF TRADEMARKS

This ASSIGNMENT OF TRADEMARKS (this “Assignment”) is made and entered into as of December 14, 2021, by and among Agave Loco LLC, a Delaware limited liability company, located at 600 Yosemite Boulevard, Modesto, CA 95354 (“Assignor”), and E. & J. Gallo Winery, a California corporation, located at 600 Yosemite Boulevard, Modesto, CA 95354 (“Assignee”).

### RECITALS

WHEREAS, Assignor is the current owner of all right, title and interest in and to the trademarks listed in Schedule A hereto and including, without limitation, all common law rights thereto and all registrations thereof, and other rights and goodwill associated therewith (collectively, the “Trademarks”); and

WHEREAS, Assignee desires to acquire all right, title and interest in and to the Trademarks, and the goodwill associated therewith, and Assignor desires to assign all right, title and interest in and to each of its respective Trademarks, and the goodwill associated therewith, to Assignee; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor agrees as follows:

1. Assignment. Assignor hereby irrevocably sells, transfers, assigns and sets over unto Assignee, its successors and assigns, all right, title, and interest in and to the following, together with all goodwill associated therewith, including the business with which they are associated and which they symbolize:

a. The Trademarks and all issuances, pending applications, extensions, and renewals thereof;

b. All rights of any kind whatsoever accruing under or relating to the Trademarks provided by applicable law, by international treaties, and conventions and otherwise, including common law rights; and

c. Any and all royalties, fees, income, payments, and other proceeds now or hereafter due or payable with respect to the Trademarks, and the right to recover for damages and profits for past infringements thereof.

2. Recordation. Assignor agrees to perform any further acts and to execute and provide to Assignee all other documents that may be necessary to effect the assignment of the Trademarks to Assignee as promptly as practicable after Assignee’s request therefor, and to

assist Assignee in any manner reasonably requested by Assignee in connection with the assignment, prosecution, enforcement and maintenance of the Trademarks.

*[SIGNATURES FOLLOW ON NEXT PAGE]*

IN WITNESS WHEREOF, the parties have executed this Assignment of Trademarks as of the date first written above.

**ASSIGNOR:**

AGAVE LOCO LLC

By  \_\_\_\_\_

Name: Brant Scott

Title: Vice President & Assistant Treasurer

**ASSIGNEE:**

E. & J. GALLO WINERY

By  \_\_\_\_\_

Name: Brant Scott


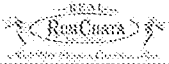
Title: Vice President & Controller



Schedule A

To the Assignment of Trademarks

TRADEMARKS

*[LIST OF TRADEMARKS FOLLOW ON NEXT PAGE]*

Country	Mark	App/Reg No.	Goods/Services
US	AGAVE LOCO	90655957	[33] alcoholic beverages except beers
US	AGAVE LOCO	3486337	[33] Alcoholic beverages, namely, tequila made from agave originating in Mexico
US	BACHATA	90342186	[33] Alcoholic beverages except beers
US	CAFÉ CON CHATA	87826324	[33] Alcoholic beverages, except beers
US	CHATA	4210462	[33] Mixed alcoholic beverages, namely, a cream-based horchata-flavored alcoholic beverage made with rum
US	CHATA	4600957	[33] Alcoholic beverages except beers
US	CHATA	5469880	[16] Recipe books
US	FRAPPACHATA	5335640	[33] Alcoholic beverages except beers
US	FRAPPACHATA (and design) 	5468599	[33] Alcoholic beverages, except beer
US	GOCHATAS	5058958	[33] Alcoholic beverages except beer
US	JAVACHATA	90122110	[30] Coffee; coffee pods; coffee-based beverages  [33] Alcoholic beverages except beers
US	MINICHATAS	5062965	[33] Alcoholic beverages except beer; Alcoholic coffee creamer
US	MOCHACHATA	90122056	[30] Coffee; coffee pods; coffee-based beverages  [33] Alcoholic beverages except beers
US	REAL RUMCHATA (and design) 	4435909	[33] Mixed alcoholic beverages, namely, a cream-based horchata-flavored alcoholic beverage made with rum
US	RUMCHATA	3464119	[33] Mixed alcoholic beverages, namely, a cream-based horchata-flavored alcoholic beverage made with rum

US	RUMCHATA	4706590	[20] Decorative signs, namely, decorative wooden wall signs  [21] Cups; mugs; shot glasses; bottles, sold empty  [25] Clothing, namely, shirts, outerwear in the nature of jackets and pullovers, hats, visors and footwear  [33] Alcoholic beverages except beers
US	RUMCHATA	5206127	[16] Recipe books  [33] Alcoholic coffee creamer
US	RUMCHATA	5347171	[30] Bakery Goods
US	RUMCHATA	87826347	[30] Candy; coffee; coffee pods; coffee-based beverages
US	RUMCHATA	97007024	[30] Candy; coffee; coffee pods; coffee-based beverages
US	RUMCHATA (bottle design)  	5425742	[33] Alcoholic beverages except beers
US	RUMCHATA (trade dress) (color)  	90845341	[33] Alcoholic beverages except beers
US	RUMCHATA LIMÓN	6060450	[33] Alcoholic beverages, except beer
US	RUMCHATA PEPPERMINT BARK	6390601	[33] Alcoholic beverages except beers
US	SHOT-A-CHATA	5449136	[21] Beverageware
US	XATA	87041928	[33] Alcoholic beverages, except beer
US	XATA	97007094	[33] Alcoholic beverages except beers
US	YOU GET A GOLD CAP	6229534	[33] Alcoholic beverages, except beers



Puerto Rico	RUMCHATA	243966-33-1	[33] Alcoholic beverages, except beers
Puerto Rico	CHATA	243967-33-1	[33] Alcoholic beverages, except beers