

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM763106

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	MERGER
<b>EFFECTIVE DATE:</b>	12/22/2021

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Eagle Creek, Inc.		12/22/2021	Corporation: CALIFORNIA

## RECEIVING PARTY DATA

<b>Name:</b>	Eagle Creek IP, LLC
<b>Street Address:</b>	1625 Mid Valley Drive
<b>Internal Address:</b>	Suite 1 PMB 84
<b>City:</b>	Steamboat Springs
<b>State/Country:</b>	COLORADO
<b>Postal Code:</b>	80487
<b>Entity Type:</b>	Limited Liability Company: COLORADO

## PROPERTY NUMBERS Total: 13

Property Type	Number	Word Mark
Registration Number:	6456014	FIND YOUR UNKNOWN
Registration Number:	5180757	EXPLORATION SERIES
Registration Number:	4161732	EAGLE CREEK
Registration Number:	4147203	EAGLE CREEK
Registration Number:	4696395	SPECTER
Registration Number:	4147204	
Registration Number:	4161733	
Registration Number:	3622158	NO MATTER WHAT
Registration Number:	3572142	NO MATTER WHAT
Registration Number:	2822803	EAGLE CREEK
Registration Number:	2069992	SWITCHBACK
Registration Number:	2045023	PACK-IT
Registration Number:	1958138	LOAD WARRIOR

## CORRESPONDENCE DATA

Fax Number: 3036073600

*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.*

OP \$340.00 6456014

**Phone:** 303-607-3665  
**Email:** emily.bayton@faegredrinker.com  
**Correspondent Name:** Emily A. Bayton / Faegre Drinker  
**Address Line 1:** 1144 15th Street  
**Address Line 2:** Suite 3400  
**Address Line 4:** Denver, COLORADO 80202

**ATTORNEY DOCKET NUMBER:** 523506.000001

**NAME OF SUBMITTER:** Emily A. Bayton

**SIGNATURE:** /Emily A. Bayton/

**DATE SIGNED:** 10/24/2022

**Total Attachments: 11**

source=Eagle Creek merger documents#page1.tif  
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OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Eagle Creek IP, LLC

is a

Limited Liability Company

formed or registered on 12/21/2021 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20218184650 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 10/18/2022 that have been posted, and by documents delivered to this office electronically through 10/20/2022 @ 08:07:47 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 10/20/2022 @ 08:07:47 in accordance with applicable law. This certificate is assigned Confirmation Number 14400671 .



A handwritten signature in cursive script that reads "Jena Griswold".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*

Document processing fee

If document is filed on paper

\$150.00

If document is filed electronically

Currently Not Available

Fees & forms/cover sheets are subject to change.

To file electronically, access instructions for this form/cover sheet and other information or print copies of filed documents, visit [www.coloradosos.gov](http://www.coloradosos.gov) and select Business.

Paper documents must be typewritten or machine printed.

20218220554

\$300.00

SECRETARY OF STATE

12/27/2021 15:36:26

ABOVE SPACE FOR OFFICE USE ONLY

**Statement of Merger**  
**(Surviving Entity is a Domestic Entity)**  
filed pursuant to § 7-90-203.7 of the Colorado Revised Statutes (C.R.S.)

1. For each merging entity, its ID number (if applicable), entity name or true name, form of entity, jurisdiction under the law of which it is formed, and principal address are

**ID Number** \_\_\_\_\_  
*(Colorado Secretary of State ID number)*

**Entity name or true name** Eagle Creek, Inc.

**Form of entity** foreign corporation

**Jurisdiction** California

**Street address** 1625 Mid Valley Drive  
*(Street number and name)*  
Suite 1 PMB 84  
Steamboat Springs CO 80487  
*(City) (State) (ZIP/Postal Code)*  
USA  
*(Province - if applicable) (Country)*

**Mailing address**  
*(leave blank if same as street address)* \_\_\_\_\_  
*(Street number and name or Post Office Box information)*  
\_\_\_\_\_  
*(City) (State) (ZIP/Postal Code)*  
*(Province - if applicable) (Country)*

**ID Number** \_\_\_\_\_  
*(Colorado Secretary of State ID number)*

**Entity name or true name** \_\_\_\_\_

**Form of entity** \_\_\_\_\_

**Jurisdiction** \_\_\_\_\_

**Street address**

\_\_\_\_\_  
*(Street number and name)*

\_\_\_\_\_  
*(City)*                      *(State)*                      *(ZIP/Postal Code)*

\_\_\_\_\_  
*(Province - if applicable)*                      *(Country)*

**Mailing address**

(leave blank if same as street address)

\_\_\_\_\_  
*(Street number and name or Post Office Box information)*

\_\_\_\_\_  
*(City)*                      *(State)*                      *(ZIP/Postal Code)*

\_\_\_\_\_  
*(Province - if applicable)*                      *(Country)*

**ID Number**

\_\_\_\_\_  
*(Colorado Secretary of State ID number)*

**Entity name or true name**

\_\_\_\_\_

**Form of entity**

\_\_\_\_\_

**Jurisdiction**

\_\_\_\_\_

**Street address**

\_\_\_\_\_  
*(Street number and name)*

\_\_\_\_\_  
*(City)*                      *(State)*                      *(ZIP/Postal Code)*

\_\_\_\_\_  
*(Province - if applicable)*                      *(Country)*

**Mailing address**

(leave blank if same as street address)

\_\_\_\_\_  
*(Street number and name or Post Office Box information)*

\_\_\_\_\_  
*(City)*                      *(State)*                      *(ZIP/Postal Code)*

\_\_\_\_\_  
*(Province - if applicable)*                      *(Country)*

*(If the following statement applies, adapt the statement by marking the box and include an attachment.)*

There are more than three merging entities and the ID number (if applicable), entity name or true name, form of entity, jurisdiction under the law of which it is formed, and the principal address of each additional merging entity is stated in an attachment.

2. For the surviving entity, its entity ID number (if applicable), entity name or true name, form of entity, jurisdiction under the law of which it is formed, and principal address are

**ID Number**

20218184650  
*(Colorado Secretary of State ID number)*

**Entity name or true name**

Eagle Creek IP, LLC

Form of entity limited liability company

Jurisdiction Colorado

Street address 1625 Mid Valley Drive  
(Street number and name)  
Suite 1 PMB 84  
Steamboat Springs CO 80487  
(City) (State) (ZIP/Postal Code)  
USA  
(Province - if applicable) (Country)

Mailing address  
(leave blank if same as street address) (Street number and name or Post Office Box information)  
(City) (State) (ZIP/Postal Code)  
(Province - if applicable) (Country)

3. Each merging entity has been merged into the surviving entity.

4. (If the following statement applies, adopt the statement by marking the box.)

The plan of merger provides for amendments to a constituent filed document of the surviving entity and an appropriate statement of change or other document effecting the amendments will be delivered to the Secretary of State for filing pursuant to Part 3 of Article 90 of Title 7, C.R.S.

5. (If the following statement applies, adopt the statement by marking the box and state the appropriate document number(s).)

One or more of the merging entities is a registrant of a trademark described in a filed document in the records of the secretary of state and the document number of each filed document is

Document number \_\_\_\_\_  
Document number \_\_\_\_\_  
Document number \_\_\_\_\_

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

There are more than three trademarks and the document number of each additional trademark is stated in an attachment.

6. (If applicable, adopt the following statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

7. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document are \_\_\_\_\_  
(mm/dd/yyyy hour:minute am/pm)

**Notice:**

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

8. The true name and mailing address of the individual causing this document to be delivered for filing are

Campbell	Samuel	Travis	
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>
2620 S. Copper Frontage			
<i>(Street number and name or Post Office Box information)</i>			
Unit 2			
Steamboat Springs	CO	80487	
<i>(City)</i>	<i>(State)</i>	<i>(ZIP/Postal Code)</i>	
	USA		
<i>(Province - if applicable)</i>	<i>(Country)</i>		

*(If applicable, adopt the following statement by marking the box and include an attachment.)*

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

D1681849

FILED KXN  
Secretary of State  
State of California

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DEC 29 2021

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**AGREEMENT AND PLAN OF MERGER**

This AGREEMENT AND PLAN OF MERGER (this "Agreement"), dated as of December 22, 2021, is entered into by and between Eagle Creek, Inc., a California corporation ("Merging Corporation"), and Eagle Creek IP, LLC, a Colorado limited liability company ("Surviving Entity").

**RECITALS**

A. Merging Corporation is a corporation incorporated and existing under the laws of the State of California, with California Entity Number 0621141.

B. Surviving Entity is a limited liability company organized and existing under the laws of the State of Colorado.

C. The Board of Directors of Merging Corporation and Eagle Creek Holdings, LLC, a Colorado limited liability company ("ECH") as the sole shareholder of Merging Corporation, deem it advisable and in the best interest of Merging Corporation for Merging Corporation to be merged with and into Surviving Entity, with Surviving Entity being the surviving entity (the "Merger").

D. The sole member of Surviving Entity deems it advisable and in the best interest of Surviving Entity for Merging Corporation and Surviving Entity to effect the Merger.

E. The Board of Directors and sole shareholder of Merging Corporation and the sole Manager and sole member of Surviving Entity have approved this Agreement by resolutions duly adopted in accordance with the California Corporations Code (the "CCC") and the Colorado Limited Liability Company Act (the "CLLCA").

The parties hereto agree as follows:

Section 1. The Merger. Subject to the terms and conditions of this Agreement and under the CCC and the CLLCA, Merging Corporation will be merged with and into Surviving Entity, with Surviving Entity being the surviving entity (the "Surviving Entity") of the Merger. At the Effective Date (as defined below), the separate corporate existence of Merging Corporation will cease and the Surviving Entity, to the extent permitted by applicable law, will succeed to all the business, properties, assets, and liabilities of Merging Corporation.

Section 2. Effective Date. The effect of the merger and the effective date (the "Effective Date") are as prescribed by law.

Section 3. Organizational Documents. The Articles of Organization and Operating Agreement of Surviving Entity immediately before the Effective Date will be the Articles of Organization and Operating Agreement, respectively, of the Surviving Entity after the Effective Date.



Section 4. Managing Member. The managing member of Surviving Entity immediately before the Effective Date will be the managing member of the Surviving Entity immediately after the Effective Date.

Section 5. Equity Interests. At the Effective Date, (a) each share of capital stock of Merging Corporation issued and outstanding immediately prior to the Effective Date will, by virtue of the Merger and without any action on the part of the holder thereof, be cancelled and no consideration therefor shall be payable to the holder of any such stock and (b) all of the limited liability company interests of Surviving Entity issued and outstanding immediately prior to the Effective Date shall, by virtue of the Merger and without any action on the part of the holder thereof, remain unchanged.

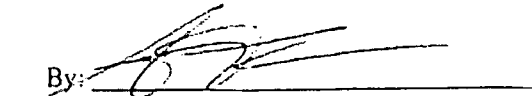
Section 6. Termination and Abandonment; Amendment. At any time before the Effective Date and for any reason, this Agreement may be (a) amended by an agreement in writing executed in the same manner as this Agreement and duly authorized by the Board of Directors and sole shareholder of Merging Corporation, on the one hand, and the Manager and sole member of Surviving Entity, on the other hand, or (b) terminated or abandoned by the Board of Directors of Merging Corporation or the Manager or sole member of Surviving Entity.

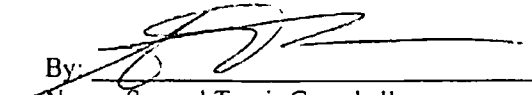
Section 7. Miscellaneous. This Agreement constitutes the entire agreement, and supersedes all other representations, warranties, agreements and understandings, both written and oral, among the parties with respect to the subject matter hereof. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. This Agreement is for the sole benefit of the parties hereto and their permitted assigns and respective successors and nothing herein, express or implied, is intended or shall confer upon any other person or entity any legal or equitable right, benefit or remedy of any nature whatsoever under or by reason of this Agreement. Neither this Agreement nor any of the rights, interests, or obligations hereunder may be assigned by any of the parties hereto without the prior written consent of the other parties. Any assignment in violation of the preceding sentence is void. The provisions of this Agreement are severable and the invalidity or unenforceability of any provision does not affect the validity or enforceability of the other provisions hereof. The covenants and agreements of the parties contained in this Agreement survive the execution and delivery of this Agreement and the consummation of the transactions contemplated hereby. This Agreement may be executed in the original, by facsimile or by any generally accepted electronic means (including transmission of a pdf file containing an executed signature page) in any number of counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same instrument.

*[Signature page follows]*

Signed:

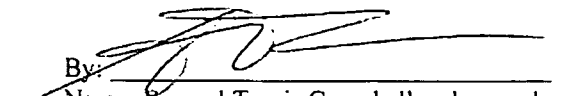
EAGLE CREEK, INC.

By:   
Name: Samuel Travis Campbell  
Title: President

By:   
Name: Samuel Travis Campbell  
Title: Secretary

EAGLE CREEK IP, LLC

By: Eagle Creek Holdings, LLC, its sole member

By:   
Name: Samuel Travis Campbell, sole member

**Certificate of Approval of Agreement of Merger**

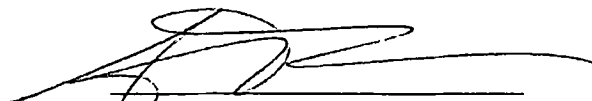
Samuel Travis Campbell certifies that:

1. He is the president and the secretary, of Eagle Creek, Inc., a California corporation, with California Entity Number 0621141.
2. The principal terms of the Agreement and Plan of Merger in the form attached were duly approved by the board of directors and by the shareholders of the corporation by a vote that equaled or exceeded the vote required.
3. The shareholder approval was by the holders of 100% of the outstanding shares of the corporation.
4. There is only one class of shares and the number of shares outstanding entitled to vote on the merger is 1,263,194.

I further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of my own knowledge.

Date: December 22, 2021

  
\_\_\_\_\_  
Samuel Travis Campbell, President

  
\_\_\_\_\_  
Samuel Travis Campbell, Secretary



# State of California Secretary of State

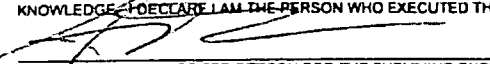
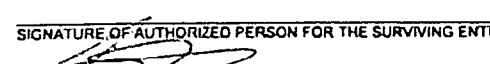
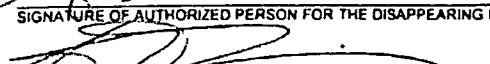
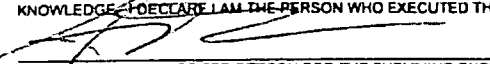
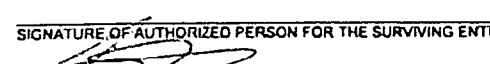
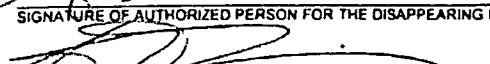
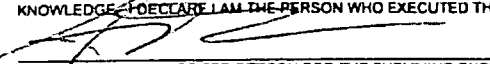
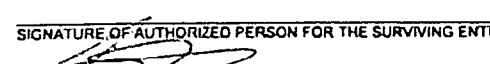
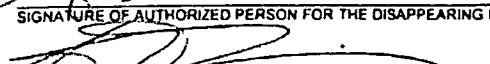
OBE MERG

## Certificate of Merger

(California Corporations Code sections 1113(g), 3203(g), 6019.1, 8019.1, 9640, 12540.1, 15911.14, 16915(b) and 17710.14)

**IMPORTANT — Read all instructions before completing this form.**

This Space For Filing Use Only

1. NAME OF SURVIVING ENTITY Eagle Creek IP, LLC	2. TYPE OF ENTITY limited liability company <input checked="" type="checkbox"/>	3. CA SECRETARY OF STATE FILE NUMBER	4. JURISDICTION Colorado																		
5. NAME OF DISAPPEARING ENTITY Eagle Creek, Inc.	6. TYPE OF ENTITY corporation	7. CA SECRETARY OF STATE FILE NUMBER 0621141	8. JURISDICTION California																		
<p>9. THE PRINCIPAL TERMS OF THE AGREEMENT OF MERGER WERE APPROVED BY A VOTE OF THE NUMBER OF INTERESTS OR SHARES OF EACH CLASS THAT EQUALED OR EXCEEDED THE VOTE REQUIRED. (IF A VOTE WAS REQUIRED, SPECIFY THE CLASS AND THE NUMBER OF OUTSTANDING INTERESTS OF EACH CLASS ENTITLED TO VOTE ON THE MERGER AND THE PERCENTAGE VOTE REQUIRED OF EACH CLASS. ATTACH ADDITIONAL PAGES, IF NEEDED.)</p> <table border="1"> <thead> <tr> <th colspan="2">SURVIVING ENTITY</th> <th colspan="2">DISAPPEARING ENTITY</th> </tr> <tr> <th>CLASS AND NUMBER</th> <th>AND PERCENTAGE VOTE REQUIRED</th> <th>CLASS AND NUMBER</th> <th>AND PERCENTAGE VOTE REQUIRED</th> </tr> </thead> <tbody> <tr> <td>100% Membership Interest</td> <td>100%</td> <td>1,263,194 Common</td> <td>51%</td> </tr> </tbody> </table>				SURVIVING ENTITY		DISAPPEARING ENTITY		CLASS AND NUMBER	AND PERCENTAGE VOTE REQUIRED	CLASS AND NUMBER	AND PERCENTAGE VOTE REQUIRED	100% Membership Interest	100%	1,263,194 Common	51%						
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100% Membership Interest	100%	1,263,194 Common	51%																		
<p>10. IF EQUITY SECURITIES OF A PARENT PARTY ARE TO BE ISSUED IN THE MERGER, CHECK THE APPLICABLE STATEMENT</p> <p><input type="checkbox"/> No vote of the shareholders of the parent party was required. <input type="checkbox"/> The required vote of the shareholders of the parent party was obtained</p>																					
<p>11. IF THE SURVIVING ENTITY IS A DOMESTIC LIMITED LIABILITY COMPANY, LIMITED PARTNERSHIP, OR PARTNERSHIP, PROVIDE THE REQUISITE CHANGES (IF ANY) TO THE INFORMATION SET FORTH IN THE SURVIVING ENTITY'S ARTICLES OF ORGANIZATION, CERTIFICATE OF LIMITED PARTNERSHIP OR STATEMENT OF PARTNERSHIP AUTHORITY RESULTING FROM THE MERGER. ATTACH ADDITIONAL PAGES, IF NECESSARY.</p> <p>N/A</p>																					
<p>12. IF A DISAPPEARING ENTITY IS A DOMESTIC LIMITED LIABILITY COMPANY, LIMITED PARTNERSHIP, OR PARTNERSHIP, AND THE SURVIVING ENTITY IS NOT A DOMESTIC ENTITY OF THE SAME TYPE, ENTER THE PRINCIPAL ADDRESS OF THE SURVIVING ENTITY.</p> <p>PRINCIPAL ADDRESS OF SURVIVING ENTITY CITY AND STATE ZIP CODE</p>																					
<p>13. OTHER INFORMATION REQUIRED TO BE STATED IN THE CERTIFICATE OF MERGER BY THE LAWS UNDER WHICH EACH CONSTITUENT OTHER BUSINESS ENTITY IS ORGANIZED. ATTACH ADDITIONAL PAGES, IF NECESSARY.</p> <p>N/A</p>																					
<p>14. STATUTORY OR OTHER BASIS UNDER WHICH A FOREIGN OTHER BUSINESS ENTITY IS AUTHORIZED TO EFFECT THE MERGER.</p> <p>Colorado Revised Statutes - 7-90-203 / California Corporations Code 1113</p>		<p>15. FUTURE EFFECTIVE DATE, IF ANY</p> <p>____/____/____ (Month) (Day) (Year)</p>																			
<p>16. ADDITIONAL INFORMATION SET FORTH ON ATTACHED PAGES, IF ANY, IS INCORPORATED HEREIN BY THIS REFERENCE AND MADE PART OF THIS CERTIFICATE.</p>																					
<p>17. I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT OF MY OWN KNOWLEDGE. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.</p> <table border="0"> <tr> <td></td> <td>12/22/21</td> <td>Samuel Travis Campbell, sole member of Eagle Creek Holdings, LLC, sole member</td> </tr> <tr> <td>SIGNATURE OF AUTHORIZED PERSON FOR THE SURVIVING ENTITY</td> <td>DATE</td> <td>TYPE OR PRINT NAME AND TITLE OF AUTHORIZED PERSON</td> </tr> <tr> <td></td> <td>12/22/21</td> <td>Samuel Travis Campbell, President</td> </tr> <tr> <td>SIGNATURE OF AUTHORIZED PERSON FOR THE SURVIVING ENTITY</td> <td>DATE</td> <td>TYPE OR PRINT NAME AND TITLE OF AUTHORIZED PERSON</td> </tr> <tr> <td></td> <td>12/22/21</td> <td>Samuel Travis Campbell, Secretary</td> </tr> <tr> <td>SIGNATURE OF AUTHORIZED PERSON FOR THE DISAPPEARING ENTITY</td> <td>DATE</td> <td>TYPE OR PRINT NAME AND TITLE OF AUTHORIZED PERSON</td> </tr> </table> <p>For an entity that is a business trust, real estate investment trust or an unincorporated association, set forth the provision of law or other basis for the authority of the person signing: _____</p>					12/22/21	Samuel Travis Campbell, sole member of Eagle Creek Holdings, LLC, sole member	SIGNATURE OF AUTHORIZED PERSON FOR THE SURVIVING ENTITY	DATE	TYPE OR PRINT NAME AND TITLE OF AUTHORIZED PERSON		12/22/21	Samuel Travis Campbell, President	SIGNATURE OF AUTHORIZED PERSON FOR THE SURVIVING ENTITY	DATE	TYPE OR PRINT NAME AND TITLE OF AUTHORIZED PERSON		12/22/21	Samuel Travis Campbell, Secretary	SIGNATURE OF AUTHORIZED PERSON FOR THE DISAPPEARING ENTITY	DATE	TYPE OR PRINT NAME AND TITLE OF AUTHORIZED PERSON
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I hereby certify that the foregoing transcript of 5 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

JAN 06 2022

*nss*

A handwritten signature in cursive script, appearing to read "S. N. Weber".

SHIRLEY N. WEBER, Ph.D., Secretary of State