

05-17-2001



101720093

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type		Conveyance Type	
<input checked="" type="checkbox"/> New	S-14-01	<input type="checkbox"/> Assignment	<input type="checkbox"/> License
<input type="checkbox"/> Resubmission (Non-Recordation)	Document ID # []	<input type="checkbox"/> Security Agreement	<input checked="" type="checkbox"/> Nunc Pro Tunc Assignment
<input type="checkbox"/> Correction of PTO Error	Reel # [] Frame # []	<input type="checkbox"/> Merger	Effective Date Month Day Year 01052001
<input type="checkbox"/> Corrective Document	Reel # [] Frame # []	<input type="checkbox"/> Change of Name	
		<input type="checkbox"/> Other	[]

Conveying Party Mark if additional names of conveying parties attached

Name: South Beach Beverage Company, LLC, The
 Formerly: []
 Execution Date: 05012001

Individual General Partnership Limited Partnership Corporation Association
 Other: Limited Liability Corporation
 Citizenship/State of Incorporation/Organization: Connecticut

Receiving Party Mark if additional names of receiving parties attached

Name: South Beach Beverage Company, Inc., The
 DBA/AK/A/T/A: []
 Composed of: []
 Address (line 1): 40 Richards Avenue
 Address (line 2): []
 Address (line 3): Norwalk, Connecticut, 06854
 City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
 Corporation Association
 Other: []
 Citizenship/State of Incorporation/Organization: Connecticut

FOR OFFICE USE ONLY

490E

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

203-324-2828

Name

Gregory J. Battersby

Address (line 1)

Grimes & Battersby

Address (line 2)

P.O. Box 1311

Address (line 3)

Stamford, CT 06904-1311

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

3

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

75417667

75417678

75417669

2182639

2065837

2414349

75937834

75937835

76143944

2076309

2153152

2256688

76011389

75405552

76104693

2345815

2175195

1883082

Number of Properties

Enter the total number of properties involved.

#

19

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

490.00

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

07-2162

Authorization to charge additional fees:

Yes

No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

George K. Lamb

Name of Person Signing

Signature

May 10, 2001

Date Signed

RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY

FORM PTO-1618C
Expires 08/30/99
OMB 0851-0027

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

Conveying Party

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship State of Incorporation/Organization

Receiving Party

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Individual General Partnership Limited Partnership

Corporation Association

Other

Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached (Designation must be a separate document from the Assignment.)

Trademark Application Number(s) or Registration Number(s)

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Mark if additional numbers attached

Trademark Application Number(s)

Registration Number(s)

<input type="text" value="75417672"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

ASSIGNMENT

THIS AGREEMENT is entered into, *nunc pro tunc*, this 5th day of January, 2001 by and between THE SOUTH BEACH BEVERAGE COMPANY, LLC, a Connecticut limited liability corporation with offices at 40 Richards Avenue, Norwalk, Connecticut 06854 (“ASSIGNOR”) and THE SOUTH BEACH BEVERAGE COMPANY, INC., a Connecticut corporation with offices at 40 Richards Avenue, Norwalk, Connecticut 06854 (“ASSIGNEE”).

WITNESSETH:

WHEREAS, ASSIGNOR is the sole and exclusive owner of the trademark applications and registrations for the marks identified more fully in the attached Schedule A (the “Trademarks”), and further is the sole and exclusive owner of all business goodwill related therewith; and

WHEREAS, ASSIGNEE desires to acquire all rights, title and interest in and to the Trademarks and all business goodwill related therewith;


NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of ONE DOLLAR (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and

transfers unto ASSIGNEE the full and exclusive entire right, title and interest in and to the Trademarks, and the business goodwill associated therewith, including, without limitation, all renewals therefor, all proceeds therefor (including, but not limited to, all license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, and the good will of the business associated with and symbolized by the Trademarks.

IN WITNESS WHEREOF, this Assignment has been duly executed on this 15th day of May, 2001.

THE SOUTH BEACH BEVERAGE
COMPANY, LLC.

By: 
Name: Richard Mackean
Title: Sr. V.P.

Sworn and subscribed to before me
this 15th day of May, 2001.

Anne B. Fitzgerald
Notary Public

SCHEDULE A

TRADEMARK REGISTRATIONS

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
Bottle Design	2,182,639	August 18, 1998
DRAIN THE LIZARD	2,065,837	May 27, 1997
DRIVE	2,414,349	December 19, 2000
Lizard Design	2,076,309	July 1, 1997
SOBE	2,153,152	April 21, 1998
SOBE	2,256,688	June 29, 1999
SOBE	2,345,815	April 25, 2000
SOUTH BEACH	2,175,195	July 21, 1998
SOUTH BEACH BEER	1,883,082	March 7, 1995

TRADEMARK APPLICATIONS

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
ADRENALINE	75/417,667	January 14, 1998
ELIXIR	75/417,678	January 14, 1998
QI ESSENTIALS	75/417,669	January 14, 1998
SOBE	75/937,834	March 7, 2000
SOBE	75/937,835	March 7, 2000
SOBE	76/143,944	October 6, 2000
SOBE ICE	76/011,389	March 28, 2000
SOUTH BEACH	75/405,552	December 9, 1997
STINGER	76/104,693	August 7, 2000
WISDOM	75/417,672	January 14, 1998