

DP

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OMB 0651-0027



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

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### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

#### Submission Type

New *1-24-02*

Resubmission (Non-Recordation)  
Document ID#

Correction of PTO Error  
Reel #  Frame #

Corrective Document  
Reel #  Frame #

#### Conveyance Type

Assignment  License

Security Agreement  Nunc Pro Tunc Assignment

Merger Effective Date  
Month Day Year

Change of Name

Other

#### Conveying Party

Mark if additional names of conveying parties attached

Name  Execution Date  
Month Day Year

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

#### 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  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

01/29/2002 DBYRNE 00000221 1187938  
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Mail documents to be recorded with required cover sheet(s) information to:  
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**TRADEMARK**  
**REEL: 2432 FRAME: 0694**

**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

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

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

#

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

Mark if additional numbers are 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)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,157,938"/>	<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"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

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: #

Authorization to charge additional fees: Yes  No

**Statement and Signature**

To the best of my knowledge and belief, the foregoing 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.

Louis K. Ebling  
Name of Person Signing

  
Signature

October 29, 2001  
Date Signed


## ASSIGNMENT OF TRADEMARKS

WHEREAS, Will Radcliff, doing business as The Radcliff Co., having its principal place of business at 2090 Radcliff Drive, Cincinnati, Ohio 45204 US, is the sole owner of the entire right, title and interest in and to the trademark "KERNEL KING & Design", and is the owner of U.S. Trademark Registration 1,157,938 thereof; and

WHEREAS, Dr. Pepper/Seven Up, Inc., a corporation of Delaware, with its principal place of business at 5301 Legacy Drive, Plano, Texas 75024 US, is desirous of acquiring the entire right, title and interest in and to said trademark and the United States registration thereof, together with goodwill of the business in connection with which said trademark is used;

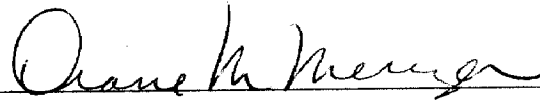
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said Will Radcliff, dba The Radcliff Co., does hereby assign unto said Dr. Pepper/Seven Up, Inc. the entire right, title and interest in and to said trademark and the United States registration thereof, and in and to the goodwill of the business in connection with which said trademark is used, the same to be held and enjoyed by said Dr. Pepper/Seven-Up, Inc., for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by said Will Radcliff, dba The Radcliff Company, if this assignment had not been made; together with all claims for damages by reasons of past infringement of said trademark, with the right to sue for, and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns and other legal representatives.

IN WITNESS WHEREOF, said Will Radcliff has caused this trademark assignment to be executed this 22 day of October 2001.

By   
Will Radcliff, dba The Radcliff Company

STATE OF OHIO            )  
                                  )        ss:  
COUNTY OF HAMILTON )

On this 22 day of October, 2001, before me, a Notary Public, for the above county and state personally appeared Will Radcliff and acknowledge that he signed this document as a free act.

  
Notary Public

DIANE M. MENZER  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 10-11-06

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