

2/23/04

02-25-2004

Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings



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U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): Reichard Bros. Enterprises, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		<p>2. Name and address of receiving party(ies) Name: <u>Habit Holding Company, LLC</u> Internal Address: _____ Address: _____ Street Address: <u>Chapala Street</u> City: <u>Santa Barbara</u> State: <u>CA</u> Zip: <u>93101</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input type="checkbox"/> Corporation-State _____ <input checked="" type="checkbox"/> Other <u>California Limited Liability Company</u></p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>2/11/04</u></p>			
<p>4. Application number(s) or registration number(s): A. Trademark Application No.(s) <u>76/526,701</u></p>		<p>B. Trademark Registration No.(s) <u>2,397,691;</u> <u>2,372,967; 1,557,088</u></p> <p>Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Lyon & Harr, L.L.P</u> Internal Address: <u>Attn: Richard Lyon</u> Street Address: <u>300 Esplanade Dr. Suite 800</u> City: <u>Oxnard</u> State: <u>CA</u> Zip: <u>93036</u></p>		<p>6. Total number of applications and registrations involved: 4</p> <p>7. Total fee (37 CFR 3.41).....\$ <u>160.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: _____</p>	
DO NOT USE THIS SPACE			
<p>9. Signature. <u>Richard T. Lyon Reg. No. 37,385</u> Name of Person Signing</p>		<p><u>[Signature]</u> Signature</p> <p><u>2-20-04</u> Date</p>	
Total number of pages including cover sheet, attachments, and document: 3			

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02 FC:8522

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Mail documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
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TRADEMARK ASSIGNMENT

WHEREAS, REICHARD BROS. ENTERPRISES, INC., (aka "Reichard Brothers Enterprises, Inc.") a California corporation, of 1019 Chapala Street, Santa Barbara, California 93101 ("Assignor") owns the Trademarks listed on Schedule 1 attached hereto and incorporated herein by this reference; and

WHEREAS, HABIT HOLDING COMPANY, LLC, a California]limited liability company, of 1019 Chapala Street, Santa Barbara, California 93101 ("Assignee"), is desirous of acquiring all right, title and interest in and to said Trademarks, the common law rights associated therewith and the registrations with respect thereto, and all of the goodwill of the business associated with the use of and symbolized by said Trademarks.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee, its successors and assigns, Assignor's entire right, title and interest in the Trademarks listed in Schedule A attached hereto and incorporated herein by this reference, the common laws rights associated therewith and the registrations with respect thereto, and all of the goodwill of the business associated with the use of and symbolized by said Trademarks together with all claims for damages by reason of past, present and future infringement of the rights assigned under this Trademark Assignment, 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 as fully and entirely as the same would have been held and enjoyed by Assignor if this transfer to Assignee had not been made.

DATED: February 11, 2004

REICHARD BROS. ENTERPRISES, INC.,
a California corporation (aka "Reichard
Brothers Enterprises, Inc.")

By 

Brent B. Reichard, President

By 

Bruce M. Reichard, Secretary

Schedule 1

List of Trademarks

1. Service Mark Principal Register No. 2,397,691 (October 24, 2000).
2. Service Mark Principal Register No. 2,372,967 (August 1, 2000).
3. Service Mark Principal Register Application Serial No. 76/526701 (June 23, 2003).
4. Trademark Registration No. 1,557,088 (Issued September 19, 1989.
Assigned March 3, 2003).

Handwritten initials or signature, possibly "BR" or "D BR", in black ink.