

TRADEMARK ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	06/29/1992

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
The Capital Fund, Inc.	FORMERLY Capital BIDCO	09/21/2005	CORPORATION: MICHIGAN

RECEIVING PARTY DATA

Name:	The Coffee Beanery, Ltd.
Street Address:	3429 Pierson Place
City:	Flushing
State/Country:	MICHIGAN
Postal Code:	48433
Entity Type:	CORPORATION: MICHIGAN

PROPERTY NUMBERS Total: 5

Property Type	Number	Word Mark
Registration Number:	1187008	THE COFFEE BEANERY
Registration Number:	1331138	CB
Registration Number:	1577151	CAFE CARMEL
Registration Number:	1512924	BEANERY BLEND
Registration Number:	1553085	HOT SPICED VIENNESE

CORRESPONDENCE DATA

Fax Number: (734)665-8788
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: 734-665-4441
 Email: pfransway@psedlaw.com
 Correspondent Name: Paul R. Fransway
 Address Line 1: 24 Frank Lloyd Wright Drive
 Address Line 4: Ann Arbor, MICHIGAN 48105

OP \$140.00 1187008

NAME OF SUBMITTER:	Paul R. Fransway
Signature:	/prf/
Date:	09/26/2005
Total Attachments: 2 source=Executed Assignment of US Trademarks.09-21-05#page1.tif source=Executed Assignment of US Trademarks.09-21-05#page2.tif	

ASSIGNMENT OF UNITED STATES TRADEMARKS

WHEREAS, The Capital Fund, Inc., a Michigan corporation and legal successor in interest to Capital BIDCO, a former Michigan corporation, having an address of 11177 Lochgreen Drive, Lansing, MI 48917 ("Assignor"), by virtue of having taken a security interest in certain United States Trademarks described below ("the Marks") on May 15, 1991, inadvertently owns and holds the entire interest and the goodwill in the following Marks:

Mark: THE COFFEE BEANERY
Registration No.: 1,187,008
Registration Date: January 19, 1982;

Mark: CB
Registration No.: 1,331,138
Registration Date: April 16, 1985;

Mark: Café Carmel
Registration No.: 1,577,151
Registration Date: January 9, 1990;

Mark: Beanery Blend
Registration No.: 1,512,924
Registration Date: November 15, 1988; and

Mark: Hot Spiced Viennese
Registration No.: 1,553,085
Registration Date: August 22, 1989,

which are registered with the United States Patent and Trademark Office as noted above; and

WHEREAS, The Coffee Beanery, Ltd., having an address of 3429 Pierson Place, Flushing, MI 48433-2413 ("Assignee"), and having granted such security interest in the Marks on May 15, 1991, desires to re-acquire the entire right, title, interest and the goodwill in, to and under said Marks given that such security interests were released by Assignor on June 29, 1992;

NOW THEREFORE, for valuable and legally sufficient consideration, including full and complete pay-off of the loan which gave rise to such security interests, the receipt and legal

sufficiency of which are hereby acknowledged by Assignor, Assignor does hereby assign and transfer to said Assignee the entire interest and the goodwill in said Marks, including all registrations and all common law rights, together with all rights and privileges granted and secured thereby, including the right to sue and recover for any past infringement, said rights to be held and enjoyed by Assignee, for its own use and benefit and for the use and benefit of its successors, assigns or other legal representatives.

IN TESTIMONY WHEREOF, Assignor hereby executes this Assignment and deems it to be effective *nunc pro tunc* as of June 29, 1992.

THE CAPITAL FUND, INC.

By: Stephen L. Sandstedt

Name: Stephen L. Sandstedt
Its: President

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

On this 21 day of September, 2005, before me, a Notary Public in and for the County and State aforesaid, appeared Stephen Sandstedt, to me personally known to be the same person who subscribed to the foregoing instrument, and acknowledged that execution of said document was a free and voluntary act for the uses and purposes therein expressed.

WITNESS my hand and seal the day and year last above given.

Notary Public: Michelle L. Neimeyer (SEAL)

My Commission Expires:

