## TRADEMARK ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT
NATURE OF CONVEYANCE:	Corrective Assignment to correct the Assignor previously recorded on Reel 004542 Frame 0464. Assignor(s) hereby confirms the assignor is Evans & Tate Limited and not Oakridge Vineyards Pty Limited

## **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Evans & Tate Limited		12/19/2007	COMPANY: AUSTRALIA

## **RECEIVING PARTY DATA**

Name:	Oakridge Wines Pty Ltd	
Street Address:	864 Maroondah Highway	
Internal Address:	Coldstream	
City:	Victoria	
State/Country:	AUSTRALIA	
Postal Code:	3770	
Entity Type:	CORPORATION: AUSTRALIA	

### PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	3447447	OVER THE SHOULDER

### **CORRESPONDENCE DATA**

Fax Number: (847)441-0911

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 847-441-9100

Email: pto@nealmcdevitt.com

Correspondent Name: Richard B. Biagi/Neal & McDevitt, LLC

Address Line 1: 1776 Ash Street

Address Line 4: Northfield, ILLINOIS 60093

ATTORNEY DOCKET NUMBER: | 62030-012

DOMESTIC REPRESENTATIVE

Name: Richard B. Biagi

TRADEMARK REEL: 004545 FRAME: 0690 OP \$40.00 344/44/

900192454

Address Line 1: 1776 Ash Street Address Line 4: Northfield, ILLINOIS 60093		
NAME OF SUBMITTER:	Jeremy M. Roe	
Signature:	/Jeremy M. Roe/	
Date:	05/23/2011	
Total Attachments: 9 source=OVER THE SHOULDER#page1.tif source=OVER THE SHOULDER#page3.tif source=OVER THE SHOULDER#page4.tif source=OVER THE SHOULDER#page5.tif source=OVER THE SHOULDER#page5.tif source=Over the Shoulder assignment#page1.tif source=Over the Shoulder assignment#page2.tif source=Over the Shoulder assignment#page3.tif source=Over the Shoulder assignment#page4.tif		

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TO:RICHARD B. BIAGI/NEAL & MCDEVITT, LLC COMPANY:1776 ASH STREET

## TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1 05/13/2011 900191903

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Oakridge Vineyards Pty Limited		12/19/2007	CORPORATION: AUSTRALIA

### RECEIVING PARTY DATA

Name:	Oakridge Wines Pty Ltd	
Street Address:	864 Maroondah Highway	
Internal Address:	Coldstream	
City:	Victoria	
State/Country:	AUSTRALIA	
Postal Code:	3770	
Entity Type:	CORPORATION: AUSTRALIA	

# PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Registration Number:	3033815	OAKRIDGE
Registration Number:	3447447	OVER THE SHOULDER

#### CORRESPONDENCE DATA

Fax Number: (847)441-0911

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 847-441-9100
Email: pto@nealmcdevitt.com

Correspondent Name: Richard B. Biagi/Neal & McDevitt, LLC

Address Line 1: 1776 Ash Street

Address Line 4: Northfield, ILLINOIS 60093

ATTORNEY DOCKET NUMBER: 62030-011/012

### DOMESTIC REPRESENTATIVE

Name: Richard B. Biagi

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TO:RICHARD B. BIAGI/NEAL & MCDEVITT, LLC COMPANY:1776 ASH STREET

Address Line 1: 1776 Ash Street Northfield, ILLINOIS 60093 Address Line 4: NAME OF SUBMITTER: Richard B. Biagi Signature: /Richard B. Biagi/ Date: 05/13/2011 Total Attachments: 13 source=Oakridge assignment#page1.tif source=Oakridge assignment#page2.tif source=Oakridge assignment#page3.tif source=Oakridge assignment#page4.tif source=Oakridge assignment#page5.tif source=Oakridge assignment#page6.tif source=Oakridge assignment#page7.tif source=Oakridge assignment#page8.tif source=Oakridge assignment#page9.tif source=Over the Shoulder assignment#page1.tif source=Over the Shoulder assignment#page2.tif source=Over the Shoulder assignment#page3.tif source=Over the Shoulder assignment#page4.tif

# **Deed Poll**

**Evans & Tate Ltd (Subject to Deed of Company Arrangement)** (Receivers and Managers Appointed)

GADENS LAWYERS Level 25, Bourke Place 600 Bourke Street MELBOURNE 3000

T 61 3 9252 2555 F 61 3 9252 2500

Ref: NYL:2705531



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# Deed Poll

## Dated

This deed poll is declared and made by Evans & Tate Ltd (Subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 064 820 408 c/- McGrathNicol , 1/5 Mill Street, Perth, Western Australia 6000 (ETW).

# Background

- A. Oakridge Vineyards Pty Ltd (Receivers and Managers Appointed)(In Liquidation) ACN 076 706 440 (Vendor) and ACN 127 794 307 Pty Ltd ACN 127 794 307 (Purchaser) have entered into a Business and Asset Sale Deed pursuant to which the Vendor has sold and the Purchaser has purchased the Business and the Assets (Agreement).
- B. The Vendor is a wholly owned subsidiary of ETW.
- C. The Assets sold pursuant to the Agreement include the trade marks "Over the Shoulder" (Registration No 1325390, registered in Canada) and "Over the Shoulder" (Registration No 77/041986, registered in the United States.
- D. ETW is the owner of the Australian trade mark "Over the Shoulder" (Registration No 1130831) (Trade Mark) and wishes to assign the Trade Mark to the Purchaser.
- E. ETW has agreed to execute this deed poll for the purpose of assigning the Trade Mark to the Purchaser.

# Operative provisions

# 1. Defined meanings

Words used in this deed poll have the same meaning given to those terms, and the rules of interpretation are the same as set out in the Agreement.

# 2. Assignment

As from the date of this document, ETW assigns to the Purchaser the rights and benefits in and to the Trade Mark, together with the right to apply for, and obtain any registration or other protection in respect of that Trade Mark anywhere in the world.

# 3. General provisions

# 3.1 Governing law and jurisdiction

- (a) This deed poll is governed by and construed under the law in the State of Victoria.
- (b) Any legal action in relation to this deed poll against any party or its property may be brought in any court of competent jurisdiction in the State of Victoria.



(c) Each party by execution of this deed poll irrevocably, generally and unconditionally submits to the non-exclusive jurisdiction of any court specified in this provision in relation to both itself and its property.

## 3.2 Amendments

Any amendment to this deed poll has no force or effect, unless effected by a document executed by the parties.

Executed as a deed poll:

Executed as a Deed Poll for and on behalf of Evans & Tate Ltd (Subject to Deed of Company Arrangement) (Receivers and Managers Appointed) ACN 064 820 408 by one of its Receivers and Managers:

Signature Simum Fraser

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