

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM798994

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	CHANGE OF NAME		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Cabazon Band of Mission Indians	FORMERLY Cabazon Band of Mission Indians	11/15/2021	State-Recognized Indian Tribe:
RECEIVING PARTY DATA			
Name:	Cabazon Band of Cahuilla Indians		
Street Address:	84-245 Indian Springs Pkwy		
Internal Address:	Tribal Administration		
City:	Indio		
State/Country:	CALIFORNIA		
Postal Code:	92203		
Entity Type:	State-Recognized Indian Tribe: UNITED STATES		
PROPERTY NUMBERS Total: 11			
Property Type	Number	Word Mark	
Serial Number:	87194070	POM	
Serial Number:	87205407	LIT	
Serial Number:	87192794	EAGLE FALLS GOLF COURSE	
Serial Number:	87192680	EAGLE FALLS	
Serial Number:	87192762	ROCK YARD	
Serial Number:	87202773	LIQUE ALL-AMERICAN BURGERS TACOS AND SAN	
Serial Number:	87194195	POM	
Serial Number:	87202214	LIT	
Serial Number:	85313082		
Serial Number:	85044109	FANTASY SPRINGS	
Serial Number:	75975197	FANTASY SPRINGS	
CORRESPONDENCE DATA			
Fax Number:	7603477880		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	7603425000		
Email:	jrosser@cabazonindians-nsn.gov		
Correspondent Name:	Jonathan Rosser		

OP \$290.00 87194070

Address Line 1: 84-245 Indio Springs Pkwy
Address Line 2: Tribal Administration
Address Line 4: Indio, CALIFORNIA 92203

NAME OF SUBMITTER: Jonathan Rosser

SIGNATURE: /s/ Jonathan Rosser

DATE SIGNED: 03/30/2023

Total Attachments: 14

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CABAZON BAND OF MISSION INDIANS
84-245 Indio Springs Parkway
Indio, CA 92203

RESOLUTION NO. 09-04-20-01

RE: Adoption of Tribal Constitution

WHEREAS, the Cabazon Band of Mission Indians (the "Tribe") is a federally recognized Indian Tribe located in the County of Riverside, State of California, with powers of self-governance pursuant to Articles of Association; and

WHEREAS, under those Articles of Association, the governing body of the Tribe is the General Council; and

WHEREAS, under federal law, an Indian Tribe has the power and authority to determine its own rules and procedures for self-governance; and

WHEREAS, the Cabazon Band has been organized under "Articles of Association" since their adoption in 1965; and

WHEREAS, those Articles of Association are outdated and inadequate for the governance of the Cabazon Band today; and

WHEREAS, the Tribe has developed a new "Constitution of the Cabazon Band of Indians" (the "Constitution") as a governing document that better serves the interests, purposes and goals of the Cabazon Band at this time; and

WHEREAS, by adoption of this new Constitution, the Tribe will be formally changing its name to the "Cabazon Band of Indians;" and

WHEREAS, the Cabazon General Council has determined that adoption and approval of the new Constitution is in the best interest of the Tribe;

NOW THEREFORE BE IT RESOLVED by the Cabazon General Council that:

1. The Cabazon General Council hereby approves and adopts the "Constitution of the Cabazon Band of Indians" in the form attached hereto.
2. The adoption of the Constitution will also change the name of the Tribe to the "Cabazon Band of Indians."
3. The Tribal Chairman shall submit the Constitution for approval by the Secretary of the Interior or his designee ("Secretary") in accordance with federal law.



4. The Cabazon Business Committee is hereby authorized to make any changes or revisions to the Constitution necessary to secure the approval of the Secretary and to then approve the final version of the Constitution.

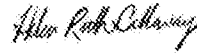
5. Only in the event that federal law requires that this Constitution be approved through a special election authorized and called by the Secretary, this Resolution shall be deemed a tribal request for such an election.

CERTIFICATION

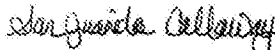
This is to certify that the foregoing resolution was adopted by the Cabazon Band of Mission Indians General Council, by a vote of 9 for, 0 against, 7 abstaining, at a duly called meeting on Friday, September 4, 2020, a quorum being present.



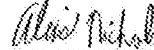
Douglas T. Welmas
Tribal Chairman



Helen Ruth Callaway
Secretary/Treasurer



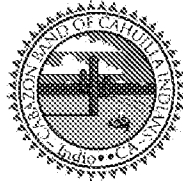
San Juanita Callaway
Vice Chairwoman



Alexis R. Nichols
Liaison to the General Council



Brenda Soulliere
Member-at-Large



**CABAZON BAND OF CAHUILLA INDIANS
84-245 Indio Springs Drive
Indio, Ca 92203**

RESOLUTION NO. _____ 09-01-22-01 _____

Resolution to Amend Resolution No. 09-04-20-01

WHEREAS, The Cabazon Band of Cahuilla Indians (the "Band" or the "Tribe") is a federally recognized Indian Tribe; and

WHEREAS, paragraph 10.D. of the Constitution of the Band, as adopted by the General Council on September 4, 2020 and approved by the Bureau of Indian Affairs on November 15, 2021, has delegated to the Cabazon Tribal Council the authority to enact codes, ordinances and resolutions on behalf of the Cabazon Band; and

WHEREAS, the Tribal Council is fully aware of its options relative to role, functions, authorities, and responsibilities; and

WHEREAS, on September 4, 2020, the Tribe approved Resolution No. 09-04-20-01 (the "Resolution") to adopt a new and updated tribal constitution (the "Constitution"); and

WHEREAS, the Resolution omitted the word "Cahuilla" from the name of the Tribe; and

WHEREAS, the Tribe, having become aware of this omission, now seeks to resolve this error and amend the Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Tribe hereby approves the amendment of Resolution No. 09-04-20-01 to correct the name of the Tribe to "Cabazon Band of Cahuilla Indians" retroactive to September 4, 2020.



CERTIFICATION

WE, THE UNDERSIGNED OFFICIALS OF, the Cabazon Tribal Council do hereby certify that the foregoing resolution was adopted at a duly called Tribal Council meeting held September 1, 2022 for the purpose of conducting business by a vote of 4 "For" "Against" "Abstaining"

Handwritten signature of Douglas T. Welmas in cursive.

Douglas T. Welmas
Tribal Chairman

Handwritten signature of Helen Ruth Callaway in cursive.

Helen Ruth Callaway
Secretary/Treasurer

Handwritten signature of San Juanita Callaway in cursive.

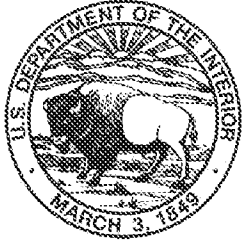
San Juanita Callaway
Vice Chairwoman

Handwritten signature of Alexis R. Nichols in cursive.

Alexis R. Nichols
Liaison to the General Council

Handwritten signature of Brenda Soulliere in cursive.

Brenda Soulliere
Member-at-Large



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
PACIFIC REGIONAL OFFICE
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

IN REPLY REFER TO:
TR-3700 Tribal Government Services

November 15, 2021

CERTIFIED MAIL NO. 7019 0140 0000 7334 9727
RETURN RECEIPT REQUESTED

Honorable Doug Welmas
Chairman, Cabazon Band of Cahuilla Indians
84-245 Indio Springs Parkway
Indio, California 92203

Dear Chairman Welmas:

The purpose of this correspondence is to inform the Cabazon Band of Cahuilla Indians (CBCI) of my decision to approve the Tribe's proposed Constitution. The Bureau of Indian Affairs (BIA), Southern California Agency (SCA), Superintendent submitted the Cabazon Band of Mission Indians (CBMI) proposed Constitution to the BIA, Pacific Region, Division of Tribal Government Services (DTGS), with his recommendation for approval.

The CBMI was initially governed by the Articles of Association (AOA) of the CBMI, as amended. The CBMI determined that the AOA failed to meet the needs of the CBMI and developed the proposed Constitution. The CBMI General Council repealed the AOA in its entirety and enacted the proposed Constitution. The CBMI Chairman requested BIA approval of the proposed Constitution in official correspondence dated September 10, 2020.

The Certification of General Council Resolution No. 09-04-20-01, reflects the Constitution was adopted by the General Council of the CBMI, by a vote of 9 for, 0 against, and 7 abstaining, at a duly called meeting on September 4, 2020, with a quorum present. Therefore, by my signature on the enclosed Certificate of Approval, the Constitution is approved pursuant to the authority delegated to me by Article 10 of the Tribe's Articles of Association and by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. § 477), as amended, and delegated to me through the Indian Affairs Manual, Part 3, Charter 4, Section 1.7, 3, Authorities that are Redelegated only to Regional Directors, No. 21-37, issued May 25, 2021. Please note, the approval of the Constitution is effective as of the date of my signature. Lastly, keep the enclosed approved Constitution for safekeeping.

If you have a question, please contact Harley Long, Tribal Government Officer, at (916) 978-6067, or you may write to the above address.

Sincerely,

AMY
DUTSCHKE

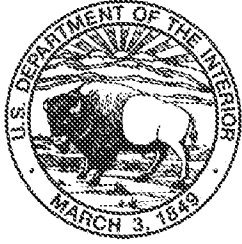
Digitally signed by AMY
DUTSCHKE
Date: 2021.11.15
13:14:49 -08'00'

Regional Director

Enclosures

cc: Superintendent, Southern California Agency

TRADEMARK
REEL: 008025 FRAME: 0776



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
PACIFIC REGIONAL OFFICE
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

IN REPLY REFER TO:
Tribal Government Services

CERTIFICATE OF APPROVAL

Pursuant to the authority granted to me by Article 10, Amendment, of the Articles of Association of the Cabazon Band of Mission Indians, Riverside County, California, and by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. § 477), as amended, and delegated to me through the Indian Affairs Manual, Part 3, Charter 4, Section 1.7, 3, Authorities that are Redelegated only to Regional Directors, No. 21-37, issued May 25, 2021, the Constitution, which was adopted by the General Council of the Tribe on September 4, 2020, is hereby approved. This approval is effective as of this date, provided nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal law.

**AMY
DUTSCHKE**
Digitally signed by
AMY DUTSCHKE
Date: 2021.11.15
13:15:46 -08'00'
Regional Director

November 15, 2021
Date



CONSTITUTION
OF THE
CABAZON BAND OF CAHUILLA INDIANS

Since time immemorial, we, the Cabazon people, have been a people governed by our own oral laws and traditions. We hereby breathe our words, given to us by our creator, into this document that will preserve our inherent sovereign way of life and promote balance (or "*wilt iyako*" in our traditional language*) in everything we do.

1. Name. The name of this tribe is the Cabazon Band of Cahuilla Indians, hereinafter sometimes referred to as the "Tribe" or the "Band."
2. Status. The Cabazon Band of Cahuilla Indians is a federally recognized native tribal government, which has and exercises all of the governmental powers and immunities inherent in and derived from that status.
3. Jurisdiction. The jurisdiction of the Band shall extend to the surface and subsurface interests in the land now and hereafter comprised within the Cabazon Indian Reservation, to other lands held in trust by the United States for the benefit of the Band and, to the greatest extent possible, to all other lands owned by the Band and to the persons and activities taking place on all such lands.
4. Tribal Citizenship.
 - A. The citizenship of the Band shall consist of those living persons in the following categories:
 - (1) Indians of the Band whose names appear on the Cabazon Membership Roll, approved by the Deputy Commissioner of Indian Affairs on January 26, 1962, in accordance with Cabazon Ordinance No. 1, approved by the Area Director on August 29, 1961.
 - (2) Descendants of those persons listed on the roll approved by the Deputy Commissioner of Indian Affairs on January 26, 1962, regardless of whether the ancestor on that roll is living or deceased, providing such descendants possess one-fourth or more degree of Indian blood.
 - B. The official Citizenship Roll shall be prepared and maintained in accordance with Ordinance No. 1, adopted by the Band on July 30, 1961, and approved by the Area Director, Bureau of Indian Affairs, Sacramento Area Office, on August 29, 1961.

* Editor's Note — words or phrases in italics are translations into the Cabazon's traditional Ivia language of the immediately preceding English word or phrase.

5. Governing Body. The governing body of the Band shall be the General Council, which shall consist of all adult tribal citizens in good standing eighteen (18) years of age or older. In addition, there shall be elected from the General Council a Tribal Council consisting of a:

Chair ("*Net*")
Vice Chair ("*Paha*")
Secretary-Treasurer ("*Takva*")
Liaison to the General Council
Member at Large

The Tribal Council shall have the powers and duties hereinafter described. Members of the Tribal Council shall serve a term of four (4) years or until their successors are duly elected and installed.

6. Elections. Any citizen of the Band eighteen (18) years of age or older shall have the right to vote and, if duly elected, to hold office, subject to the following requirements:

In order to be nominated for and elected to the position of tribal Chair, the person must have been elected to and served at least two (2) prior terms in another office on the Tribal Council.

In order to be nominated for and elected to the position of tribal Vice Chair, the person must have been elected to and served at least one (1) prior term in another office on the Tribal Council.

In order to qualify to run for any tribal office, the nominee must pass a required background investigation.

All elections of officers shall be by secret ballot. Nominations for officers of the Tribal Council shall be made at the General Council meeting preceding the month of elections and all nominees certified by the existing Tribal Council shall have their names placed on the ballot. All incumbent names shall be placed on the ballot automatically unless incumbent does not wish to run. No election shall be valid unless at least fifty (50) percent of the qualified voters shall vote in such election. The newly elected officers shall take their offices thirty (30) days after the date of the election. Regular elections shall be held every four (4) years on the first Saturday in the month of May with the next election in 2021.

The General Council may enact ordinances prescribing the form of ballot, rules for calling elections, absentee balloting procedures, selection of election officials, establishment of polling places and other similar matters.

7. Recall of Officers. The General Council, by two-thirds majority vote of the tribal citizens present and voting at a meeting, may remove any tribal official from office:

who fails to carry out the official's Tribal Council responsibilities;
who is found guilty of a felony in any county, state or federal court; or
for gross neglect of duty, or misconduct reflecting on the dignity and integrity of the Band.

Before any vote for removal is taken, the accused official shall be given a written statement of all charges filed against him or her at least thirty (30) days before a meeting of the General Council at which the accused official is to appear, and he or she shall be given a fair opportunity to answer any and all written charges at such meeting. The decision of the General Council shall be final.

8. Vacancies. The General Council shall immediately appoint a qualified replacement to fill the unexpired term of any tribal official who has resigned, died or been removed from office. If no qualified replacement is available, the position may remain vacant for the remainder of the term.

9. Powers of General Council.

A. The General Council shall have the powers and responsibilities hereinafter provided, subject to any limitation imposed by the Statutes or Constitution of the United States:

- (1) To promote the health, education, safety and welfare of citizens of the Band.
- (2) To enact codes, ordinances, laws and resolutions for the governance of the Band and its citizens.
- (3) To manage, lease or otherwise deal with tribal assets and to authorize the sale, disposition, lease or encumbrance of tribal lands, interest in lands, or other tribal assets with the consent of the Band. These powers shall include among others the power to make land assignments or allotments of tribal lands and approved rights of way.
- (4) To employ legal counsel.
- (5) To enact ordinances consistent with this Constitution governing future citizenship, loss of citizenship and adoption of citizens into the Band.
- (6) To assess fees and levy taxes for the payment of expenses of the Band or to finance any project which in its opinion is for the benefit of the Band.
- (7) To establish its own rules of procedure for the conduct of its affairs and by appropriate ordinances or resolutions, delegate to the Tribal Council or any other committee or any other subordinate entity any of the powers and duties contained herein.
- (8) (a) To manage the governmental and economic affairs of the Band and to establish and operate such commercial enterprises as it may deem to be for the benefit of the Band.

(b) Unless expressly disclaimed in its organizational documents, each such tribally-created and tribally-owned commercial enterprise, regardless of its organizational structure, shall be deemed to be exercising the governmental function of raising necessary revenues to support the Band and its citizens and shall constitute an "arm of the tribe," possessing all of the same privileges and immunities - including, but

not limited to, sovereign immunity from unconsented suit and immunity from state taxation - as the Band itself.

(c) Any judicial or quasi-judicial challenge to the status of a tribally-created and tribally-owned commercial enterprise of the Band as an "arm of the tribe" shall be brought and heard only in the Cabazon Reservation Court, which shall have exclusive jurisdiction over such matters.

(9) To encourage and foster Indian arts, crafts, culture and traditions.

(10) To manage tribal affairs in a competent and businesslike manner.

B. Any rights and powers heretofore vested in the General Council but not expressly referred to in this Section shall not be lost by reason of their omission but may be exercised through the adoption of appropriate bylaws or amendments.

10. Powers of Tribal Council. The Tribal Council shall have the following powers and duties:

A. Cause the effectuation of all ordinances, resolutions or other enactments of the General Council.

B. Represent the Band in all negotiations between the Band and local, state, tribal and federal governments, their agencies and officers.

C. Faithfully advise the General Council of all aforementioned negotiations.

D. When the General Council is not in session, the Tribal Council shall have the power and authority to enact codes, ordinances and resolutions on behalf of the Band to the same extent that the General Council could so act and to take any and all other actions that the General Council could take, including but not limited to approving contracts, agreements, leases, easements and rights-of-way needed to develop, manage, preserve, protect, enhance and strengthen Cabazon tribal governmental functions and economic development enterprises.

E. Perform such other functions as directed by the General Council.

11. Sovereign Immunity of Individuals Acting for the Tribe. The Cabazon General Council, through enactment of this provision, hereby declares as a statement of Cabazon tribal law that any tribal officer, employee, agent or attorney, or any officer, employee agent or attorney of any tribally-owned entity or commercial enterprise operating as an "arm of the tribe," when such person is acting in his or her official capacity and within the scope of his or her authority, such action of that individual shall be deemed to be an official action of the Tribe and such individual shall enjoy the same sovereign immunity from unconsented suit with respect to such individual action as the Tribe itself. Tribal sovereign immunity shall bar unconsented suits regardless of whether the individual is sued in his or her individual capacity and whether or not such suit seeks relief only against such individual because any such suit necessarily interferes with and impedes the functioning of tribal self-government and the administration of tribal affairs regardless of against whom relief is sought. Tribes can only function through the individual actions of officers, employees, agents and attorneys

and judicial efforts to question these individual actions or impose liability therefore directly interfere with the governmental functions of the Cabazon Band and are barred by the Tribe's sovereign immunity.

12. Meetings. The General Council shall be convened in a regular meeting in the months of March, June, September and December of each year and at such other times as may be designated by the Tribal Council. Special General Council meetings may be called by the Tribal Council or by petition signed by at least fifty (50) percent of the qualified voters. At any regular or special meeting of the General Council, thirty (30) percent of the qualified voters shall constitute a quorum and no business shall be conducted in the absence of a quorum. All General Council meetings shall be conducted in accordance with Robert's Rules of Order.

13. Officers. There shall be the following tribal officers:

- A. Chair ("*Net*"). The Chair shall preside at all meetings of the General Council and Tribal Council. He or she shall execute on behalf of the Band all contracts, leases or other documents which have been approved by the General Council or the Tribal Council. Consistent with the direction given by the General Council or the Tribal Council, the Chair shall have general supervision of all other officers, employees and committees of the Band and see that their duties are properly performed. When neither the General Council nor the Tribal Council is in session, he or she shall be the official representative of the Band. The Chair shall vote only in the case of a tie vote in either the General Council or Tribal Council meetings.
- B. Vice Chair ("*Paha*"). In the absence of the Chair, the Vice-Chair shall have the power and authority of the Chair and may, if authorized by the Chair, assist the Chair in the performance of the Chair's duties.
- C. Secretary-Treasurer ("*Takwa*"). The Secretary-Treasurer shall oversee the preparation and maintenance of the minutes of both the General Council meetings and meetings of the Tribal Council. The Secretary-Treasurer shall attend to the giving of all notices required by this Constitution. He or she shall receive on behalf of the Tribal Council all petitions provided for in this Constitution. The Secretary-Treasurer shall be bonded at the expense of the Band and shall have care and custody of all assets of the Band and deposit all money in an approved depository. He or she shall disburse all funds as ordered by the General Council or Tribal Council when authorized to expend such funds, by check to be cosigned by the Chair and/or Vice Chair. The Secretary-Treasurer shall oversee the preparation and maintenance of financial accounts, receipts, and records which shall be available for inspection by members of the General Council, Tribal Council, and representatives of the Bureau of Indian Affairs. The Secretary-Treasurer may appoint such assistants as may be necessary to carry out the responsibilities of the office. All financial records of the Band shall be audited at least once each year and at such other times as may be directed by the General Council.
- D. Liaison with the General Council. The Liaison with the General Council shall keep the General Council advised of Tribal Council activities using such Tribal staff to assist as

may be required. He or she shall promote communication between the General Council and the Tribal Council and perform such other liaison functions as may be necessary.

E. Member at Large. The Member at Large shall perform such functions as assigned to him or her by the General Council or the Tribal Council.

14. Approval. This Constitution shall be in effect after it receives the approval of the General Council and the Secretary of the Interior or his designee. Following such approvals, and upon the effectiveness of this Constitution, the current elected officers of the Band shall continue to hold their offices through the end of their current terms and the former "Articles of Association of the Cabazon Band of Mission Indians" shall be repealed in its entirety and superseded by this Constitution.

15. Amendment. This Constitution may be amended by majority vote of the General Council and such amendment shall be in effect upon approval of the Secretary of the Interior or his designee.



CABAZON BAND OF MISSION INDIANS
84-245 Indio Springs Parkway
Indio, CA 92203

RESOLUTION NO. 09-04-20-01

RE: Adoption of Tribal Constitution

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WHEREAS, under those Articles of Association, the governing body of the Tribe is the General Council; and

WHEREAS, under federal law, an Indian Tribe has the power and authority to determine its own rules and procedures for self-governance; and

WHEREAS, the Cabazon Band has been organized under "Articles of Association" since their adoption in 1965; and

WHEREAS, those Articles of Association are outdated and inadequate for the governance of the Cabazon Band today; and

WHEREAS, the Tribe has developed a new "Constitution of the Cabazon Band of Indians" (the "Constitution") as a governing document that better serves the interests, purposes and goals of the Cabazon Band at this time; and

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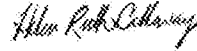
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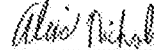
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