

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM812630

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
MR BLACK SPIRITS PTY LTD		09/28/2022	Company: AUSTRALIA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	DIAGEO NORTH AMERICA, INC.		
<b>Street Address:</b>	175 Greenwich Street		
<b>Internal Address:</b>	3 World Trade Center		
<b>City:</b>	New York		
<b>State/Country:</b>	NEW YORK		
<b>Postal Code:</b>	10007		
<b>Entity Type:</b>	Corporation: CONNECTICUT		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	5620374	MR BLACK	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>			
	<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>		
<b>Phone:</b>	212-202-1800		
<b>Email:</b>	diageo@anaqua.com, jennifer.hamilton@diageo.com, mara.mccooney@diageo.com		
<b>Correspondent Name:</b>	Jennifer Hamilton		
<b>Address Line 1:</b>	175 Greenwich Street		
<b>Address Line 2:</b>	3 World Trade Center		
<b>Address Line 4:</b>	New York, NEW YORK 10007		
<b>ATTORNEY DOCKET NUMBER:</b>	81319548		
<b>NAME OF SUBMITTER:</b>	Jennifer Hamilton		
<b>SIGNATURE:</b>	/Jennifer Hamilton/		
<b>DATE SIGNED:</b>	05/24/2023		
<b>Total Attachments: 8</b>			
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**(1) MR BLACK SPIRITS PTY LTD**

**- and -**

**(2) DIAGEO NORTH AMERICA, INC.**

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**Trade Mark Assignment**

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**BETWEEN:-**

- (1) **MR BLACK SPIRITS PTY LTD** a company incorporated in Australia under registered company number 165 958 190 whose registered office is at Suite 4, Level 2, 63-73 Ann Street, Surry Hills, NSW 2010 (the "**Assignor**"); and
- (2) **DIAGEO NORTH AMERICA, INC.**, a company incorporated in Connecticut, whose registered office address is 3 World Trade Ctr 175 Greenwich St FL 41-42 New York, NY, 10007 United States (the "**Assignee**").

**INTRODUCTION**

- (A) The Assignor is the owner and registered proprietor of the intellectual property rights ("**IPRs**", as defined below); and
- (B) The Assignor has agreed to assign to the Assignee all of its right, title and interest in and to the IPRs.

**IT IS AGREED AS FOLLOWS:**

**1. INTERPRETATION**

- a. The definitions and rules of interpretation in this clause apply in this agreement.
- b. "**Effective Date**" means 28 September 2022.
- c. "**IPRs**" means trademarks and service marks (whether registered or unregistered), applications and the right to apply for the same, rights in trade names, business names, brand names, get-up and trade dress, logos, rights to goodwill, rights to sue for passing off, domain names and URLs, social media handles including those rights listed in Schedule 1 below.

**2. ASSIGNMENT**

In consideration of the market value of the IPRs as determined pursuant to an independent valuation, receipt of which the Assignor expressly acknowledges, as of the Effective Date the Assignor hereby assigns to the Assignee absolutely with full title guarantee all its right, title and interest in and to the IPRs, including all associated common law rights and goodwill that is attached to any of the IPRs together with the right to bring, make, oppose, defend or appeal proceedings, claims or actions, and obtain relief and to seek and retain any damages recovered, in respect of any infringement, or any other cause of action arising from ownership, whether occurring before, on, or after the Effective Date and to sue for damages and other remedies for any infringement of any of the IPRs which

occurred prior to the Effective Date and in each case, free and clear of any lien, charge, pledge, security interest, mortgage, claim, restrictions or other encumbrance, the same to be held and fully enjoyed by Assignee, its successors, assigns and other legal representatives.

**3. FURTHER ASSURANCE**

The Assignor shall, as and when requested by the Assignee, perform all further acts and execute and deliver all further documents as may reasonably be necessary or desirable to give full effect to this Assignment.

**4. LAW AND JURISDICTION**

This Assignment shall be governed by the law of England and Wales and the parties submit to the exclusive jurisdiction of the English courts.

**AGREED** by the parties to this Assignment through their authorised signatories.

**SIGNED** for and on behalf of  
**MR BLACK SPIRITS PTY LTD**

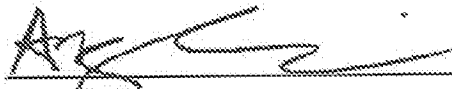


Authorised Signatory

Name of authorised signatory:  
Job title:  
Date of signature:

Kasey McPherson  
Legal Director & Company Secretary  
10 May 2023

**SIGNED** for and on behalf of  
**DIAGEO NORTH AMERICA, INC.**



Authorised Signatory

Name of authorised signatory:  
Job title:  
Date of signature:

Angelique Crain  
Director & Secretary  
May 9, 2023








Authorised Signatory



Name of authorised signatory:  
Job title:  
Date of signature:

Cherise Chamberlain  
Assistant Secretary  
May 9, 2023



Schedule 1 – The Registered IPRs


Country	Trade Mark	Classes	Application No.	Application Date	Registration No.	Registration Date	Status
Australia	 MR BLACK	33	1585924	16 October 2013	1585924	13 November 2014	Registered
Australia	 MR BLACK	33	1661586	01 December 2014	1661586	23 July 2015	Registered
Australia	THE SPIRIT OF COFFEE	33	1669414	16 January 2015	1669414	27 August 2015	Registered
Australia	MR BLACK	33	1685969	08 April 2015	1685969	26 May 2016	Registered

Country	Trade Mark	Classes	Application No.	Application Date	Registration No.	Registration Date	Status
Australia		41	1864314	08 August 2017	1864314	15 March 2018	Registered
Australia	COLD FASHIONED	33	2001785	8 April 2019			Dead / Mark Not Accepted for Registration
Australia	MR BLACK	33	2236169	14 December 2021			Pending / Under Examination
Canada	 MR BLACK	33	1800519	15 September 2016	TMA1033116	27 June 2019	Registered
Canada (IR designation)	MR BLACK	33	1641923 (IR no.) 2164170 (CA application no.)	21 December 2021			Pending / Awaiting Examination
China	 MR BLACK	33	21274719	12 September 2016	21274719	14 November 2017	Registered
China (IR designation)	MR BLACK	33	1641923 (IR no.)	21 December 2021			Pending / Total Provisional Refusal Issued

Country	Trade Mark	Classes	Application No.	Application Date	Registration No.	Registration Date	Status
EU	 MR BLACK	33	014489579	18 August 2015	014489579	15 December 2015	Registered
EU	Mr Bleck's Festival of the Espresso Martini	41	016524861	29 March 2017	016524861	20 July 2017	Registered
EU	MR BLACK	33	18499001	23 June 2021	18499001	09 October 2021	Registered
Hong Kong	 MR BLACK	33	303898784	12 September 2016	303898784	20 March 2017	Registered
Hong Kong	MR BLACK	33	305835466	17 December 2021	305835466	12 May 2022	Registered
India	MR BLACK	33	5422931	25 April 2022			Pending / Objections Raised
Japan		33	2015-120029	07 December 2015	5847513	28 April 2016	Registered
Mexico (IR designation)	MR BLACK	33	1641923 (IR no.) 2727054 (MX application no.)	17 March 2022			Pending / Published
Mexico	MR BLACK	33	2764408	09 June 2022			Pending / Published



Country	Trade Mark	Classes	Application No.	Application Date	Registration No.	Registration Date	Status
New Zealand (IR designation)	MR BLACK	33	1641923 (IR no.) 1201710 (NZ application no.)	21 December 2021			Pending / Published
Peru	MR BLACK	33	000903853-2021	29 June 2021			Pending / Published
Singapore (IR designation)	MR BLACK	33	1641923 (IR no.), 40202202374W (SG application no.)	21 December 2021			Pending / Published
South Korea	MR BLACK	33	4020190118294	30 July 2019	4016285400000	28 July 2020	Registered
Taiwan	MR BLACK	33	110092926	22 December 2021			Pending / Accepted for Registration
Thailand (IR designation)	MR BLACK	33	1641923 (IR no.)	21 December 2021			Pending / Awaiting Examination
UK	 MR BLACK	33	UK00003084591	04 December 2014	UK00003084591	08 May 2015	Registered
UK	Dr Black	33	UK00003111478	02 June 2015	UK00003111478	04 September 2015	Registered
UK	 MR BLACK	33	UK00914489579	18 August 2015	UK00914489579	15 December 2015	Registered
UK	Mr Black's Festival of the Espresso Martini	41	UK00916524861	29 March 2017	UK00916524861	20 July 2017	Registered

Country	Trade Mark	Classes	Application No.	Application Date	Registration No.	Registration Date	Status
UK	MR BLACK	33	UK00003659413	23 June 2021	UK00003659413	29 October 2021	Registered
USA	 MR BLACK	33	86471824	04 December 2014	4876874	29 December 2015	Dead
USA	MR BLACK	33	87564346	30 October 2017	5620374	04 December 2018	Registered
USA	COLD FASHIONED	33	88386679	15 April 2019			Abandoned
USA (IR designation)	MR BLACK	33	1641923 (IR no.), 79332420 (US application no.)	21 December 2021			Pending / Awaiting Examination
Vietnam (IR designation)	MR BLACK	33	1641923 (IR no.)	21 December 2021			Pending / Awaiting Examination
WIPO (designating Canada, China, New Zealand, Singapore, Thailand, USA, Vietnam, Mexico)	MR BLACK	33	1641923	21 December 2021	1641923	21 December 2021	Registered