

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
CRICKET COLA, LLC		12/29/2003	LIMITED LIABILITY COMPANY: DELAWARE
RECEIVING PARTY DATA			
Name:	CRICKET COLA, INC.		
Street Address:	10711 Red Barn Lane		
City:	Potomac		
State/Country:	MARYLAND		
Postal Code:	20854		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	76442088	CRICKET	
CORRESPONDENCE DATA			
Fax Number:	(202)857-6395		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	202-828-3471		
Email:	marames.william@arentfox.com		
Correspondent Name:	Arent Fox PLLC		
Address Line 1:	1050 Connecticut Avenue, NW		
Address Line 4:	Washington, DISTRICT OF COLUMBIA 20036-5399		
ATTORNEY DOCKET NUMBER:	025405.00001 76442088		
NAME OF SUBMITTER:	William E. Marames		
Total Attachments: 2			
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Delaware

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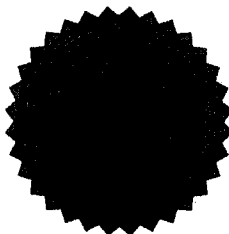
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"CRICKET COLA, LLC", A DELAWARE LIMITED LIABILITY COMPANY, WITH AND INTO "CRICKET COLA, INC." UNDER THE NAME OF "CRICKET COLA, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF DECEMBER, A.D. 2003, AT 5:46 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF DECEMBER, A.D. 2003, AT 11:59 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3747719 8100M

030840603

AUTHENTICATION: 2845382

DATE: 01-02-04

TRADEMARK

REEL: 002979 FRAME: 0646

**Certificate of Merger
merging
Cricket Cola, LLC, a Delaware Limited Liability Company
into
Cricket Cola, Inc., a Delaware Corporation**

Pursuant to Title 8, Section 264(c) of the Delaware Corporation Law and Title 6, Section 18-209 of the Delaware Limited Liability Company Act, the undersigned corporation executed the following Certificate of Merger:

First: The name of the surviving corporation is Cricket Cola, Inc., a Delaware corporation, and the name of the limited liability company being merged into the surviving corporation is Cricket Cola, LLC, a Delaware limited liability company.

Second: An Agreement of Merger has been approved, adopted, certified, executed and acknowledged by the surviving corporation and the merging limited liability company.

Third: The name of the surviving corporation is Cricket Cola, Inc.

Fourth: The merger is to become effective at 11:59 PM, Eastern Standard Time, on December 31, 2003.

Fifth: The Agreement of Merger is on file at 10711 Red Barn Lane, Potomac, MD 20854, the principal place of business of the surviving corporation.

Sixth: A copy of the Agreement of Merger will be furnished by the surviving corporation upon request, without cost, to any stockholder of Cricket Cola, Inc. or any member of Cricket Cola, LLC.

Seventh: The Certificate of Incorporation of the surviving corporation shall continue as its certificate of incorporation, without amendment as a result of the merger or this Certificate of Merger.

In Witness Whereof, the surviving corporation has caused this Certificate of Merger to be signed by an authorized officer this 29th day of December, 2003.

Cricket Cola, Inc.

By: /s/ John W. Heron
Name: John W. Heron
Title: Chairman and Chief Executive Officer

State of Delaware
Secretary of State
Division of Corporations
Delivered 05:45 PM 12/29/2003
FILED 05:45 PM 12/29/2003
SRV 030846605 3747719 FILE
TRADEMARK