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**Electronic Trademark Assignment System**

Trademark Assignment Recordation Form

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ETAS v.1.3

PTO-1594 (Rev. 10/02)

OMB No. 0651-0027 (Exp. 6/30/2008)

**Validate**

All data entered on the previous screens are displayed below. Check the data carefully. If you find any errors, go back to the appropriate screen and correct. Otherwise, select the Go to Payment screen button to proceed.

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1

Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	CORRECTIVE ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	Corrective Assignment to correct the Recordation form cover sheet Name of Receiving Party previously recorded on Reel 002473 Frame 0073. Assignor(s) hereby confirms the Eagle Crest Vineyards, Inc. should have been Eagle Crest Vineyards, LLC.		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
ECW Acquisition, LLC		02/06/2002	LIMITED LIABILITY COMPANY; NEW YORK
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Eagle Crest Vineyards, LLC		
<b>Street Address:</b>	7107 Vineyard Road		
<b>City:</b>	Conesus-on-Hemlock Lake		
<b>State/Country:</b>	NEW YORK		
<b>Postal Code:</b>	14435		
<b>Entity Type:</b>	LIMITED LIABILITY COMPANY; NEW YORK		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
Registration Number:	1371626	EAGLE CREST	

**TRADEMARK****REEL: 003321 FRAME: 0315**

**CORRESPONDENCE DATA**

**Fax Number:** (585)232-7188  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
**Phone:** (607)256-2000  
**Email:** docket@bpmlegal.com, knapp@bpmlegal.com  
**Correspondent Name:** Eugene S. Stephens  
**Address Line 1:** 118 North Tioga Street  
**Address Line 2:** 400 M&T Bank Building  
**Address Line 4:** Ithaca, NEW YORK 14850

<b>NAME OF SUBMITTER:</b>	Eugene S. Stephens
<b>Signature:</b>	/esspat/
<b>Date:</b>	05/03/2006
<b>Total Attachments: 2</b> source=Assignment #1_5#page1.tif source=Assignment #1_6#page1.tif	

**Fee calculated, according to the USPTO fee table**

Description	Fee code	Fee code amount	Quantity	Fee
Recording trademark assignment, agreement or other paper, first mark per document	8521	40.0	1	40.0
<b>Total</b>				<b>\$40.00</b>

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## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.105/03/2006  
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<b>SUBMISSION TYPE:</b>		CORRECTIVE ASSIGNMENT	
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<b>City:</b>	Conesus-on-Hemlock Lake		
<b>State/Country:</b>	NEW YORK		
<b>Postal Code:</b>	14435		
<b>Entity Type:</b>	LIMITED LIABILITY COMPANY: NEW YORK		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	1371626	EAGLE CREST	
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<b>Fax Number:</b>	(585)232-7188		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
<b>Phone:</b>	(607)256-2000		
<b>Email:</b>	doCKET@bpmlegal.com, knapp@bpmlegal.com		
<b>Correspondent Name:</b>	Eugene S. Stephens		
<b>Address Line 1:</b>	118 North Tioga Street		
<b>Address Line 2:</b>	400 M&T Bank Building		
<b>Address Line 4:</b>	Ithaca, NEW YORK 14850		
<b>ATTORNEY DOCKET NUMBER:</b>	REAG-1		
<b>NAME OF SUBMITTER:</b>	Eugene S. Stephens		

OP \$40.00 1371626

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PAGE 005/007

Fax Server

Signature:	/esspat/
Date:	05/03/2006
Total Attachments: 2 source=Assignment #1_5#page1.tif source=Assignment #1_6#page1.tif	

Form PTO-1594 (Rev. 03/01) OMB No. 0851-0027 (exp. 5/31/2002) Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼	<b>RECORDATION FORM COVER SHEET</b> <b>TRADEMARKS ONLY</b>	U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office			
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): <u>ECW Acquisition, LLC</u>  <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State of <u>New York</u> <input type="checkbox"/> Other _____  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Name and address of receiving party(ies) Name: <u>Eagle Crest Vineyards, Inc.</u> Internal Address: _____  Street Address: <u>7107 Vineyard Road</u> <u>Conevus-on-Hemlock Lake</u> City: _____ State: <u>NY</u> Zip: <u>14435</u>  <input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input type="checkbox"/> Corporation-State _____ <input checked="" type="checkbox"/> Other <u>Limited Liability Company</u> <small>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment)</small> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>February 6, 2002</u>					
4. Application number(s) or registration number(s): A. Trademark Application No.(s)  B. Trademark Registration No.(s) <u>1,371,626</u> <u>378,932</u>  Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Lerner, David, Littenberg, Krumholz &amp; Mentlik LLP</u>  Internal Address: _____   Street Address: <u>600 South Avenue West</u>   City: <u>Westfield</u> State: <u>NJ</u> Zip: <u>07090</u>	6. Total number of applications and registrations involved: <span style="border: 1px solid black; padding: 2px;">2</span>  7. Total fee (37 CFR 3.41).....\$ <u>65.00</u>  <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account  8. Deposit account number:  <u>12-1095</u>  (Attach duplicate copy of this page if paying by deposit account)				
<b>DO NOT USE THIS SPACE</b>					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.  <table style="width:100%; border: none;"> <tr> <td style="width:30%; border-bottom: 1px solid black;">                             MICHAEL J. DOHERTY                              Name of Person Signing                         </td> <td style="width:40%; text-align: center; border-bottom: 1px solid black;">                              Signature                         </td> <td style="width:30%; text-align: right; border-bottom: 1px solid black;">                             March 8, 2002                              Date                         </td> </tr> </table>			MICHAEL J. DOHERTY Name of Person Signing	Signature	March 8, 2002 Date
MICHAEL J. DOHERTY Name of Person Signing	Signature	March 8, 2002 Date			
Total number of pages including cover sheet, attachments, and document: <span style="border: 1px solid black; padding: 2px;">3</span>					

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patent & Trademarks, Box Assignments  
 Washington, D.C. 20231

**GENERAL ASSIGNMENT OF TRADEMARKS AND RELATED RIGHTS**

THIS AGREEMENT is made as of the 7th day of February, 2002

BY

ECW Acquisition, LLC (hereinafter "the Assignor"), a limited liability company organized and existing under the laws of the State of Delaware, with offices at 7107 Vineyard Road, Conesus-on-Hemlock Lake, New York, 14435

IN FAVOR OF

Eagle Crest Vineyards, LLC, (hereinafter "the Assignee"), a limited liability company organized and existing under the laws of Delaware, with offices at 7107 Vineyard Road, Conesus-on-Hemlock Lake, New York, 14435

WHEREAS, pursuant to the Asset Purchase and Real Estate Sale Agreement dated November 6, 2001 among, inter alia the parties, it has been agreed that the Assignor shall transfer to the Assignee the following trademarks, (hereinafter "the Trademarks"):

<b>EAGLE CREST</b>	<b>US Trademark Registration No. 1,371,626</b>
<b>O-NEH-DA</b>	<b>US Trademark Registration No. 378,932</b>

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Assignor hereby assigns, conveys and transfers to the Assignee all of its right, title and interest to the Trademarks, together with the goodwill of the business connected with the use of and symbolized by the Trademarks; and in connection with the foregoing, the Assignor, assigns, conveys and transfers to the Assignee all income, royalties, damages, and payments now or hereafter due or payable in respect to the Trademarks and all causes of action (either in law or equity) and the right to sue, counterclaim, and recover for past, present, and future infringement, misappropriation, or dilution of the rights assigned to the Assignee hereunder, and all other rights corresponding thereto throughout the world.

The Assignor shall undertake, at the request of the Assignee, to sign all documentation, including confirmatory trademark assignments, and generally do everything necessary and proper to aid the Assignee, its successors, assigns and nominees, to obtain from the Assignor and record title to the Trademarks transferred herein in each jurisdiction where Trademarks are registered and applications to register Trademarks are pending.

#113659

IN WITNESS WHEREOF, the party hereto has caused this Agreement to be executed by its duly authorized officer and/or signatories as of the date first above written.

ECW Acquisition, LLC.

By: Eagle Crest Management, Inc.,  
Manager

By: [Signature]  
Name: Steven Goldstone  
Title: President

STATE OF New York )  
 )SS.:  
COUNTY OF New York )

On the 6<sup>th</sup> day of February in the year 2002 before me, the undersigned, a notary public in and for said state, personally appeared Steven Goldstone, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the entity upon behalf of which the individual acted, executed the instrument.

[Signature: Dinah B. Slavit]  
Notary Public

DINAH B. SLAVIT  
Notary Public State of New York  
No. 31-0961161  
Qualified in New York County  
Commission Expires Jan. 22, 2006

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