

16A

CHANGE OF NAME

WHEREAS, CONGAR MANUFACTURING COMPANY, INC., a Delaware corporation having its principal place of business at One Gulf & Western Plaza, New York, New York 10023 (hereinafter referred to as the "Corporation"), has adopted, used and is using marks which are registered, and/or for which applications for registration are pending, in the United States Patent and Trademark Office as identified on Schedule A hereto, and the Corporation is the owner of record of all right, title and interest in and to the said marks, together with the goodwill of the business symbolized by the marks and the registrations and/or applications for registration therefor identified on Schedule A hereto;

WHEREAS, the Corporation is the owner of record of all right, title and interest in and to United States letters patent and applications for letters patent identified on Schedule A hereto;

WHEREAS, the Corporation granted certain liens upon, security interests in and mortgages upon its general intangibles, including certain of the aforesaid applications for letters patent, letters patent, marks, applications for registration and registrations identified on Schedule A hereto and the goodwill connected with and symbolized by such marks, to CITIBANK, N.A., a national bank-

REEL 0453 FRAME 36

ing association having an office at 575 Lexington Avenue, New York, New York 10043 (hereinafter referred to as "CITIBANK") and to GULF & WESTERN OVERSEAS, B.V., a Netherlands corporation, with an office at Rijswijkstraat 175, Postbus 9255, Amsterdam W.3, the Netherlands (hereinafter referred to as "OVERSEAS"), all as reflected by instruments made of record in the United States Patent and Trademark Office; and

WHEREAS, pursuant to resolutions duly adopted on May 5, 1983 by the Board of Directors and the stockholders of the Corporation, a Certificate of Amendment to the Certificate of Incorporation of the Corporation was filed on May 10, 1983 with the Secretary of State of the State of Delaware pursuant to the General Corporation Law of the State of Delaware, and pursuant to said Certificate of Amendment to its Certificate of Incorporation, the Corporation changed its name to "CONSOLIDATED CIGAR CORPORATION".


NOW THEREFORE, for the purpose of recording in the United States Patent and Trademark Office, the Corporation does hereby confirm that it did change its name to "CONSOLIDATED CIGAR CORPORATION" and further, the Corporation does hereby confirm that the aforesaid liens, security

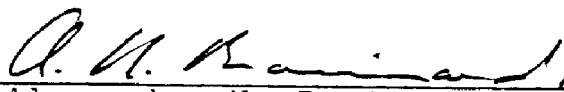
REEL 0453 FRAME 37

interests and mortgages of CITIBANK and OVERSEAS are not affected by said change of name.

Attest:

CONSOLIDATED CIGAR CORPORATION
(formerly known as CONGAR
MANUFACTURING COMPANY, INC.)


Ernest H. Lorch,
Secretary

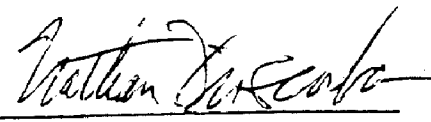
By: 
Alexander N. Brainard,
President

(Corporate Seal)

Acknowledgements

State of New York)
 : ss.:
County of New York)

On this the 1st day of June, 1983, personally came before me Alexander N. Brainard, the President of Consolidated Cigar Corporation, the corporation which executed the above instrument, known to me personally to be such, and acknowledged that he signed the above instrument, that said instrument was the act and deed of said corporation and that the facts stated therein are true.

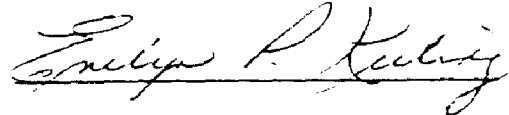


NATHAN FIRSENGORN
Notary Public, State of New York
No. 31-1222450
Qualified in Queens County
Cert. Filed in New York County
Commission Expires March 30, 1985

TRADE-MARK
REEL 0453 FRAME 738

State of New York)
 : ss.:
County of New York)

On this the 1st day of June, 1983, personally came before me Ernest H. Lorch, the Secretary of Consolidated Cigar Corporation, the corporation which executed the above instrument, known to me personally to be such, and acknowledged that he signed the above instrument and, by authorization of the Board of Directors of said corporation, affixed the corporate seal of said corporation.



EVELYN P. KEELING
Notary Public, State of New York
No. 24-01KE4736444
Qualified in Kings County
Cert. Filed in New York County
Commission Expires March 30, 1985

TRADE-MARK

REEL 0453 FRAME 739

Trademarks

<u>Trademark</u>	<u>Registration or Application No.</u>	<u>Registration Date</u>
AIR-TITE	626743 -	5-15-56 -
AIRLOK	386280	4-1-41
AIRWELT	848071	4-30-68
BIAS SLIDE	768997	5-5-64
BLACK N' BURLY	1073301	9-13-77
BUTANER	816824	10-18-66
CHAMPAGNE BLEND	886607	2-24-70
DREAM CASTLE	882741	12-23-69
DRYMATIC	604991	4-26-55
DUTCH MILL & DESIGN	771753	6-23-64
E-Z LOK & DESIGN	510169	5-31-49
FILLS-EASY	848072	4-30-68
FILTERMATIC	SN332919	10-16-81
FLYCASTERS & DESIGN	274448	8-26-30
GT GREAT TASTE, GREAT TOBACCO.	876876	9-16-69
H. SUTLIFF	830096	6-13-67
HEINE'S BLEND & DESIGN	249891	11-20-28
HEINE'S CAVENDISH & DESIGN	780875	12-1-64
HUMIDO	508136	4-5-49
KILLARNEY	599259	12-14-54

TRADE-MARK

REEL 0453 FRAME 740

Trademarks

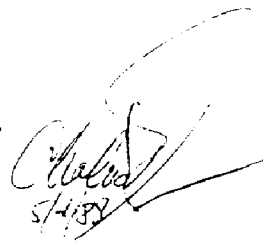
<u>Trademark</u>	<u>Registration or Application No.</u>	<u>Registration Date</u>
LIGHTS IN SHIN- ING ARMOR A WHOLE LOT OF	1004902	2-18-75
MAC TAVISH & DESIGN	882742	12-23-69
MIXTURE NO. 79	510678	6-7-49
MIXTURE NO. 79	1034995	3-2-76
NIMBUS	843073	4-30-68
NIMROD	1032484	2-3-76
NIMROD DESIGN	SN.221283	6-26-79
NO. 79	1034996	3-2-76
R AND SHIELD DESIGN	1027522	12-16-75
RANGER	551739	12-4-51
ROGERS	631565	7-31-56
ROGERS & DESIGN	694874	11-7-50
RYO	862285	12-24-68
RYO FILTERMATIC & DESIGN	886611	2-24-70
RYO FILTERMATIC & DESIGN	889594	4-21-70
SHAMROCK	585909	2-23-54
SIR LITES-A-LOT	1013044	6-10-75
SLYDE-LOK	519554	1-10-50

TRADE-MARK

REEL 0453 FRAME 741

Trademarks

<u>Trademark</u>	<u>Registration or Application No.</u>	<u>Registration Date</u>
STERLING	598071	11-16-54
SUTLIFF PRIVATE STOCK & DESIGN	1172530	10-6-81
ADLON	424606	10-15-46
AIR-TIPS	715303	5-16-61
ANASTASIA	958870	5-15-73
ASTRA LEAF	778067	10-6-14
BACKWOODS	¹¹⁶⁴⁰⁰⁸ 958870	8-4-81
BEN FRANKLIN	770634	6-2-64
CCC & DESIGN	814844	9-13-66
CIGALLET	799288	11-23-65
DON QUIXOTE	887023	3-3-70
DURANGOS	923094	11-2-71
DUTCH MASTERS	502797	10-12-48
DUTCH MASTERS & DESIGN	232114	8-30-27
DUTCH MASTERS DESIGN	1077106	11-8-77
DUTCH TREATS	889636	4-21-70
EL PRODUCTO	707118	11-15-60
EL PRODUCTO FOR REAL ENJOYMENT DESIGN	203569	4-22-25
EL SIDELO	419936	3-12-46



TRADE-MARK

REEL 0453 FRAME 742

Trademarks

<u>Trademark</u>	<u>Registration or Application No.</u>	<u>Registration Date</u>
FLAG SHIP	934368	5-23-72
FLITE	1131938	3-11-80
FOLD-A-PAK	643425	4-2-57
FORM WRAP	1134790	5-6-80
GARS	778066	10-6-64
GUARDSMEN	777713	9-29-64
HARVESTER	420413	4-9-46
HEADLINE	509880	5-17-49
HEMISPHERE	889250	4-14-70
HUMI-LOK	1078893	12-6-74
HUMID-A-SEAL	1078892	12-6-74
LA AZORA	313943	6-12-33
LA FLOR DE LA ROMANA	1003823	2/4/75
LA FLORENA	854011	8-6-68
LA MANCHA	859579	11-5-68
LA PALINA	420414	4-9-46
LOVERA	507005	2-22-49
MALAGUENA	1173548	10-13-81
MARAUDER	947817	11-28-72
MILD HIGH	908941	3-2-71
MILE HIGH	902896	11-24-70

REEL 0453 FRAME 743

TRADEMARK

Trademarks

<u>Trademark</u>	<u>Registration or Application No.</u>	<u>Registration Date</u>
MONA LISA	777712	9-29-84
MURIEL	502152	9-14-48
N'WA	1093385	6-13-78
NURICA	660509	4-15-58
OPERETTA	778068	10-6-64
PANORAMA	854523	8-13-68
PLEBES	819406	11-29-66
PORTINA	636126	10-23-56
RACER	1030238	1-13-76
SIBONEY	901415	10-27-70
SILVER CROWN	987219	7-2-74
SOCIALITE	777711	9-29-64
TIPALET	846584	3-26-68
TOBACCO CON	780872	12-1-64
TUEROS	854012	8-6-68
UNI-BLEND	1147310	2-17-81
VAN BIBBER	503932	11-16-48
VINTAGE	323635	4-23-35
WOMAN'S HEAD, DESIGN OF	683556	8-18-59
1886 & DESIGN	323636	4-23-35
44	419937	3-12-46

TRADE-MARK

REEL 0453 FRAME 744

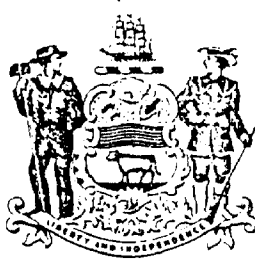
Patents

<u>Patent No.</u>	<u>Title</u>	<u>Issue Date</u>
4,135,962	Apparatus for decorating sheet material	January 23, 1979
4,109,665	Decorated cigar wrappers	August 29, 1978
3,421,520	Apparatus for forming rod of particulate material	January 14, 1969
3,404,820	Apparatus for uniform web feed	October 8, 1968
3,495,600	Cigar shaping and tipping apparatus	February 17, 1970
3,339,714	Shipping and display container	September 5, 1967
3,338,212	Web moistening device	August 29, 1967
3,269,083	Loading apparatus	August 30, 1966
4,006,749	Removal of harmful components from tobacco smoke	February 8, 1977
3,405,021	Label sensor and applicator	October 8, 1968
4,140,135	Hydrophobic coating for tobacco sheet material	February 20, 1979
4,256,124	Method and apparatus for manufacturing filter cigar	March 17, 1981
4,243,053	Filter cigar	January 6, 1981

REEL 0453 FRAME 745

TRADE-MARK

<u>Application Serial No.</u>	<u>Title</u>	<u>Filing Date</u>
346,407	Wrapper leaf treatment	February 8, 1982



State of DELAWARE

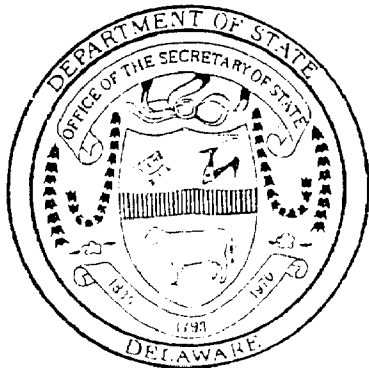


Office of SECRETARY OF STATE

I, Glenn C. Kenton, Secretary of State of the State of Delaware,
do hereby certify that the attached is a true and correct copy of
Certificate of Amendment
filed in this office on May 10, 1983.

REEL 0 4 5 3 FRAME 7 4 6

TRADE-MARK



Glenn C. Kenton

Glenn C. Kenton, Secretary of State

BY: B. Akers

DATE: October 7, 1983

CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF INCORPORATION
OF

CONGAR MANUFACTURING COMPANY, INC.

Congar Manufacturing Company, Inc., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "Corporation"), DOES HEREBY CERTIFY as follows:

FIRST: That the Certificate of Incorporation of the Corporation was filed in the office of the Secretary of State of the State of Delaware on December 22, 1982.

SECOND: That on May 5, 1983 in the manner prescribed by Section 141 of the General Corporation Law of the State of Delaware, resolutions were duly adopted by the Board of Directors of the Corporation amending its Certificate of Incorporation by striking Article FIRST thereof in its entirety and substituting in lieu thereof the following:

FIRST: The name of the corporation (which is hereinafter referred to as the "Corporation") is CONSOLIDATED CIGAR CORPORATION.

THIRD: That in lieu of a meeting and vote of stockholders entitled to vote, such stockholders have given unanimous consent to said amendment in accordance with the

TRADE-MARK

REEL 0453 FRAME 747

TRADEMARK

REEL: 002608 FRAME: 0955

provisions of section 228 of the General Corporation Law of the State of Delaware.

FOURTH: That said amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, the Corporation has caused this this Certificate to be signed by its President and Assistant Secretary.

Dated: May 5, 1983.

CONGAR MANUFACTURING COMPANY, INC.

By *A. N. Brainard, Pres.*
A. N. Brainard, President

Attest:

By *Jack M. Stillman*
Jack M. Stillman,
Assistant Secretary

RECORDED
PATENT & TRADEMARK OFFICE

NOV - 4 1983

James M. [unclear]
COMMISSIONER OF PATENTS

REEL 0453 FRAME 748
TRADE-MARK

TRADEMARK

REEL: 002608 FRAME: 0956



Refund \$80.00

GRIMES & BATTERSBY RECEIVED AUG 15 1988 LWG GJB BWC KEM HAP CNR LIB.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK TRANSMITTAL FORM (In Duplicate)

Applicant/Registrant: Consolidated Cigar Corp.

Mark: BACKWOODS

Serial No./Reg. No.: 1,164,008

Filing Date/Issue Date: August 4, 1988

Indexing

INDEXED 5-5-88

Trademark Attorney:

Law Office:

Enclosed herewith for filing in respect of the above-noted matter are:

- 1. Application with executed Declaration
2. Drawing
3. List of Goods/Services
4. Specimens
5. Power of Attorney
6. Appointment of Domestic Representative
7. Certified copy of
8. Original change of Name Document
9. Response to outstanding Office Action
10. Declaration in support of Substitute Specimens
11. Request for indexing of assignment
12. Assignment; translation
13. Change of Name Document; translation
14. Request for an Extension of Time to Oppose
15. Notice of Opposition
16. Petition for Cancellation
17. Affidavit of Use under Section 8
18. Affidavit of Incontestability under Section 15
19. Renewal Application
20. Our firm's check in the amount of \$
21. Postcard
22. Duplicate copy of this letter

Original change of Name Document

The Commissioner is authorized to charge any amounts due or to credit any over-payments to our firm's Deposit Account No. 07-2162. A duplicate copy of this letter is enclosed for such purpose.

Respectfully submitted,

Grimes & Battersby The Heritage Building 184 Atlantic Street Stamford, CT 06901 (203) 324-2828

Date 5/4/88
Received \$100.00
Cost of Order \$20.00
Refund \$80.00

6 11326 05/16/88 1164008 07-2162 110 405 100.00CH

CERTIFICATE OF EXPRESS MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL, POST OFFICE TO ADDRESSEE, CERTIFICATE NO. IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON

Date of Deposit

Name of Registered Representative

Signature

Date

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON 5-4-88

CHARLES W. GRIMES

SIGNATURE

DATE

TRADEMARK

REEL: 002608 FRAME: 0957

1617

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re registration of: Consolidated Cigar Corporation
Mark: BACKWOODS
Registration No.: 1,164,008
Issue Date: August 4, 1981

Grimes & Battersby
P.O. Box 1311
Stamford, CT 06904-1311
(203) 324-2828

Docket No.: CC005UST

REQUEST FOR INDEXING OF ASSIGNMENT

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

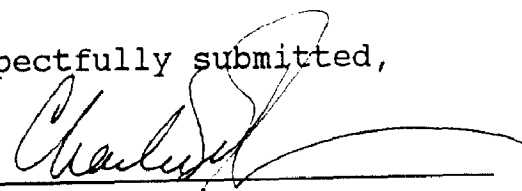
Please index the enclosed original Change of Name, previously recorded at Reel 453,736-748 on November 4, 1983, against the above-noted registration. Page three of Schedule A to the enclosed document, when originally submitted for recording, inadvertently inaccurately recited the registration number for the BACKWOODS registration. Page three has now been amended to accurately reflect the registration number.

Should there be any questions in connection with the action requested, the appropriate representative from the assignment branch of the Patent and Trademark Office is respectfully requested to telephone the undersigned at his office number indicated above.

The transmittal form enclosed with this Request for Indexing of Assignment directs that the Office should charge any fees due to the deposit account of the undersigned. Such transmittal form is enclosed in duplicate for such purpose. It is noted, however, that recordal of the subject document as well as the request to have the document indexed against the cited registration has already been paid for. Thus, it is respectfully submitted that no further fees are necessary. Should the Office determine otherwise, however, the Office is respectfully requested to charge such fees, as stated, against the deposit account of the undersigned and expeditiously conclude the recordal.

A copy of this Request for Indexing of Assignment is being sent to Affidavit-Renewal Examiner, Patricia Ann Everett, to make her aware of the steps being taken to correct the assignment branch records so that the Section 8 and 15 Declaration previously filed can be accepted.

Respectfully submitted,



Charles W. Grimes

cc: Affidavit-Renewal Examiner
Patricia Ann Everett

Enc.: Original Modified Change of Name Document
Transmittal Form (in duplicate)
Post card

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRANSMITTAL FORM

Assignor: Congar Manufacturing Company

Current Owner: Max Rohr, Inc.

Assignee: Consolidated Cigar Corporation

Docket No.: CC005UST

Registration No.: 1,164,008

Mark: BACKWOODS

Registration Date: August 4, 1981


Class: 34

Enclosed herewith for filing in respect of the above-noted matter are:

- 1) Recordation Form Cover Sheet;
- 2) Copy of Assignment Document;
- 3) Copy of Request for Indexing of Assignment;
- 4) Firm's check number 15678 in the amount of \$40.00;
- 5) Postcard; and
- 6) Transmittal form in duplicate.
- 7) Request for Indexing of Assignment.

The Commissioner is authorized to charge any amounts due or to credit any overpayments to our firm's Deposit Account No. 07-2162. A duplicate copy of this letter is enclosed for such purpose.

Respectfully submitted,



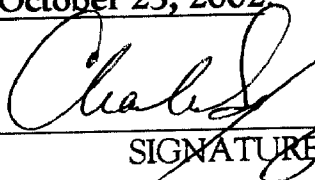
Date: October 23, 2002

Charles W. Grimes
Grimes & Battersby
488 Main Avenue, Third Floor
Norwalk, Connecticut 06851-1008
Telephone: (203) 849-8300

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box: ASSIGNMENTS Washington, DC, 20231, on October 23, 2002.

CHARLES W. GRIMES
NAME OF REGISTERED
REPRESENTATIVE



SIGNATURE

October 23, 2002
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRANSMITTAL FORM

Assignor: Congar Manufacturing Company

Current Owner: Max Rohr, Inc.

Assignee: Consolidated Cigar Corporation

Docket No.: CC005UST

Registration No.: 1,164,008

Mark: BACKWOODS

Registration Date: August 4, 1981

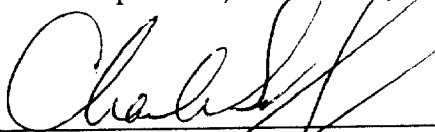
Class: 34

Enclosed herewith for filing in respect of the above-noted matter are:

- 1) Recordation Form Cover Sheet;
- 2) Copy of Assignment Document;
- 3) Copy of Request for Indexing of Assignment;
- 4) Firm's check number 15678 in the amount of \$40.00;
- 5) Postcard; and
- 6) Transmittal form in duplicate.
- 7) **Request for Indexing of Assignment.**

The Commissioner is authorized to charge any amounts due or to credit any overpayments to our firm's Deposit Account No. 07-2162. A duplicate copy of this letter is enclosed for such purpose.

Respectfully submitted,



Date: October 23, 2002

Charles W. Grimes
Grimes & Battersby
488 Main Avenue, Third Floor
Norwalk, Connecticut 06851-1008
Telephone: (203) 849-8300

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box: ASSIGNMENTS Washington, DC, 20231, on October 23, 2002.

CHARLES W. GRIMES
NAME OF REGISTERED
REPRESENTATIVE


SIGNATURE

October 23, 2002
DATE

GRIMES & BATTERSBY, LLP

ATTORNEYS AT LAW

488 MAIN AVENUE

NORWALK, CONNECTICUT 06851-1008

(203) 849-8300

www.gandb.com

FAX: (203) 849-9300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Current Owner: Max Rohr, Inc.

Assignee: Consolidated Cigar Corporation

Assignor: Congar Manufacturing Company, Inc.

Registration No.: 1,164,008

Mark: **BACKWOODS**

Class: 34

Registration Date: August 4, 1981

Docket No.: CC005UST

REQUEST FOR INDEXING OF ASSIGNMENT

Commissioner of Patents and Trademarks

Box: ASSIGNMENTS

Washington, DC, 20231

October 24, 2002

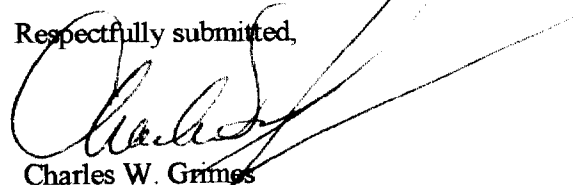
Sir or Madam:

Please note that in response to a prior notice dated April 4, 1988, Consolidated Cigar Corporation had filed a request to have the change of name document already recorded at Reel 453, Frame 736-748, indexed against the above registration. A copy of such request, which had been mailed by certificate of mailing by the undersigned on May 4, 1988, is enclosed. Also enclosed is a copy of the aforementioned change of name document previously recorded in the Patent and Trademark Office. An examination of the change of name document discloses that while the document made appropriate reference to the BACKWOODS trademark on the third page of Schedule A (Frame 742), the registration number was recited incorrectly. The registration number recited, namely, Registration No. 958,870, was an obvious clerical repetition of the same registration number for the ANASTASIA trademark, which appeared two marks above the BACKWOODS entry.

Had the correct registration number been stated, namely, Registration No. 1,164,008, the assignment records of the office would have correctly reflected that Consolidated Cigar Corporation, the new name of Congar Manufacturing Company, Inc., was, in fact, the owner of record of the BACKWOODS registration.

Accordingly, it is respectfully submitted that the enclosed Amended Change of Name document be recorded against Registration No. 1,164,008 to correctly reflect that Congar Manufacturing Company, Inc. changed its name to Consolidated Cigar Corporation.

Respectfully submitted,



Charles W. Grimes

RECORDED: 10/29/2002

**TRADEMARK
REEL: 002608 FRAME: 0962**