

F040000002827

Florida Department of State  
Division of Corporations  
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(((H08000130655 3)))



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To:  
Division of Corporations  
Fax Number : (850) 617-6380

From:  
Account Name : AARON A. FARMER, P.L.  
Account Number : I20070000090  
Phone : (239) 262-2040  
Fax Number : (239) 262-2180

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

2008 MAY 29 PM 3:48

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COR AMND/RESTATE/CORRECT OR O/D RESIGN

INDIAN TABAC - COMPANY, INC.

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TB 5/29/08

May 28, 2008

**VIA FACSIMILIE**

Florida Department of State,  
Division of Corporations,  
Corporate Filings  
P.O. Box 6327  
Tallahassee, Florida, 32314

**Re: *Name change of Indian Tabac - Company, Inc. to Rocky Patel Premium Cigar Company.***

Dear Ms. Brown:

We are in receipt of your fax dated May 28, 2008, asking for certain specific information. However, we would like to apprise you of the following facts regarding the above referenced corporation.

First, on April 21, 2008, Indian Tabac – Company changed its name to Rocky Patel Premium Cigars, Inc. under the laws of the State of Delaware.

Second, on May 12, 2008, Indian Tabac - Company, Inc., faxed an amendment to the State of Florida to change its name to Rocky Patel Premium Cigars, Inc.

Third, on May 16, 2008, the Florida Department of State denied Indian Tabac - Company Inc.'s request to change its name to Rocky Patel Premium Cigar Company because the name was not available for use in Florida.

Fourth, on May 19, 2008, that entity was authorized to do business in Florida (FL # F04000002827).

Fifth, on May 20, 2008, Mr. B. Mucchala provided the State of Florida with an *affidavit* stating that the Directors of Rocky Patel Premium Cigar Company wish to use the name prior to the expiration of the 120 day period following the effective date.

Pursuant to Section 607.1404 sub-section (1) F.S:

A corporation may revoke its dissolution at any time prior to the expiration of 120 days following the effective date of the articles of dissolution.

Pursuant to Section 607.1405 sub-section (5) F.S.

The name of a dissolved corporation shall not be available for assumption or use by another corporation until 120 days after the effective date of dissolution unless the dissolved corporation provides the Department of State with an **affidavit**, executed pursuant to Section 607.0120 permitting the immediate assumption or use of the name by another corporation.

Accordingly, please release the name Rocky Patel Premium Cigar Company prior to the 120 day period because we have met the requirement of the above referenced statutes by providing you with an affidavit signed by Mr. Bharat Mucchala permitting the immediate assumption or use of that name.

Pursuant to your request we state for the record that Rocky Patel Premium Cigar Company will not revoke the voluntary dissolution. We direct you to Item Number 2 referenced below 'Affidavit of Waiver of Revocation of Dissolution for Rocky Patel Premium Cigar Company signed by Mr. B. Mucchala. which states in relevant part that Rocky Patel Premium Cigar Company will not revoke the voluntary dissolution.

Additionally, we provide for your reference the following documents:

1. Indian Tabac – Company, Inc., Application by Foreign Profit Corporation to file Amendment to Application for Authorization to Transact Business in Florida.
2. Affidavit of Waiver of Revocation of Dissolution for Rocky Patel Premium Cigar Company by Bharat Mucchala.
3. Letter dated May 28, 2008, from Florida Department of State Division of Corporations Ref No: F04000002827.

Please expedite this matter at your earliest convenience, and do not hesitate to call me at (239) 262-2040 if you have any further questions or concerns.

Best Regards,



Maria C. Ferrao

05/28/2008 14:03 FAX  
850-617-6381

5/28/2008 10:57 PAGE 001/001 Florida Dept of State

0004/0010



May 28, 2008

FLORIDA DEPARTMENT OF STATE  
Division of Corporations

INDIAN TABAC - COMPANY, INC.  
10960 HARMONY PARK DR.  
BONITA SPRINGS, FL 34135

SUBJECT: INDIAN TABAC - COMPANY, INC.  
REF: F04000002827

We received your electronically transmitted document. However, the document has not been filed. Please make the following corrections and refax the complete document, including the electronic filing cover sheet.

The affidavit must also state that Rocky Patel Premium Cigar Company will not revoke the voluntary dissolution. The certificate from Delaware must also be fax back with the amendment.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6925.

Teresa Brown  
Regulatory Specialist II

FAX Aud. #: H08000130655  
Letter Number: 508A00033373

RECEIVED

2008 MAY 29 AM 8:00

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

05/29/2008 14:04 FAX  
850-617-6381

5/16/2008 11:12 PAGE 001/001 Florida Dept of State

0007/0010



May 16, 2008

FLORIDA DEPARTMENT OF STATE  
Division of Corporations

INDIAN TABAC - COMPANY, INC.  
10960 HARMONY PARK DR.  
BONITA SPRINGS, FL 34135

SUBJECT: INDIAN TABAC - COMPANY, INC.  
REF: F04000002827

We received your electronically transmitted document. However, the document has not been filed. Please make the following corrections and refile the complete document, including the electronic filing cover sheet.

The current name of the entity is as referenced above. Please correct your document accordingly.

The name of your corporation is not available in Florida. An out-of-state corporation whose name is not available must adopt an alternate corporate name for use in Florida. The alternate corporate name must contain "Incorporated," "Company," "Corporation," "Inc.," "Co.," "Corp," "Inc," "Co," or "Corp." Please enter the alternate corporate name in the space provided in number five of the application.

Simply adding "of Florida" or "Florida" to the end of a name is not acceptable.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6925.

Teresa Brown  
Regulatory Specialist II

FAX Aud. #: H08000130655  
Letter Number: 508A00031300


**AFFIDAVIT OF  
WAIVER OF REVOCATION OF DISSOLUTION FOR  
ROCKY PATEL PREMIUM CIGAR COMPANY  
BY BHARAT MUCCHALA**

STATE OF FLORIDA


COUNTY OF LEE

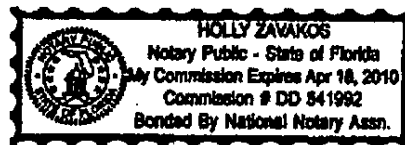
BEFORE ME, the undersigned, a Notary Public in and for the State aforesaid, personally appeared, BHARAT MUCCHALA, who being by me first duly sworn, stated:

1. By unanimous decision of the Directors, Articles of Dissolution for Rocky Patel Premium Cigar Company were executed and filed with the Florida Department of State on May 15, 2008.
2. The Directors of Rocky Patel Premium Cigar Company, wish to use the name in another capacity prior to the expiration of the 120 day period following the effective date of the articles of dissolution.
3. By unanimous decision of the Directors, §607.1404 of the Florida Business Corporation Act is waived by the Rocky Patel Premium Cigar Company.

  
 \_\_\_\_\_  
 BHARAT MUCCHALA

Sworn to and subscribed before me  
On May 20, 2008

  
 \_\_\_\_\_  
 Notary Public  
 Print Name: Holly Zavaros  
 State and County Aforesaid  
 My Commission Expires 4/18/2010



**FILED**  
2008 MAY 29 PM 3:48  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**INDIAN TABAC - COMPANY, INC.  
APPLICATION BY FOREIGN PROFIT CORPORATION TO FILE AN AMENDMENT TO  
APPLICATION FOR AUTHORIZATION TO TRANACT BUSINESS IN FLORIDA**

Pursuant to the provisions of Section 607.1504 of the Florida Business Corporation Act, Indian Tabac - Company, Inc., a foreign for profit corporation (the "Corporation"), adopts the following amendment to its Application for Authorization to Transact Business in Florida:

**SECTION I**

**Name and Document Number**

1. The name of the corporation as it appears on the records of the Department of State is **INDIAN TABAC - COMPANY, INC.**
2. The Corporation was incorporated under the laws of Delaware.
3. The date the Corporation was authorized to do business in Florida is May 19, 2004.
4. The Florida document number for the Corporation is F04000002827.

**ARTICLE II**

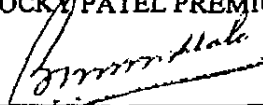
**Amendment**

5. The Corporation changed its name in the State of Delaware effective April 21, 2008.
6. The name of the Corporation is **ROCKY PATEL PREMIUM CIGARS, INC.**

Attached is a certificate or document of similar import, evidencing the amendment, authenticated not more than 90 days prior to delivery of the application to the Department of State by the Secretary of the State of Delaware, the other official having custody of corporate records in the jurisdiction under the laws of which it is incorporated.

Dated this 12<sup>th</sup> day of May, 2008.

INDIAN TABAC - COMPANY, INC.  
n/k/a ROCKY PATEL PREMIUM CIGARS, INC.

By:   
Bharat Muchhala, Its Director and Secretary

05/29/2008 14:03 FAX

0005/0010

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 08:00 AM 04/21/2008  
FILED 08:00 AM 04/21/2008  
SRV 080453306 - 2938650 FILE

STATE OF DELWARE  
CERTIFICATE OF AMENDMENT  
OF CERTIFICATE OF INCORPORATION  
INDIAN TABAC - COMPANY, INC.

The corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware does hereby certify:

FIRST: That at a meeting of the Board of Directors of INDIAN TABAC - COMPANY, INC., resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of said corporation, declaring said amendment to be advisable and calling a meeting of the stockholders of said corporation for consideration thereof. The resolution setting forth the proposed amendment is as follows:

RESOLVED, that the Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered "1. Name" so that, as amended, said Article shall be and read as follows:

1. Name. The name of the corporation is Rocky Patel Premium Cigars, Inc.

SECOND: That thereafter, pursuant to resolution of its Board of Directors, a special meeting of the Stockholders of the Corporation was waived by the written consent of the stockholders representing the holders of outstanding stock having not less than the minimum number of votes that would be necessary to authorize or take such action at a meeting at which all shares entitled to vote thereon were present and voted was delivered to the corporation at its principal place of business in accordance with Section 228 of the General Corporation Law of the State of Delaware as required by statute, thus giving authorization in favor of the amendment.

THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, said corporation has caused this certificate to be signed this 21 day of April, 2008.

By: Rakesh Patel  
Rakesh Patel, Its President

21447

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