

T00000000657

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

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TALLAHASSEE, FLORIDA

G. HARVEY

APR 06 2010

EXAMINER



CORPORATION SERVICE COMPANY

ACCOUNT NO. : I20000000195

REFERENCE : 325476 4309778

AUTHORIZATION :

COST LIMIT : \$50.00

ORDER DATE : March 23, 2010

ORDER TIME : 9:56 AM

ORDER NO. : 325476

CUSTOMER NO: 4309778

RESUBMIT
Please give original
submission date as file date.

TRADEMARK/SERVICE MARK FILINGS

NAME: WATERMARK COMMUNITIES

XX ASSIGNMENT

PLEASE RETURN THE FOLLOWING AS PROOF OF FILING:

XX PLAIN STAMPED COPY

CONTACT PERSON: Kimberly Moret-EXT#2949

EXAMINER'S INITIALS: _____

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COVER LETTER

TO: Registration Section
Division of Corporations

SUBJECT: TIBURON NAPLES & DESIGN (See attached Trademark Assignment Agreement)
(Name of Mark to be assigned)

Dear Sir or Madam:

The enclosed Mark Assignment and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to the following:

Frances Cutajar

(Name of Person)

White & Case LLP

(Firm/Company)

1155 Avenue of the Americas

(Address)

New York, NY 10036-2787

(City/State and Zip Code)

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TALLAHASSEE, FLORIDA

For further information concerning this matter, please call:

Frances Cutajar at (212) 819-8368
(Name of Person) (Area Code & Daytime Telephone Number)

STREET/COURIER ADDRESS:

Registration Section
Division of Corporations
Clifton Building
2661 Executive Center Circle
Tallahassee, Florida 32301

MAILING ADDRESS:

Registration Section
Division of Corporations
P.O. Box 6327
Tallahassee, Florida 32314

FILING FEE: \$50 per class

ASSIGNMENT OF MARK REGISTRATION

1. The mark to be assigned is: TIBURON NAPLES & DESIGN
2. Registration Number: T00000000657
3. (a) Assignor's name: 2009 Real Estate, LLC

(b) Assignor's Business Address: 24301 Walden Center Drive

Bonita Springs, FL 34134
City/State/Zip

If Different, Assignor's Mailing Address: _____

City/State/Zip

4. (a) Assignee's name: WCI Communities, LLC

(b) Assignee's Business Address: 24301 Walden Center Drive, Suite 300

Bonita Springs, FL 34134
City/State/Zip

If Different, Assignee's Mailing Address: _____

City/State/Zip

- (c) Assignee's telephone number: (239) 498-8200
- ☐ Individual ☐ Corporation ☐ Joint Venture ☒ Limited Liability Company
- ☐ General Partnership ☐ Limited Partnership ☐ Union ☐ Other: _____

If other than an individual,

(1) Florida registration/ document number: _____ (2) Domicile State: _____

(3) Federal Employer Identification Number: _____

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TALLAHASSEE, FLORIDA

5. All right, title and interest in and to said mark, together with the good will of the business in which the mark is used (or that part of the good will of the business connected with the use of and symbolized by the mark) is hereby

assigned by 2009 Real Estate, LLC to WCI Communities, LLC
(the Assignor) (the Assignee)

6. Assignor's Signature: See attached Trademark Assignment Agreement

By _____
(Typed or Printed Name of Person Signing Above)

On this _____ day of _____, _____,
personally appeared before me,

☐ who is personally known to me ☐ whose identity I proved on the basis of _____
(Notary Seal)

Signature of Notary Public

7. Assignee's Signature: See attached Trademark Assignment Agreement

By _____
(Typed or Printed Name of Person Signing Above)

On this _____ day of _____, _____,
personally appeared before me,

☐ who is personally known to me ☐ whose identity I proved on the basis of _____
(Notary Seal)

Signature of Notary Public

FILING FEE: \$50 per class
Division of Corporations P. O. Box 6327 Tallahassee, FL 32314

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

TRADEMARK ASSIGNMENT

This Trademark Assignment ("Assignment"), dated as of January 28 2010, by and between 2009 REAL ESTATE, LLC, a Delaware limited liability company, having its principal offices at 24301 Walden Center Drive, Suite 300, Bonita Springs, Florida 34134 ("Assignor") and WCI COMMUNITIES, LLC, a Delaware limited liability company with offices at 24031 Walden Center Drive, Bonita Springs, Florida 34134 ("Assignee").

W I T N E S S E T H:

WHEREAS, Assignor is the owner of record of the trademark registrations listed on Schedule A, attached hereto and made a part hereof (the "Trademarks");

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Assignor does hereby sell, grant, convey, assign, and set over unto Assignee its entire right, title and interest in and to the Trademarks, and to all of the rights and obligations relating thereto, together with the goodwill symbolized by, and associated with, the business in connection with which the Trademarks are used and further including all rights: (i) in and to all proceeds resulting from the Trademarks; (ii) in and to all causes of action and enforcement rights for the Trademarks including all rights to pursue damages, injunctive relief and other remedies for past and future infringement of the Trademarks; and (iii) to apply in any or all jurisdictions of the world for trademarks, certificates or other governmental grants for the Trademarks.

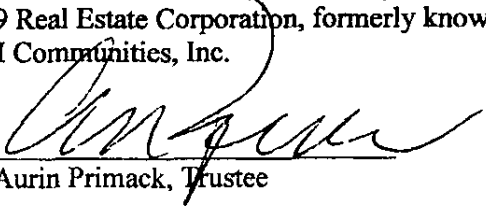
2. Assignor hereby authorizes and requests the Secretary of the State of Florida to record Assignee as assignee and owner of the Trademarks.

IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment to be executed by their duly authorized officer on the date first above written.

ASSIGNOR:

2009 REAL ESTATE, LLC, formerly known as
2009 Real Estate Corporation, formerly known as
WCI Communities, Inc.

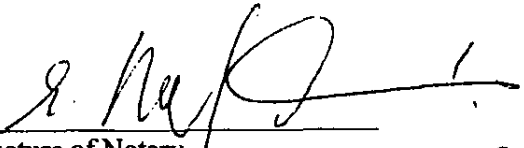
By:

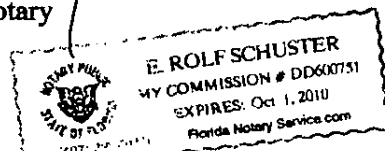

Aurin Primack, Trustee

STATE OF FLORIDA)
COUNTY OF PALM BEACH)ss:

On this 26 day of JAN 2010, _____, before me the undersigned, a Notary Public for the State of _____, personally appeared Aurin Primack, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.


Signature of Notary



ASSIGNEE:

WCI COMMUNITIES, LLC

By: Vivien Hastings
Vivien Hastings, Senior Vice President

STATE OF Florida)
)ss:
COUNTY OF Lee)

On this 28th day of January, 2010, Vivien Hastings, before me the undersigned, a Notary Public for the State of Florida, personally appeared Vivien Hastings, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

NOTARY PUBLIC-STATE OF FLORIDA
Mary S. Cook
Commission # DD744279
Expires: MAR. 06, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

Mary S Cook
Signature of Notary

Schedule A
Trademarks

State of Florida Trademark Registrations

Mark	Document Number	Filing Date
WCI	T00000000448	04/13/2000
TIBURON & DESIGN	T00000000679	06/8/2000
TIBURON & DESIGN	T00000000678	06/8/2000
TIBURON NAPLES & DESIGN	T00000000926	08/10/2000
TIBURON & DESIGN	T00000000923	08/10/2000
TIBURON NAPLES & DESIGN	T00000000657	06/07/2000
TIBURON NAPLES & DESIGN	T00000000929	08/10/2000
TIBURON (STYLIZED)	T00000000920	8/10/2000
TIBURON	T00000000919	08/10/2000
TIBURON	T00000000928	08/10/2000
PELICAN LANDING & DESIGN	T12817	04/30/1990
DESIGN OF HERON	T94000001571	12/16/1994
HERON BAY & DESIGN	T94000001572	12/16/1994
LOST KEY GOLF AND BEACH CLUB	T05000001475	11/18/2005