

No. 983.

APPLICATION
FOR REGISTRATION
OF TRADE MARK

"Ruby-National-Red-Star"

Cancelled 5.22.66

STATE OF WYOMING }
Office of the Secretary } ss.

This instrument was filed on the

31 day of July
A. D. 1935, at Stock 2:00 P. M.,

and is recorded in Book # 3 Record
Trade Marks
of Corporations, page - 423 -

LESTER C. HUNT,
Secretary of State

By

Rodney Barnes
Deputy

12.B

POWER OF ATTORNEY BY CORPORATION

KNOW ALL MEN BY THESE PRESENTS, that National Distilling Company
owned and operated by Red Star Yeast and Products Company
a corporation duly organized under the laws of the State of Wisconsin
and having its principal place of business in the City of Milwaukee
State of Wisconsin, does here make, constitute, and appoint LEE W. MIDA,
its true and lawful attorney, for it, and its name, place, and stead to make
application for registration of its trade mark in the ~~State of~~ United States
and to receive any and all correspondence relating thereto, giving and granting
unto its said attorney full power and authority to do and perform all and every
act and thing whatsoever, requisite, necessary and proper to be done in the
premises, as fully, to all intents and purposes as it might or could do, with
full power of substitution and revocation, hereby ratifying and confirming all
that its said attorney, or his substitute, shall lawfully do, or cause to be
done, by virtue hereof.

National Distilling Company

In witness whereof the owned and operated by Red Star Yeast and Products Co.
has caused its corporate name to be subscribed hereto by its President, and its
corporate seal to be affixed, attested by its Secretary this 28 day of June 1935.
National Distilling Company owned and operated by
Red Star Yeast and Products Company
By [Signature]
President.
(Seal) Attest [Signature]
Secretary.

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

I, E. H. Grede certify that B. A. Bergenthal
and C. W. Lubenow who are each personally known to me to be
the same persons whose names are subscribed to the foregoing instrument; appeared
before me this day in person, and acknowledged that they signed, sealed and
delivered said instrument as their free and voluntary act, for the uses and pur-
poses therein set forth.

Given under my hand and seal this 28 day of June 1935.

[Signature]
Notary Public
Notary Public, Milwaukee County, Wis.
My Commission Expires Jan. 9, 1938

TO THE HONORABLE SECRETARY OF STATE OF THE STATE OF WYOMING:

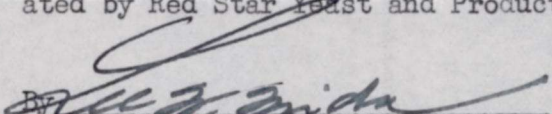
NATIONAL DISTILLING COMPANY, owned and operated by Red Star Yeast and Products Company, a corporation organized under the laws of the State of Wisconsin, located and doing business at 221 E. Buffalo Street, in the City of Milwaukee, State of Wisconsin, having adopted and used as a trade mark to identify the goods manufactured by them and produced by them hereby petition the Honorable Secretary of State of the State of Wyoming that he admit the same to record and to the privileges of the laws in such cases made and provided.

The trade mark consists of the words "RUBY-NATIONAL-RED STAR", as used on alcoholic and non-alcoholic beverages of every description.

The trade mark has been in continuous use since May, 1905.

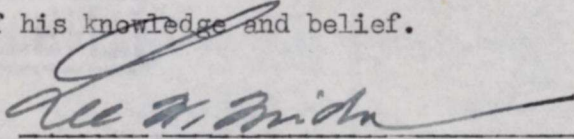
The said corporation believes that it is the true and lawful owner of the trade mark and entitled to its exclusive use and that no other individual, firm, corporation or association to the best of its knowledge has the right to use the same either in the identical form or in such near resemblance thereto as may be calculated to deceive, and that the facsimiles, copies or counterparts filed therewith are true and correct.

NATIONAL DISTILLING COMPANY, owned and operated by Red Star Yeast and Products Company

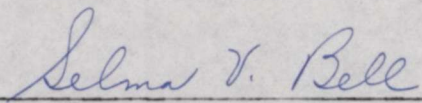

Lee W. Mida, Its Attorney.

State of Illinois)
) ss:
County of Cook)

Lee W. Mida, being first duly sworn deposes and says that he has read the above and foregoing application and knows the contents thereof and that he verily believes the same to be true to the best of his knowledge and belief.



Subscribed and sworn to before me a Notary Public, in and for the aforesaid county and state, this 22nd day of July, 1935.



Notary Public.

My Commission Expires January 12, 1936

**RUBY
NATIONAL
RED STAR**



NATIONAL DISTILLING CO.
MILWAUKEE, WISCONSIN

WYOMING

"RUBY-NATIONAL-RED STAR"

WILLIAM C. BREED
CHARLES H. TUTTLE
DANA T. ACKERLY
JAMES MCV. BREED
SUMNER FORD
PARIS S. RUSSELL
WILLIAM J. QUINN
WINFRED K. PETIGRUE
GEORGE A. WILSON
J. SYDNEY STONE
STODDARD B. COLBY
WILLIAM C. BREED, JR.
COLBY STILSON
WILLIAM L. HANAWAY
PAUL L. PEYTON

LONDON PARTNER
GILBERT F. KENNEDY

BREED, ABBOTT & MORGAN
15 BROAD STREET
NEW YORK

1 GARDEN COURT, MIDDLE TEMPLE
LONDON, E.C. 4

CABLES "BREEDABBOT"

May 24, 1940

Secretary of State,
Cheyenne,
Wyoming.

Re: Red Star Yeast and Products Company

Dear Sir:

We have your letter of April 15th in answer
to our letter of April 11th.

In this matter we represent National Distillers
Products Corporation. Under an agreement between our
client and Red Star Yeast and Products Company the latter
has agreed to discontinue all use of the word "National"
in any form whatsoever. That is the explanation for the
instruments enclosed in our letter of April 11th and we
felt that the instruments should be filed so that anyone
examining the records would have notice of the matters
therein contained.

Furthermore, Red Star Yeast and Products Company,
and not our client, is still the owner of the other matter
set forth in the trademark and our client would therefore
not be the one to reregister the same.

We might state that the Secretaries of State of
many other states have accepted similar instruments without
question.

We are therefore returning the documents herewith
and trust that you will file the same.

Yours very truly,

Breed Abbott Morgan

Enclosures

TO THE SECRETARY OF STATE
OF THE STATE OF WYOMING :

The undersigned, Red Star Yeast and Products Company, a Wisconsin corporation, of 221 East Buffalo Street, Milwaukee, Wisconsin, on or about July 31, 1935 filed in your office a trademark consisting of the words "Ruby-National-Red Star". In the application the undersigned identified itself as "National Distilling Company, owned and operated by Red Star Yeast and Products Company" and on the label displaying said trademark identified itself as "National Distilling Co." Thereafter you issued your certificate that said trademark had been filed in your office by "National Distilling Company".

The undersigned hereby cancels so much of said trademark as consists of the word "National" and also requests that the name of the owner of the remainder of said trademark consisting of the words "Ruby-Red Star" be changed on your records from "National Distilling Company" or from "National Distilling Company, owned and operated by Red Star Yeast and Products Company" to "Red Star Yeast and Products Company".

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed by its duly authorized officers and its corporate seal to be hereunto affixed this 29 day of February, 1940.

RED STAR YEAST AND PRODUCTS COMPANY

By

C. L. Smith

President

ATTEST:

C. W. Lubenow

Secretary