

RECORDATION FORM

06-30-1998

DEPARTMENT OF COMMERCE
and Trademark Office

TRADEMARK



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To the Honorable Commissioner of Patents and Trademarks: *Areas*

100751321

Copy thereof.

1. Name of conveying party(ies):

Schwan's Sales Enterprises, Inc.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State MN
☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: June 1, 1998

2. Name and address of receiving party(ies)

Name: Orion Food Systems, Inc.

Internal Address:

Street Address: 2930 West Maple Street

City: Sioux Falls State: SD ZIP: 57101

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State SD
☐ Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

75/419015, 75/419903, 75/379807, 75/427092,
75/378652, 75/379806 and 75/413740

B. Trademark Registration No.(s)

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Julie Swedzinski

Internal Address: Law Department

Schwan's Sales Enterprises, Inc.

Street Address: 115 West College Drive

City: Marshall State: MN ZIP: 56258

6. Total number of applications and registrations involved: 7

7. Total fee (37 CFR 3.41) \$190.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

06/29/1998 DCDATES 00000159 75419015

DO NOT USE THIS SPACE

01 FC:401

40.00 DP

02 FC:402

150.00 DP

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.

Julie Swedzinski

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 6

ASSIGNMENT OF TRADEMARK PENDING APPLICATIONS

WHEREAS, Schwan's Sales Enterprises, Inc., a corporation organized under the laws of the state of Minnesota, with its principal office and place of business at 115 West College Drive, Marshall, Minnesota (hereinafter referred to as "Assignor"), is the registered owner of the marks which are listed on Exhibit A attached hereto and made a part hereof which are pending registration in the United States Patent and Trademark Office under the serial numbers shown opposite each mark on Exhibit A; and

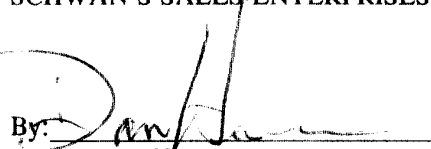
WHEREAS, Orion Food Systems, Inc., a corporation organized under the laws of the state of South Dakota, with its principal office and place of business at 2930 West Maple Street, Sioux Falls, South Dakota (hereinafter referred to as "Assignee"), is desirous of acquiring said marks and the goodwill of the business of Assignor connected with the use and symbolized by said marks;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said Assignor does hereby assign and transfer unto the said Assignee all right, title and interest in and to the said marks, together with the goodwill of the business symbolized by the marks, and the above-identified registration thereof effective as of June 1, 1998.

The Commissioner of Patents and Trademarks is requested to issue the Certificates of Registration for the pending applications to said Assignee.

SCHWAN'S SALES ENTERPRISES, INC.

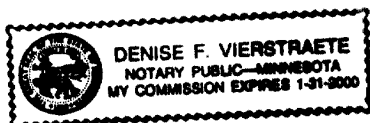
DATE _____

By: 
Dan Herrmann
Vice President

STATE OF MINNESOTA)

COUNTY OF LYON)

On this ____ day of June, 1998, before me appeared Dan Herrmann, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of Schwan's Sales Enterprises, Inc., with authority to do so.



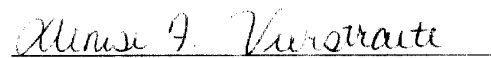

Notary Public

EXHIBIT A

<u>MARK</u>	<u>SERIAL NO.</u>	<u>GOODS/SERVICES</u>
GRIPPER'S GRILL	75/419015	Tortillas filled with rice, vegetables, meats, and/or sauce
GRIPPER'S GRILL & Design	75/419903	Tortillas filled with rice, vegetables, meats, and/or sauce
GRIPPER'S MAXWRAPS	75/379807	Tortillas filled with rice, vegetables, meats, and/or sauce
MAXWRAPS GRIPPER'S GRILL & Design	75/427092	Tortillas filled with rice, vegetables, meats, and/or sauce
GRIPPER'S	75/378652	Tortillas filled with rice, vegetables, meats, and/or sauce
MAXWRAPS	75/379806	Tortillas filled with rice, vegetables, meats, and/or sauce
MAXWRAPS & Design	75/413740	Tortillas filled with rice, vegetables, meats, and/or sauce