

RE

FORM PTO-1618A  
Expires 06/30/99  
OMB 0651-0027

07-02-1998

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK



MED  
6-24-98

100753906  
RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger  
Effective Date  
Month Day Year
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- Individual  General Partnership  Limited Partnership

- Corporation  Association

Other

Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 1746 FRAME: 0984

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="00710381"/>	<input type="text" value="00726314"/>	<input type="text" value="01094665"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="01468573"/>	<input type="text" value="01468574"/>	<input type="text" value="01469286"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="01534549"/>	<input type="text" value="01531121"/>	<input type="text" value="01546647"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Previously Paid

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

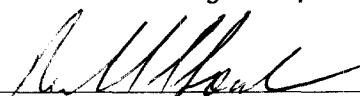
No

**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. Charges to deposit account are authorized, as indicated herein.

Richard S. Soroko

Name of Person Signing



Signature

6/19/98

Date Signed

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

**Conveying Party**

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship State of Incorporation/Organization

**Receiving Party**

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached (Designation must be a separate document from the Assignment.)

Corporation  Association

Other

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Trademark Application Number(s)

Registration Number(s)

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01549414	01550407	01585992
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United States

ASSIGNMENT OF TRADEMARKS

WHEREAS, Fresh Choice Produce, Inc. ("Assignor"), a California corporation, located and doing business at 126 Sun Street, Salinas, California 93915, has adopted, used and is using the trademarks (the "Marks") and is the owner of the United States registrations thereof (the "Registrations") identified in the attached Schedule A; and

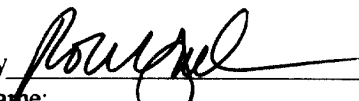
WHEREAS, NewStar Fresh Foods, LLC ("Assignee"), a Delaware limited liability company, located and doing business at 126 Sun Street, Salinas, California 93915, has acquired all rights, title and interest in and to the Marks and Registrations thereof, pursuant to a Consolidation Agreement between Assignor and Assignee dated as of March 22, 1997; and

WHEREAS, Assignor and Assignee desire that the transfer of the Marks and the Registrations thereof be evidenced by a written assignment of the Marks from Assignor to Assignee;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign effective as of March 22, 1997 unto Assignee, and its successors and assigns, all rights, title and interest in the Marks throughout the world, whether common law, statutory or otherwise, together with the goodwill of the business symbolized by the Marks, and any and all applications for registration thereof, and any and all registrations thereof (including without limitation the Registrations), whether existing or expired or canceled, in the United States, in any state, territory or possession of the United States, and in any foreign country or elsewhere.

Dated: 3/22, 1997.

FRESH CHOICE PRODUCE, INC.

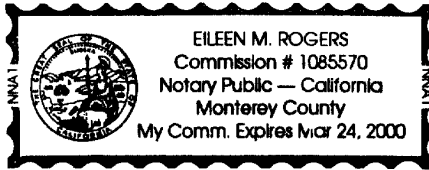
By   
Name: ROBERT JENKINS  
Title: President

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA            )  
  )     ss.  
County of Monterey            )

On this the 22nd day of May, 1997, before me Eileen M. Rogers, the undersigned Notary Public, personally appeared Robert V. Jenkins, personally known to me ( or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as President on behalf of Fresh Choice Produce, Inc., and acknowledged to me that Fresh Choice Produce, Inc. executed it.

WITNESS my hand and official seal.



Eileen M. Rogers  
Notary Public

My commission expires:

March 24, 2000

Schedule A

<u>Trademark</u>	<u>Registration Number</u>	<u>Registration Date</u>
MOR GREEN (and Design)	710,381 Supplemental Register	Jan. 24, 1961
OMO (stylized)	726,314	Jan. 9, 1962
BIG MO	1,094,665	June 27, 1978
SWINGATE GARDEN	1,468,573	Dec. 8, 1987
JENNY'S GARDEN	1,468,574	Dec. 8, 1987
SWINGATE FARMS	1,469,286	Dec. 15, 1987
PREMIER FARMS	1,534,549	Apr. 11, 1989
SALUTE	1,531,121	Mar. 21, 1989
PADRE	1,546,647	July 4, 1989
DESERT COAST	1,549,414	July 25, 1989
FRESH EFFECTS	1,550,407	Aug. 1, 1989
VERIGREEN	1,585,992	Mar. 6, 1990
PREFERRED PRODUCE	1,587,303 Supplemental Register	Mar. 13, 1990
TRIPLE WASHED (and Design)	1,599,779	June 5, 1990
MONTECITO (and Design)	1,604,879	July 3, 1990
PREMIER FARMS	2,042,620	Mar. 11, 1997