

FORM PTO-1594 R1 07-06-1998 U.S. Department of Commerce

(Rev. 6-93) Patent and Trademark Office
 OMB No. 0651-0011 (exp. 4/94)

To the Honorable Commissioner of Patents and Trademark: **100755364** hereof.

1. Name of conveying party(ies): **Howard Murad** *6.18.98*

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State (Texas)
 Other

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

2. Name and address of receiving party(ies): **Whole Foods Market Services, Inc.** JUN 22 1998

Internal Address
 Street Address: : 601 N. Lamar, Suite 300
 City: Austin State: Texas Zip: 78703

Individual(s) citizenship
 Association
 General Partnership
 Limited Partnership
 Corporation-State Delaware
 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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: June 8, 1998

4. Application number(s) or registration number(s):
 A. Trademark Application No. (s)
 B. Trademark Registration No. (s): 2,062,176; 2,062,177; 2,066,983
 Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
 Name: William G. Barber, Esq.
 Internal Address: Arnold, White & Durkee
 Street Address: P.O. Box 4433
 City: Houston State: Texas Zip: 77210

6. Total number of applications and registrations involved: 3

7. Total fee (37 C.F.R. 3.41)----- \$90.00
 Enclosed
 Authorized to be charged to deposit account if check insufficient or inadvertently omitted

8. Deposit account number: 01/2508/WHOL:001/BAR
 (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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.

William G. Barber 6/18/98
 William G. Barber Signature Date

Total number of pages including cover sheet, attachments and documents: 2

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
 Office of Public Records
 Crystal Gateway 4, Room 335
 Washington, D.C. 20231

CERTIFICATE OF MAILING
 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, on the date below:

6/18/98 William G. Barber
 Date William G. Barber

77/08/1998 TTOM11 00000004 2062176
 01 FC:481 40.00 OP
 02 FC:482 50.00 OP

TRADEMARK ASSIGNMENT

WHEREAS, Howard Murad ("Murad"), an individual residing at 4316 Marina City Drive, Penthouse 27, Marina Del Rey, California 90292, U.S.A., has adopted the mark 365 & Design ("the Mark"), has used the Mark continuously since at least January 1996, and is still using the Mark;

WHEREAS, Murad is the owner of the following registrations and applications covering the Mark:

- U.S. Reg. No. 2,062,176
U.S. Reg. No. 2,062,177
U.S. Reg. No. 2,066,983
Canadian Application No. 080493900;

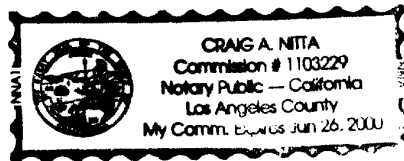
WHEREAS, Whole Foods Market Services, Inc., a Delaware corporation having its principal place of business at 601 N. Lamar Blvd., No. 300, Austin, Texas 78703, U.S.A., is desirous of acquiring Murad's rights and goodwill in the Mark;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Murad hereby assigns unto Whole Foods Market Services, Inc., all of his right, title and interest in and to the Mark, together with the goodwill of the business symbolized by the Mark, and the above-identified registrations and application.

Handwritten signature of Howard Murad, followed by printed name 'Howard Murad' and date '6/8/98'.

STATE OF CALIFORNIA §
COUNTY OF LOS ANGELES §

BEFORE ME, THE UNDERSIGNED AUTHORITY, on this 8th day of June, 1998, personally appeared Howard Murad, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the instrument for the purposes and consideration therein expressed.



Handwritten signature of the notary, followed by printed text 'Notary Public in and for the State of California'.

My Commission Expires: June 26, 2000.