

11-06-1998

COVER SHEET  
ONLY



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To the Honorable Commissioner

100871780

the attached original documents or copy thereof.

1. Name of conveying party(ies):

Triune Corporation

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

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

3. Nature of conveyance:

MFD 10-27-98

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

Execution Date: October 23, 1998

2. Name and address of receiving party(ies)

Name: Fresh Enterprises, Inc.

Internal Address: \_\_\_\_\_

Street Address: 850 N. Hampshire Road, Suite S

City: Westlake Village State: CA ZIP: 91361

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State California
- 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)

75/397,046

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: David O'Reilly

Internal Address: Same as below

Street Address: 1800 Bridgegate Street

Suite 200

City: Westlake Village State: CA ZIP: 91361

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

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

11/05/1998 DMUYEN 00000261 75397046

01 FC:481

40.00 DP

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.

David O'Reilly

Name of Person Signing

Signature

October 27, 1998

Date

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

3

SERVICE MARK ASSIGNMENT


WHEREAS Triune Corporation, having its principal office and place of business at 850 North Hampshire Road, Suite S, Westlake Village, California 91361, hereinafter referred to as ASSIGNOR; is the owner of the Service Mark BAJA FRESH EXPRESS; and

WHEREAS, said assignor is the owner of the following Intent to Use Service Mark application:

<u>Service Mark</u>	<u>Service Mark Application No.</u>	<u>Filed</u>
A Taste So Fresh It's In Our Name	75/397,046	11/28/97

WHEREAS Fresh Enterprises, Inc., a corporation organized and existing under the laws of the State of California and having its principal office and place of business at 850 North Hampshire Road, Suite S, Westlake Village, California 91361 hereinafter referred to as ASSIGNEE, is desirous of acquiring said Service Mark together with the good will of the business with which said Service Mark will be used, and which is symbolized by said Service Mark and any and all registrations and applications for registration of said Service Mark;

NOW, THEREFORE TO ALL WHOM IT MAY CONCERN, be it known that for good and valuable consideration, the receipt of which is hereby acknowledged, by said ASSIGNOR, said ASSIGNOR by these present, sells, transfers, conveys and assigns unto said ASSIGNEE the entire, right, title, and interest in and to said Service Mark in the United States and throughout the world, all registrations of said Service Mark, including those specifically hereinbefore identified the right to recover for past infringement of said Service Mark, and the good will in connection with which said Service Mark is used and which is symbolized by said Service Mark.

  
\_\_\_\_\_  
John Yonkich, Vice President

10-23-98  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Witness

10/23/98  
\_\_\_\_\_  
Date