

12-18-1998

FORM PTO-1594  
(Rev. 6-93)

RECORD  
TR



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

Tab settings    ▼

100924199

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Lance, Inc.

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

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

2. Name and address of receiving party(ies)

Name: Lance Mfg. LLC

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

Street Address: 8600 South Boulevard

City: Charlotte State: NC ZIP: 28273

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State \_\_\_\_\_
- Other North Carolina Limited Liability Company

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:

MRD 12.14.98

- Assignment NUNC PRO TUNC
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: November 30, 1998

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

A. Trademark Application No.(s)

SEE SCHEDULE "B"

12/16/1998 SBURNS 00000187 1987839

B. Trademark Registration No.(s)

SEE SCHEDULE "A"

01 FC:481 40.00 OP  
02 FC:482 1325.00 OP

Additional numbers attached?  Yes  No

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

Name: John L. Sullivan, Jr., Esq.  
ALSTON & BIRD LLP

Internal Address: P.O. Drawer 34009

Street Address: 1211 E. Morehead Street

City: Charlotte State: NC ZIP: 28234

6. Total number of applications and registrations involved:

54

7. Total fee (37 CFR 3.41).....\$ 1365.00 E

Enclosed

Authorized to be charged to deposit account

If additional fees are needed please use

8. Deposit account number:

16-0605

(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.

John L. Sullivan, Jr.

Name of Person Signing

Signature

Dec. 9, 1998

Date

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

11

## SCHEDULE A

MARK	REGISTRATION NO.	REGISTERED
...bocaditos que GUSTAN a cualquier hora!	1,987,839	July 23, 1996
...have a Lance!	2,160,724	May 26, 1998
...helping you SNACK RIGHT	1,615,055	September 25, 1990
BIG TOWN	624,624	April 3, 1956
BIG TOWN & Design	370,782	September 5, 1939
BONNIE	1,760,097	March 23, 1993
Box Design	633,373	August 21, 1956
CAPTAIN'S WAFERS	1,098,266	August 1, 1978
CHOC-O-LUNCH	364,577	February 7, 1939
CHOC-O-LUNCH	1,146,684	February 5, 1981
CHOC-O-MINT	1,246,517	July 26, 1983
don't go 'round hungry!	1,523,986	February 7, 1989
FROM THE HOUSE OF LANCE & Swatch Design	614,054	October 11, 1955
GOLD-N-CHEES	624,625	April 3, 1956
JUST RIGHT... RIGHT NOW!	1,523,987	February 7, 1989
LANCE	827,934	April 25, 1967
LANCE & Design	614,055	October 11, 1955
LANCE & Design	827,935	April 25, 1967
LANCE & Design	1,110,134	December 25, 1978
LANCE & Design	1,110,133	December 25, 1978

LANCE & Swatch Design	687,321	October 27, 1959
LANCE & Swatch Design	827,936	April 25, 1967
LANCELECT & Design	1,693,515	June 9, 1992
LANCHEE	817,899	November 1, 1966
LANCHOS	1,527,229	February 28, 1989
LEM-O-LUNCH	1,710,263	August 25, 1992
NEKOT	529,800	August 29, 1950
NIP-CHEE	1,639,892	April 2, 1991
NUT CRUNCHIES	1,382,520	February 11, 1986
NUT-O-LUNCH	1,567,381	November 21, 1989
POP-A-LANCE & Design	1,646,191	May 28, 1991
POPSCOTCH & Design	1,642,961	April 30, 1991
RYE CHEE	1,121,970	July 10, 1979
RYE TWINS	1,553,102	August 22, 1989
!SATISFAGA SU APETITO!	1,913,530	August 22, 1995
SESAME TWINS	1,552,154	August 15, 1989
TOAST-CHEE	375,385	February 20, 1940
TOASTCHEE	520,454	January 31, 1950
TOASTY	1,583,825	February 20, 1990
VAN-O-LUNCH	412,197	February 20, 1945
WHEATSWAFERS	1,568,655	November 23, 1989

## SCHEDULE B

MARK	APPLICATION NO.	FILED
LANCE	75/281,407	April 25, 1997
LANCE & Design	75/281,440	April 25, 1997
LANCE & Design	75/281,434	April 25, 1997
LANCE & Design	75/281,439	April 25, 1997
LANCE & Design QUALITY SINCE 1913	74/456,473	November 4 1993
LANCE	75/281,201	April 25, 1997
LANCE	75/281,572	April 25, 1997
Miscellaneous Design-PEANUT	75/281,419	April 25, 1997
Miscellaneous Design-PEANUT and HONEY BEE	75/281,420	April 25, 1997
Miscellaneous Design-CHEESE	75/281,421	April 25, 1997
Miscellaneous Design-CRACKER	75/281,422	April 25, 1997
Miscellaneous Design-WAFER	75/281,423	April 25, 1997
TAX SNACKS	75/464,021	April 7, 1998

NUNC PRO TUNC ASSIGNMENT  
OF  
UNITED STATES TRADEMARK REGISTRATIONS AND APPLICATIONS

WHEREAS, *Lance, Inc.*, a North Carolina corporation, having its principal place of business at 8600 South Boulevard, Charlotte, North Carolina 28232 (hereinafter referred to as "ASSIGNOR"), was formerly the exclusive and record owner of the entire rights, title and interests in and to the Trademarks and the corresponding United States Trademark Registrations and Applications listed in Schedules "A" and "B":

WHEREAS, *Lance Mfg. LLC*, a North Carolina Limited Liability Company, having its principal place of business at 8600 South Boulevard, Charlotte, North Carolina 28273 (hereinafter referred to as "ASSIGNEE"), has acquired and purchased from ASSIGNOR the Trademarks and the corresponding United States Trademark Registrations and Applications listed in Schedules "A" and "B", and associated goodwill, from ASSIGNOR effective September 6, 1998, and is desirous of confirming that it has done so.

WHEREAS, ASSIGNOR and ASSIGNEE desire to confirm and perfect the sale and assignment of said Trademarks and corresponding United States Trademark Registrations and Applications therefor effective September 6, 1998.

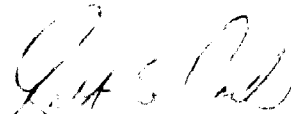
NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR does hereby acknowledge and confirms that effective September 6, 1998, ASSIGNOR sold, transferred, and assigned to said ASSIGNEE all of its rights, title and interests in and to the Trademarks and the corresponding United States Trademark Registrations and Applications listed in Schedules

"A" and "B", together with the goodwill of the business appurtenant to and symbolized by the Trademarks and corresponding United States Trademark Registrations and Applications therefor, including all rights of action at law and in equity against, and recovery of damages and profits from, third parties for past infringement thereof, the same to be held and enjoyed by ASSIGNEE as fully and entirely as the same would have been held by ASSIGNOR had this assignment, transfer and sale not been made.

ASSIGNOR hereby warrants and covenants that it had the full power and authority to convey the rights, title, and interests sold, transferred, and assigned to ASSIGNEE, that it has not executed and will not execute any agreement in conflict herewith, and that it will execute any and all other instruments which may be necessary to perfect and evidence ASSIGNEE's ownership of the property and rights herein conveyed.

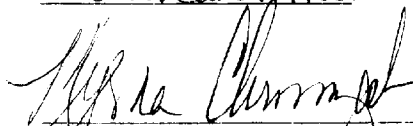
IN WITNESS WHEREOF, Lance, Inc., has caused these presents to be executed by its duly authorized officer on the 30 day of November, 1998.

LANCE, INC.



Robert S. Carles  
Secretary

Subscribed and sworn to me Myrna Chmura a Notary Public of the State of North Carolina, this 30<sup>th</sup> day of November, 1998.

  
\_\_\_\_\_  
Notary Public (SEAL)  
My Commission Expires  
34121- March 19, 1999

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