

01-27-1999

FORM PTO-1594
1-31-92

REC

U.S. Department of Commerce
Patent and Trademark Office

100951255

Tab settings ⇄ ⇄ ⇄

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

1. Name of conveying party(ies):

Rykoff-Sexton, Inc.

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

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Nunc Pro Tunc Assignment

Effective Date: April 1, 1997

2. Name and Address of receiving party(ies):

Name: U.S. Foodservice of Illinois, Inc.

Internal Address:

Street Address: One Sexton DriveCity: Glendale Heights State: IL Zip: 60139

- ☐ 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

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

A. Trademark Application No.(s)

SEE ATTACHED LIST

B. Trademark registration No.(s)

SEE ATTACHED LIST

Additional numbers attached? ☒ Yes ☐ No

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

Name: Catherine L. ThornberryInternal Address: Hogan & Hartson LLPStreet Address: 8300 Greensboro Drive

Suite 1100

City: McLean State: VA Zip: 221026. Total number of applications and registrations involved: 1667. Total fee (37 CFR 3.41): \$ 4165.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

08-2550

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

01/27/1999 DNGUYEN 00000109 819185

DO NOT USE THIS SPACE

01 FC:481
02 FC:48240.00 OP
4125.00 OP

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.*Catherine L. Thornberry
Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet:

6

Rykoff-Sexton, Inc.
Schedule I

MARK	REG./SERIAL NO.
'SPECIALLY GOOD (Stylized)	819,185
1911 (& Design)	1,030,941
1911 (& Design)	1,070,478
1911 (& Design)	2,167,432
BELLAGIO	886,423
BELLAGIO (Stylized)	1,023,867
BELLAGIO (Stylized)	1,202,202
BRODIE/DOHRMANN	1,452,534
CARLISLE	1,279,656
CHATEAU CLASSIQUE	1,023,863
CHEF-STYLE	1,669,597
COEUR DE CHEVRE (& Design)	1,841,955
CONNOISSEUR	635,298
CONNOISSEUR (Stylized)	132,858
CONNOISSEUR CLASSIQUE (& Design)	1,983,799
CONNOISSEUR GOLD	1,203,763
CONSUL	1,134,462
CREME D'ITALIA	1,059,991
DEVONSHIRE	1,798,012
DONNA	1,386,942
ECONO-STEEL	1,274,125
EGG FRESH (Stylized)	798,245
ENDECO (Stylized)	556,517
ENJOY LIFE, EAT OUT MORE OFTEN	1,073,808
ENJOY LIFE, EAT OUT MORE OFTEN	1,409,452
ENJOY LIFE, EAT OUT MORE OFTEN	1,965,407
ENJOY LIFE..EAT OUT MORE OFTEN	1,569,021
ETHEREAL	1,516,388
FINEGOLD'S	1,506,692
FLAV-R-CHURN	1,576,620
FRESCO	1,130,245
FRESH 'N SAFE	1,646,510
GEMA DE COCINA	1,973,951
GIOVANNI	75/045,478
GOLDEN CROWN (& Design)	1,647,540
GOLDEN FLORAL (& Design)	1,266,343
GOLDEN REY	197,958
GOLDEN REY	667,835

MARK	REG./SERIAL NO.
GOLDEN REY	676,798
GOLDEN REY (& Design)	779,472
HEALTH-DIET-LIFE (& Design)	1,658,364
HI-CROWN	1,797,218
HIGHTOWER	1,352,489
HINT OF MINT	1,516,590
INTERSTATE (& Design)	1,411,946
JONDI	1,031,632
KITCHEN GEM	977,820
KITCHEN GEM (Stylized)	1,067,056
LEAN-LIFE	1,615,904
MASSIMO	841,714
MASSIMO	2,023,416
MAXIM	1,269,923
MAXIM (Stylized)	70,961
MAXIM (Stylized)	1,020,623
MEDITERRANEAN	1,027,473
MENU MAX (& Design)	1,928,154
MENUMAKER (Stylized)	1,038,189
MILFIORE (& Design)	2,018,997
MILFIORE (Stylized)	1,028,054
MISCELLANEOUS DESIGN	1,813,644
NATURE'S BEGINNING RYKOFF SEXTON (& Design)	2,072,363
NATURE'S BEGINNINGS	1,813,085
NEXT DAY GOURMET	1,936,228
OLD DEVONSHIRE	1,590,079
OLD DEVONSHIRE (& Design)	1,819,122
ON THE MOVE TO SERVE YOU RYKOFF SEXTON (& Design)	1,980,860
ONE STAR (& Design)	877,119
PACIFIC GOLD FRY	1,888,666
PACIFIC-JADE (Stylized)	1,507,420
PACIFIC-JADE (Stylized)	1,553,071
PEBBLES	1,796,784
PERF	2,039,021
PRIMAVERA	1,171,507
PRIMAVERA	1,451,072
QUESO PICANTE	1,779,917
RAPID SOURCE	2,061,984
RITE AND BRITE	1,479,260

MARK	REG./SERIAL NO.
RITE AND BRITE (& Design)	1,712,933
ROYAL COURT	1,128,828
RSVP RYKOFF SEXTON VALUE PRODUCTS (& Design)	1,950,932
RYKOFF INTERNATIONAL (& Design)	827,961
RYKOFF SEXTON (& Design)	1,361,816
RYKOFF SEXTON (& Design)	1,663,539
RYKOFF SEXTON CAROLINA (& Design)	2,067,485
RYKOFF SEXTON CONNOISSEUR (& Design)	1,791,763
RYKOFF SEXTON CONNOISSEUR ALAMO ZESTFUL (& Design)	1,927,919
RYKOFF SEXTON CURE SUPREME (& Design)	1,968,112
RYKOFF SEXTON FLAV-R-MATE (& Design)	2,107,756
RYKOFF SEXTON FOODSERVICES (& Design)	1,473,115
RYKOFF SEXTON GOLDEN EXTENDA FRY (& Design)	1,913,562
RYKOFF SEXTON NATURES BEGINNING (& Design)	2,112,373
RYKOFF SEXTON OLD FASHIONED "COUNTRY KETTLE" (& Design)	1,825,905
RYKOFF SEXTON PAN REDDY (& Design)	1,968,111
RYKOFF SEXTON PREMIUM PAK (& Design)	1,932,997
RYKOFF SEXTON THE "IN-DISPOSABLE" DISTRIBUTOR (& Design)	2,012,601
RYKOFF SEXTON THE CUSTOMER CONNECTION	2,072,505
RYKOFF SEXTON TROPICAL BREEZE (& Design)	2,010,634
S E R AEGEAN DRESSING (& Design)	1,535,544
S-E-R (& Design)	1,121,969
S.E. RYKOFF & CO. ENJOY LIFE! EAT OUT MORE OFTEN! S.E.R. (& Design)	809,687
S.E. RYKOFF & CO. FOODS AND COOKWARE OF DISTINCTION SINCE 1911	1,295,177
S.E.R.	775,814
S.E.R. (Stylized)	778,276
S.E.R. CAFE OLE (& Design)	831,144
S.E.R. HACIENDA (& Design)	1,334,538
S.E.R. SER PRO-TEAM (& Design)	957,398
S.E.RYKOFF & CO. SER (& Design)	1,474,501
SAV-R-CHURN	1,826,495
SEA SHELL	1,799,957
SER (& Design)	1,248,148

MARK	REG./SERIAL NO.
SER SERCO (& Design)	899,225
SER SERCOFOAM (& Design)	901,061
SERCO	765,623
SERCO	770,093
SERCO	1,334,355
SERCO (Stylized)	887,516
SERCO (Stylized)	1,240,771
SERCO 100 (Stylized)	1,440,784
SERCO BREEZE	1,135,559
SERCO CITROIL (& Design)	1,394,218
SERCO CO-POLY (Stylized)	895,789
SERCO CUSTOM (& Design)	892,485
SERCO NO SPOT (Stylized)	1,273,277
SERCO REFLECTIONS (Stylized)	2,065,820
SERCO ROSE	798,347
SERCO SER (& Design)	905,657
SERCO SER (& Design)	905,720
SERCO SER (& Design)	922,642
SERCO SER-CHLOR (Stylized)	2,027,172
SERCO SERVICE (Stylized)	1,308,076
SERCO SHELL	1,134,459
SERCO STRATO	1,674,001
SERCO SUPRE-COTE	1,669,496
SERCO SURPASS	1,637,341
SERCO SURPASS PLUS	1,637,340
SERCO SYSTEM	1,296,378
SERCO-ATLANTIS	1,589,747
SERCO-ENCORE	1,516,423
SERCO-ENCORE II (Stylized)	1,864,703
SERCO-KEY (Stylized)	1,523,532
SERCO-LIGHT (Stylized)	1,251,444
SERCOCHINA (Stylized)	1,266,352
SERCOFOLD (Stylized)	892,484
SERCOGLASS (Stylized)	1,266,353
SERCOHEAT	1,350,241
SERCOLENE	1,478,877
SERCOPEDIC HOTEL	1,252,302
SERCOPLAS (Stylized)	1,187,710
SERCOSOFT (Stylized)	893,766
SERCOTUFF (Stylized)	1,187,719
SERCOTUFF (Stylized)	1,540,546

MARK	REG./SERIAL NO.
SFICI SAN FRANCISCO INTERNATIONAL CHEESE IMPORTS (& Design)	1,751,431
SILVER REY	189,530
SILVER REY	771,148
SILVERREY (Stylized)	790,062
SIRLOIN CLUB SAUCE (SuppReg)	1,845,268
SWEET AS IS	1,816,326
TRADITION	1,251,303
TRADITION (Stylized)	1,044,880
TRASH-MASTER	882,732
TRULY SWEET (Stylized)	1,876,133
TRULY SWEET (Stylized)	2,135,216
VAUBAN (Stylized)	379,823
VELVETFOLD	857,509
WHITE SWAN (& Design)	588,128
YUCCA	768,472

**NUNC PRO TUNC
TRADEMARK ASSIGNMENT**

WHEREAS Rykoff-Sexton, Inc. is the record owner of the U.S. Trademark Registrations and pending use-based applications listed in the attached Schedule 1 and the goodwill symbolized thereby (the "Trademarks"); and

WHEREAS, U.S. Foodservice, Inc. is a corporation organized under the laws of Delaware and the successor in interest to Rykoff-Sexton, Inc (hereinafter "Assignor");

WHEREAS, on or about April 1, 1997, Assignor sold, assigned and transferred all of its right, title, and interest in and to the Trademarks to U.S. Foodservice of Illinois Inc., a Delaware corporation, located at One Sexton Drive, Glendale Heights, Illinois 60139; and

WHEREAS, the parties are desirous of ratifying and confirming said sale, assignment and transfer of all right, title and interest in and to said Trademarks and the goodwill symbolized thereby;


NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor has assigned and hereby sells, assigns, transfers and sets over to Assignee, nunc pro tunc, the entire right, title, and interest in and to the Trademarks, including the U.S. registrations and pending use-based applications therefore, and the goodwill of the business connected with the Trademarks, the same to be held and enjoyed by Assignee, its successors, assigns and other legal representatives.

Assignor further assigns to Assignee all right to sue for and receive all damages accruing from past infringements of the Trademarks.

This Assignment shall be binding upon the parties, their successors and/or assigns and all others acting by, through, with or under their direction, and all those in privity therewith.

**U.S. FOODSERVICE, INC. (successor in
interest to RYKOFF-SEXTON, INC.)**

Date: August 27, 1998

By: 

Name: David M. Abramson

Title: Vice Pres. & Gen. Mgr.

RYKOFF-SEXTON, INC.**Schedule 1**

Mark	Registration No.	Reg. Date:
'SPECIALLY GOOD (Stylized)	819,185	11/22/66
1911 (& Design)	1,030,941	1/20/76
1911 (& Design)	1,070,478	8/2/77
1911 (& Design)	2,167,432	6/23/98
BAKER'S AWARD	1,825,919	3/8/94
BELLAGIO	886,423	2/17/70
BELLAGIO (Stylized)	1,023,867	10/28/75
BELLAGIO (Stylized)	1,202,202	7/20/82
BRODIE/DOHRMANN	1,452,534	8/11/87
CARLISLE	1,279,656	5/29/84
CARLISLE	1,711,967	9/1/92
CHANTILLY	1,069,463	7/12/77
CHATEAU CLASSIQUE	1,023,863	10/28/75
CHEF-STYLE	1,669,597	12/24/91
COEUR DE CHEVRE (& Design)	1,841,955	6/28/94
CONNOISSEUR	635,298	10/2/56
CONNOISSEUR (Stylized)	132,858	6/29/20
CONNOISSEUR (Stylized)	1,121,098	6/26/79
CONNOISSEUR CLASSIQUE (& Design)	1,983,799	7/2/96
CONNOISSEUR GOLD	1,203,763	8/3/82
CONSUL	1,134,462	5/6/80
CREME D'ITALIA	1,059,991	2/22/77
DEVONSHIRE	1,798,012	10/12/93
DONNA	1,386,942	3/18/86
ECONO-STEEL	1,274,125	4/17/84
EGG FRESH (Stylized)	798,245	10/26/65
ENDECO (Stylized)	556,517	3/25/52
ENJOY LIFE, EAT OUT MORE OFTEN	1,073,808	9/20/77
ENJOY LIFE, EAT OUT MORE OFTEN	1,409,452	9/16/86
ENJOY LIFE, EAT OUT MORE OFTEN	1,965,407	4/2/96
ENJOY LIFE, EAT OUT MORE OFTEN	1,569,021	12/5/89
ETHEREAL	1,516,388	12/13/88
FINEGOLD'S	1,506,692	9/27/88
FLAV-R-CHURN	1,576,620	1/9/90
FRESCO	1,130,245	2/5/80
FRESH 'N SAFE	1,646,510	5/28/91
GEMA DE COCINA	1,973,951	5/14/96
GOLDEN CROWN (& Design)	1,647,540	6/11/91

Mark	Registration No.	Reg. Date:
GOLDEN FLORAL (& Design)	1,266,343	2/7/84
GOLDEN REY	197,958	4/28/25
GOLDEN REY	667,835	9/30/58
GOLDEN REY	676,798	4/7/59
GOLDEN REY (& Design)	779,472	11/03/64
HEALTH-DIET-LIFE (& Design)	1,658,364	9/24/91
HI-CROWN	1,797,218	10/5/93
HIGHTOWER	1,352,489	8/6/85
HINT OF MINT	1,516,590	12/13/88
INTERSTATE (& Design)	1,411,946	10/7/86
JADE	1,114,637	3/6/79
JONDI	1,031,632	1/27/76
KITCHEN GEM	977,820	1/29/74
KITCHEN GEM (Stylized)	1,067,056	6/7/77
LEAN-LIFE	1,615,904	10/2/90
MASSIMO	841,714	1/20/68
MASSIMO	2,023,416	12/17/96
MAXIM	1,269,923	3/13/84
MAXIM (Stylized)	70,961	10/20/08
MAXIM (Stylized)	1,020,623	9/16/75
MEDITERRANEAN	1,027,473	12/16/75
MENU MAX (& Design)	1,928,154	10/17/95
MENUMAKER (Stylized)	1,038,189	4/20/76
MILFIORE (& Design)	2,018,997	11/26/96
MILFIORE (Stylized)	1,028,054	12/23/75
MISCELLANEOUS DESIGN	1,813,644	12/28/93
NATURE'S BEGINNING RYKOFF SEXTON (& Design)	2,072,363	6/17/97
NATURE'S BEGINNINGS	1,813,085	12/21/93
NEXT DAY GOURMET	1,936,228	11/14/95
OLD DEVONSHIRE	1,590,079	4/3/90
OLD DEVONSHIRE (& Design)	1,819,122	2/1/94
ON THE MOVE TO SERVE YOU RYKOFF SEXTON (& Design)	1,980,860	6/18/96
ONE STAR (& Design)	877,119	9/16/69
P. S. QUATTROCIOCCHI	1,752,738	2/16/93
PACIFIC GOLD FRY	1,888,666	4/11/95
PACIFIC-JADE (Stylized)	1,507,420	10/4/88
PACIFIC-JADE (Stylized)	1,553,071	8/22/89
PEBBLES	1,796,784	10/5/93
PERF	2,039,021	2/18/97

Mark	Registration No.	Reg. Date:
PRIMAVERA	1,171,507	9/29/81
PRIMAVERA	1,451,072	8/4/87
PSQ (Stylized)	1,748,682	1/26/93
QUESO PICANTE	1,779,917	6/29/93
RAPID SOURCE	2,061,984	5/13/97
RITE AND BRITE	1,479,260	3/8/88
RITE AND BRITE (& Design)	1,712,933	9/8/92
ROYAL COURT	1,128,828	1/8/80
RSVP RYKOFF SEXTON VALUE PRODUCTS (& Design)	1,950,932	1/23/96
RYKOFF INTERNATIONAL (& Design)	827,961	4/25/67
RYKOFF SEXTON (& Design)	1,361,816	9/24/85
RYKOFF SEXTON (& Design)	1,663,539	11/5/91
RYKOFF SEXTON CAROLINA (& Design)	2,067,485	6/3/97
RYKOFF SEXTON CONNOISSEUR (& Design)	1,791,763	9/7/93
RYKOFF SEXTON CONNOISSEUR ALAMO ZESTFUL (& Design)	1,927,919	10/17/95
RYKOFF SEXTON CURE SUPREME (& Design)	1,968,112	4/16/96
RYKOFF SEXTON FLAV R-MATE (& Design)	2,107,756	10/21/97
RYKOFF SEXTON FOODSERVICES (& Design)	1,473,115	1/19/88
RYKOFF SEXTON GOLDEN EXTENDA FRY (& Design)	1,913,562	8/22/95
RYKOFF SEXTON NATURES BEGINNING (& Design)	2,112,373	11/11/97
RYKOFF SEXTON OLD FASHIONED "COUNTRY KETTLE" (& Design)	1,825,905	3/8/94
RYKOFF SEXTON PAN REDDY (& Design)	1,968,111	4/16/96
RYKOFF SEXTON PREMIUM PAK (& Design)	1,932,997	11/7/95
RYKOFF SEXTON THE "IN-DISPOSABLE" DISTRIBUTOR (& Design)	2,012,601	10/29/96
RYKOFF SEXTON THE CUSTOMER CONNECTION	2,072,505	6/17/97
RYKOFF SEXTON TROPICAL BREEZE (& Design)	2,010,634	10/22/96
S E R AEGEAN DRESSING (& Design)	1,535,544	4/18/89
S-E-R (& Design)	1,121,969	7/10/79

Mark	Registration No.	Reg. Date:
S-E-R (Stylized)	1,117,507	5/8/79
S.E. RYKOFF & CO. ENJOY LIFE! EAT OUT MORE OFTEN! S.E.R. (& Design)	809,687	6/7/66
S.E. RYKOFF & CO. FOODS AND COOKWARE OF DISTINCTION SINCE 1911	1,295,177	9/11/84
S.E.R.	775,814	8/25/64
S.E.R. (Stylized)	778,276	10/6/64
S.E.R. CAFE OLE (& Design)	831,144	6/27/67
S.E.R. HACIENDA (& Design)	1,334,538	5/7/85
S.E.R. SER PRO-TEAM (& Design)	957,398	4/17/73
S.E.RYKOFF & CO. SER (& Design)	1,474,501	1/26/88
SAV-R-CHURN	1,826,495	3/15/94
SEA SHELL	1,799,957	10/19/93
SER (& Design)	1,248,148	8/16/83
SER SERCO (& Design)	899,225	9/22/70
SER SERCOFOAM (& Design)	901,061	10/20/70
SER THE ULTIMATE CHOCOLATE CAKE (& Design)	1,689,193	5/26/92
SERCO	765,623	2/25/64
SERCO	770,093	5/19/64
SERCO	1,334,355	5/7/85
SERCO (Stylized)	887,516	3/10/70
SERCO (Stylized)	1,240,771	6/7/83
SERCO 100 (Stylized)	1,440,784	5/26/87
SERCO BREEZE	1,135,559	5/20/80
SERCO CITROIL (& Design)	1,394,218	5/20/86
SERCO CO-POLY (Stylized)	895,789	8/4/70
SERCO CUSTOM (& Design)	892,485	6/9/70
SERCO NO SPOT (Stylized)	1,273,277	4/10/84
SERCO RADIANCE (& Design)	1,754,775	3/2/93
SERCO REFLECTIONS (Stylized)	2,065,820	5/27/97
SERCO ROSE	798,347	11/2/65
SERCO SER (& Design)	905,657	1/5/71
SERCO SER (& Design)	905,720	1/12/71
SERCO SER (& Design)	922,642	10/26/71
SERCO SER-CHLOR (Stylized)	2,027,172	12/31/96
SERCO SERVICE (Stylized)	1,308,076	12/4/84
SERCO SHELL	1,134,459	5/6/80
SERCO SOF-WHITE	1,689,866	6/2/92
SERCO STRATO	1,674,001	2/4/92

Mark	Registration No.	Reg. Date:
SERCO SUPRE-COTE	1,669,496	12/24/91
SERCO SURPASS	1,637,341	3/12/91
SERCO SURPASS PLUS	1,637,340	3/12/91
SERCO SYSTEM	1,296,378	9/18/84
SERCO-ATLANTIS	1,589,747	4/3/90
SERCO-ENCORE	1,516,423	12/13/88
SERCO-ENCORE II (Stylized)	1,864,703	11/29/94
SERCO-KEY (Stylized)	1,523,532	2/7/89
SERCO-LIGHT (Stylized)	1,251,444	9/20/83
SERCOCHINA (Stylized)	1,266,352	2/7/84
SERCOFOLD (Stylized)	892,484	6/9/70
SERCOGLASS (Stylized)	1,266,353	2/7/84
SERCOHEAT	1,350,241	7/23/85
SERCOLENE	1,478,877	3/1/88
SERCOPEDIC HOTEL	1,252,302	9/27/83
SERCOPLAS (Stylized)	1,187,710	1/26/82
SERCOSOFT (Stylized)	893,766	6/30/70
SERCOTUFF (Stylized)	1,187,719	1/26/82
SERCOTUFF (Stylized)	1,540,546	5/23/89
SFICI SAN FRANCISCO INTERNATIONAL CHEESE IMPORTS (& Design)	1,751,431	2/9/93
SILVER REY	189,530	9/23/24
SILVER REY	771,148	6/9/64
SILVERREY (Stylized)	790,062	5/25/65
SIRLOIN CLUB SAUCE (SuppReg)	1,845,268	7/12/94
SWEET AS IS	1,816,326	1/11/94
TRADITION	1,251,303	9/13/83
TRADITION (Stylized)	1,044,880	7/27/76
TRASH-MASTER	882,732	12/23/69
TRULY SWEET (Stylized)	1,876,133	1/24/95
TRULY SWEET (Stylized)	2,135,216	2/10/98
VAUBAN (Stylized)	379,823	7/30/40
VELVETFOLD	857,509	9/24/68
WHITE SWAN (& Design)	588,128	4/13/54
YUCCA	768,472	4/21/64

Mark	Application No.	App. Date:
GIOVANNI	75/045,478	1/18/96