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U.S. Patent &amp; TMO/TM Mail Rcpt Dt. #34

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

1. Name of conveying party(ies):  
Purina Mills, Inc.

- ☐ Individual(s)  
☐ General Partnership  
☒ Corporation- Delaware  
☐ Other \_\_\_\_\_
- ☐ Association  
☐ Limited Partnership

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

3. Nature of Conveyance:

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

Execution Date: January 12, 1999

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

Name: PM Resources, Inc.

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

Street Address: 13001 St. Charles Rock RoadCity: Bridgeton State: MO ZIP: 63044☐ Individual(s) citizenship☐ Association☐ General Partnership☐ Limited Partnership☒ Corporation-State Missouri☐ Other \_\_\_\_\_If Assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No  
(Designation must be a separate document from Assignment)Additional name(s) & addresses(es) attached? ☐ Yes ☒ No

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

A. Trademark Application No.(s)

ASSAULT, filed January 13, 1999, by Purina Mills, Inc.

Serial Number: 75/619860

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: DYER ELLIS & JOSEPHInternal Address: Attn: Lynne BensonStreet address: Watergate, Suite 1100600 New Hampshire Ave., N.W.City: Washington State: DC ZIP: 20037

6. Total number of application and registrations involved: \_\_\_\_\_

7. Total fee (37 CFR 3.41): \$40☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

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

04/20/1999 DNGUYEN 00000172 75619860

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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.

Brian A. Bannon, Attorney

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: \_\_\_\_\_

Mail documents to be recorded with required cover sheet information to: Assistant Commissioner for Trademarks  
 Box Assignments  
 2900 Crystal Drive  
 Arlington, VA 22202-8513

TRADEMARK  
 REEL: 001885 FRAME: 0591  
 REEL: 1885 FRAME: 0591

ASSIGNMENT OF PENDING APPLICATION

WHEREAS, PURINA MILLS, INC., a Delaware corporation, 1401 S. Hanley Road, St. Louis, Missouri 63144 (hereinafter "PURINA") is the owner of the following trademark for which application in the United States Patent and Trademark Office has been made:

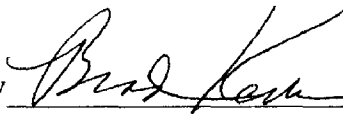
ASSAULT

WHEREAS, PM RESOURCES, INC., a Missouri corporation, having its principal offices at 13001 St. Charles Rock Road, Bridgeton, Missouri 63044 (hereinafter "PM RESOURCES"), is desirous of acquiring said trademark and the application therefor.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said PURINA does hereby assign unto said PM RESOURCES whatever right, title and interest, if any, PURINA may have in the United States of America in and to the trademark. The foregoing assignment is made along with the goodwill of the business symbolized by the trademark and said application to register such trademark.

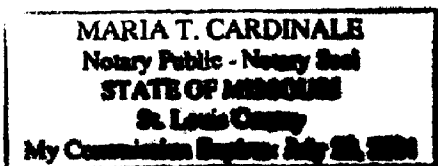
This Assignment shall be effective this 12<sup>th</sup> day of January, 1999.

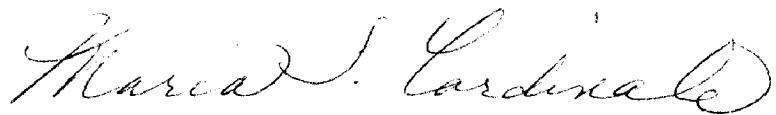
PURINA MILLS, INC.

By   
Brad Kerbs  
Executive Vice President

STATE OF MISSOURI            )  
  ) ss  
COUNTY OF ST. LOUIS        )

Subscribed and sworn to before me this 12<sup>th</sup> day of January, 1999.



  
Notary Public



Purina Mills, Inc.

January 11, 1999

SENT VIA OVERNIGHT MAIL  
DHL EXPRESS #7716804045

Assistant Commissioner for Trademarks  
Box NEW APP FEE  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: Purina Mills, Inc. - Registration Application  
ASSAULT

Dear Sir:

Enclosed please find a completed registration application, a drawing of the mark, specimens (3 packages) and a return postcard. Please charge our Deposit Acct. #16-2632. Thank you.

Sincerely,

Diane Murphy  
Legal Department  
(314) 768-4172

/dmm

Enclosures

<b>TRADEMARK/SERVICE MARK APPLICATION, PRINCIPAL REGISTER, WITH DECLARATION</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; padding: 2px;">MARK (Identify the mark)</td> <td style="border-bottom: 1px solid black; padding: 2px;">ASSAULT</td> </tr> <tr> <td style="border-bottom: 1px solid black; padding: 2px;">CLASS NO. (If known)</td> <td style="border-bottom: 1px solid black; padding: 2px;">5</td> </tr> </table>	MARK (Identify the mark)	ASSAULT	CLASS NO. (If known)	5
MARK (Identify the mark)	ASSAULT				
CLASS NO. (If known)	5				

**TO THE ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS:**

**APPLICANT NAME:**  
Purina Mills, Inc.

**APPLICANT BUSINESS ADDRESS:**  
1401 S. Hanley Road, St. Louis, MO 63144

**APPLICANT ENTITY:** (Check one and supply requested information)

☐ Individual - Citizenship: (Country) \_\_\_\_\_

☐ Partnership - Partnership Domicile: (State and Country) \_\_\_\_\_  
Names and Citizenship (Country) of General Partners: \_\_\_\_\_

☒ Corporation - State (Country, if appropriate) of Incorporation: Delaware

☐ Other: (Specify Nature of Entity and Domicile) \_\_\_\_\_

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**GOODS AND/OR SERVICES:**

Applicant requests registration of the above-identified trademark/service mark shown in the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. 1051 et. seq., as amended.) for the following goods/services: \_\_\_\_\_

rodenticide

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**BASIS FOR APPLICATION:** (Check one or more, but NOT both the first AND second basis, and supply requested information)

☒ Applicant is using the mark in commerce on or in connection with the above identified goods/services. (15 U.S.C. 1051(a), as amended.) Three specimens showing the mark as used in commerce are submitted with this application.

- Date of first use of the mark anywhere: at least as early as 12/2/85
- Date of first use of the mark in commerce which the U.S. Congress may regulate: as early as 12/2/85
- Specify the type of commerce: interstate  
(e.g., interstate, between the U.S. and a specified foreign country)
- Specify manner or mode of use of mark on or in connection with the goods/services: packaging  
(e.g., trademark is applied to labels, service mark is used in advertisements)

☐ Applicant has a bona fide intention to use the mark in commerce on or in connection with the above identified goods/services. (15 U.S.C. 1051(b), as amended.)

- Specify intended manner or mode of use of mark on or in connection with the goods/services: \_\_\_\_\_  
(e.g., trademark will be applied to labels, service mark will be used in advertisements)

☐ Applicant has a bona fide intention to use the mark in commerce on or in connection with the above identified goods/services, and asserts a claim of priority based upon a foreign application in accordance with 15 U.S.C. 1126(d), as amended.

- Country of foreign filing: \_\_\_\_\_ • Date of foreign filing: \_\_\_\_\_

☐ Applicant has a bona fide intention to use the mark in commerce on or in connection with the above identified goods/services and, accompanying this application, submits a certification or certified copy of a foreign registration in accordance with 15 U.S.C. 1126(e), as amended.

- Country of registration: \_\_\_\_\_ • Registration number: \_\_\_\_\_

APPLICANT:

Purina Mills, Inc.  
1401 S. Hanley Road  
St. Louis, MO 63144  
314/768-4172

GOODS:

Rodenticide

DATE OF FIRST USE:

At least as early as 12/2/85

DATE OF FIRST USE  
IN COMMERCE:

At least as early as 12/2/85

ASSAULT

EPA Reg. No. 602-318



Purina.

# ASSAULT<sup>TM</sup>



## RAT PLACE PACK<sup>®</sup>

Rat Poison

For Indoor and Outdoor Rodent Control  
Kills Roof Rats and Norway Rats

Rodents consume a lethal dose in a single feeding with dead rodents appearing one or two days after they eat the bait. Rodents cease feeding after consuming a lethal dose in a single night's feeding. ASSAULT Rat Place Pack is effective against anticoagulant-resistant rats.

**ACTIVE INGREDIENT:**

bromethalin; N-methyl-2,4-dinitro-N-(2,4,6-tribromophenyl)-.....0.01%

8-(trifluoromethyl) benzenamine .....99.99%

**INERT INGREDIENTS** .....100.00%

**KEEP OUT OF REACH OF CHILDREN**

### CAUTION

SEE OTHER CAUTIONS BELOW

**NET WT 1.5 OZ**



Manufactured For **PURINA MILLS, INC.**

P.O. Box 68812

St. Louis, Missouri 63166-6812 U.S.A.

**PRECAUTIONARY STATEMENTS  
HAZARD TO HUMANS & DOMESTIC ANIMALS**

### CAUTION

Keep away from humans, domestic animals and pets. May be harmful or fatal if swallowed. Avoid contact with skin, eyes or clothing. In case of accidental contact, flush eyes or skin with water and wash contaminated clothing. Seek medical attention immediately if ingested or if breathing difficulty occurs or irritation persists. Wash hands thoroughly after handling Assault Rat Place Pack.

**NOTE TO PHYSICIAN:** Assault Rat Place Pack is not an anticoagulant type of rodenticide. If ingested, limit absorption by either emesis or gastric lavage. Sublethal symptoms, if present, would be the result of cerebral edema and should be treated accordingly through administration of an osmotic diuretic and corticosteroid.

**ENVIRONMENTAL HAZARDS:** This product is toxic to fish, birds and other wildlife. Keep out of any body of water.

**DIRECTIONS FOR USE:** It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. (continued on back panel)