

05-12-1999



REGISTRATION FORM COVER SHEET  
TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

101035523

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

1. Name of conveying party(ies):  
**NESTLE USA, INC., successor in interest to LIBBY, MCNEILL & LIBBY, INC. 800 North Brand Boulevard Glendale, CA 91203**

- Individuals(s)
- General Partnership
- Corporation-State **Delaware**
- Other \_\_\_\_\_
- Association
- Limited Partnership

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other **RELEASE**
- Merger
- Change of Name

Execution Date: **March 30, 1999**

2. Name and address of receiving party(ies)

Name: **TRI VALLEY GROWERS**

Internal Address:

Street Address: **12667 Alcosta Boulevard**

City: **San Ramon** State: **California** ZIP: **94583**

- 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)

B. Trademark Registration No.(s)

**Aunt Penny's (Reg. No. 742,079)**

Additional numbers attached?  Yes  No

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

**Mr. Sigi Hinojosa**

Name: **Buchalter, Nemer, Fields & Younger**

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

Street Address: **601 South Figueroa Street, 24th Floor**

City: **Los Angeles** State: **California** ZIP: **90017**

6. Total number of applications and registrations involved: 81

7. Total fee (37 CFR 3.41) ..... \$ 2040<sup>00</sup>

Enclosed

Authorized to be charged to deposit account

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

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

05/11/1999 DMGUYEN 00000117 742079

DO NOT USE THIS SPACE

01 FC:481 40.00 DP  
02 FC:482 2000.00 DP

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.

**MR. SIGI HINOJOSA**

Name of Person Signing

*Christine E. Wilson*

*[Signature]*  
Signature  
*Christine E. Wilson*

**April 16, 1999**

Date

*4/19/99*

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

## EXHIBIT A

<u>Trademark</u>	<u>Registration No.</u>
AUNT PENNY'S	742,079
ELWOOD	584,882
FULL BLOOM	559,887
GARDEN BASKET	769,243
JUICIDRINK	528,661
LIDO	625,547
MISSION PEAK	321,772
NATURE'S ORCHARD	1,100,908
PIC'T RIPE	749,257
PUNCH	664,138
RANCHO	418,014
TOWN and COUNTRY and DESIGN	598,580

REEL 423 FRAME 854  
TRADE-MARK

EXHIBIT A

A. PRIMARY TRADEMARKS

<u>Trademark</u>	<u>Federal Registration No.</u>
DIET DELIGHT and Design	789,398
DIET DELIGHT and Design	616,308
DIET DELIGHT and Design	583,066
DIET-DELIGHT	433,701
REDPACK BRAND and Design	135,803
FROM THE HEART OF CALIFORNIA SACRAMENTO BRAND and Design	544,211
SACRAMENTO	952,773
SACRAMENTO - FROM THE HEART OF CALIFORNIA	608,071
TUTTOROSSO	710,028
HEART'S DELIGHT (with and without Design) (outside United States)	All registrations outside United States

B. SECONDARY TRADEMARKS

<u>Trademark</u>	<u>Federal Registration No.</u>
AETNA and Design	507,651
AIR MAIL and Design	781,499
ALLRED	370,839
ALLRED	710,027
BERCUT-RICHARDS PACKING CO. and Design	608,070

TRADE-MARK

REEL 423 FRAME 571

<u>Trademark</u>	<u>Federal Registration No.</u>
BI-A-CAN and Design	529,751
BLUF WING and Design	378,749
CCG and Design	799,972
CALA RIPE and Design	170,401
CALORIE CUTTER and Design	816,403
CARRIAGE Design	608,069
CLEARCUT	134,280
CONTENTO and Design	680,091
DANISH BEAUTY BRAND and Design	556,657
D-MAND DEMAND and Design	387,961
DEMAND and Design	606,802
DIET GIFT and Design	554,928
EDENVALE and Design	542,230
EMILIO'S	902,724
EVERYBODY'S and Design	518,993
F AND P and Design	388,977
F AND P and Design	399,753
FRUIT 'N HONEY and Design	988,139
FRUTI-DRINKS	351,029
FRUTI-JUICES	351,030
FRUTI-JUICES	351,423
FRUTMIX and Design	552,365

TRADE-MARK

REEL 423 FRAME 572

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<u>Trademark</u>	<u>Federal Registration No.</u>
FRUZERT and Design	333,985
GOLDEN and Design	615,913
INSTANT-MADE	588,867
JUICIDRINKS	349,422
JUICIDRINKS	347,687
LIGHTNING-MAID and Design	670,695
LITE DELIGHT	954,570
OLD WORLD CUISINE and Design	770,029
PACIFIC GOLD and Design	552,139
PACIFIC GOLD and Design	340,354
PATRICIA	175,801
PATRICIA and Design	346,070
PEDESTAL and Design	537,584
PINECTAR	340,355
PIONEER MAPLE and Design	552,661
QUALITY INN and Design	812,654
R-C and Design	532,333
R-C and Design	347,487
RICH GIFT and Design	546,117
SAN FELIPE BRAND and Design	140,122
SOLIPAK	247,766
STATE FAIR	344,419
SUN GIFT	382,857
SUNNYBRAE and Design	338,188

REEL 423 FRAME 573  
TRADE-MARK

<u>Trademark</u>	<u>Federal Registration No.</u>
THE CCG PICTURE and Design	837,163
THORNTON	752,095
TRE RIPE and Design	663,875
VERONA	399,157
VERONA	707,879
WATERPAK and Design	793,117
WONDER COOKING	560,696
WYANDOTTE BRAND and Design	166,502
YOSEMITE and Design	501,119

REEL 423 FRAME 574  
TRADE-MARK

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RELEASE OF SECURITY INTEREST IN TRADEMARKS

For good and valuable consideration, receipt of which is hereby acknowledged, Nestle USA, Inc., a Delaware corporation, as successor in interest to Libby, McNeill & Libby, Inc. ("Libby"), does hereby release any security interest it may possess in the trademarks listed on Exhibit A (the "Marks") pursuant to that certain June 17, 1982 Security Agreement between Libby and California Canners and Growers, which was recorded in the U.S. Patent and Trademark Office on June 25, 1982 at Reel 0423, Frame 0556, as amended by that certain September 8, 1982 Security Agreement Supplement between Libby and California Canners and Growers, which was recorded in the U.S. Patent and Trademark Office on September 15, 1982 at Reel 0423, Frame 0853. Nestle USA, Inc. grants this release in favor of Tri Valley Growers, which acquired the Marks from California Canners and Growers pursuant to an assignment recorded in the U.S. Patent and Trademark Office on October 3, 1983 at Reel 0450, Frame 0085.

IN WITNESS WHEREOF, Nestle USA, Inc. has executed this Release of Security Interest in Trademarks as of this 30th day of March, 1999.

NESTLE USA, INC.

By: 

Name: KRISTIN ADRIAN

Title: V.P. & Deputy General  
Counsel