

6-3-99

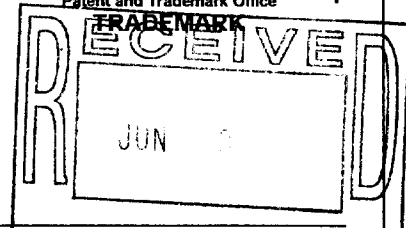
FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027

06-08-1999



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U.S. Department of Commerce
Patent and Trademark Office



RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID #
- Correction of PTO Error
Reel # Frame #
- Corrective Document
Reel # Frame #

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
Effective Date
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name

Formerly

- Individual General Partnership Limited Partnership Corporation Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- Corporation Association
- Other

Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

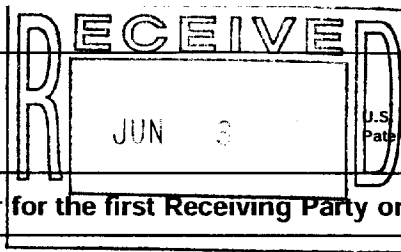
06/07/1999 DMGUYEN 00000286 500785 172458

01 FC:481 40.00 CH
02 FC:482 200.00 CH

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 001907 FRAME: 0808



Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages Enter the total number of pages of the attached conveyance document including any attachments. #

Trademark Application Number(s) or Registration Number(s) Mark if additional numbers attached
 Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,172,458"/>	<input type="text" value="1,307,306"/>	<input type="text" value="1,154,091"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,141,900"/>	<input type="text" value="1,510,307"/>	<input type="text" value="1,494,404"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,455,611"/>	<input type="text" value="1,828,971"/>	<input type="text" value="1,518,156"/>

Number of Properties Enter the total number of properties involved. #

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)
 Deposit Account Number: #

Authorization to charge additional fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

BRIDGET GRIFFIN JOHNSON
Name of Person Signing

Bridget Griffin Johnson
Signature

6/2/99
Date Signed

ASSIGNMENT OF TRADEMARKS

This Assignment of Trademarks is by and between Merkt Cheese Company, Inc., a Wisconsin corporation having a principal place of business in Bristol, Wisconsin ("Merkt") and Morningstar Foods Inc, a Delaware corporation having a principal place of business in Dallas, Texas ("Morningstar"):

WHEREAS, Merkt has certain rights in and to trademarks as shown on attached Schedule A ("Trademarks"), and the goodwill appurtenant thereto;

WHEREAS, Merkt has agreed to GRANT, SELL, ASSIGN, TRANSFER and CONVEY to Morningstar all right, title and interest in and to the Trademarks; and

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Merkt does hereby GRANT, SELL, ASSIGN, TRANSFER and CONVEY to Morningstar its right, title and interest in and to the Trademarks.

IN WITNESS HEREOF, Merkt has caused this Assignment of Trademark to be duly executed in a manner appropriate thereto, effective as of this 1 day of June, 1999.

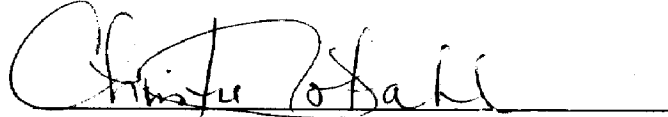
MERKT CHEESE COMPANY, INC.

By: Thomas M. Merkt
Name: THOMAS M. MERKT
Title: PRESIDENT

ACKNOWLEDGMENT

THE STATE OF ~~TEXAS~~ Wisconsin §
 §
COUNTY OF ~~DALLAS~~ Kenosha §

On this 1 day of June , 1999, before me personally came Thomas M. Merkt, to me known, who being by me duly sworn, did depose and say that he/she is President of Merkt Cheese Company, Inc., the corporation described in and which executed the above Assignment, and that he/she signed his/her name thereto by order of the Board of Directors of such corporation.



Notary Public

My Commission Expires: 8-6-2000

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**CONFIRMATION OF RELEASE
OF SECURITY AGREEMENT**

1. This statement refers to the Collateral Assignment of Trademarks and Trademark Security Agreement (the "Agreement") dated February 22, 1996, recorded at the United States Patent and Trademark Office at Reel 1442, Frame 0180-189.

2. The name and address of the debtor ("Debtor") is:

Merkt Cheese Company, Inc.
19241 83rd Street
Bristol, Wisconsin 53104-0188

3. The name and address of the secured party ("Secured Party") is:

Bank One, Wisconsin, NA
5522 6th Avenue
Kenosha, Wisconsin 53141

4. This statement confirms that Secured party has released its security interest in and to the trademarks and registrations identified on attached Exhibit A.

5. Presented for filing to the U.S. Commissioner of Patents and Trademarks.

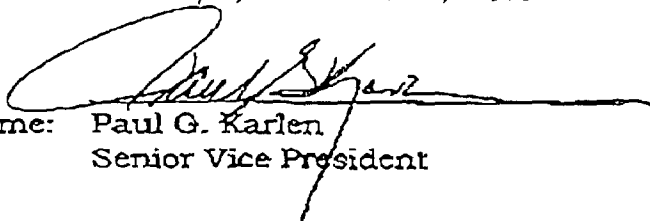
6. This Confirmation is effective as of March 19, 1996.

SECURED PARTY: Bank One Wisconsin, N.A.
n/k/a Bank One, Wisconsin

By:

Printed name: Paul G. Karlen

Title: Senior Vice President



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