

7-2-99

07-07-1999

Docket No.:



101083972

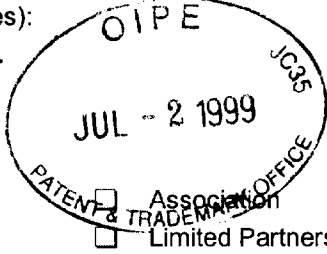
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To the Honorable Commissioner of Patent.

Attached original documents or copy thereof.

1. Name of conveying party(ies):

Fort Biscuit Company, Inc.



- Individual(s)
- General Partnership
- Corporation-State Arkansas
- Other

Additional names(s) of conveying party(ies) Yes No

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

Name: FBC Acquisition Company, LLC

Internal Address:

Street Address: 201 Fifth Street

City: Fort Smith State: AR ZIP: 72916

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other Arkansas Limited Liability Company

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Corrective Trademark Assignment Nunc Pro Tunc
- Merger
- Change of Name

Execution Date: June 23, 1997

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,775,385

Additional numbers Yes No

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

Name: Cory M. Amron, Esquire

Internal Address: Vorys Sater Seymour and Pease, LLP

Street Address: 1828 L Street, N.W.; 11th Floor

City: Washington State: DC ZIP: 20036

6. Total number of applications and registrations involved:.....

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

07/06/1999 MTHAI1 00000170 1775385

01 FC:481

40.00 OP

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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.

Cory M. Amron

Name of Person Signing

Cory Amron

Signature

7/2/1999

Date

Total number of pages including cover sheet, attachments, and

4

TRADEMARK

CORRECTIVE

TRADEMARK ASSIGNMENT

NUNC PRO TUNC

WHEREAS, Fort Biscuit Company, Inc., an Arkansas corporation, having its principal offices at 201 South Fifth Street, Fort Smith, Arkansas, (hereafter, "ASSIGNOR") has adopted and is using the trademark listed on Appendix A attached hereto and made a part hereof (the "Trademark"); WHEREAS, ASSIGNOR is the owner of the Trademark;

WHEREAS, FBC Acquisition Company, LLC, an Arkansas limited liability company, having its principal offices at 201 Fifth Street, Fort Smith, Arkansas (hereafter "ASSIGNEE"), is desirous of acquiring said Trademark, together with the good will of the business with which said Trademark is used and which is connected with the use of or symbolized by said Trademark, and any and all registrations and applications for registration of said Trademark, pursuant to an Asset Purchase Agreement between Assignor and North American Baking, Inc., an Ohio corporation (hereafter "NAB"), dated as of June 23, 1997 (the "Asset Purchase Agreement"); and

WHEREAS, NAB assigned to ASSIGNEE its rights in the Trademark pursuant to a Trademark Assignment dated as of June 23, 1997, however, inadvertently the word "Inc." was missing from the corporate name of Assignor;

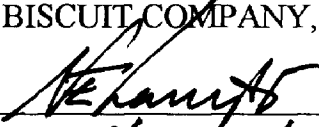
WHEREAS, Assignor desires to correct said Trademark Assignment, NUNC PRO TUNC, effective as of June 23, 1997;

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN, be it know that for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged by ASSIGNOR, ASSIGNOR hereby sells, transfers, conveys and assigns

said ASSIGNEE, nunc pro tunc effective as of June 23, 1997, the entire right, title and interest in and to said Trademark, all registrations and applications for registration of said Trademark, including those specifically identified on Appendix A attached hereto, the right to recover for past infringement of said Trademark and the good will of the business in connection with which said Trademark is used and which is symbolized by said Trademark. Assignor hereby makes such representations and warranties to ASSIGNEE with respect to the Trademark as are contained in the Asset Purchase Agreement.

Dated as of June 23, 1997

FORT BISCUIT COMPANY, INC.

By: 
Name: NEIL E. LAMPE
Title: PRESIDENT

APPENDIX A

Trademark

U.S. Reg. No.

Registration Date

“NATURALLY” FAT FREE & Design

1,775,385

June 8, 1993