

09-03-1999



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**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  
12 28 98

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/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

Individual  General Partnership  Limited Partnership  Association

Corporation  Association

Other

Citizenship/State of Incorporation/Organization

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.)

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FOR OFFICE USE ONLY

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*NO SPEC FEE*

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: 001924 FRAME: 0987

**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

(901) 543-8021

Name

John E. Kruger, Esq.

Address (line 1)

Waring Cox, PLC

Address (line 2)

50 North Front Street

Address (line 3)

Suite 1300

Address (line 4)

Memphis, Tennessee 38103

**Pages**

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

#

2

**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"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

728,051	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

40.00

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

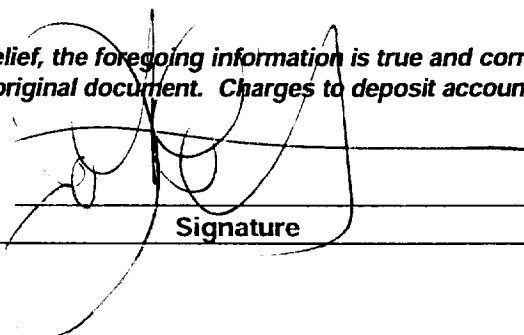
No

**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.

John E. Kruger, Esq.

Name of Person Signing



Signature

May 4, 1999

Date Signed

**EXHIBIT "A"**

The merger document recorded on reel #1845 and frame #0925 contained an error in registration number and date. The incorrect number was 1,740,557 and the incorrect date was December 15, 1992. The merger document is being submitted for re-recording in order to correct the foregoing error on the stated reel and frame.

e:\users\jek\osceola\tml\exhibit.a2

**TRADEMARK  
REEL: 001924 FRAME: 0989**

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"OSCEOLA FOODS, INC.", A ARKANSAS CORPORATION,  
WITH AND INTO "OSCEOLA FOODS, INC." UNDER THE NAME OF "OSCEOLA FOODS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF DECEMBER, A.D. 1998, AT 10 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF JANUARY, A.D. 1999.



A handwritten signature in cursive script, reading "Edward J. Freel".

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Edward J. Freel, Secretary of State

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AUTHENTICATION: 9499639

DATE: 12-31-98

TRADEMARK  
REEL: 001924 FRAME: 0990

**CERTIFICATE OF MERGER  
OF OSCEOLA FOODS, INC. (AR)  
INTO  
OSCEOLA FOODS, INC. (DE)**

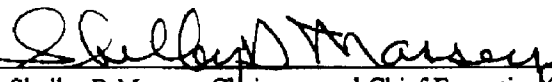
(PURSUANT TO SECTION 252 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE)

THE UNDERSIGNED CORPORATION HEREBY CERTIFIES THAT:

1. The name and state of incorporation of each of the constituent corporations are:
  - (a) Osceola Foods, Inc., a Delaware corporation; and
  - (b) Osceola Foods, Inc., an Arkansas corporation
2. An Agreement and Plan of Merger has been approved, adopted, certified, executed and acknowledged on December 28, 1998, by Osceola Foods, Inc. (AR) and by Osceola Foods, Inc. (DE), in accordance with the provisions of Section 252 of the General Corporation Law of the State of Delaware and Section 4-27-1101 of the Arkansas Business Corporation Code.
3. The name of the surviving corporation is Osceola Foods, Inc. (DE)
4. The certificate of incorporation of Osceola Foods, Inc. (DE) shall be the certificate of incorporation of the surviving corporation.
5. The surviving corporation is a corporation of the State of Delaware.
6. The executed Agreement and Plan of Merger is on file at the principal place of business of Osceola Foods, Inc. (DE) at 710 N. Pearl Street, Osceola, Arkansas 72370.
7. A copy of the Agreement and Plan of Merger will be furnished by Osceola Foods, Inc. (DE), on request and without cost, to any stockholder of Osceola Foods, Inc. (AR) or Osceola Foods, Inc. (DE)
8. The authorized capital stock of Osceola Foods, Inc. (DE) is 10,000 shares of common stock, with par value of \$1.00 per share.
9. The authorized capital stock of Osceola Foods, Inc. (AR) is 1,000 shares of voting common stock, with no par value.
10. The Agreement and Plan of Merger shall be effective as of January 1, 1999.

IN WITNESS WHEREOF, the undersigned corporation has caused this Certificate of Merger to be executed on the 29<sup>th</sup> day of December, 1998.

OSCEOLA FOODS, INC., a Delaware Corporation

By:   
Shelby D Massey, Chairman and Chief Executive Officer