

10-12-1999



101166617

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

10-7-99

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

☐ Merger  
Effective Date  
Month Day Year

☐ Change of Name

☐ Other

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year

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)

City

State/Country

Zip Code

☐ Individual ☐ General Partnership ☐ Limited Partnership

☒ 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.)

FOR OFFICE USE ONLY

10/08/1999 DNGUYEN 00000236 061450 1872651

01 FC:481 40.00 CH  
02 FC:482 550.00 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: 001972 FRAME: 0289

**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 **312/755-2538**

Name

**Malcolm McCaleb, Jr./FOLEY & LARDNER**

Address (line 1)

**One IBM Plaza, Suite 3300**

Address (line 2)

**330 North Wabash Avenue**

Address (line 3)

Address (line 4)

**Chicago, Illinois 60611**

**Pages**

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

#

**4**

**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)**

**1872651**

**1874023**

**1777331**

**1797185**

**1432105**

**1568648**

**2112382**

**1805462**

**1805461**

**Number of Properties**

Enter the total number of properties involved.

#

**23**

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

**590.00**

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:

#

**06-1450**

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.

**Malcolm McCaleb, Jr.**

Name of Person Signing

Signature

**October 5, 1999**

Date Signed

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

**Conveying Party**

Enter Additional 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**

Enter Additional 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)

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 the Assignment.)

☐

Corporation

☐

Association

☐

Other

☐

Citizenship/State of Incorporation/Organization

**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)**

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

**Registration Number(s)**

1342951	1342952	1710231
1859815	1859816	1859817
1879931	1484454	1790551
1943880	1845779	1844588
1748678	1690350	

# SCHEDULE A

## U.S. MARKS

Mark	Reg. No.	Reg. Date
CAPTAIN JAC	1,872,651	1/10/95
CAPTAIN JAC & DESIGN	1,874,023	1/17/95
CAPTAIN'S FINEST	1,777,331	6/15/93
CAPTAIN'S FINEST IMITATION CRABMEAT ALASKAN ETC. & DESIGN	1,797,185	10/5/93
CRAB DELIGHTS	1,432,105	3/10/87
CRAB TASTIES (STYLIZED)	1,568,648	11/28/89
EASY SHREDS	2,112,382	11/11/97
ENTERPRISE	1,805,462	11/16/93
ENTERPRISE & DESIGN	1,805,461	11/16/93
JAC	1,342,951	6/18/85
JAC (STYLIZED)	1,342,952	6/18/85
LOBSTER TASTIES	1,710,231	8/25/92
LOUIS KEMP	1,859,815	10/25/94
LOUIS KEMP (STYLIZED)	1,859,816	10/25/94
LOUIS KEMP SEAFOOD CO. & DESIGN	1,859,817	10/25/94
LOUIS KEMP SEAFOOD CO. (STYLIZED)	1,879,931	2/21/95
OCEAN MASTER	1,484,454	4/12/88

PACIFIC MATE	1,790,551	8/31/93
SCALLOP DELIGHTS	1,943,880	12/26/95
SEAFEST	1,845,779	7/19/94
SEAFEST & DESIGN	1,844,588	7/12/94
SHRIMP TASTIES	1,748,678	1/26/93
SURE SALADS	1,690,350	6/2/92

On June 15, 1999, Tyson Foods, Inc. filed a use based application with the United States Patent and Trademark Office for registration of the mark LOBSTER DELIGHTS on the Principal Register. At that time filing particulars have not been received regarding the application. Upon receiving notice of the Application Number, Tyson Foods, Inc. will execute an additional assignment, in a form substantially similar to the Intellectual Property Assignment, to accomplish the transfer of the application.

## **INTELLECTUAL PROPERTY ASSIGNMENT**

WHEREAS, Tyson Foods, Inc., a corporation organized and existing under the laws of the State of Delaware and having its principal place of business at 2210 Oaklawn Drive, Springdale, Arkansas 72762 (hereinafter, "Tyson") has adopted and is using the trademarks set forth in Schedule "A" hereto in the United States (the "U.S. Marks"); and

WHEREAS, Tyson has adopted and is using the trademarks set forth in Schedule "B" hereto internationally (the "International Marks"); and

WHEREAS, Tyson owns the patents set forth in Schedule "C" hereto in the United States (the "U.S. Patents"); and

WHEREAS, Tyson owns the patent set forth in Schedule "D" hereto in Canada (the "Canadian Patent"); and

WHEREAS, pursuant to the Analog Division Purchase and Sale Agreement by and between Tyson as Seller, and International Home Foods, Inc. ("IHF") and Bumble Bee Seafoods, Inc., a wholly owned subsidiary of IHF, ("Bumble Bee") as Buyers, entered into as of May 28, 1999 (as amended, the "Purchase Agreement," with capitalized terms used, but not defined herein, having the meaning set forth in the Purchase Agreement), Tyson agreed to transfer all of its right, title and interest, including any and all goodwill, in the U.S. Marks, the International Marks, and the Patents (collectively, the "Intellectual Property") to Bumble Bee.

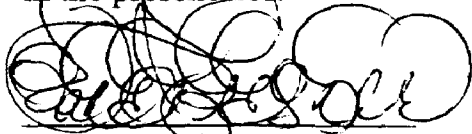
NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the sufficiency and receipt thereof is hereby acknowledged, Tyson hereby assigns, transfers and conveys to Bumble Bee Tyson's entire right, title, and interest in the Intellectual Property, and any and all goodwill associated therewith. The foregoing assignment, transfer and conveyance shall not be effective until the Effective Time.

Bumble Bee acknowledges that the Intellectual Property is assigned, transferred and conveyed pursuant to the Purchase Agreement and that Bumble Bee shall be entitled to the benefits of the representations, warranties, covenants and agreements contained

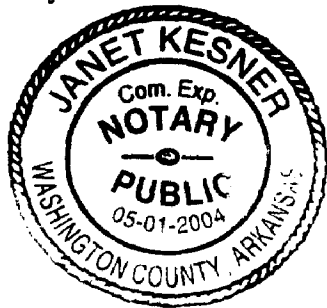
therein. Except as provided in the Purchase Agreement, no representations or warranties are made with respect to the conveyance made pursuant to this Intellectual Property Assignment.

This 12<sup>th</sup> day of July, 1999.

Signed, sealed and delivered  
in the presence of:



Notary Public



TYSON FOODS, INC.



**David L. Van Bebber**  
Vice President