

ACC

05-01-2000



HEET

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To the Honorable Commissioner of Patent.

... original documents or copy thereof.

MD 4-10-00

1. Name of conveying party(ies):

ACC Acquisition Co., Inc.  
1107 Washington Street  
Selma, Alabama 36702

6-22-98

2. Name and address of receiving party(ies)

Name: American Candy Company

Internal Address:

Street Address: 1107 Washington Street

City: Selma State: Alabama ZIP: 36702

- Individual(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
- Merger
- Change of Name

Execution Date: March 6, 1995

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- 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)  
N/A

B. Trademark Registration No.(s)

See Exhibit A, attached hereto

Additional numbers attached?  Yes  No

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

Name: William R. Dexter

Internal Address: Sullivan, Mountjoy,

Stainback & Miller, PSC

Street Address: 100 St. Ann Building,

P.O. Box 727

City: Owensboro State: KY ZIP: 42302-0727

6. Total number of applications and registrations involved: 20

7. Total fee (37 CFR 3.41).....\$ 515.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

N/A

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

DO NOT USE THIS SPACE

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.

William R. Dexter

Name of Person Signing

Signature

6/15/98

Date

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

TRADEMARK

REEL: 002062 FRAME: 0181

00000086 17247  
01 FC: 01  
02 FC: 02  
07/02/1998

## EXHIBIT A

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
AMERICAN CANDY COMPANY <sup>®</sup> and DESIGN	1,724,734	10/13/92
AMERICAN <sup>®</sup> with Shield Design	969,748	10/02/73
BIG BO <sup>®</sup> with Design	1,070,703	08/02/77
DOUBLE FRUIT POPS <sup>®</sup>	974,404	12/04/73
FIRECRAKER <sup>®</sup>	794,520	08/17/65
FROOPS <sup>®</sup>	1,659,238	10/01/91
FROOPS <sup>®</sup> Character	1,693,403	06/09/92
HOT POPS <sup>®</sup>	1,023,359	10/21/75
LONG BOYS <sup>®</sup>	1,299,773	10/09/84
LONG BOYS <sup>®</sup> Character	1,716,198	09/15/92
LUV POPS <sup>®</sup>	1,203,800	08/03/82
PIK A STIK <sup>®</sup>	1,540,518	05/23/89
SANTA STICKS'N BOOT <sup>®</sup>	1,002,336	01/21/75
SPIKES <sup>®</sup> with Design	794,518	08/17/65
TREASURE CHEST <sup>®</sup>	887,578	03/10/70
TRIM-A-PACKAGE	1,851,618	08/30/94
TWICE AS LONG <sup>®</sup>	1,571,201	12/12/89
TWIRL POP <sup>®</sup>	1,114,626	03/06/79
DROOLERS	1,881,557	02/28/95

Pending ApplicationTrademarkApplication No.:

BIG BO and Design

75/390623

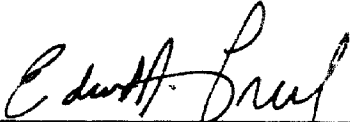
*State of Delaware*  
*Office of the Secretary of State*

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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 AMENDMENT OF "ACC ACQUISITION CO., INC.", CHANGING ITS NAME FROM "ACC ACQUISITION CO., INC." TO "AMERICAN CANDY COMPANY", FILED IN THIS OFFICE ON THE SIXTH DAY OF MARCH, A.D. 1995, AT 3:30 O'CLOCK P.M.



  
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*Edward J. Freel, Secretary of State*

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AUTHENTICATION: 0336053

DATE: 03-24-00

**TRADEMARK**  
**REEL: 002062 FRAME: 0183**

CERTIFICATE OF AMENDMENT

OF  
CERTIFICATE OF INCORPORATION  
OF  
ACC ACQUISITION CO., INC.

ACC ACQUISITION CO., INC., a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware:

DOES HEREBY CERTIFY:

FIRST, That the Board of Directors of said corporation, by the unanimous written consent of its member, filed with the minutes of the Board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

RESOLVED, that the Certificate of Incorporation of ACC Acquisition Co., Inc., be amended by changing the Article 1 (One) thereof so that, as amended, said Article shall be and read as follows:

1. The name of the corporation is AMERICAN CANDY COMPANY (the "Corporation").

SECOND, That in lieu of a meeting and vote of stockholders, the stockholders have given "unanimous" written consent to said amendment in accordance with the provision of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendments was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, said Co-Chairman of ACC ACQUISITION CO., INC. has caused this certificate to be signed by John Wechsler its Co-Chairman, this 6<sup>th</sup> day of February, 1995.

MARCA

ACC ACQUISITION CO., INC.

By:

  
Title: Co-Chairman  
John Wechsler