

05-30-2000

R SHEET
ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Honorable Commissioner of

101368795

he attached original documents or copy thereof.

1. Name of conveying party(ies):

ORGANIC FOOD PRODUCTS, INC.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State California
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☒ Change of Name
☐ Other _____

Execution Date: October 4, 1999

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

Name: SPECTRUM ORGANIC PRODUCTS, INC.

Internal Address: Suite 280

Street Address: 1304 South Point Boulevard

City: Petaluma State: CA ZIP: 94954

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State California
☐ 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 registration number(s):

A. Trademark Application No.(s)

75/821,923
75/821,924
75/821,980
75/834,326

B. Trademark registration No.(s)

523,689 and others see attached listing

Additional numbers attached? ☒ Yes ☐ No

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

Name: Kathryn Jennison Shultz

Internal Address: Jennison & Shultz, P.C.

Street Address: Crystal Plaza #1, Suite 1102

2001 Jefferson Davis Highway

City: Arlington State: VA ZIP: 22202

6. Total number of applications and registrations involved:

36

7. Total fee (37 CFR 3.41):..... \$ 915.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

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

05/26/2000 JSHABAZZ 00000107 75821923

DO NOT USE THIS SPACE

01 FC:481
02 FC:48240.00 OP
875.00 OP

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.

Kathryn Jennison Shultz

Name of Person Signing

Signature

May 12, 1999

Date

Total number of pages comprising cover sheet:

3

TRADEMARK

Trademarks: Organic Food Products, Inc.

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
BLUE BANNER	523,689	04/11/1950
SONNET FARMS	1,596,680	05/15/1990
VEG-OMEGA-3	1,609,232	08/07/1990
SPECTRUM NATURALS	1643,736	05/07/1991
PACIFIC RIM	1,700,735	07/14/1992
SUNNY FARMS	1,776,701	06/15/1993
SPECTRUM SPREAD	1,804,650	11/16/1993
AYLA'S ORGANICS	1,871,477	01/03/1995
SPECTRUM PURE COLD PRESSED	1,876,770	01/31/1995
SPECTRUM PURE PRESSED	1,877,769	02/07/1995
SPECTRAVAC COLD PRESSED	1,883,292	03/14/1995
PACIFIC RIM	1,888,762	04/11/1995
SUPER CANOLA	2,003,989	10/01/1996
SPECTRUM NATURALS SUPER CANOLA	2,045,346	03/18/1997
SPECTRUM NATURALS WORLD CUISINE	2,045,512	03/18/1997
BACK TO THE GARDEN	2,081,426	07/22/1997
SPECTRUM WORLD CUISINE	2,115,477	11/25/1997
PARROT BRAND	2,146,445	03/24/1998
MILLINA'S FINEST	2,147,800	03/31/1998
SPECTRUM ESSENTIALS	2,164,499	06/09/1998

ESSENTIAL MAX	2,164,500	06/09/1998
SKILLET SPRAY	2,170,568	06/30/1998
SPECTRUM NATURALS SKILLET SPRAY	2,183,606	08/25/1998
SEASONING SPRAY	2,204,641	11/17/1998
SPECTRUM NATURALS SEASONING SPRAY	2,228,605	03/02/1999
ONLY OLIVE SPREAD	2,242,298	04/27/1999
ESSENTIAL OMEGA SPREAD	2,261,247	07/13/1999
SPECTRUM NATURALS	2,263,228	07/20/1999
SPECTRUM NATURALS ESSENTIAL OMEGA SPREAD	2,263,299	07/20/1999
SPECTRUM NATURALS ONLY OLIVE SPREAD	2,269,108	08/10/1999
THIRD PARTY CERTIFIED ORGANIC	2,269,114	08/10/1999
SUNNY FARMS	2,326,922	03/07/2000

<u>Trademark</u>	<u>Ser. No.</u>	<u>Filing Date</u>
SPECTRUM ESSENTIALS DAILY ESSENTIAL FIBER	75/821,923	10/14/1999
Miscellaneous Design (Three Flowers)	75/821,924	10/14/1999
Miscellaneous Design (One Flower)	75/821,980	10/14/1999
DAILY ESSENTIAL FIBER	75/834,326	10/29/1999

A533129

AMENDED AND RESTATED
ARTICLES OF INCORPORATION
OF

SPECTRUM ORGANIC PRODUCTS, INC.

ENDORSED-FILED
IN THE OFFICE OF THE
SECRETARY OF STATE
OF THE STATE OF CALIFORNIA

OCT 20 1999

BILL JONES, SECRETARY OF STATE

JOHN BATTENDIERI and RICHARD BACIGALUPI certify that:

1. They are the President and Secretary of Organic Food Products, Inc., a California corporation.
2. The Articles of Incorporation of this corporation are amended and restated to read as follows:

I.

The name of this corporation is Spectrum Organic Products, Inc.

II.

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

III.

(A) This corporation is authorized to issue two classes of shares, to be designated common and preferred, respectively. This corporation is authorized to issue 60,000,000 shares of common stock and 5,000,000 shares of preferred stock.

(B) The preferred stock may be divided into such number of series as the board of directors may determine. The board of directors is authorized to determine and alter the rights, preferences, privileges and restrictions granted to or imposed upon any wholly unissued series of preferred stock, and to fix the number of shares of any series of preferred stock and the designation of any such series of preferred stock. The board of directors, within the limits and restrictions stated in any resolution or resolutions of the board of directors originally fixing the number of shares constituting any series, may increase or decrease (but not below the number of shares of such series then outstanding) the number of shares of any series subsequent to the issue of shares of that series.

IV.

The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

V.


The corporation is authorized to provide indemnification of agents (as defined in Section 317 of the California Corporations Code) through bylaws provisions, agreements with agents, vote of shareholders or disinterested directors or otherwise, in excess of the indemnification otherwise permitted by Section 317 of the California Corporations Code, subject only to the applicable limits set forth in Section 204 of the California Corporations Code with respect to actions for breach of duty to the corporation and its shareholders.

3. The foregoing amended and restated articles of incorporation have been duly approved by the board of directors.

4. The foregoing amended and restated articles of incorporation have been duly approved by 4,404,273 shares of the corporation which vote exceeds the required vote of shareholders in accordance with Section 902 of the Corporations Code. The total number of outstanding shares of the corporation is 7,559,021. The number of shares voting in favor of the amendment equaled or exceeded the vote required. The percentage vote required was more than fifty percent (50%).

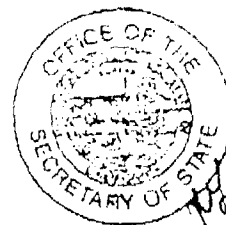
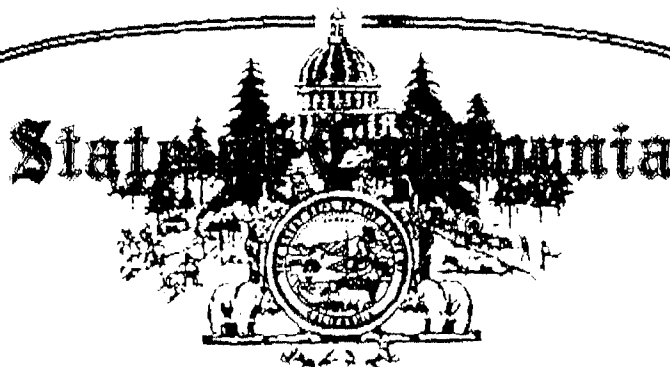
We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

Date: October 4, 1999


John Battendieri, President


Richard Bacigalupi, Secretary





SECRETARY OF STATE

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

OCT 25 1999

Bill Jones

Secretary of State