

09-25-2000



101468867

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

9-5-00

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
- ☐ Change of Name
- ☐ Other
- Effective Date  
Month Day Year  
 12 31 1999

Conveying Party

☐ Mark if additional names of conveying parties attached

Name  NewStar Fresh Foods, LLC

Execution Date  
Month Day Year  
 02 09 2000

Formerly

75786290

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ Corporation ☐ Association
- ☒ Other  Limited Liability Company
- ☒ Citizenship/State of Incorporation/Organization  Delaware

Receiving Party

☐ Mark if additional names of receiving parties attached

Name  Ceres Fresh Foods, LLC

DBA/AKA/TA

Composed of

Address (line 1)  126 Sun Street

Address (line 2)

Address (line 3)  Salinas

City

CA

State/Country

93915

Zip Code

- ☐ Individual ☐ General Partnership ☐ Limited Partnership
- ☐ Corporation ☐ Association
- ☒ Other  Limited Liability Company

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.)

- ☒ Citizenship/State of Incorporation/Organization  California

09/22/2000 DNGUYEN 00000249 75786290

FOR OFFICE USE ONLY

01 FC:441  
02 FC:442

40.00 DP  
200.00 DP

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: 002146 FRAME: 0325

**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 **415/421-5300**

Name

**Darin T. Judd**

Address (line 1)

**201 Tamal Vista Blvd.**

Address (line 2)

**Corte Madera, CA 94925**

Address (line 3)

Address (line 4)

**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)

**75786290**

**0726314**

**1531121**

**1599779**

**2147614**

**2176931**

**2205380**

**2297013**

**2223443**

**Number of Properties**

Enter the total number of properties involved.

#

**9**

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

**240.00**

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.

**Darin T. Judd**

Name of Person Signing

Signature

**8/29/2000**

Date Signed

ASSIGNMENT OF TRADEMARKS

WHEREAS, NewStar Fresh Foods, LLC ("Assignor"), a Delaware limited liability company, located and doing business at 126 Sun Street, Salinas, California 93915, has adopted, used and is using the trademarks (the "Marks") and is the owner of the United States registrations thereof (the "Registrations") identified in the attached Schedule A; and

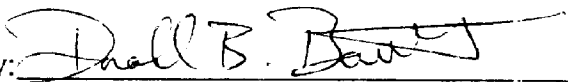
WHEREAS, Ceres Fresh Foods, LLC ("Assignee"), a California limited liability company, located and doing business at 126 Sun Street, Salinas, California 93915, has acquired all rights, title and interest in and to the Marks and Registrations thereof, pursuant to a Reorganization Agreement among Assignor, Assignee and FCP Investments, Inc. dated as of December 30, 1999; and

WHEREAS, Assignor and Assignee desire that the transfer of the Marks and the Registrations thereof be evidenced by a written assignment of the Marks from Assignor to Assignee;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign effective as of December 31, 1999 unto Assignee, and its successors and assigns, all rights, title and interest in the Marks throughout the world, whether common law, statutory or otherwise, together with the goodwill of the business symbolized by the Marks, and any and all applications for registration thereof, and any and all registrations thereof (including without limitation the Registrations), whether existing or expired or canceled, in the United States, in any state, territory or possession of the United States, and in any foreign country or elsewhere.

Dated: 12/31, 1999.

NEWSTAR FRESH FOODS, LLC

By: 

Name: Donald B. Barnett

Title: Manager

By: 

Name: Randall C. Pura

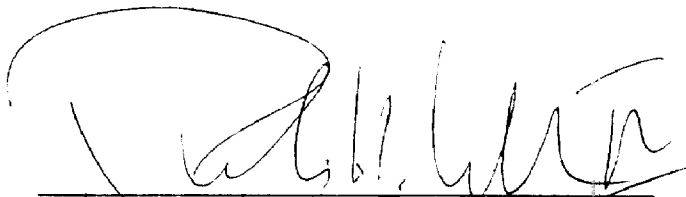
Title: Manager

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA                     )  
  )  
County of San Francisco                )       SS.

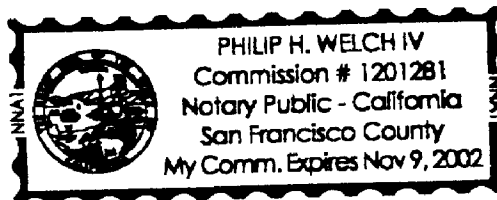
On this the Ninth day of February, 2000, before me Philip H. Welch IV, the undersigned Notary Public, personally appeared Donald B. Barnett, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as Manager on behalf of NewStar Fresh Foods, LLC, and acknowledged to me that NewStar Fresh Food, LLC executed it.

WITNESS my hand and official seal.

  
Philip H. Welch IV, Notary Public

My commission expires:

\_\_\_\_\_



CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA                     )  
  )  
County of San Francisco                )        ss.

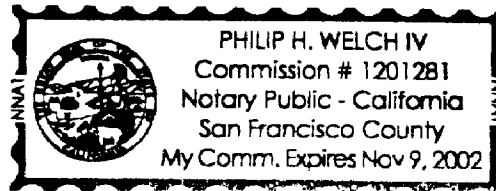
On this the Ninth day of February, 2000, before me Philip H. Welch IV, the undersigned Notary Public, personally appeared Randall C. Pura, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as Manager on behalf of NewStar Fresh Foods, LLC, and acknowledged to me that NewStar Fresh Food, LLC executed it.

WITNESS my hand and official seal.

Philip H. Welch IV  
Philip H. Welch IV Notary Public

My commission expires:

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# Schedule A

## Trademarks, Service Marks & Patents

### Ceres Fresh Foods, LLC.

<u>Country</u>	<u>Registration Number</u>	<u>Registration Date</u>	<u>Trademark, Service Mark</u>
USA	726,314	1/09/62	OMO (stylized)
USA	1,531,121	3/21/89	Salute
USA	1,599,779	6/05/90	Triple Washed (and Design)
USA	2,147,614	3/31/98	NewStar and Star Design
USA	2,176,931	7/28/98	EarthStar
USA	2,205,380	11/24/98	Harvestar
USA	2,297,013	11/30/99	Nutri-Veg
USA	2,223,443	2/09/99	Young & Tender
USA	Pending	7/20/99	Café NewStar
USA	35,917 (Patent)	10/13/98	Harvesting Apparatus for Leafy Vegetables
USA	??		A Fresh Perspective
Japan	4,235,353	1/29/99	NewStar and Star Design
Singapore	T97/07075E	6/16/97	NewStar and Star Design