

FORM PTO-1618A  
Expires 06/30/99  
OMB 0651-0027

10-23-2000

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



101493968

**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
- Merger *MRD*
- Change of Name *10-10-00*
- Other

Effective Date  
Month Day Year  
**June 8, 2000**

**Conveying Party**

Mark if additional names of conveying parties attached

Name **Boulder Potato Company, Inc.**

Execution Date  
Month Day Year

Formerly

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other
- Citizenship/State of Incorporation/Organization **Colorado**

**Receiving Party**

Mark if additional names of receiving parties attached

Name **Boulder Natural Foods, Inc.**

DBA/AKA/TA

Composed of

Address (line 1) **3500 S. La Cometa Drive**

Address (line 2)

Address (line 3) **Goodyear** **AZ** **85338**

City

State/Country

Zip Code

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other
- Citizenship/State of Incorporation/Organization **Delaware**

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**

10/20/2000 9:47AM 00000103 75365525

01 FC:481 40.00 OP  
02 FC:482 75.00 OP

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

**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

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

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

#

**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" value="75365525"/>	<input type="text" value="75365499"/>	<input type="text" value="75664797"/>
<input type="text" value="74686536"/>	<input type="text"/>	<input type="text"/>
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**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

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

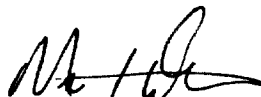
No

**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.

Mark Diliberti

Name of Person Signing



Signature

10-4-00

Date Signed

NUNC PRO TUNC CONFIRMATION OF ASSIGNMENT

WHEREAS, Boulder Potato Company, Inc. ("Boulder Potato") was until June 8, 2000, the owner of the trademarks listed in the attached Schedule 1 (collectively, the "Trademarks"), as well as the pending United States applications to register those marks (collectively, the "Trademark Applications"); and

WHEREAS, Boulder Natural Foods, Inc. ("Boulder Natural Foods") acquired the Trademarks and the Trademark Applications together with the goodwill of the business in connection with which the Trademarks are used through an Agreement for Purchase and Sale of Assets of Boulder Potato Company dated June 8, 2000;

NOW, THEREFORE, Boulder Potato hereby confirms that on June 8, 2000, it did sell, assign and transfer to Boulder Natural Foods its entire right, title and interest in and to the Trademarks and the Trademark Applications together with the goodwill of the business to which the Trademarks and the Trademark Applications pertain, as well as all rights of enforcement and recovery for past infringement of the Trademarks. Boulder Potato further agrees to take all reasonable and necessary steps to implement the provisions of this assignment.

IN WITNESS WHEREOF, a duly authorized officer of Boulder Potato and a duly authorized officer of Boulder Natural Foods have executed this confirmatory agreement, which may be executed in multiple counterparts, on the dates listed below.

BOULDER NATURAL FOODS, INC.

BOULDER POTATO COMPANY, INC.

By: Thomas W. Frisco  
Print Name: Thomas W. Frisco

By: Mark C. Frisco  
Print Name: MARK C. FRISCO

Title: SVP & CFO

Title: VICE PRESIDENT

Date: 10/3/00

Date: 10/03/00

TRADEMARK ASSIGNMENT SCHEDULE 1

TRADEMARK APPLICATIONS

<u>Mark</u>	<u>Application Serial No.</u>
BOULDER NATURAL FOODS	75/365,525
BOULDER POTATO COMPANY	75/365,499
BOULDER CHIPS	75/644,797
BOULDER POTATO COMPANY & Design	74/686,536