



TO THE ASSISTANT COMMISSIONER OF PAT.

101565402

Attached original documents or copy thereof.

12-19-2000

1. Name of conveying party(ies): (If multiple assignors, list numerically)

New Zealand Milk Products, Inc.

- Individual
- Association
- General Partnership
- Limited Partnership
- Corporation - State of Illinois
- Other:

Additional name(s) of conveying party(ies) attached?

Yes  No

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

**Name:** New Zealand Dairy Board  
**Internal Address:** Pastoral House  
**Street Address:** 45 The Terrace  
**City:** Wellington **State:** New Zealand **ZIP:**

- Individual
- Association
- General Partnership
- Limited Partnership
- Corporation - State - New Zealand
- 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) and address(es) attached?

Yes  No

3. Nature of conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above) July 5, 2000

4. Application number(s) or registration number(s):

- a. Trademark Application No(s):
- b. Trademark Registration No(s):  
1,572,704  
1,293,063  
1,424,550  
1,521,376

Additional numbers attached?  Yes  No

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

**Name:** Thomas F. Smegal, Jr.  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
**Customer No.** 20,995  
**Internal Address:** Sixteenth Floor  
**Street Address:** 620 Newport Center Drive  
**City:** Newport Beach **State:** CA **ZIP:** 92660  
**Attorney's Docket No.:** DAIRY26/37/38/39.001TUS

7. Total fee (37 CFR 3.41): \$115.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and registrations involved:  
4

Charge 115.00  
NO S P E C  
FEE

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.

Thomas F. Smegal, Jr.  
Name of Person Signing

Signature

Date

12/15/00

Total number of pages including cover sheet, attachments and document: 5



TO THE ASSISTANT COMMISSIONER OF PATENTS

101509609

original documents or copy thereof.

1. Name of conveying party(ies): (If multiple assignors, list numerically)

New Zealand Milk Products, Inc.

7-14-00

- Individual
- Association
- General Partnership
- Limited Partnership
- Corporation - State of Illinois
- Other:

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

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

Name: New Zealand Dairy Board  
Internal Address: Pastoral House  
Street Address: 45 The Terrace  
City: Wellington State: New Zealand ZIP:

- Individual
- Association
- General Partnership
- Limited Partnership
- Corporation - State - New Zealand
- Other:

COPY/CHANGE  
JUL 14 PM 3:30

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)  
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4

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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.

Adel S. Akhtar  
Name of Person Signing

Signature

July 10, 2000  
Date

Total number of pages including cover sheet, attachments and document: 5

08/08/2000 NTHAI1 00000139 1572704

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

TRADEMARK ASSIGNMENT

This Trademark Assignment (hereinafter referred to as "Assignment") is effective as of the 5<sup>th</sup> day of July, 2000, by and between New Zealand Milk Products, Inc., a Illinois corporation having a place of business at 3637 Westwind Boulevard, Santa Rosa, California 95403 (hereinafter referred to as "ASSIGNOR"), and New Zealand Dairy Board, a New Zealand corporation having a place of business at Pastoral House, 45 The Terrace, Wellington, New Zealand (hereinafter referred to as "ASSIGNEE").

WHEREAS, ASSIGNOR has adopted, used, is using, and is, to the best of its knowledge and belief, the owner of the trademarks and federal registrations listed in Schedule A, attached hereto and incorporated herein by this reference, and all other rights appurtenant thereto, including, but not limited to, all common law rights, trade name rights, causes of action, and the right to recover for past infringement (hereinafter collectively referred to as "Trademarks") worldwide;

WHEREAS, ASSIGNOR has acquired goodwill associated with and symbolized by said Trademarks and has not abandoned the same;

WHEREAS, ASSIGNEE is desirous of acquiring all rights, title, and interest in and to the Trademarks and Registrations worldwide; and

WHEREAS, ASSIGNOR is willing to assign to ASSIGNEE all rights, title, and interest as ASSIGNOR may possess in and to the Trademarks and Registrations worldwide;

NOW, THEREFORE, for good and adequate consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby assigns and sells to ASSIGNEE all rights, title, and interest as ASSIGNOR may possess in and to the following:

- (1) the Trademarks and Registrations set forth in Schedule A.

together with the goodwill symbolized by said Trademark(s) and Registration(s), concurrent with the transfer of certain tangible assets as indicia of said goodwill.

Executed at Santa Rosa, California, this 5<sup>th</sup> day of July, 2000.

New Zealand Milk Products, Inc.

a Illinois corporation having a place of business at 3637 Westwind Boulevard, Santa Rosa, California 95403

By:   
Mal Beniston

SCHEDULE TO TRADEMARK ASSIGNMENT

SCHEDULE A

Federal Trademark Registration(s):

<u>MARK</u>	<u>REG. NO.</u>	<u>REG. DATE</u>	<u>CLASS</u>
ALLWHIP	1,572,704	12/26/89	1
NEW ZEALAND FARMS	1,293,063	09/04/84	29
COLOSTRX	1,424,550	01/13/87	5
ENHANCED FUNCTIONALITY	1,521,376	01/17/89	1

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STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF Sonoma        )

On July 5<sup>th</sup>, 2000, before me, Jul. Robin Meyers, personally appeared Mal Beniston, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that HE executed the same in HIS authorized capacity(ies), and that by HIS signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Jul. Robin Meyers  
Signature

DAIR 426. COITUS

TFS



CC Y

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NOVEMBER 15, 2000

PTAS

KNOBBE, MARTENS, OLSON & BEAR, LLP  
THOMAS F. SMEGAL, JR.  
620 NEWPORT CENTER DRIVE  
SIXTEENTH FLOOR  
NEWPORT BEACH, CA 92660



\*101509609A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF DISPOSITION OF DATABASE DISCREPANCY

YOUR REQUEST TO CORRECT THE PATENT AND TRADEMARK ASSIGNMENT DATABASE SYSTEM HAS BEEN REVIEWED BY A PARALEGAL SPECIALIST OF THE ASSIGNMENT DIVISION. REVIEW OF THE MICROFILM RECORD LOCATED IN THE ASSIGNMENT SEARCH ROOM INDICATES THAT THE DATABASE REFLECTS THE DATA AS ORIGINALLY PRESENTED FOR RECORDATION. THEREFORE, TO CORRECT A PREVIOUSLY RECORDED DOCUMENT, A CORRECTIVE DOCUMENT MUST BE SUBMITTED AS OUTLINED IN 37 CFR 3.34.

SUBMIT CORRECTIVE DOCUMENT TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D. C. 20231.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

REFERENCE: REEL/FRAME: 002119/0488

SEDLEY PYNE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

NOV 20 2000  
HB  
RCS  
mit  
reg for corr assign  
Dec 15, 2000  
JFS  
Dec 15, 2000