

12-06-2000



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11-17-00

**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
Effective Date
Month Day Year

Merger

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date
Month Day Year

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Individual General Partnership Limited Partnership Corporation Association

Other

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

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Mail documents to be recorded with required cover sheet(s) information to:
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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

612-343-2962

Name

LAURA J. HEIN

Address (line 1)

GRAY, PLANT, MOOTY, MOOTY & BENNETT, P.A.

Address (line 2)

3400 CITY CENTER

Address (line 3)

33 SOUTH SIXTH STREET

Address (line 4)

MINNEAPOLIS, MN 55402-3796

Pages

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

#

1

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)

76077644

Number of Properties

Enter the total number of properties involved.

#

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

\$40.00

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.

LAURA J. HEIN

Laura J. Hein

11/16/00

Name of Person Signing

Signature

Date Signed

ASSIGNMENT OF TRADEMARK AND APPLICATION FOR REGISTRATION

WHEREAS, Dairy Queen of Greater St. Louis, Inc., having its principal office at 11911 Westline Drive, St. Louis, MO 63146-3200 and Samuel J. Temperato, individually (collectively "Assignor"), have adopted and are using the "BROWNIE EARTHQUAKE" mark, and are the owner of United States Patent and Trademark Office application, serial number 76077644, filed June 22, 2000, (the "Mark"); and

WHEREAS, American Dairy Queen Corporation, a Delaware corporation having its principal office at 7505 Metro Boulevard, Minneapolis, Minnesota 55439 ("Assignee"), is desirous of acquiring the Mark;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Assignor hereby assigns all rights, title, and interest in and to the Mark, together with the good will of the business symbolized by the Mark, any rights to any past infringements of the Mark, any derivative or similar rights relating to the Mark, and the above-identified application for registration of the Mark, to the Assignee.

The Commissioner of Patents and Trademarks is requested to issue the Certificate of Registration to the Assignee.

Date: 10/27/00

Dairy Queen of Greater St. Louis, Inc.

By: Samuel J. Temperato
Title: President

St. Louis County
State of Missouri

Subscribed + Sworn before me
this 27th day of October, 2000.

Sheral Shelburg

Samuel J. Temperato, individually:

Samuel J. Temperato
marks/earthquake-assign.doc

SHERAL SHELBURG, NOTARY PUBLIC
COUNTY OF ST. LOUIS, STATE OF MISSOURI
MY COMMISSION EXPIRES MAY 31, 2004

