

12-11-2000

U.S. 0651-0011 (exp. 4/94)



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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks

the attached original documents or copy thereof.

1. Name of conveying party(ies):

Tuscan Dairy Farms, Inc.  
750 Union Avenue  
Union, NJ 07083

- Individual(s)
- General Partnership
- Corporation-State NJ
- Other

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

3. Nature of conveyance:

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

Execution Date: June 2, 1998

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

A. Trademark Application No.(s)

75/057,958

2. Name and address of receiving party(ies)

Name: Tuscan/Lehigh Dairies, L.P.

Internal Address:

Street Address: 750 Union Avenue

City: Union State: NJ ZIP: 07083

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- 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

B. Trademark Registration No.(s)

UNO 11/17/00

Additional numbers attached?  Yes  No

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

Name: Eric S. Marzluf, Esq.

Internal Address: Caesar, Rivise, Bernstein,  
Cohen & Pokotilow, Ltd.

Street Address: 12th Floor - 7 Penn Center  
1635 Market Street

City: Philadelphia State: PA ZIP: 19103-2212

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

03-0075

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

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.

Eric S. Marzluf

Name of Person Signing

*Eric S. Marzluf*  
Signature

June 8, 1998

Date

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

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments

TRADEMARK  
REEL: 002192 FRAME: 0112

ASSIGNMENT OF TRADEMARK REGISTRATIONS AND APPLICATIONS

WHEREAS, TUSCAN DAIRY FARMS, INC. (TUSCAN), a corporation organized and existing under the laws of the State of New Jersey, and having a place of business at 750 Union Avenue, Union, NJ 07083 is the owner of certain trademarks, Certificates of Registrations therefor and applications for registration thereof in the United States and the goodwill of the business associated with and symbolized by said trademarks, said trademarks, Certificates of Registration and applications for registration being identified in Exhibit A hereunto attached and hereinafter referred to as "said TRADEMARKS";

WHEREAS, TUSCAN/LEHIGH DAIRIES, L.P., a limited liability partnership organized and existing under the laws of the State of Delaware, and having its principal place of business at 750 Union Avenue, Union, NJ 07083, is desirous of acquiring all of the right, title and interest of said TUSCAN in and to said TRADEMARKS and the goodwill of the business associated with and symbolized by said TRADEMARKS;

WHEREAS, on June 9, 1997, TUSCAN, by separate assignment meant to assign all of its right, title and interest in and to all of its certain pending trademarks and intent-to-use applications therefor along with the goodwill of the business associated with and symbolized by said TRADEMARKS to TUSCAN/LEHIGH DAIRIES, L.P.; however, in said June 9, 1997 assignment, TUSCAN unintentionally failed to identify the pending TRADEMARKS identified in Exhibit A; and,

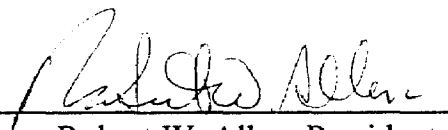
WHEREAS, TUSCAN now desires to correct the error and assign to TUSCAN/LEHIGH DAIRIES, L.P., as of June 9, 1997, all of its right, title and interest in and to the additional TRADEMARKS identified in Exhibit A.

NOW, THEREFORE, IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged by TUSCAN, said TUSCAN does hereby sell, assign and transfer to said TUSCAN/LEHIGH DAIRIES, L.P., said TRADEMARKS and the goodwill of the business associated with and symbolized by said TRADEMARKS, and further does hereby affirm that it is the intention of TUSCAN that said sale, assign and transfer be effective as of June 9, 1997.

Included in this assignment are any and all rights which the said TUSCAN has or may have against persons who have infringed upon any of said TRADEMARKS prior to the date of this assignment and June 9, 1997. These rights include the right to sue and recover for all damages and profits arising out of infringement of said TRADEMARKS, and the registrations and applications therefor, prior to the date of this assignment and June 9, 1997.

IN WITNESS WHEREOF, TUSCAN has caused this corrected assignment to be signed by Robert W. Allen, its President, thereunto duly authorized, this 2 day of June, 1998.

TUSCAN DAIRY FARMS, INC.

By   
Robert W. Allen, President

ACKNOWLEDGMENT

STATE OF NEW JERSEY :  
 : SS:  
COUNTY OF UNION :

On this 2 day of JUNE, 1998 before me personally appeared Robert W. Allen, to me known, who, after being duly sworn, did depose and say that he is the President of Tuscan Dairy Farms, Inc., a New Jersey corporation, the corporation described herein, and which executed the above instrument; that he has been duly authorized by said Tuscan Dairy Farms, Inc. to execute this instrument was the free act and deed of Tuscan Dairy Farms, Inc. and his own free act and deed.

Marquitta Martsch (SEAL)  
Notary Public

My commission expires:

NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Sept 13, 2000

EXHIBIT A TO ASSIGNMENT OF  
TRADEMARK REGISTRATIONS AND APPLICATIONS

TRADEMARK

APPLICATION SERIAL NO.

THE GREATER NEW YORK DAIRY  
and Design

75/057,958