

FORM PTO-1618A  
Expires 08/30/99  
OMB 0651-0027

12-13-2000

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

WRD  
11-17-00



101547591

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  Change of Name
  - Other \_\_\_\_\_
- Effective Date  
Month Day Year  
\_\_\_\_\_

Conveying Party

Mark if additional names of conveying parties attached

Name SUN-RYPE PRODUCTS, LTD.

Execution Date  
Month Day Year  
(1) 30 2000

Formerly \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization CANADIAN CORPORATION

Receiving Party

Mark if additional names of receiving parties attached

Name DEL MONTE CORPORATION

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) ONE MARKET

Address (line 2) P.O. BOX 193575

Address (line 3) SAN FRANCISCO  
City

CALIFORNIA  
State/Country

94119-3575  
Zip Code

- Individual  General Partnership  Limited Partnership  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.)
- Corporation  Association
- Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization NEW YORK CORPORATION

FOR OFFICE USE ONLY

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

12/12/2000 6TGM11 00000271 75919368

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TRADEMARK  
REEL: 002193 FRAME: 0598

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

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

**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="75-919,368"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<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): \$

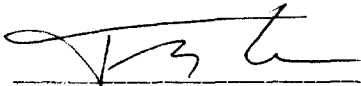
Method of Payment: Enclosed  Deposit Account

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.*

Timothy S. Ernst  11-08-00

Name of Person Signing Signature Date Signed

FORM PTO-1618C  
Expires 06/30/99  
OMB 0751-0027

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

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

**Conveying Party**

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship State of Incorporation/Organization

**Receiving Party**

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

Individual  General Partnership  Limited Partnership

Corporation  Association

Other

Citizenship/State of Incorporation/Organization

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 the Assignment.)

**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)

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# TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT (the "Assignment") is made and entered into as of October 30, 2000 (the "Effective Date") between SUN-RYPE PRODUCTS, LTD., a corporation organized under the laws of Canada with a principal place of business at 1165 Ethel Street, Kelowna, British Columbia V1Y 2W4 ("Assignor"), and DEL MONTE CORPORATION, a corporation organized under the laws of the State of New York with a principal place of business at One Market, San Francisco, California 94105 ("Assignee").

## RECITALS

- A. Assignor and Assignee are parties to that certain Settlement Agreement of even date herewith pursuant to which Assignor and Assignee have agreed to settle certain disputes.
- B. Assignor is the owner of the entire right, title and interest in, to and under the United States trademark applications and common law trademark rights identified and set forth on Schedule A (collectively the "Marks"), and the goodwill and business associated therewith.
- C. Assignee wishes to acquire, and Assignor wishes to assign, any and all right, title and interest in and to the Marks in the United States of America together with the goodwill of the business in connection with which the Marks are used (excluding therefrom any right, title or interest in or to the mark, and related goodwill in the mark, SUN-RYPE alone or in combination with other marks or elements).

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign, transfer and set over to Assignee any and all right, title and interest in and to the Marks, together with the goodwill of the business in connection with which the Marks are used, and all registrations and applications therefor, in the United States and all of its territories and possessions, for Assignee's own use and enjoyment, and for the use and enjoyment of Assignee's successors, assigns, or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made, including without limitation, all claims for damages for past, present or future infringement or other unauthorized use of the Marks, with the right to sue for, and collect the same for Assignee's own use and enjoyment and for the use and enjoyment of its successors, assigns or other legal representatives. Assignor agrees to take any and all further actions requested by Assignee in order to fully vest the right, title and interest being conveyed to Assignee pursuant to this Agreement, including, but not limited to, requesting that the Commissioner of Patents and Trademarks record this Assignment.

Assignor:

SUN-RYPE PRODUCTS LTD.

By: *W. Brad Buchanan*

Name: W. BRAD BUCHANAN

Title: V.P. SALES & MARKETING

Assignee:

DEL MONTE CORPORATION

By: *William R. Sawyers*

Name: WILLIAM R. SAWYERS

Title: VP GENERAL COUNSEL  
and SECRETARY

\*\*\* Notarize Signatures \*\*\*

*On November 1, 2000  
Brad Buchanan personally  
appeared before me, Ronald T. Solmer  
and acknowledged to me that  
he signed the within document  
as authorized signatory of  
Sun-Rype Products Ltd.  
Witness my hand and official seal*



RONALD T. SOLMER  
BARRISTER & SOLICITOR  
#301 - 1665 ELLIS STREET  
KELOWNA, B.C. V1Y 2B3  
PHONE 762-2108

*Dated November 1, 2000.  
A Notary Public in and for the  
Province of British Columbia.  
My commission expires Dec 31, 2000.*

**Schedule A**

United States Trademark Rights:

<u>Trademark</u>	<u>Serial Number</u>	<u>Goods</u>
FRUIT TO GO (stylized letters)	75-919,368	dried fresh fruit snacks
FRUIT TO GO	Common law	fruit-based food products

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Francisco } ss.

On October 27 2000, before me, Lillian Collier, Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared William R. Samyars  
Name(s) of Signer(s)

personally known to me  
~~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/she/they executed the same in his/~~her~~~~their~~ authorized capacity~~(ies)~~, and that by his/~~her~~~~their~~ signature~~s~~ on the instrument the person~~s~~ or the entity upon behalf of which the person~~s~~ acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.

Lillian Collier  
Signature of Notary Public

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

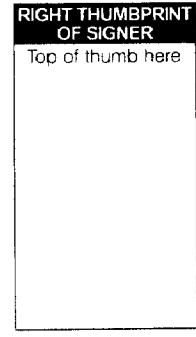
Title or Type of Document: Trademark Assignment between Sun-Rype Products, Ltd. and Del Monte Corporation

Document Date: October 30 2000 Number of Pages: 3

Signer(s) Other Than Named Above: Sun-Rype Products, Ltd.

**Capacity(ies) Claimed by Signer**

Signer's Name: William R. Samyars  
 Individual  
 Corporate Officer — Title(s): Vice President, General Counsel & Secretary  
 Partner —  Limited  General  
 Attorney in Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_



Signer Is Representing: Del Monte Corporation