

11-10-00

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

02-26-2001

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



101620564

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
Effective Date
Month Day Year
- 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/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 Assignment.)

FOR OFFICE USE ONLY

Public burden recording 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

TRADEMARK
REEL: 002240 FRAME: 0185

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

Page 2

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 (214) 303-3411

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"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2,290,348"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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.

Bridget G. Johnson

Bridget G. Johnson

11/01/00

Name of Person Signing

Signature

Date Signed

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
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 Martini (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