

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

02-27-2001

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



101621639

RECORDATION FORM COVER SHEET
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2-73 01

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 #
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Reel # Frame #

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
- Merger
- Change of Name
- Other

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

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 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

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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 Process. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
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FORM PTO-1618B
Expires 06/30/99
OMR CE51-0027

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="2,186,272"/>	<input type="text" value="2,293,002"/>	<input type="text" value="2,243,018"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2,282,198"/>	<input type="text" value="2,005,972"/>	<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

Name of Person Signing

Bridget G. Johnson

Signature

11/9/00

Date Signed

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Expires 03/30/99
OMB 0651-0027

12-08-2000

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



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11.9.00

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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Month Day Year

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DBA/AK/A/T/A

Composed of

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12/07/2000 MTHA11 00000308 501494 2186272

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01 FC:481 40.00 CH
02 FC:482 100.00 CH

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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)

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Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$

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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.

Name of Person Signing Signature Date Signed

CORRECTED ASSIGNMENT OF PENDING TRADEMARK
INTENT-TO-USE 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 pending trademark intent-to-use applications (ITU applications), of the United States, as identified in Exhibit A hereunto attached;

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 ITU applications:

WHEREAS, by a separate document TUSCAN is transferring all of the assets of its business to said TUSCAN/LEHIGH DAIRIES, L.P.;

WHEREAS, on June 9, 1997, TUSCAN by assignment intended to assign all of its right, title and interest in and to said trademarks, the goodwill of the business associated with and symbolized by said trademarks and said ITU applications to TUSCAN/LEHIGH DAIRIES, L.P.; however, in said June 9, 1997 assignment, TUSCAN was incorrectly identified as a corporation of the State of New York rather than the State of New Jersey, where it is properly incorporated;

WHEREAS, TUSCAN now desires to correct the error in the state of incorporation in the June 9, 1997 assignment; and,

WHEREAS, TUSCAN desires that the correction of the state of incorporation be effective as of June 9, 1997, the date of the first assignment.

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. the trademarks, the goodwill of the business associated with and symbolized by said trademarks and the ITU applications listed in Exhibit A hereunto attached.

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 of said ITU applications from the respective filing dates of said applications until the date of this assignment and the June 9, 1997 assignment. These rights include the right to sue and recover for all damages and profits arising out of infringement of said trademarks, prior to the date of this assignment and the June 9, 1997 assignment.

IN WITNESS WHEREOF, TUSCAN has caused this assignment to be signed by Robert W. Allen, its President, thereunto duly authorized, this 16 day of DEC, 1997.

TUSCAN DAIRY FARMS, INC.

By Robert W. Allen
Robert W. Allen, President

ACKNOWLEDGMENT

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

On this 16TH day of OCTOBER, 1997 before me personally appeared Robert V. 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.

Lisa M. Perez (SEAL)
Notary Public

My commission expires:
LISA M. PEREZ
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES DEC. 3, 1997

Exhibit A

TRADEMARK	APPLICATION SERIAL NUMBER	RECORD OWNER
Tuscan Dairy	75/057,853	Tuscan Dairy Farms Inc.
Tuscan Dellwood & Design (cow and moon)	75/057,810	Tuscan Dairy Farms Inc.
Tuscan Dellwood & Design (words only)	75/057,653	Tuscan Dairy Farms Inc.
Cow/Moon icon	75/057,652	Tuscan Dairy Farms Inc.
The Greater NY Dairy	75/057,844	Tuscan Dairy Farms Inc.
Tuscan Cow	75/057,854	Tuscan Dairy Farms Inc.
Lado Zero	75/062,899	Tuscan Dairy Farms Inc.