



To the Honorable Commissioner of Patents:

101687753

original documents or copy thereof.

1. Name of conveying party(ies):

H. J. Heinz Company

- Individual(s)
- General Partnership
- Corporation-State
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

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

Execution Date: February 28, 2001

2. Name and address of receiving party(ies)

Name: ProMark International, Inc.

Internal Address: 877 W. Main Street

Street Address: Suite 604

City: Boise State: ID ZIP: 83707

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

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

A. Trademark Application No.(s)

See Schedule A

B. Trademark Registration No.(s)

See Schedule A

Additional numbers attached?  Yes  No

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

Name: Dean A. Bierkan, Esq.

Internal Address: H. J. Heinz Company

Street Address: 1062 Progress Street

City: Pittsburgh State: PA ZIP: 15212

6. Total number of applications and registrations involved: 76

7. Total fee (37 CFR 3.41): \$ 1,915.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

08-1631

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

DO NOT USE THIS SPACE

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.

Dean A. Bierkan

Name of Person Signing

*Dean A. Bierkan*  
Signature

03/21/2001

Date

Total number of pages including cover sheet, attachments, and document: 8

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

TRADEMARK  
REEL: 002250 FRAME: 0561

SCHEDULE A

U.S. Pending Applications in the name of H. J. Heinz  
Company (in use)

Trademark	Application Number	Filing Date
BOTTLE DESIGN - CONDIMENT SAUCES	75/914,961	02/11/2000
BOTTLE DESIGN - KETCHUP (GLASS - 14 OZ.)	75/914,963	02/11/2000
BOTTLE DESIGN - KETCHUP (PLASTIC - 28 OZ.)	75/914,962	02/11/2000
COLOR GREEN	76/140,356	07/21/2000
FOREVER FULL	76/110,599	08/16/2000
GREAT AWAKENINGS	76/109,814	08/16/2000
HEINZ EZ SQUIRT	76/054,467	05/22/2000
HEINZ NATURE'S GOODNESS	75/909,103	02/04/2000
HEINZ TRAP CAP	76/054,465	05/22/2000
NATURAL NUTRITION THE WAY NATURE INTENDED	76/110,598	08/16/2000
NATURE'S GOODNESS	75/909,105	02/04/2000
NATURE'S GOODNESS & DESIGN	75/941,977	03/11/2000

H. J. HEINZ COMPANY

SCHEDULE A

Trademark Report by Mark  
Country: US  
Status: REGISTERED

Printed: 02/27/2001 Page 1

COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b>57</b>							
UNITED STATES	9400423	12/19/1994	74/612,810	10/31/1995	1,931,788	REGISTERED	25
UNITED STATES	8900999	05/23/1977	73/127,572	07/24/1979	1,122,910	REGISTERED	29,30
<b>57 (IN HOLLOW STYLIZED FORM)</b>							
UNITED STATES	8901000	06/03/1952	71/630,675	12/28/1954	600,093	REGISTERED	46
<b>57 DRAFT</b>							
UNITED STATES	T02812US0	02/07/1997	75/238,072	10/27/1998	2,199,355	REGISTERED	36
<b>57 VARIETIES</b>							
UNITED STATES	8901001	07/06/1906	20,754	03/05/1907	61,051	REGISTERED	46
UNITED STATES	9400424	12/19/1994	74/612,812	11/07/1995	1,933,256	REGISTERED	25
<b>ALL AMERICAN &amp; STAR DESIGN</b>							
UNITED STATES	9400313	10/05/1994	74/582,774	07/29/1997	2,084,322	REGISTERED	29
<b>AMERICA'S FAVORITE KETCHUP</b>							
UNITED STATES	T01841US0	03/07/1996	75/068,756	09/23/1997	2,098,790	REGISTERED	30
<b>ARTSTART</b>							
UNITED STATES	T02806US0	02/07/1997	75/238,073	12/09/1997	2,120,019	REGISTERED	36
<b>BEGINNER</b>							
UNITED STATES	9300101	03/22/1993	74/370,517	04/25/1995	1,890,773	REGISTERED	05
<b>BOTTLE DESIGN - KETCHUP (GLASS - 14 OZ.)</b>							
UNITED STATES	T00145US0	08/22/1997	75/345,436	03/23/1999	2,233,574	REGISTERED	30
<b>CAMPBIDE</b>							
UNITED STATES	T00183US1	03/05/1997	75/252,483	10/27/1998	2,200,486	REGISTERED	30
<b>CHEF AIR &amp; DESIGN</b>							
UNITED STATES	9500037	04/17/1981	306,219	09/07/1982	1,207,434	REGISTERED	29,30
<b>CHEF FRANCISCO</b>							
UNITED STATES	9400117	03/31/1994	74/507,693	03/14/1995	1,883,738	REGISTERED	29
<b>CHEF FRANCISCO LIGHT 'N SENSIBLE</b>							
UNITED STATES	T02311US0	07/19/1996	75/136,759	08/12/1997	2,087,476	REGISTERED	29
<b>CHEF HAT/SPOON LOGO DESIGN</b>							
UNITED STATES	9400059	03/30/1979	209,683	11/03/1981	1,176,389	REGISTERED	29,30
UNITED STATES	9400060	05/27/1987	73/663,240	03/22/1988	1,481,731	REGISTERED	29

COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b>CLOSE TO HOMEMADE WITHOUT ALL THE FAT</b>							
UNITED STATES	T02834US0	03/05/1997	75/252,482	01/20/1998	2,130,642	REGISTERED	30
<b>COLLEGE INN</b>							
UNITED STATES	T03106US0	02/16/1949	71/573,919	04/22/1952	557,830	REGISTERED	29
UNITED STATES	T03106US1	07/31/1924	71/200,749	02/03/1925	194,678	REGISTERED	29
<b>DOMANI</b>							
UNITED STATES	9300269	05/25/1993	74/394,344	12/13/1994	1,867,119	REGISTERED	30
<b>DOMANI ITALIAN FOODS IN OVAL DESIGN</b>							
UNITED STATES	9300249	06/20/1986	74/605,490	01/26/1988	1,474,359	REGISTERED	30
<b>DOMANI ITALIAN FOODS IN STRIPED OVAL DESIGN</b>							
UNITED STATES	9300247	06/20/1986	605,482	06/23/1987	1,444,325	REGISTERED	30
<b>GREAT AMERICAN &amp; DESIGN</b>							
UNITED STATES	8901005	12/03/1965	233,903	07/04/1967	831,551	REGISTERED	46
<b>HEINZ</b>							
UNITED STATES	9400425	12/19/1994	74/612,811	11/14/1995	1,935,618	REGISTERED	25
UNITED STATES	8901006	07/06/1906	20,753	04/23/1907	62,182	REGISTERED	46
UNITED STATES	T00497US2	06/08/1998	75/499,319	02/16/1999	2,224,447	REGISTERED	31
<b>HEINZ BBQ SAUCE IN KEYSTONE DESIGN</b>							
UNITED STATES	T02804US0	01/03/1997	75/220,954	08/11/1998	2,181,419	REGISTERED	30
<b>HEINZ BELL'ORTO</b>							
UNITED STATES	9200496	07/23/1992	74/296,924	03/23/1993	1,760,089	REGISTERED	29,30
<b>HEINZ HOMESTYLE RECIPES</b>							
UNITED STATES	9400057	02/28/1994	74/495,279	11/19/1996	2,018,081	REGISTERED	05
<b>HEINZ IN CORPORATE KEYSTONE</b>							
UNITED STATES	8901007	10/15/1969	340,714	06/02/1970	892,173	REGISTERED	46
UNITED STATES	T00540US1	06/08/1998	75/499,311	03/02/1999	2,229,109	REGISTERED	31
<b>HEINZ IN KEYSTONE &amp; DEVICE</b>							
UNITED STATES	8901013	12/20/1924	207,017	11/23/1926	221,041	REGISTERED	46
<b>HEINZ IN OPEN KEYSTONE</b>							
UNITED STATES	9200562	03/09/1992	74/253,193	01/12/1993	1,745,471	REGISTERED	05,29,30 32
<b>HEINZ IN PICKLE</b>							
UNITED STATES	8901008	09/09/1897	31,048	12/28/1897	31,048	REGISTERED	46
UNITED STATES	8901009	07/06/1906	20,755	03/05/1907	61,052	REGISTERED	46

COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b>HEINZ LET'S EAT IN KEYSTONE DESIGN</b>							
UNITED STATES	T02798US1	01/16/1997	75/226,779	11/25/1997	2,116,378	REGISTERED	30
<b>HEINZ LIGHT HARVEST</b>							
UNITED STATES	T00579US1	08/22/1997	75/345,466	07/28/1998	2,176,924	REGISTERED	30
<b>HEINZ SIMPLE GOODNESS</b>							
UNITED STATES	T02801US0	01/16/1997	75/226,781	11/25/1997	2,116,379	REGISTERED	05
<b>HOMESTEADER</b>							
UNITED STATES	T00619US2	09/19/1977	141,749	07/12/1983	1,245,502	REGISTERED	29
<b>KEYSTONE DEVICE (FORM VI)</b>							
UNITED STATES	8901011	07/29/1964	198,736	12/07/1965	799,959	REGISTERED	46
<b>KEYSTONE DEVICE (SOLID BLACK)</b>							
UNITED STATES	8901012	07/29/1964	72/198,735	09/07/1965	795,664	REGISTERED	46
<b>LIGHT 'N SENSIBLE</b>							
UNITED STATES	9400058	02/28/1994	74/495,278	10/19/1999	2,288,084	REGISTERED	29
<b>ORIENTAL STYLE COURMET SAUCE (BLOCK STYLE)</b>							
UNITED STATES	T03396US0	11/12/1991	74/221,214	12/08/1992	1,739,280	REGISTERED	30
<b>REX AMBER</b>							
UNITED STATES	8901029	12/27/1905	71/015,678	04/03/1906	51,029	REGISTERED	46
<b>RICE TOPPERS</b>							
UNITED STATES	T03398US0	07/01/1994	74/544,788	05/20/1997	2,063,655	REGISTERED	30
<b>SAVER SIZE</b>							
UNITED STATES	8901031	12/26/1979	243,993	08/04/1981	1,163,365	REGISTERED	05
<b>SIMPLE &amp; DELICIOUS</b>							
UNITED STATES	T01118US0	11/15/1993	74/458,540	10/24/1995	1,930,244	REGISTERED	05
<b>SIMPLE GOODNESS IN BANNER DESIGN</b>							
UNITED STATES	T02800US0	01/16/1997	75/226,782	12/02/1997	2,118,055	REGISTERED	05
<b>SQUEEZE PAK</b>							
UNITED STATES	T01911US0	03/11/1996	75/069,907	02/17/1998	2,138,030	REGISTERED	30
<b>THE SIGN OF GOOD EATING</b>							
UNITED STATES	8901042	02/20/1959	68,141	03/14/1961	712,571	REGISTERED	46
<b>THE TASTE IS THE TEST</b>							
UNITED STATES	8901043	01/17/1928	260,226	04/23/1929	255,467	REGISTERED	46

COUNTRY	REFERENCE#	FILED	APPL#	REGDT	REG#	STATUS	CLASSES
<b>TIMBERLINE</b>							
UNITED STATES	T01280US1	07/19/1996	75/136,760	07/15/1997	2,079,161	REGISTERED	29
<b>TRADITIONAL</b>							
UNITED STATES	8901045	03/11/1981	300,675	03/16/1982	1,192,245	REGISTERED	30
<b>TREE IN OVAL DESIGN (DOMANI LOGO)</b>							
UNITED STATES	9300246	06/20/1986	73/605,492	08/18/1987	1,453,388	REGISTERED	30
<b>TREE IN STRIPED OVAL DESIGN (DOMANI LOGO)</b>							
UNITED STATES	9300248	06/20/1986	605,495	08/18/1987	1,453,389	REGISTERED	30
<b>TUB DESIGN</b>							
UNITED STATES	9300090	01/22/1993	74/367,287	02/07/1995	1,877,754	REGISTERED	29
<b>TUB DESIGN &amp; THIS CHEF FRANCISCO SHAPE, ETC.</b>							
UNITED STATES	9300091	03/12/1993	74/367,286	09/27/1994	1,855,868	REGISTERED	29
<b>TUB DESIGN (CONTAINER)</b>							
UNITED STATES	9300092	03/01/1993	74/362,896	09/19/2000	2,386,677	REGISTERED	21
<b>VOL-PAK</b>							
UNITED STATES	8901046	08/14/1981	323,603	03/08/1983	1,229,917	REGISTERED	22
<b>YOSHIDA DESIGN</b>							
UNITED STATES	T03395US0	11/12/1991	74/221,213	10/20/1992	1,726,029	REGISTERED	30
<b>YOSHIDA'S (BLOCK STYLE)</b>							
UNITED STATES	T03393US0	11/12/1991	74/221,216	09/15/1992	1,716,207	REGISTERED	30
<b>YOSHIDA'S (STYLIZED)</b>							
UNITED STATES	T03394US0	11/12/1991	74/221,215	09/15/1992	1,716,206	REGISTERED	30
<b>YOSHIDA'S FINE SAUCES &amp; DESIGN</b>							
UNITED STATES	T03397US0	11/27/1992	74/335,082	08/10/1993	1,786,935	REGISTERED	30

END OF REPORT

TOTAL ITEMS SELECTED = 64

**ASSIGNMENT**

WHEREAS, H. J. Heinz Company, a Pennsylvania corporation with offices located at 1062 Progress Street, Pittsburgh, PA 15212, is the owner of certain trademark applications, a list of which is attached hereto as Schedule A; as well as other unregistered common law trademarks, trade dress and label designs; and

WHEREAS, ProMark International, Inc., an Idaho corporation, located at 877 W. Main Street, Suite 604, Boise, Idaho, 83702, is desirous of acquiring all right, title and interest in and to the trademark applications including the goodwill of the trademarks connected with the use thereof and symbolized thereby;

NOW THEREFORE, for good and valuable consideration receipt of which is hereby acknowledged, H. J. Heinz Company does hereby assign unto ProMark International Inc., all right, title and interest in and to the trademark applications set forth in Schedule A and to the unregistered common law trademarks, trade dress and label designs utilized with the trademark applications together with any goodwill of the trademarks symbolized thereby.

H. J. Heinz Company agrees to execute any and all additional documents that may be necessary from time to time to perfect and record title to the trademarks in ProMark International Inc. and to carry out the intent of this Assignment.

H. J. Heinz Company

By: *Theresa M. Bobly*

Subscribed and sworn to before me this 28<sup>th</sup> day of February, 2001.

*Ann C. Lovell*

Notary Public

Notarial Seal  
Ann C. Lovell, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires Aug. 31, 2002  
Member, Pennsylvania Association of Notaries

**ASSIGNMENT**

WHEREAS, H. J. Heinz Company, a Pennsylvania corporation, with offices located at 1062 Progress Street, Pittsburgh, PA 15212, is the owner of certain trademark registrations, a list of which is attached hereto as Schedule A, as well as other unregistered common law trademarks, trade dress and label designs; and

WHEREAS, ProMark International Inc., an Idaho corporation located 877 W. Main Street, Suite 604, Boise, Idaho, 83702, is desirous of acquiring all right, title and interest in and to the registered trademarks, unregistered common law trademarks, trade dress and label designs including the goodwill of the trademarks connected with the use thereof and symbolized thereby;

NOW THEREFORE, for good and valuable consideration receipt of which is hereby acknowledged, H. J. Heinz Company does hereby assign unto ProMark International Inc. all right, title and interest in and to the registered trademarks set forth in Schedule A and to the unregistered common law trademarks, trade dress and label designs utilized with the registered trademarks together with any goodwill of the trademarks symbolized thereby.

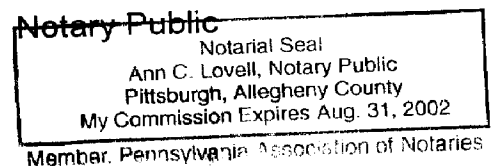
H. J. Heinz Company agrees to execute any and all additional documents that may be necessary from time to time to perfect and record title to the trademarks in ProMark International Inc. and to carry out the intent of this Assignment.

H. J. Heinz Company

By: *Meredith Bobly*

Subscribed and sworn to before me this 28<sup>th</sup> day of February, 2001.

*Ann C. Lovell*



CNG46486/2451\*1

2/28/01

RECORDED: 03/22/2001

TRADEMARK  
REEL: 002250 FRAME: 0568