

04-18-2001



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4.4.01

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

CANCELLED

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New 4.4.01
- 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
Effective Date
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date
Month Day Year

Formerly

1962485

- 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

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.)

- Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

04/18/2001 TDIAZI 00000016 1862685

01 FC:481
02 FC:482

40.00 OP
25.00 OP

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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: 002273 FRAME: 0545

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"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1862685"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1775408"/>	<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

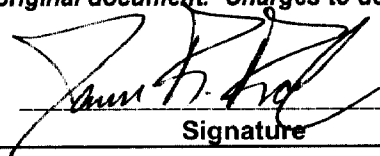
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)
Deposit Account Number: #

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.

James R. Robinson
Name of Person Signing


Signature

4/4/01
Date Signed

ASSIGNMENT OF TRADEMARKS AND TRADE NAMES

WHEREAS, THE TORBITT AND CASTLEMAN COMPANY, LLC, a Kentucky limited liability company having an office and place of business at 1420 South 5th Avenue, Seattle, Washington 98101 (“Assignor”), is the sole owner of the exclusive right, title and interest in and to the following marks and has adopted and continuously used up to the date of this assignment the following “marks,” which are applied for registration or registered in the United States Patent and Trademark Office (excepting those “marks” identified with an asterisk [*], which are applied for registration on an intent-to-use basis under Section 1(b) of the Lanham Act):

<u>MARK</u>	<u>U.S. REG.</u> <u>NO.</u>	<u>DATE FILED</u>
FLAVOR TIME [and design]	1,862,685	September 17, 1993
ORCHARD PARK [and design]	1,775,408	August 4, 1992

WHEREAS, TORBITT DRY PRODUCTS GROUP, INC., a Wisconsin corporation having an office and place of business at 4350 South Taylor Drive, Sheboygan, Wisconsin 53801 (“Assignee”), is interested in acquiring the entire and exclusive right, title and interest in and to the marks and in the above-referenced applications or registrations and the corresponding marks thereof (with respect to those marks identified with an asterisk [*], which are not in use, Assignee is a successor to the business of Assignor and/or a successor to the ongoing and existing portion of the business to which each such marks pertain, thus making assignment of the related applications permissible under Section 10 of the Lanham Act), including all claims and rights

associated therewith and including the right to bring and maintain actions for trademark infringement (including the right to sue for infringement damages incurred or arising prior to said date), and has continuously used said marks since that date (excepting those marks identified with an asterisk [*], which are not in use);

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to receive from Assignor, the entire and exclusive right, title and interest in and to the marks together with the goodwill of the business symbolized by the marks;

NOW, THEREFORE, in consideration of the mutual covenants and considerations contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns to Assignee and its successors, assigns and nominees without any restrictions, reservations or limitations:

1. The entire and exclusive right, title and interest in and to the marks together with the goodwill of the business symbolized by the marks and the applications and registrations listed above and all claims and rights associated therewith, including the right to bring and maintain actions based on the trademarks and the right to register the marks to Assignee's name throughout the world; and
2. The sole right to enforce rights in said marks with the right to sue for and recover for Assignee's own use accrued profits or damages for any and all causes of action, claims and demands and other rights for infringements thereof, including, but not limited to past infringements with respect to which Assignor waives any right to receive any portion thereof.

THE TORBITT & CASTLEMAN COMPANY, LLC

