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U.S. Patent & TMO/TM Mail Rpt Dt. #70

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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Atty Docket No.

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To the Assistant Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Brenda Monaco

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

Additional names(s) of conveying party(ies) attached  Yes  No

3. Nature of conveyance:

5-4-01

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

Execution Date: March 14, 2001

2. Name and address of receiving party(ies)  
Name: Chef America, Inc.

Internal Address:

Street Address: 20 Inverness Place East

City: Englewood State: CO Zip: 80112-5622

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

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

Additional names(s) & address(es) attached?  Yes  No

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)  
2,076,081 HOT POCKET

Additional numbers attached?  Yes  No

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

Name: William H. Brewster

Internal Address: Suite 2800

Street Address: 1100 Peachtree Street

City: Atlanta State: GA Zip:

30309

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account

The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0860.

8. Deposit account number:

40E

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.

SARAH B. FLEXNER  
Name of Person Signing

[Signature]  
Signature

4-30-01  
Date

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

## ASSIGNMENT

This Assignment is made and entered into as of this 14<sup>th</sup> day of March, 2001 (the "Effective Date") by and between Brenda Monaco, an individual with a place of business located at 34 Fair Street, Coldspring, New York 10516 ("Assignor"), and Chef America, Inc., a California corporation with a place of business located at 20 Inverness Place, East, Englewood, Colorado 80112-5622 ("Assignee").

WHEREAS, Assignor is the record owner of U.S. Registration No. 2,076,081 of the mark HOT POCKET (stylized) for "fabric tote bags for sun care products" in International Class 18 and for "beach towels and fabrics for use in the manufacture of beach chairs and beach umbrellas" in International Class 24 (the "Registration"); and

WHEREAS, Assignor has used that mark in commerce; and

WHEREAS, Assignor has agreed to assign to Assignee all right, title and interest Assignor has or may have in and to the HOT POCKET mark and Registration No. 2,076,081, together with the good will of the business symbolized by the HOT POCKET mark and Registration No. 2,076,081 as of the Effective Date.

NOW, THEREFORE, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns to Assignee all right, title and interest it has or may have in and to the HOT POCKET mark, and Registration No. 2,076,081, together with the good will of the business symbolized by the HOT

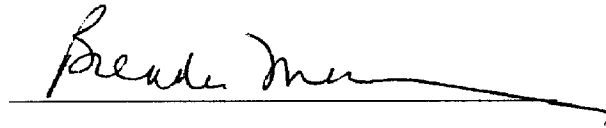
EXHIBIT A

**TRADEMARK**  
**REEL: 002296 FRAME: 0554**

POCKET mark, and Registration No. 2,076,081, and all causes of action and claims based on past actions or infringement related to the HOT POCKET mark and Registration No. 2,076,081 as of the Effective Date.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed this 14<sup>th</sup> day of March, 2001.

BRENDA MONACO



Sworn to and subscribed before me this 14 day of March, 2001, and notarized by me on said date.

Marcia Tishler  
Notary Public

My Commission Expires:

MARCIA TISHLER  
Notary Public, State of New York  
Commission Expires 2/28/02

EXHIBIT A

RECORDED: 05/04/2001

TRADEMARK  
REEL: 002296 FRAME: 0555