

06-12-2001

R TRADEMARKS



101745218

To the Honorable Commissioner of Patents and Trademarks.

6-721

1. Name of conveying party(ies):

NATIVE PLANET FOODS, INC.
8900 Chaparral, Suite 1000
Scottsdale, Arizona 85250

____ Individual(s) ____ Association
____ General Partnership ____ Limited Partnership
☒ Corporation ____ Other
(State of Delaware)

2. Name and address of receiving party(ies):

KAN-PAK, LLC
1016 South Summit
Arkansas City, Kansas 67405

____ Individual(s) ____ Association
____ General Partnership ____ Limited Partnership
____ Corporation ☒ Other (Delaware
limited liability
company)

If assignee is not described in the United States, a domestic representative designation is attached: ____ Yes ☒ No
(Designation must be a separate document from Assignments)

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

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

3. Nature of Conveyance:

☒ Assignment ____ Merger
____ Security Agreement ____ Change of Name
____ Other

Execution Date: October 18, 2000

4. Application Nos. or Registration Nos.

A. Trademark Application No.(s) 75/679,874
Additional Numbers Attached? ____ Yes ☒ No

B. Trademark Registration No.(s) 2,324,447; and 2,363,463
Additional Numbers Attached? ____ Yes ☒ No

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

HEAD, JOHNSON & KACHIGIAN
Attn: Mark G. Kachigian
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
mkachigian@hjkllaw.com

6. Total number of applications/registrations involved: 3

7. Total fee (37 CFR 3.41): \$90.00

☒ Enclosed
____ Authorized to be charged to deposit account
☒ Any fees, charges or credits necessary during the prosecution of this application may be
charged to the deposit account of the undersigned, No. 08-1500, unless otherwise notified.

8. Deposit account number: 08-1500

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

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.

Mark G. Kachigian
Name of Person Signing

Signature

June 5, 2001
Date

ASSIGNMENT OF TRADE NAMES AND TRADEMARKS

THIS ASSIGNMENT OF TRADE NAMES AND TRADEMARKS is made by NATIVE PLANET FOODS, INC., a Delaware corporation, and NPF PRODUCT GROUP, INC., a Delaware corporation, whose addresses are both at 8900 Chaparral, Suite 1000, Scottsdale, AZ 85250 (the "Assignors"), in favor of KAN -PAK, LLC, a Delaware limited liability company ("Kan-Pak") and is delivered pursuant to an Asset Purchase Agreement of even date herewith by and among Kan-Pak, as the Purchaser, and Assignors, as Sellers.

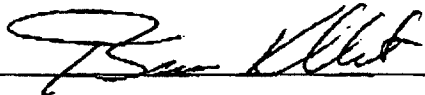
For value received, the Assignors hereby sell, transfer, assign and convey to Kan-Pak, to have and to hold forever, all of the Assignors' rights, title and interest in the trade names, trademarks, and service marks listed on the attached Exhibit I (the "Marks"), if any, together with the goodwill of Assignor's business symbolized by the Marks and all registrations and applications for registration of the Marks, including the registrations and applications listed on the attached Exhibit I, for Kan-Pak's own use and for the use of its successors and assigns.

The Assignors hereby acknowledge and agree that, at Kan-Pak's reasonable request and without further consideration, the Assignors, shall execute, acknowledge, and deliver any further documents and instruments and perform any further acts that Kan-Pak reasonably requests to vest in Kan-Pak all of the Assignors' interest in and to the Marks.

The Assignors hereby appoint and constitute Kan-Pak as the Assignors' attorney-in-fact to act for the Assignors and in their and its name, place, and stead, but for Kan-Pak's own benefit, to assert or enforce any of the Assignors' rights, title or interest in the Marks.

IN WITNESS WHEREOF, the undersigned Assignors have caused this Assignment of Trade Names and Trademarks to be executed on this 18th day of October, 2000.

NATIVE PLANET FOODS, INC.

By: 

NPF PRODUCT GROUP, INC.

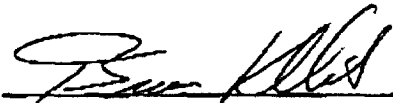
By: 

EXHIBIT I
to Assignment of Trade Names and Trademarks

	Registration Number	Registration Date	Owner
<i>Trade Slogans</i>			
Flavor Advantage ®	2,337,818	04/04/2000	NPF Product Group, Inc.
A Real Fruit Fix ®	2,292,816	11/16/1999	MK Holdings, Inc.
Makes Everyday Foods Functional ®	2,324,447	02/29/2000	Native Planet Foods, Inc.
<i>Brand Names</i>			
Frutazza ®	2,235,373	10/06/1997	MK Holdings, Inc.
Miss Karen's ®	2,325,049	03/07/2000	NPF Product Group, Inc.
Pima Naturals ®	2,304,234	12/28/1999	MK Holdings, Inc.
<i>Marks</i>			
Native Planet Foods*	75/679,874	Pending*	Native Planet Foods, Inc.
Frutazza and design ®	2,341,544	04/11/2000	NPF Product Group, Inc.
Miss Karen's and design ®	2,363,463	07/04/2000	Native Planet Foods, Inc.
Pima Naturals and design ®	2,345,688	04/25/2000	NPF Product Group, Inc.

* The period for opposition proceedings is open with respect to this mark.

903294.5

TOTAL P.02

RECORDED: 06/07/2001

TRADEMARK
REEL: 002312 FRAME: 0274