

RECC

06-20-2001

COVER SHEET

Document ID#  
101669323



101754674

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Send original documents or copy thereof.

To the Honorable Commissioner of Patents

1. Name of conveying party(ies):  
New Zealand Apple and Pear Marketing Board  
11-17 Bolton Street  
Wellington, New Zealand

2. Name and address of receiving party(ies)

Name: ENZA Limited

Internal Address:

Street Address: 11-17 Bolton Street

City: Wellington State: New Zealand ZIP:

- Individual(s)
- General Partnership
- Corporation-State (New Zealand)
- Other

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

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

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

3. Nature of conveyance:
- Assignment
  - Security Agreement
  - Other
  - Merger
  - Change of Name

Execution Date: 9/19/2000-Effective 4/1/2000

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

A. Trademark Application No.(s)  
See Schedule B Attached

B. Trademark Registration No.(s)  
See Schedule B Attached

Additional numbers attached?  Yes  No

MB 6/18/01

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

Name: Jay H. Begler

Internal Address: Buchanan Ingersoll P.C.

Street Address: 140 Broadway

City: New York State: NY ZIP: 10005

6. Total number of applications and registrations involved: 11

7. Total fee (37 CFR 3.41) Previously Paid

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(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.

Jay H. Begler  
Name of Person Signing

Signature

6/15/01

Date

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

**SCHEDULE B  
(REVISED)**

<b>Mark</b>	<b>Registration No.</b>	<b>Application No.</b>
ENZA CLASSIC	2,192,489	
ENZA SELECT	2,196,164	
ENZA LOGO	1,875,395	
PACIFIC BEAUTY		75/723,460
PACIFIC QUEEN	2,424,624	
PACIFIC ROSE	2,122,084	
SHINING STAR		74/710,147
SHINING STAR		75/718,772
SOUTHERN ROSE	2,122,083	
SOUTHERN SNAP		74,710,146
SWEET SNAP		74,710,149

Note - Application numbers are given only where the mark has not matured to registration.

## NOTARIAL CERTIFICATE

**COLIN LYELL HADLEY**, Notary Public of Wellington, New Zealand **HEREBY CERTIFY**

The NEW ZEALAND APPLE AND PEAR MARKETING BOARD was the former title of a body corporate organised and existing under the laws of New Zealand pursuant to the Apple and Pear Marketing Act 1971.

By virtue of sections 20 and 21 of the Apple and Pear Industry Restructuring Act 1999 (the Act) the body corporate known as the NEW ZEALAND APPLE AND PEAR MARKETING BOARD became on 1 April 2000 a limited liability company incorporated under the Companies Act 1993 of New Zealand with the name "ENZA LIMITED". Copies of these sections are **attached** and marked "Schedule A".

3. By operation of the Act no new legal entity was created, and no transfer of property occurred.

4. The body corporate owning the trade mark registrations in the **attached** "Schedule B" is now called, by way of a change of name, ENZA LIMITED of 11-17 Bolton Street, Wellington, New Zealand.

SIG and SEALED this 19 day of September 2000.



**COLIN LYELL HADLEY**  
Notary Public

**TRADEMARK**  
Our file: 50560 and 38 others

**REEL: 002316 FRAME: 0294**

*Implementation of Restructuring Plan*

**20. Conversion of Board into ENZA Limited**—(1) On the restructuring day—

- (a) The Board is deemed to be a company registered under the Companies Act 1993 with the name “ENZA Limited”; and
  - (b) The Registrar of Companies must issue a certificate of registration for the company; and
  - (c) Shares are issued to growers in accordance with the share allocation plan.
- (2) The certificate of registration is conclusive evidence that the company was, on the restructuring day, registered as a company under the Companies Act 1993.

**21. Effect of registration as company**—(1) The company so registered is the same body corporate as the Board.

- (2) The deemed registration of the company does not—
- (a) Create a new legal entity; or
  - (b) Prejudice or affect the identity of the body corporate constituted by the company or its continuity as a legal entity.
- (3) The Schedule applies to the reconstitution of the company.

Schedule of Trademark Registrations and Applications  
As at 8th August 2000 for New Zealand Apple And Pear Marketing Board (as Client)



TM No.	Goods or Services Specification	Registered User(s)	Applic Date	Status	Base Date	Matter No.	Renew Due
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COUNTRY: UNITED STATES OF AMERICA

ZA CLASSIC	2192489 31	Fresh fruits, namely, apples, in Class 31.	24/07/95	In Force	29/09/98	109910-003	29/09/08
ZA SELECT	2196164 31	Seeds for fruits; fresh fruits, namely apples.	24/07/95	In Force	13/10/98	109914-003	13/10/08
ZA logo	1,875,39 29	Preserved, dried and cooked fruits and vegetables, preserves, jellies and jams.	18/06/91	In Force	24/01/95	348661-003	24/01/05
	5 31	Agricultural and horticultural products, namely fresh fruits and vegetables.					
	32	Preparations for making beverages, namely fruit juices.					
CIFIC BEAUTY	75/723460 31	Agricultural, horticultural and forestry products and grains not included in other classes; fresh fruits and vegetables; seeds.		Wait'g F/Details		123819-003	
CIFIC QUEEN	2,424,624 31	Agricultural, horticultural and forestry products and grains not included in other classes; fresh fruits and vegetables; seeds.		Wait'g F/Details		123820-003	
CIFIC ROSE	2,122,08 31	Fresh fruits and vegetables	02/08/95	In Force	16/12/97	110148-003	16/12/07
NING STAR	74/710.1 31	Agricultural and horticultural products; fresh fruits and vegetables.	02/08/95	Awaiting Sealing		110044-003	
NING STAR	75/71877 31		01/06/99	Awaiting Sealing		125008-003	
LUTHERN ROSE	2,122,08 31	Fresh fruits and vegetables	02/08/95	In Force	16/12/97	110146-003	16/12/07
LUTHERN SNAP	74/710.1 31	Agricultural and horticultural products; fresh fruits and vegetables.	02/08/95	Awaiting Examin		110043-003	
FEET SNAP	74/710.1 31	Agricultural and horticultural products; fresh fruits and vegetables.	02/08/95	Awaiting Sealing		110045-003	

SCHEDULE B

In re:

Change of Name of New Zealand Apple and Pear :  
Marketing Board :

To: :

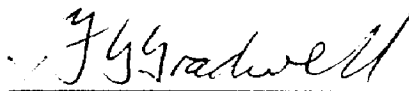
ENZA Limited :

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Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Buchanan Ingersoll, P.C., 140 Broadway, New York, New York 10005, (646) 458-2340,  
are hereby designated applicant's representative upon whom notices or process in  
proceedings affecting the marks listed on Schedule B may be served in connection with  
the Change of Name being filed simultaneously herein.

ENZA Limited

By   
Name:  FRANCIS GEORGE GRADWELL  
Title:  COMPANY SECRETARY

Dated: FEBRUARY 19, 2001