

Resub

08-07-2001



101803007

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies): CARGILL, INC. A DELAWARE CORPORATION

4.30.01

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

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

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

Execution Date: 06/30/98

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

Internal Address:

Street Address: P.O. BOX 771

City: CHAGRIN FALLS State: OHIO Zip: 44022

Individual(s) citizenship

Association

General Partnership

Limited Partnership

Corporation-State OH

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 registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

985,919

Additional number(s) attached Yes No

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

Name: NORMAN TOMIELLO

Internal Address: THE NORAMAR CO.

Street Address: P.O. BOX 771

City: CHAGRIN FALLS State: OH Zip: 44022

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

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.

Signature: Norman D Tomiello Date: 07/30/01

Name of Person Signing: NORMAN D TOMIELLO

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

TRADEMARK REEL: 002342 FRAME: 0226

NORMAN D Tomiello

TRADEMARK ASSIGNMENT

WHEREAS, AKZO NOBEL SALT INC., a New Jersey Corporation, having its principal offices at Abington Executive Park, Clarks Summit, Pennsylvania 18411, is the owner of several Trademarks and Trademark Registrations and Applications as per the attached Appendix (hereinafter "Trademarks");

WHEREAS, CARGILL, INCORPORATED, a Delaware Corporation, having its principal offices at 15407 West McGinty Road, Wayzata, Minnesota U.S.A., is desirous of acquiring said Trademarks;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, AKZO NOBEL SALT INC., does hereby assign to CARGILL, INCORPORATED all right, title and interest in the United States, Puerto Rico, Canada, in and to said Trademarks with the goodwill of the business symbolized by said Trademarks.

AKZO NOBEL SALT INC.

Date: April 25, 1997

By: H.A. Burns

Title: President

[Corporate Seal]

State of Pa. §  
County of Lecka. §  
§

On this 25<sup>th</sup> day of April personally appeared before me H.A. Burns to me known, and known by me to be the same person described in and who executed the foregoing instrument, and acknowledged that he executed the same, of his own free will and for the purposes set forth.

Barbara A. Henshaw  
Notary Public

My Commissioner Expires:  
10/6/97

NOTARIAL SEAL  
BARBARA A. HENSHAW, Notary Public  
S. Abington Township, Leckawanna County, Pa.  
My Commission Expires October 6, 1997

## APPENDIX

## U.S. TRADEMARK REGISTRATIONS

<u>Mark</u>	<u>Reg. Number</u>
ALBERGER	743,859
BIG 10 DRILLERS SALT	870,715
BRINEMASTER	434,167
BRINOMAT	702,531
BRINOMAT	677,654
BRINOPAK	876,000
CHAMPIONS CHOICE	776,280
CMF	1,677,265
COLONIAL	146,202
CRYSTAL	734,617
CRYSTAL	736,632
CRYSTAL	752,905
CRYSTAL	899,326
CUROX	1,637,316
DIAMOND CRYSTAL	726,772
DIAMOND CRYSTAL	726,869
DIAMOND CRYSTAL	1,379,380
DIAMOND CRYSTAL	1,404,260
DIAMOND CRYSTAL	1,742,602
DIAMOND CRYSTAL SALT	46,383
DIÇROMAT	985,919
DRILLER'S CHOICE	791,265
DURA-CUBE	956,767
EV-R-SOFT	688,424
EVERY DAY	720,836
FOODEX	1,072,828
FOOT-SAVER PLUS	1,481,346
FORAGE PLUS	1,717,422
GLIDE SLIDE	1,045,794
HARDI-CUBE	1,314,178

U.S. TRADEMARK REGISTRATIONS

<u>Mark</u>	<u>Reg. Number</u>
HARDY	666,444
HARDY STA-MIX	666,663
I IN LOZENGE	357,585
JEFFERSON ISLAND	726,621
JIFFY MELT	1,933,738
LILY	177,361
LOCORR	1,959,041
LO-SALT	1,434,866
MICRO-CHURN	1,372,896
MICROSIZED	1,201,621
NAFERITE	825,958
NAFERITE	825,025
PRO'S PICK	1,779,951
PUR-O-PAK	1,094,361
PURITY	177,354
PURITY AND LILY	392,910
R-100	903,108
RED CROSS SALT	160,890
RED·OUT	1,251,997
REDOUT	778,931
RESINGARD	1,375,352
R-100	903,108
SALT SENSE	1,283,540
SALTOMAT	380,481

U.S. TRADEMARK REGISTRATIONS

<u>Mark</u>	<u>Reg. Number</u>
SALTY	1,192,607
SALTY FREE RUN'N	535,270
SEAFARER	1,481,768
SHAKER	48,072
SHAKER ACTION	967,715
SHUR-FLO	1,358,694
SLENDER SWEET	850,298
SOF-T-SALT	375,170
STERLING	561,769
STERLING	679,450
STERLING	825,010
STERLING BRINE CRYSTALS	755,277
STERLING HALITE	607,498
STERLING SALT BUTTONS	903,720
STERLING SALT CRYSTALS	903,721
STERLING SALT LIK	858,342
STERLING SALT MARK	952,782
STREET SMART	1,972,970
SUN GEMS	1,380,942
SUNWHITE	1,683,534
TNA·5	872,830
TRU-FLAKE	832,791
TX-10	876,134
TX-10	901,665
ZEO-TABS	671,055

U.S. PENDING TRADEMARK

<u>Mark</u>	<u>Serial Number</u>
FOR BELOW	74/684,742

CALIFORNIA STATE REGISTRATION

<u>Mark</u>	<u>Reg. Number</u>
DIAMOND	3,356

PUERTO RICO PENDING TRADEMARK

<u>Mark</u>	<u>Serial Number</u>
DIAMOND CRYSTAL	37,048

CANADIAN TRADEMARK REGISTRATIONS

<u>Mark</u>	<u>Reg. Number</u>
ALBERGER	343,676
CRYSTAL-TYPE	129,898
CURE-TROL	287,652
CUROX	397,347
DIAMOND	68/16607
DIAMOND CRYSTAL	127,135
DICROMAT	203,993
DURA-CUBE	194,494
EVERY DAY	314,987
HARDY	321,941
HOME & AWAY	311,386
MELTZIT	314,344
MICROSIZED	248,516
RED OUT	282,078
REDOUT	137,922
RED-OUT	281,437
RESINGARD	319,979
SALT SENSE	300,603
SHAKER	68/16608
SHAKER ACTION	200,988
SHUR-FLO	322,891
STERLING HALITE	110,090
SUN WHITE	459,798
ZEO-TABS	317,839

**TRADEMARK ASSIGNMENT**

WHEREAS, CARGILL, INCORPORATED (hereafter "Assignor"), a Delaware corporation, has adopted, used and is using the registered trademark DICROMAT, registered in the United States Trademark Office under no. 985,919 and in the Canadian Trademark Office under the registration no. 203993 (hereinafter "Trademark").

WHEREAS, the NORAMAR COMPANY (hereafter the "Assignee"), 8501 Kinsman Road, Russell, Ohio 44072, is desirous of acquiring Assignor's entire right, title, and interest in said Trademarks and the registration thereof.

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee agree as follows:

1. On the date hereof, Assignor does hereby assign to Assignee all of Assignor's right, title and interest in and to said Trademarks and the registration thereof, in the United States and Canada, together with the goodwill of the business symbolized by said Trademarks and the registration thereof.

2. Assignor represents that to its reasonable knowledge, there are no actions, suits, or proceedings pending or threatened before any court or governmental or administrative body or agency affecting the Trademarks. Assignor further represents that to its reasonable knowledge, the Trademarks do not infringe on another U.S. or Canadian trademark of any person.

3. Assignor agrees to cooperate with Assignee so that Assignee may enjoy to the fullest extent the rights assigned by Assignor. Assignor and Assignee hereby agree to execute and deliver all such other documents or instruments and to take any action as may be required in order to effectuate the transaction contemplated by this agreement.

4. Assignor warrants and represents that to its reasonable knowledge, it has not entered into any assignment or contract in conflict with this Assignment.

5. Except as otherwise stated in this Assignment, ASSIGNOR MAKES NO WARRANTIES OR REPRESENTATIONS REGARDING THE TRADEMARKS.

This Assignment is effective August 1, 1998.



CARGILL, INCORPORATED

BY: [Signature]

NAME: Lawrence L Overstreet

TITLE: Controller

State of Minnesota  
County of Wright

I, Melody B. Kath, Notary Public, do hereby certify that Lawrence Overstreet personally known to me to be the same person whose name is subscribed in the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

SUBSCRIBED AND SWORN TO  
before me this 3<sup>rd</sup> day of August, 1998.

[Signature]  
Notary Public

