



08-02-2000

FORM PTO-1594

(Rev. 6-92)

OMB No. 0651-0011 (exp. 4/94)

U.S. Department of Commerce

Patent and Trademark Office



101421248

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

1. Name of conveying party(ies):

Allegro Coffee Company

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

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

3. Nature of conveyance:

X Assignment Merger
Security Agreement Change of Name
Other

Execution Date: 07/03/00

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

Name: Whole Foods Market IP Inc.

Internal Address:

Street Address: 601 N. Lamar, Suite 300

City: Austin State: TX Zip: 78703

Individual(s) citizenship
Association
General Partnership
Limited Partnership
X Corporation-State Delaware
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 X

4. Application number(s) or registration number(s): SEE ATTACHED

A. Trademark Application No.(s):
B. Trademark Registration No.(s):

Additional numbers attached? X Yes No

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

Name: Linda Fontaine

Internal Address: Whole Foods Market

Street Address: 601 N. Lamar, Suite 300

City: Austin State: Texas Zip: 78703

6. Total number of applications and registrations involved: 14

7. Total fee (37 C.F.R. 3.41) \$ 365.00

X Enclosed
Authorized to be charged to deposit account if check insufficient or inadvertently omitted

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.

Linda Fontaine Signature

07/03/00 Date

Total number of pages including cover sheet, attachments and documents: 4

Mail documents to be recorded with required cover sheet information to:

BOX ASSIGNMENT
Commissioner of Patents and Trademarks
Washington, D.C. 20231

02/2000 J10LLAH2 00000049 75630914

FC:481
FC:482

40.00 OP
325.00 OP

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Assignment, Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date below:

07/03/00 Date

Linda Fontaine Signature
Linda Fontaine

**ALLEGRO COFFEE COMPANY**

<u>Mark</u>	<u>Application Serial No.</u>	<u>Filed</u>
SUMMIT MOUNTAIN ROASTERS	75/630,914	02/01/99
ALLEGRO PASSION FOR COFFEE and Design	75/657,691	03/10/99

<u>Mark</u>	<u>Registration No.</u>	<u>Issued</u>
ALLEGRO COFFEE COMPANY	1,436,587	04/14/87
ALLEGRO	1,654,990	08/27/91
THE ORGANIC COFFEE COMPANY and Design	1,876,799	01/31/95
STELLA BREW and Design	1,877,811	02/07/95
GORILLA DECAF and Design and Design	1,888,697	04/11/95
ZEN BLEND and Design	1,939,201	12/05/95
CELEBRATION CAFFE	2,219,015	01/19/99
PURE WATER DECAF and Design	2,228,760	03/02/99
VELVET COFFEE UNDERGROUND	2,326,934	03/07/00
ESPRESSO BEL CANTO	2,333,371	03/21/00
VANILLA SNOW CAPP FRAPP	2,341,421	04/11/00
THE ORGANIC COFFEE CO. and Design	2,348,304	05/09/00

**ASSIGNMENT OF MARKS**

WHEREAS, Allegro Coffee Company, a Colorado corporation, having a business address of 601 N. Lamar, Suite 300, Austin, Texas 78703 has adopted and is using the following marks for which the following United States trademark applications have been filed and the following United States Trademark Registrations have been obtained:

<u>Mark</u>	<u>Application Serial No.</u>	<u>Filed</u>
SUMMIT MOUNTAIN ROASTERS	75/630,914	02/01/99
ALLEGRO PASSION FOR COFFEE and Design	75/657,691	03/10/99

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VANILLA SNOW CAPP FRAPP	2,341,421	04/11/00
THE ORGANIC COFFEE CO. and Design	2,348,304	05/09/00

WHEREAS, Whole Foods Market IP Inc., a Delaware corporation having an address of 601 N. Lamar, Suite 300, Austin, Texas 78703, desires to acquire any and all rights and goodwill associated with the above-referenced marks and the applications and registrations of the marks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Allegro Coffee Company does hereby assign to Whole Foods Market IP Inc. all right, title and interest in and to said marks, together with the goodwill of the business symbolized by the marks and the applications and registrations of the marks.

The Commissioner of Patents and Trademarks is requested to issue any Certificates of Registration to Whole Foods Market IP Inc.

**ALLEGRO COFFEE COMPANY**

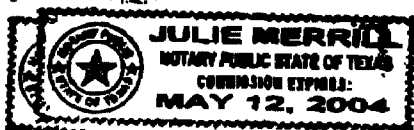
By: Linda Fontaine  
Name: Linda Fontaine  
Title: Asst. Secretary  
Date: 7/3/00

STATE OF TEXAS

§  
§  
§  
§

COUNTY OF TRAVIS

Before me, the undersigned authority, on this 3 day of July, 2000, personally appeared Linda Fontaine known to me to be the person whose name is subscribed to the foregoing instruments and acknowledged to me that (he/she) is authorized to execute the same on behalf of the identified corporation and that (he/she) executed the same on behalf of the corporation for the purposes and consideration therein expressed.



Julie Merritt  
Notary Public, State of Texas  
Name Printed: Julie Merritt  
My Commission Expires: 5/12/04

CERTIFICATE OF FACSIMILE

I hereby certify that this merger document is being transmitted by facsimile to the Assistant Commissioner for Trademarks, Patent and Trademark Assignment Systems, Facsimile No. 703-308-7124.

11/14/01  
Date

By: 

APP USE (Rev. 10/16/2000)