

10-29-2001

(Rev. 6-93)

Patent and Trademark Office

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



To the Honorable Commissioner

101888202

original documents or copy thereof.

1. Name of conveying party(ies):  
Candy's Tortilla Factory, Inc.

10/18/01

2. Name and address of receiving party(ies)

Name: Gruma Corporation

Internal Address: Suite 200

Street Address: 1159 Cottonwood Lane

City: Irving State: Texas ZIP: 75038

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

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

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State Nevada
- 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

3. Nature of conveyance:

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

Execution Date: May 27, 1994

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)  
1,328,803

Additional numbers attached?  Yes  No

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

Name: John M. Cone

Internal Address: Akin Gump Strauss Hauer & Feld L.L.P.

Street Address: P. O. Box 688

City: Dallas State: Texas ZIP: 75313-0688

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.

John M. Cone

Name of Person Signing

Signature

October 12, 2001

Date

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

10/26/2001 BYRNE 00000117 1328803

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40.00 DP

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

**NUNC PRO TUNC ASSIGNMENT**

WHEREAS, CANDY'S TORTILLA FACTORY, INC., a Colorado corporation, (hereinafter "Assignor"), was the owner of the trademark CANDY'S & Design, registered under No. 1,328,803.

WHEREAS, on May 27, 1994 Assignor did assign to GRUMA CORPORATION, a Nevada corporation, having an address of 1159 Cottonwood Lane, Suite 200, Irving, Texas 75038 (hereinafter "Assignee"), the right, title and interest in and to the Mark;

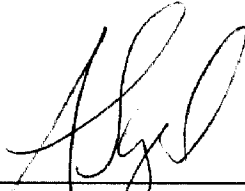
WHEREAS, it is the purpose of this document to memorialize the assignment of the Mark in a form suitable for recording.

NOW, THEREFORE, Assignor hereby confirms the assignment on May 27, 1994 and does hereby assign unto Assignee, *nunc pro tunc*, the entire right, title and interest in and to the Mark, together with the goodwill of the business connected with the use of and symbolized by said Mark.

IN WITNESS WHEREOF, Assignor has executed this instrument on this 3rd day of October, 2001.

CANDY'S TORTILLA FACTORY, INC.

By: \_\_\_\_\_

  
Name: Asima SYED  
Title: Senior VP Marketing

STATE OF TEXAS

COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared ASIMA SYED and having been duly sworn by me, upon his/her oath states that she is Senior VP Marketing of Candy's Tortilla Factory, Inc., that he/she has read and understands the foregoing instrument, that he/she is authorized to execute said instrument, and acknowledged to me that he/she executed same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME, this 3rd day of October, 2001.

Patti Merito  
Printed Name of Notary Public



Patti Merito  
Signature of Notary Public

My Commission expires the 22nd day of February, 2003.