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Form PTO-154  
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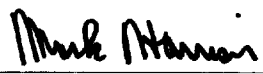
U.S. Patent & TMO/TM Mail Rcpt Dt. #76

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
**ORDINATION FORM COVER**  
**TRADEMARKS ONLY**



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

<p>1. Name of conveying party(ies):</p> <p>Melitta Haushaltsprodukte GmbH &amp; Co. KG Ringstrasse 99 D-32427 Minden GERMANY</p> <p style="text-align: right; font-size: 1.5em;">10/22/01</p> <p><input type="checkbox"/> Individual(s)</p> <p><input checked="" type="checkbox"/> Limited Partnership - (GERMAN)</p> <p><input type="checkbox"/> Other</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Cofresco Frishhalteprodukte GmbH &amp; Co. KG Melittastrasse 17 D-32427 Minden GERMANY</p> <p><input checked="" type="checkbox"/> Limited Partnership - (GERMAN)</p> <p><input type="checkbox"/> General Partnership</p> <p><input type="checkbox"/> Other</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(Designations must be a separate document from Assignment) Additional names(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment</p> <p><input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement</p> <p><input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other</p> <p>Execution Date: September 14, 2001</p>	
<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s): 76/148,713</p>	<p>B. Trademark registration No.(s):</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>5. Name and Address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <b>Mark B. Harrison, Esq.</b> Internal Address: <b>VENABLE</b> Street Address: <b>1201 New York Ave, N.W.</b> <b>Suite 1000</b> <b>Washington, D.C. 20005</b></p>	<p>6. Total number of applications involved: <u>1</u></p>
	<p>7. Total fee (37 CFR 3.41) <b>\$40.00</b></p> <p><input checked="" type="checkbox"/> Enclosed</p> <p><input type="checkbox"/> Authorized to be charged to deposit account</p>
	<p>8. Deposit account number: <b>22-0261</b></p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
DO NOT USE THIS SPACE	
<p>9. Statement and signature. <i>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.</i></p> <p>Mark B. Harrison, Esq.  <u>10/22/01</u> Name of Person Signing Signature Date</p> <p>Total number of pages comprising cover sheet: <u>1</u></p>	

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TRADEMARK  
REEL: 002393 FRAME: 0170

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Melitta Haushaltsprodukte GmbH & Co. KG  
Serial No.: 76/148,713  
Filed: October 17, 2000  
Mark: **TOPPITS and design**

Attorney's Reference: 31903-167183

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

**POWER OF ATTORNEY**

Mark Harrison, Marcia Auberger, Andrew Price and Jacqueline L. Patt, each a member of the Bar of the District of Columbia and/or Maryland, and having his offices and post office address at VENABLE, Suite 1000, 1201 New York Avenue, N.W., Washington, D.C. 20005, Telephone (202) 962-4800, Telefax (202) 962-8300 are hereby designated Applicant's attorneys upon whom notices or process in proceedings affecting the mark may be served.

**APPOINTMENT OF DOMESTIC REPRESENTATIVE**

VENABLE and Mark Harrison, Marcia Auberger, Andrew Price and Jacqueline L. Patt, each a member of the Bar of the District of Columbia and/or Maryland, and having his offices and post office address at Suite 1000, 1201 New York Avenue, N.W., Washington, D.C. 20005, Telephone (202) 962-4800, Telefax (202) 962-8300 are hereby designated Applicant's representatives upon whom notices or process in proceedings affecting the mark may be served.

**DECLARATION**

The undersigned declares and states that he is an officer of the applicant or is properly authorized to execute and sign this statement, power of attorney and declaration on behalf of and for the said applicant; that he believes applicant to be the owner of the trademark sought to be registered; that he believes applicant to be entitled to use such mark in commerce; that applicant has, and has had since the filing date of this application, the bona fide intent to use such mark in commerce in connection with the goods listed in this application; that to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when applied to the goods of such other person, to cause confusion, or to cause mistake, or to deceive; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom.

Done, this 14 day of September, 2001.

Melitta Haushaltsprodukte GmbH & Co. KG

By: 

Name: Frank Schiesser

Title: President

**TRADEMARK**

REEL: 002393 FRAME: 0171

## A S S I G N M E N T

**WHEREAS**, Melitta Haushaltsprodukte GmbH & Co. KG, (hereinafter "Assignor") a limited partnership duly organized and existing under the laws of Germany, and having its offices and principal place of business at Ringstrasse 99, D-32427 Minden, Germany is the owner of United States Trademark Application Serial No. 76/148173 filed October 17, 2000 for the mark TOPPITS and of the trademark shown in said application, and of the goodwill of the business symbolized by said mark;

**AND WHEREAS**, Cofresco Frischhalteprodukte GmbH & Co. KG (hereinafter "Assignee"), a limited partnership duly organized and existing under the laws of Germany, and having its offices and principal place of business at, Melittastrasse 17 D-32427 Minden, Germany is desirous of acquiring the entire right, title and interest in and to the said United States trademark application, and the trademark shown in said application, the goodwill of the business symbolized by said mark, and the right to conduct business in the United States under the mark;

**NOW THEREFORE**, for one dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign, sell and transfer unto the said Assignee the entire right, title and interest in and to the said United States trademark application, and the trademark shown in the said application, together with the goodwill of the business symbolized by said mark, the right to sue for past infringement, and the right of Assignor to conduct business under said trademark.

Done, this 14 day of September, 2001.

**Melitta Haushaltsprodukte GmbH & Co. KG**

By: 

Name:

Frank Schiesser

Title:

President