

12-07-2001

10/31/01



To the Honorable Director of Patents and Trademark:

101910248

or copy thereof.

1. Name of conveying party(ies): Wade Findlay Mackay, *et al*

Sports

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

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

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 \_\_\_\_\_
- Corporation-State Delaware
- Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached:

Yes  No

(Designation must be a separate document from Assignment)

Additional name(s) & address(es) attached?  Yes  No

3. Nature of Conveyance:

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

Execution Date: October 3, 2001

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1,302,700 and 1,262,492

Additional numbers attached?  Yes  No

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

Name: CHRISTOPHER L. GRAFF

Internal Address: SKJERVEN, MORRILL, MacPHERSON,

FRANKLIN & FRIEL LLP

Street Address: 25 METRO DRIVE, SUITE 700

City SAN JOSE State CA ZIP 95110

6. Total number of applications and registrations involved: TWO

7. Total fee (37 CFR 3.41): .....\$ 65.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 19-2386  
(Attach duplicate copy of this page if paying by deposit account)

( 12/06/2001 6TOM11 00000117 192386 1302700 )  
 01 FC:481 40.00 CH  
 02 FC:482 25.00 CH

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.*

Christopher L. Graff  
Name of Person Signing

Signature

10/31/01  
Date

Total number of pages comprising cover sheet: 2

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

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TRADEMARK

**ASSIGNMENT OF TRADEMARKS**

WHEREAS, Wade Findlay Mackay, d/b/a WFM Sports (hereinafter, "Assignor"), having an address of 600 Maryland, NE, Grand Rapids, Michigan 49505, owns, and has adopted and is using the following marks (the "Marks"), which are the subject of the following United States trademark registrations:

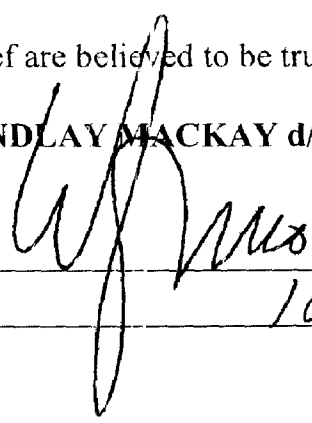
MARK	GOODS	REG. NO.	FILED
W.F.M	Sportswear, namely sports shirts and sweaters	1,302,700	Sept. 22, 1982
WFM & Design	Sportswear, namely sports shirts and sweaters	1,262,492	Sept. 28, 1982

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

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby assign to Whole Foods Market IP, Inc., all right, title and interest in and to the Marks and the registrations thereof, together with the goodwill associated with or symbolized by the Marks.

The Undersigned being warned 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 applications or any resulting registrations, declares 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.

**WADE FINDLAY MACKAY d/b/a WFM SPORTS**



Date: 10-3-01