

12/6/01

12-10-2001

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



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

101911555

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

1. Name of conveying party(ies): Schwan's IP, LLC
Individual(s) Association General Partnership Limited Partnership Corporation-State Other Minnesota Limited Liability Company
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
Name: The Krystal Company
Internal Address: One Union Square
Street Address:
City: Chattanooga State: TN Zip: 37402
Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Tennessee Other
If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
Assignment Merger Security Agreement Change of Name Other
Execution Date: October 25, 2001

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
Additional number(s) attached Yes No

B. Trademark Registration No.(s)
2,465,899
DEC - 2001
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Douglas T. Johnson
Internal Address: Miller & Martin LLP
Street Address: Suite 1000, Volunteer Building
832 Georgia Avenue
City: Chattanooga State: TN Zip: 37402

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.
Douglas T. Johnson Signature Date: October 31, 2001
Name of Person Signing Signature Date
Total number of pages including cover sheet, attachments, and document: 3

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

12/07/2001 DBYRNE 00000106 2465899 40.00 OP 01 FC:481

TRADEMARK REEL: 002404 FRAME: 0853

TRADEMARK ASSIGNMENT

WHEREAS, SCHWAN'S IP, LLC, a Minnesota limited liability company of 115 West College Drive, Marshall, Minnesota 56253 ("Assignor") has adopted and used the trademark set forth on Schedule A attached hereto and is the owner of the mark and goodwill associated therewith.

WHEREAS, THE KRYSTAL COMPANY, a corporation organized and existing under the laws of Tennessee, with its principal place of business at One Union Square, Chattanooga, Tennessee 37402 ("Assignee") is desirous of acquiring said trademarks and goodwill associated therewith.

NOW THEREOF, for the sum of ONE DOLLAR (\$1.00) in hand paid from Assignee to Assignor, the receipt of which is hereby acknowledged by Assignor, Assignor by these presents does hereby sell, transfer, convey and assign unto said Assignee all right, title and interest in and to the Trademarks set forth on Schedule A attached thereto, together with the goodwill of the business symbolized by the marks, and all federal and state registrations and applications therefor in the United States of America, and the right to recover for any past infringements of said trademarks.

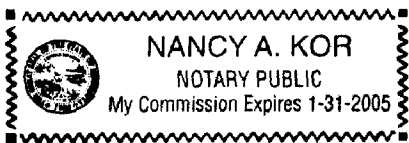
SCHWAN'S IP, LLC

By: [Signature]  
Name: David M. Paskach  
Title: Secretary

Sworn and subscribed before me this  
25<sup>th</sup> day of October, 2001.

Nancy A. Kor  
Notary Public

My commission expires: 1-31-05



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