

12-07-2001

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

101909288

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

10-2-01

1. Name of conveying party(ies):  
Kayne Anderson Investment 12-7-01  
Management, Inc., a Nevada corporation

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

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

3. Nature of conveyance:

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

Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies)

Name: Mrs. Beasley's Bakery, LLC,  
Internal  
Address: \_\_\_\_\_

Street Address: 1800 Ave. of the Stars, 2nd Fl.  
City: Los Angeles State: CA Zip: 90067

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

Other Delaware limited liability co.

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

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

A. Trademark Application No.(s) 75,929,464;

B. Trademark Registration No.(s)

See Attached List

Additional number(s) attached  Yes  No

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

Name: David Gurnick, Esq.  
Arter & Hadden LLP  
Internal Address: \_\_\_\_\_

Street Address: 5959 Topanga Cyn. Blvd.,  
Suite 244

City Woodland Hill State: CA Zip: 91367

6. Total number of applications and registrations involved: \_\_\_\_\_

17

7. Total fee (37 CFR 3.41).....\$ 290.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

290E

(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.

David Shladovsky  
Name of Person Signing

David Shladovsky  
Signature

12-04-01  
Date

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

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

TRADEMARK  
REEL: 002406 FRAME: 0074

**A.. Continuation of Item 1**

KA Industries, Inc., a Nevada corporation; and

Mrs. Beasley's, Incorporated, a California corporation

**B. Continuation of Item 4B**

Trademark Registration Nos.

1. 1,149,209
2. 1,167,536
3. 1,181,372
4. 1,190,261
5. 1,313,711
6. 1,485,675
7. 1,485,681
8. 1,539,464
9. 1,539,805
10. 2,453,977

## TRADEMARK ASSIGNMENT

This Trademark Assignment (this "Assignment ") is executed as of January 1, 2000 by Kayne Anderson Investment Management, Inc., a Nevada corporation; KA Industries, Inc. a Nevada corporation; and Mrs. Beasley's, Incorporated, a California corporation (collectively, the "Assignors"), in favor Mrs. Beasley' Bakery, LLC, a Delaware limited liability company ("Assignee"), with reference to the following facts:

### RECITALS

A. The following marks are registered on the Principal Register in the United States Patent and Trademark Office:

<u>U.S. Trademarks</u>	<u>Registration Number</u>	<u>Registration Date</u>
MISS GRACE LEMON CAKE CO.	1,149,209	Mar 24, 1981
MISS GRACE LEMON CAKE CO.	1,167,536	Sep 1, 1981
MISS GRACE LEMON CAKE CO. and Design	1,181,372	Dec 8, 1981
MISS GRACE LEMON CAKE CO. and Design	1,190,261	Feb 16, 1982
DESSERT OF THE MONTH CLUB	1,313,711	Jan 8, 1985
MRS. BEASLEY'S	1,485,675	Apr 19, 1988
MRS. BEASLEY'S and Design	1,485,681	Apr 19, 1988
MRS. BEASLEY'S and Design	1,539,464	May 16, 1989
MRS. BEASLEY'S and Design	1,539,805	May 16, 1989
.COM NEVER TASTED SO SWEET	2,453,977	May 22, 2001

B. Kayne Anderson Investment Management, Inc. applied for registration of the following trademark on the Principal Register in the United States Patent and Trademark Office:

<u>U.S. Trademarks</u>	<u>Serial No.</u>	<u>Application Date</u>
DOT COM NEVER TASTED SO SWEET	75/929,464	Feb 29, 2000

C. The following marks are registered in the Office of the Secretary of State of California:

<u>California Trademarks</u>	<u>Registration No.</u>	<u>Registration Date</u>
<b>OVAL DESIGN</b>	7571	Feb 1, 1979
<b>MISS GRACE</b>	7572	Feb 1, 1979
<b>OVAL DESIGN</b>	59070	Feb 1, 1979
<b>MISS GRACE</b>	59071	Feb. 1, 1979
<b>MRS. BEASLEY'S and Design</b>	69617	May 23, 1983
<b>DESSERT OF THE MONTH CLUB</b>	71093	Oct 17, 1983
<b>MRS. BEASLEY'S</b>	29734	Jun 12, 1987

D. Each of the Assignors desires to sell, transfer and assign its right, title and interest in and to all the above trademarks and all good will associated with these trademarks to Assignee.

E. Assignee desires to acquire the trademarks and all goodwill associated with the trademarks and all rights in the trademarks including the application to register the trademark "Dot Com Never Tasted So Sweet" and all registrations for the trademarks.

AGREEMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, each of the Assignors and all of them together hereby sell, assign and transfer to Assignee all rights, title and interest in and to all of the above trademarks, together with all the goodwill of the business symbolized by the trademarks and the application and registrations for the trademarks.

The Commissioner of Patents and Trademarks is requested to amend its records to reflect the assignment of the above-identified marks, application and registrations to Mrs. Beasley's

Bakery, LLC, a Delaware limited liability company, the Assignee.

Signed at Los Angeles, California, effective as of January 1, 2000.

**ASSIGNORS:**

KAYNE ANDERSON INVESTMENT  
MANAGEMENT, INC.  
a Nevada corporation

KA INDUSTRIES, INC.  
a Nevada corporation

David Shladovsky  
[signature]

David Shladovsky  
[signature]

[print name] David Shladovsky

[print name] David Shladovsky

[Title] General Counsel

[Title] General Counsel

MRS. BEASLEY'S INC.  
a California corporation

[Signature]  
[signature]

[print name] KENNETH HARRIS

[Title] CEO

**ASSIGNEE:**

MRS. BEASLEY'S BAKERY, LLC  
a Delaware limited liability company

[Signature]  
[signature]

[print name] KENNETH HARRIS

[Title] CEO