

12-17-2001

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



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

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

12-17-01

1. Name of conveying party(ies): AC Humko Corp. Individual(s) Association General Partnership Limited Partnership Corporation-State Delaware Other Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies) Name: ACH Food Companies, Inc. Internal Address: Street Address: 7171 Goodlett Farms Parkway City: Cordova State: TN Zip: 38018 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 (Designations 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: 04/20/2000

4. Application number(s) or registration number(s): A. Trademark Application No.(s) 1636907 B. Trademark Registration No.(s) 1636907 Additional number(s) attached Yes No

6. Total number of applications and registrations involved: 1

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Linda G. Alvarez Internal Address: Vinson & Elkins LLP Street Address: 1001 Fannin Street, 2300 First City Tower City: Houston State: TX Zip: 77002

7. Total fee (37 CFR 3.41) \$ 40.00 Enclosed Authorized to be charged to deposit account 8. Deposit account number: 22-0365 (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. Linda G. Alvarez Name of Person Signing Signature Date 12/11/01 Total number of pages including cover sheet, attachments, and document: 4

12/18/2001 6TON11 00000080 1636907 01 FC:481 40.00 DP

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

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Office of the Secretary of State

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I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "AC HUMKO CORP.", CHANGING ITS NAME FROM "AC HUMKO CORP." TO "ACH FOOD COMPANIES, INC.", FILED IN THIS OFFICE ON THE NINTH DAY OF MAY, A.D. 2000, AT 2:30 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Edward J. Freel*

Edward J. Freel, Secretary of State

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DOCUMENT NUMBER

0428208

DATE

05-10-00

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CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
AC HUMKO CORP.

AC Humko Corp., a corporation duly organized under the laws of the State of Delaware (the "Corporation"), hereby certifies as follows:

1. The Corporation's present name is that shown above. The date of filing of the Corporation's original certificate of incorporation with the Delaware Secretary of State was August 7, 1995.

2. Pursuant to and in accordance with the provisions of Section 242 of the Delaware General Corporation Law, this Certificate of Amendment of Certificate of Incorporation has been duly approved and adopted by unanimous written consent of the directors and of the sole stockholder of the Corporation.

3. Article FIRST of the Corporation's Certificate of Incorporation is hereby amended to read in its entirety as follows:

**FIRST:** The name of the Corporation is ACH Food Companies, Inc.

4. This Certificate shall be effective upon its filing with the Delaware Secretary of State and the amendment provided for herein shall be effective as of that time and date.

IN WITNESS WHEREOF, AC Humko Corp. has caused this Certificate to be signed by its President and Chief Executive Officer, and attested to by its Secretary, on this 20th day of April, 2000.

By: Daniel S. Antonelli  
Daniel S. Antonelli  
President and Chief Executive Officer

ATTEST:

Carmen Sciackitano  
Carmen Sciackitano  
Secretary