

**RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

 U.S. Department of Commerce  
Patent and Trademark Office  
**TRADEMARK**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

- ☒ New  
☐ Resubmission (Non-Recordation)  
 Document ID #  
☐ Correction of PTO Error  
 Reel #                      Frame #  
☐ Corrective Document  
 Reel #                      Frame #

**Conveyance Type**

- ☒ Assignment  
☐ License  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Nunc Pro Tunc Assignment  
 Effective Date:  
☐ Other:

**Conveying Party****Execution Date**

Name Allegro Coffee Company

March 22, 2002

Formerly

- ☐ Individual    ☐ General Partnership    ☐ Limited Partnership    ☒ Corporation    ☐ Association  
☐ Other  
☒ Citizenship/State of Incorporation/Organization Colorado  
☐ Mark if Additional Names of Conveying Parties Attached

**Receiving Party**

Name Whole Foods Market IP, L.P.

DBA/AKA/TA

Address

Address 601 North Lamar, Suite 300

Address Austin

Texas

78703

City

State/Country

Zip Code

- ☐ Individual    ☐ General Partnership    ☒ Limited Partnership    ☐ Corporation    ☐ Association  
☐ Other  
☒ Citizenship/State of Incorporation/Organization Delaware  
☐ Domestic Representative Designation Attached:    ☐ Yes    ☐ No  
☐ Mark if Additional Names of Receiving Parties Attached

**Correspondent Name and Address**

Lynn A. Sullivan  
 Leydig, Voit & Mayer, Ltd.  
 Two Prudential Plaza, Suite 4900  
 Chicago, Illinois 60601-6780

Telephone: (312) 616-5600  
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 Attorney Docket No. 211696

**Pages** Enter the total number of pages of the attached conveyance document including any attachments: 2**Trademark Application Number(s) or Registration Number(s)**☐ Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)****Registration Number(s)**

76/074861

76/074862

76/074863

2,514,627

**Number of Properties**

Enter the total number of properties involved: 4

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$115

Method of Payment:

- ☐ Enclosed  
☒ Deposit Account No. 12-1216

Authorization to Charge Additional Fees: ☒ Yes    ☐ No**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. Charges to deposit account are authorized, as indicated herein.

Lynn A. Sullivan

Name of Person Signing

Signature

April 1, 2002

Date

**ASSIGNMENT OF TRADEMARK**

WHEREAS, Allegro Coffee Company (Assignor), a Colorado corporation, having its principal offices at P.O. Box 1510, Eastlake, Colorado 20614, has adopted, used, is using and is the owner of the following mark now registered in the United States Patent and Trademark Office:

<u>Mark</u>	<u>Reg. No./Serial No.</u>	<u>Date of Registration/ Filing</u>
MOCHA JAVA LAVA	2,514,627	December 4, 2001

WHEREAS, Whole Foods Market IP, L.P., limited partnership of the State of Delaware (Assignee), having its principal place of business at 601 North Lamar, Suite 300, Austin, Texas 78703, is desirous of acquiring said mark;

Now, therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee, and its successors in interest, all right, title and interest in and to said mark, together with the goodwill of the business symbolized by said mark and registration thereof, and including all common-law and other rights in said mark, all claims, demands and causes for action, both at law and in equity, that Assignor may have, or may hereinafter acquire, on account of any infringement of said mark prior to the date hereof, and does hereby empower Assignee, and its successors in interest, to sue for and collect the same, to its and their own and absolute use.

IN WITNESS WHEREOF, the undersigned, being duly authorized and acting on behalf of Assignor, does hereby execute this assignment.

Allegro Coffee Company

Date: 3/22/02

Jane Totten  
By: Jane Totten  
Title: Vice-President

**ASSIGNMENT OF INTENT-TO-USE TRADEMARK APPLICATION**

WHEREAS, Allegro Coffee Company (Assignor), a Colorado corporation, having a postal address of P.O. Box 1510, Eastlake Colorado 20614, has applied for the following intent-to-use trademark applications in the United States Patent and Trademark Office:

<u>Mark</u>	<u>Application No.</u>	<u>Date of filing</u>
FROM SEED TO CUP	76/074862	June 21, 2000
HAND CRAFTED COFFEE	76/074861	June 21, 2000
SUSTAINABLY DELICIOUS	76/074863	June 21, 2000

WHEREAS, Whole Foods Market IP, L.P., limited partnership of the State of Delaware (Assignee), having its principal place of business at 601 North Lamar, Suite 300, Austin, Texas 78703, is the successor to that portion of the business to which said marks pertain, and said business is ongoing and existing and assignee is desirous of acquiring said marks and their applications thereto;

Now, therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee, and its successors in interest, all right, title and interest in and to said marks, together with the goodwill of the business symbolized by said marks and the applications thereof, and including all common-law and other rights in said marks, all claims, demands and causes for action, both at law and in equity, that Assignor may have, or may hereinafter acquire, on account of any infringement of said marks prior to the date hereof, and does hereby empower Assignee, and its successors in interest, to sue for and collect the same, to its and their own and absolute use.

IN WITNESS WHEREOF, the undersigned, being duly authorized and acting on behalf of Assignor, does hereby execute this assignment.

Allegro Coffee Company

Date: 3/22/02

  
By: Jane Totten  
Title: Vice-President