

02-19-2002

JAN 29 2002



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### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

#### Submission Type

New 1-29-02

Resubmission (Non-Recordation)  
Document ID #

Correction of PTO Error  
Reel #  Frame #

Corrective Document  
Reel #  Frame #

#### Conveyance Type

Assignment  License

Security Agreement  Nunc Pro Tunc Assignment

Merger Effective Date  
Month Day Year

Change of Name

Other

#### Conveying Party

Mark if additional names of conveying parties attached

Name  Execution Date  
Month Day Year

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

#### Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

Individual  General Partnership  Limited Partnership  Association

Corporation  Association

Other

Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

02/15/2002 TDIAZI 00000034 75918829

FOR OFFICE USE ONLY

01 FC:481 40.00 DP  
02 FC:482 275.00 DP

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20503

REEL: 002444 FRAME: 0773

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**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)**

<input type="text" value="75918829"/>	<input type="text" value="76077300"/>	<input type="text" value="76077301"/>	<input type="text" value="1335725"/>	<input type="text" value="0582656"/>	<input type="text" value="1133244"/>
<input type="text" value="76077302"/>	<input type="text" value="76298268"/>	<input type="text" value="76052878"/>	<input type="text" value="1335726"/>	<input type="text" value="1141887"/>	<input type="text" value="2047362"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

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.

Patrick C. Stephenson

Name of Person Signing

Signature

Date Signed

12/31/01

## ASSIGNMENT OF UNITED STATES TRADEMARKS

WHEREAS, Nestlé USA, Inc., a corporation organized under the laws of the State of Delaware ("Seller"), is the owner of all right, title and interest in the trademarks identified in Attachment A (the "Trademarks"); and

WHEREAS, Goodmark Foods, Inc., a corporation organized under the laws of the State of North Carolina ("Buyer"), desires to acquire all right, title and interest in the Trademarks;


NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Seller hereby assigns and transfers to Buyer all of its right, title and interest in and to the Trademarks, together with the corresponding trademark registration and all goodwill associated therewith.

*(Assignment of United States Trademarks)*

**TRADEMARK**  
**REEL: 002444 FRAME: 0775**

IN WITNESS WHEREOF, this Assignment of United States Trademarks has been signed  
as of this 19<sup>th</sup> day of December, 2001.

NESTLÉ USA, INC.

By: 

Name: Steven T. Nerud

Title: Vice President, Mergers & Acquisitions

*(Assignment of United States Trademarks)*

**TRADEMARK**  
**REEL: 002444 FRAME: 0776**

ATTACHMENT A

**REGISTRATIONS**

<u>TRADEMARK</u>	<u>REGIS. NO.</u>	<u>ISSUE DATE</u>
DAVID	1,335,725	May 14, 1985
DAVID & SONS	582,656	Nov. 24, 1953
SUNFLOWER DESIGN	1,133,244	Apr. 15, 1980
SUNFLOWER DESIGN	1,335,726	May 14, 1985
SUNFLOWER KERNELS DESIGN	1,141,887	Nov. 25, 1980
SUN CRISP	2,047,362	Mar. 25, 1997

**APPLICATIONS**

<u>TRADEMARK</u>	<u>SERIAL NO.</u>	<u>DATE FILED</u>
BREAK OUT OF YOUR SHELL	75/918,829	Feb. 14, 2000
CORNIDOS LOCOS	76/077,300	June 26, 2000
MAIZE CRAZE	76/077,301	June 26, 2000
THEY'RE NOT JUST SOMETHING TO EAT. THEY'RE SOMETHING TO DO.	76/077,302	June 26, 2000
SNACKTIVITY	76/298,268	Aug. 13, 2001
SUN CRISP	76/052,878	May 22, 2000

*(Assignment of United States Trademarks)*