

03-06-2002

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



102003967

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.

1. Name of conveying party(ies):

Stadler's Country Hams, Inc.

MRE 2-15-02

- Individual(s) Association General Partnership Limited Partnership Corporation-State North Carolina 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: October 23, 2001

2. Name and address of receiving party(ies)

Name: SCH Acquisition Sub, Inc.

Internal Address:

Street Address: 200 Commerce Street

City: Smithfield State: VA Zip: 23430

- 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2133935; 0891002

Additional number(s) attached Yes No

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

Name: Jonathan R. Pond

Internal Address: Hunton & Williams

Riverfront Plaza, East Tower

Street Address: 951 East Byrd Street

City: Richmond State: VA Zip: 232194074

6. Total number of applications and registrations involved:

2

7. Total fee (37 CFR 3.41).....\$ 65.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

For Deficiency or Credit 08-3436

(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.

Jonathan R. Pond

Signature

January 25, 2002

Date

Name of Person Signing

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

7

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

TRADEMARK

REEL: 002453 FRAME: 0787

Vertical stamp: 01 FC:481 02 FC:482 3/05/2002 LMEILLER 0000148 2133935

## TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT is made as of this 23<sup>rd</sup> day of October, 2001, by and between **STADLER'S COUNTRY HAMS, INC.**, a North Carolina corporation, with its principal office at 2921 NC 100, Elon College, North Carolina 27244 ("Assignor"), and **SCH ACQUISITION SUB, INC.**, a Delaware corporation, with its principal office at 200 Commerce St., Smithfield, Virginia 23430 ("Assignee").

### Recitals

A. Assignor is using and is the owner of certain trademarks, service marks, trade names, trademark registrations and trademark applications listed in Schedule A (collectively the "Marks").

B. Assignee desires to acquire all right, title and interest in and to the Marks, together with the goodwill of the business in connection with which the Marks are used.

### Assignment

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Assignor hereby assigns and transfers to Assignee, its successors and assigns, absolutely and forever, the entire right, title and interest, whether statutory or at common law, in and to the Marks, together with the goodwill of the business symbolized by them throughout the world and such other trademarks, service marks, trade names and trade dress as may be owned by Assignor and used in connection with the Marks, and all registrations and pending applications therefor, in all countries throughout the world, together with all causes of action for any and all previously occurring infringement of the rights being assigned and the right to receive and retain the proceeds or other remedies relating to those infringements.

2. Assignor agrees to execute further papers and to do such other acts as may be necessary or desirable to vest full right, title and interest in and to the Marks throughout the

world in Assignee or as may be necessary or desirable to obtain, renew, issue or enforce the Marks.

3. This Trademark Assignment may be executed in several counterparts, each of which shall be deemed to be an original, but all of which together will constitute one and the same instrument.

WITNESS, the execution of this Trademark Assignment by the duly authorized representative of Assignor, as of the date first set forth above.

STADLER'S COUNTRY HAMS, INC.

By: Virgil L. Stadler  
Name: \_\_\_\_\_  
Title: CEO

WITNESS, the acceptance of this Trademark Assignment by the duly authorized representative of Assignee.

SCH ACQUISITION SUB, INC.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

world in Assignee or as may be necessary or desirable to obtain, renew, issue or enforce the Marks.

3. This Trademark Assignment may be executed in several counterparts, each of which shall be deemed to be an original, but all of which together will constitute one and the same instrument.

WITNESS, the execution of this Trademark Assignment by the duly authorized representative of Assignor, as of the date first set forth above.

STADLER'S COUNTRY HAMS, INC.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

WITNESS, the acceptance of this Trademark Assignment by the duly authorized representative of Assignee.

SCH ACQUISITION SUB, INC.

By:  \_\_\_\_\_

Name: Timothy A. Sealy

Title: President

Date: 10-22-01

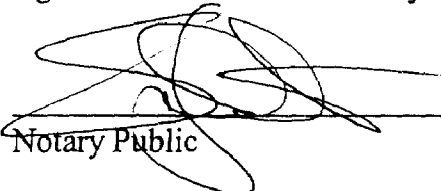
State of NC )  
County of Alamance )

ss:

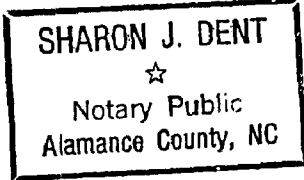
On this 23 day of October, 2001, before me personally came

Virgil L. Stadler to me known, who being by me duly sworn, did

depose and say that he/she is the CEO of Stadler's Country  
Hams, Inc., the corporation described in and which executed the foregoing instrument; and  
signed his/her name thereto by order of the Board of Directors.

  
Notary Public

My commission expires: 3/13/04



State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

ss:

On this \_\_\_\_\_ day of \_\_\_\_\_ of October, 2001, before me personally came

\_\_\_\_\_ to me known, who being by me duly sworn, did  
depose and say that he/she is the \_\_\_\_\_ of SCH Acquisition Sub,  
Inc., the corporation described in and which executed the foregoing instrument; and signed  
his/her name thereto by order of the Board of Directors.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

State of \_\_\_\_\_ )  
 )  
County of \_\_\_\_\_ ) ss:

On this \_\_\_\_\_ day of October, 2001, before me personally came

\_\_\_\_\_ to me known, who being by me duly sworn, did  
depose and say that he/she is the \_\_\_\_\_ of Stadler's Country  
Hams, Inc., the corporation described in and which executed the foregoing instrument; and  
signed his/her name thereto by order of the Board of Directors.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

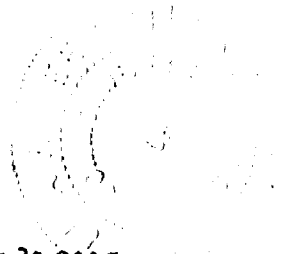
State of Virginia )  
 )  
County of Isle of Wight ) ss:

On this 22<sup>nd</sup> day of day of October, 2001, before me personally came

Timothy A. Seely to me known, who being by me duly sworn, did  
depose and say that he/she is the President of SCH Acquisition Sub,  
Inc., the corporation described in and which executed the foregoing instrument; and signed  
his/her name thereto by order of the Board of Directors.

[Signature]  
Notary Public

My commission expires: September 30, 2003



**SCHEDULE A**

**U. S. REGISTERED TRADEMARKS/SERVICE MARKS**

<b><u>MARK</u></b>	<b><u>REGISTRATION NO.</u></b>	<b><u>REGISTRATION DATE</u></b>
REAL HAM BONES FOR REAL DOGS	2133935	February 3, 1998
HICKORY MOUNTAIN	0891002	May 12, 1970

**UNREGISTERED TRADEMARK/SERVICE MARKS**

<b><u>MARK</u></b>	<b><u>PRODUCTS/SERVICES</u></b>	<b><u>FIRST USE DATE</u></b>
OLD ALAMANCE	pork products, namely, whole and sliced country hams, bacon and hams	January 1992
DON'T BUY A PIG IN A POKE	fresh country ham in slices	February 5, 1969