



102014219

2.26.02

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

1. Name of conveying party(ies):  
 XTZ Industries, Inc.  
 7810 228<sup>th</sup> Street, South West, Edmonds, WA 98026

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

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

2. Name and address of receiving party(ies):

Name: Marksmen, Inc.

Internal Address: \_\_\_\_\_

Street Address: 116 N. Maryland Avenue

City: Glendale State: California ZIP: 91206-8050

3. Nature of conveyance:

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

Executed on Date: February 1, 2002

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

Additional name(s) & Address(es) attached?  
 Yes  No

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

A. Trademark Application No.(s)

Additional numbers attached?  Yes  No

B. Trademark No.(s)  
2,496,538

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

Name: Robert H. Sanders

Internal Address: c/o Nestle USA, Inc.

Street Address: 800 North Brand Blvd. - 20th Floor

City: Glendale State: CA ZIP: 91203

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) ..... \$ 40.00

Enclosed  
 Authorized to be charged to deposit account

*Handwritten signature*

8. Deposit account number:  
03-0775

(Attach additional copy of form if paying by deposit account.)

03/12/2002 DRYRNE 00000238 030775 2496538  
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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.*

Robert H. Sanders                      *Handwritten signature*                      February 11, 2002  
 Name of Person Signing                      Signature                      Date

Total number of pages including cover sheet: 2

OMB No. (651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

**Commissioner of Patents and Trademarks**  
**Box Assignments**  
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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

# TRADEMARK ASSIGNMENT

WHEREAS, XTZ Industries, Inc., a Washington corporation having its place of business at 7810 228<sup>th</sup> Street, South West, Edmonds, Washington, 98026 ("Assignor") is the owner of the following trademark now registered in the United States Patent and Trademark Office:

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
SHOCKOLATE	2,496,538	October 9, 2001

WHEREAS, Marksmen, Inc., a Delaware corporation, having its principal place of business at 116 N. Maryland Avenue, Glendale, CA 91206-8050 ("Assignee"), is desirous of acquiring said trademark,

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign unto Assignee, all right, including common law rights, title and interest, in the United States of America and all other countries and jurisdictions of the world, in and to said trademark and registration thereof together with the goodwill symbolized by said trademark.

Signed at EVERETT BANK, this 1 day of FEB, 2002.



XTZ INDUSTRIES, INC.

By: [Signature]  
Name: HANS PLAMMERDORF  
Title: OWNER

On this 1 day of FEBRUARY, 2002, before me, Rebecca Gibbs, a Notary Public in and for the State of WASHINGTON, personally appeared HANS PLAMMERDORF, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Notary Public