

03-21-2002



Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
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U.S. DEPAR  
U.S. Pat

03-11-2002  
U.S. Patent & TMOfo/TM Mail Rcpt Dt. #26

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

1. Name of conveying party(ies):  
Beacon Sweets Inc. **3.11.02**

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

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

2. Name and address of receiving party(ies)  
Name: BestSweet Inc.  
Internal  
Address: \_\_\_\_\_  
P.O. Box 329  
Street Address: Mazeppa Road  
City: Mooreville State: NC Zip: 28115

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State New Jersey  
 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: November 9, 2000

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s)  
76/090,458

B. Trademark Registration No.(s)  
2,012,715      2,211,982  
2,172,058      2,235,319

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Martha Gayle Barber  
Internal Address: Alston & Bird LLP  
\_\_\_\_\_  
\_\_\_\_\_  
Street Address: Bank of America Plaza  
101 South Tryon Street, Suite 4000  
City: Charlotte State: NC Zip: 282804000

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41).....\$ 140.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
16-0605

(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.*

Martha Gayle Barber  
Name of Person Signing

Martha Gayle Barber  
Signature

3-7-02  
Date

6

03/20/2002 DBYRNE 00000202 76090458  
40.00 MP  
100.00 OP

Total number of pages including cover sheet, attachments, and document: 6  
documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

TRADEMARK  
REEL: 002465 FRAME: 0477

20 339 5047

SOSID: 0218295  
Date Filed: 12/29/2000 12:23 PM  
Effective: 1/1/2001  
Elaine F. Marshall  
North Carolina Secretary of State

State of North Carolina  
Department of the Secretary of State  
APPLICATION FOR AMENDED CERTIFICATE OF AUTHORITY

Pursuant to §55-15-04 of the General Statutes of North Carolina, the undersigned corporation hereby applies for an Amended Certificate of Authority to transact business in the State of North Carolina and for that purpose submits the following statement.

- 1. The name of the corporation is Beacon Sweets Inc.
- 2. The name the corporation is currently using in the State of North Carolina is:  
Beacon Sweets Inc.
- 3. The state or country of incorporation is: New Jersey
- 4. The date the corporation was authorized to transact business in the State of North Carolina is:  
November 17, 1987
- 5. This application is filed for the following reason (complete all applicable items):
  - a. The corporation has changed its corporate name to:  
BestSweet Inc.
  - b. The name the corporation will hereafter use in the State of North Carolina is changed to:  
BestSweet Inc.
  - c. The corporation has changed its period of duration to: Not Applicable
  - d. The corporation has changed the state or country of its incorporation to: Not Applicable
- 6. Attached is a certificate attesting to the change, duly authenticated by the secretary of state or other official having custody of corporate records in the state of country of incorporation.
- 7. If the corporation is required to use a fictitious name in order to transact business in this State, a copy of the resolution of its board of directors, certified by its secretary, adopting the fictitious name is attached.
- 8. This application will be effective upon filing, unless a date and/or time is specified: January 1, 2001.

This the 9 day of November, 2000

Beacon Sweets Inc.  
Name of Corporation

R. Zubman  
Signature

Richard Zubman President & CEO  
Type or Print Name and Title

NOTES:

- 1. Filing fee is \$30. One executed original and one exact or conformed copy of this application must be filed with the Secretary of State.
  - 2. \* If the name of the corporation as changed is unavailable for use in North Carolina, indicate this fact and state the name the corporation wishes to use in North Carolina no 5b. (See NCGS §55-15-06)
- (Revised January 2001) (Form 18-10)

CORPORATIONS DIVISION

P. O. BOX 29622

RALEIGH, NC 27626-0622

**STATE OF NEW JERSEY  
DEPARTMENT OF TREASURY  
FILING CERTIFICATION (CERTIFIED COPY)**

**BESTSWEET INC.**

*I, the Treasurer of the State of New Jersey,  
do hereby certify, that the above named business  
did file and record in this department the below  
listed document(s) and that the foregoing is a  
true copy of the  
Certificate of Amendment  
as the same is taken from and compared with the  
original(s) filed in this office on the date set  
forth on each instrument and now remaining on file  
and of record in my office.*

*IN TESTIMONY WHEREOF, I have  
hereunto set my hand and  
affixed my Official Seal  
at Trenton, this  
19th day of December, 2000*



*Roland M Machold*

*Roland M Machold  
Treasurer*

11/14/2000

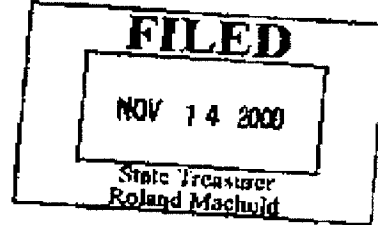
14:15

COZEN & O'CONNOR + 39997404160853008778

NO. 635

622

*CSJ*



C-102A Rev 12/93

New Jersey Department of the Treasury  
Division of Revenue  
Certificate of Amendment to  
Certificate of Incorporation  
(For Use by Domestic Profit Corporations)

Pursuant to the provisions of Section 14A:9-3 (4) and Section 14A:9-4 (3), Corporations, General, of the New Jersey Statutes, the undersigned corporation executes the following Certificate of Amendment to its Certificate of Incorporation:

- 1. The name of the corporation is Boston Sweetest Inc.
- 2. The following amendment to the Certificate of Incorporation was approved by the directors and thereafter duly adopted by the shareholders of the corporation on the 9<sup>th</sup> day of November, 2000.

Resolved, that Article I. of the Certificate of Incorporation be amended to read as follows:  
"1. The name of the Corporation is Boston Sweetest Inc."

- 3. The number of shares outstanding at the time of the adoption of the amendment was: 75 shares.  
The total number of shares entitled to vote thereon was 75 shares.

If the shares of any class or series of shares are entitled to vote thereon as a class set forth below the designation and number of outstanding shares entitled to vote therein of each such class or series. (Only if not applicable).

- 4. The number of shares voting for and against such amendment is as follows: (If the shares of any class or series are entitled to vote as a class, set forth the number of shares of each such class and action voting for and against the amendment, respectively).

<u>Number of Shares Voting for Amendment</u>	<u>Number of Shares Voting Against Amendment</u>
75	0

- 5. If the amendment provides for an exchange, redemption or cancellation of issued shares, set forth a statement of the manner in which the same shall be effected. (Only if not applicable).

- 6. Other provisions: (Only if not applicable)  
This amendment shall become effective on January 1, 2001.

BY [Signature]  
(Signature) President

Dated this 9 day of November, 2000.

May be executed by the Chairman of the Board, or the President, or a Vice President of the Corporation.

*S868597  
J1650287*

*3960950000*

*[Stamp]*