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04-26-2002



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

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

*Resubm*

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

1. Name of conveying party(ies): 1-24-02  
**Downeast Frozen Desserts, LLC**

Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation-State  
 Other Delaware Limited Liability Corporation

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

2. Name and address of receiving party(ies)  
 Name: Deering Ice Cream, Inc.  
 Internal Address: \_\_\_\_\_  
 Street Address: 135 Walton Street  
 City: Portland State: ME Zip: 04103

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

3. Nature of conveyance:  
 Assignment -corrective       Merger  
 Security Agreement       Change of Name  
 Other See attached

Execution Date: February 17, 1997

4. Application number(s) or registration number(s):  
 A. Trademark Application No.(s)  
 B. Trademark Registration No.(s)  
1479120

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Amy Span Wergeles  
 Internal Address: \_\_\_\_\_  
 Street Address: Robinson & Cole LLP  
280 Trumbull Street  
 City: Hartford State: CT Zip: 06103

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

8. Deposit account number:  
18-1685  
**Charge additional fees to Deposit Account**  
 (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.

Amy Span Wergeles  
 Name of Person Signing

*Amy Span Wergeles*  
 Signature

January 24, 2002  
 Date

Total number of pages including cover sheet, attachments, and document: 5  
 Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patent & Trademarks, Box Assignments  
 Washington, D.C. 20231

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Form PTO 1594 Continued:

Section 3 - Nature of Conveyance

Other - This is a corrective document of an assignment previously recorded on 3/11/97 at Reel/Frame 1565/0630. This request is to include TM Reg. No. 1479120 as part of the recordation.

DECLARATION OF JAMES J. GRECO

I, James J. Greco, declare that I am Chief Executive Officer of Deering Ice Cream Company, Inc., current owner of the trademark "DEERING (Stylized)", Reg. No. 1,479,120 (the "Mark"), and am authorized to make this declaration on behalf of said corporation.

To the best of my knowledge, Fieldbrook Farms, Inc. came to own the Mark through the following chain of title:

1. On April 20, 1990, Deering Ice Cream Corporation ("Deering Maine") entered into a security agreement with First Maine Bank, a Maine bank (recorded at Reel/Frame 1024/0265). This security agreement was subsequently assigned to First NH Bank, the successor in interest to First Maine Bank (see Reel/Frame 1028/0010).
2. On December 7, 1992, pursuant to a secured party sale of assets, the mark was among Deering Maine assets sold by First NH Bank to I.A., Inc., a Maine corporation (recorded at Reel/Frame 1028/0065).
3. On December 10, 1992, I.A., Inc. changed its name to Frozen Desserts, Inc., a Maine corporation (recorded at Reel/Frame 1028/0067).
4. On January 26, 1996, the Mark was assigned by Frozen Desserts, Inc. to Downeast Frozen Desserts, LLC, a Delaware Limited Liability Corporation, pursuant to a sale of assets.
5. On February 17, 1997, the Mark was assigned by Downeast Frozen Desserts, LLC, to Deering Ice Cream, Inc. ("Deering Delaware"), pursuant to a sale of assets.
6. On December 16, 1997, the Mark was assigned by Deering Delaware to Deering Acquisition, Inc., a Delaware corporation), pursuant to a sale of assets.
7. On December 22, 1997, the name of Deering Acquisition, Inc. was changed to Deering Ice Cream Company, Inc.

I further declare that all statements made herein of my own knowledge are true and all statements made herein on information and belief are believed to be true; and further, the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of this document or any registration associated herewith.

Deering Ice Cream Company, Inc.

By [Signature]  
James J. Greco, Chief Executive Officer

Date 1/3/00

STATE OF New York )  
COUNTY OF Chautauque )

SS.: Dunkirk

On this 3rd day of January, before me, the undersigned officer, personally appeared, James J. Greco the CEO of Fieldbrook Farms, Inc. signer of the foregoing instrument and acknowledged the same to be his free act and deed and the free act and deed of said company.

[Signature]  
Notary Public  
My Commission Expires:

Barbara J. Thompson #01TH5075853  
Notary Public State of New York  
Qualified in Chautauque County  
Commission Expires April 7, 2001

Mark: DEERING (stylized)  
Reg.No. 1,479,120  
Date of Reg. 3/1/88

Owner of Record: Frozen Desserts, Inc.

Chain of title:

3/1/88 Registered to Deering Ice Cream Corporation (Maine) ("Deering Maine")  
4/20/90 Security interest to First Maine Bank  
SI assigned to First NH Bank (successor in interest to First Maine Bank)  
12/7/92 Secured party sale of assets  
First NH Bank to I.A., Inc. (Maine)  
12/10/92 Change of name  
I.A., Inc. to Frozen Desserts, Inc.  
6/14/93 Deering (Maine) Chapter 7 bankruptcy  
1/26/96 Asset sale  
Frozen Desserts, Inc. to Downeast Frozen Desserts, LLC  
2/17/97 Asset sale  
Downeast Frozen Desserts, LLC to Deering Ice Cream, Inc. ("Deering  
Delaware")  
12/16/97 Asset sale  
Deering (Delaware) to Deering Acquisition Inc.  
12/22/97 Change of Name  
Deering Acquisition, Inc. to Deering Ice Cream Company, Inc.

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