

07-15-2002



102155262

Re

Form PTO-1594 (Rev. 03/01) 6-24-02  
OMB No. 0651-0027 (exp. 5/31/2002)

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

Tab settings

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

1. Name of conveying party(ies):  
Freshway, Inc.

4-15-02

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

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

2. Name and address of receiving party(ies)

Name: Freshway Food Systems, Inc.

Internal Address:

Street Address: 1501 West Tenth Street

City: Sioux Falls State: SD Zip: 57104

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State South Dakota
- 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
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date:

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,118,623

Additional number(s) attached  Yes  No

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

Name: Matthew McCauley

Internal Address:

Street Address: 122 South Phillips Avenue

Suite 250

City: Sioux Falls State: SD Zip: 57104

6. Total number of applications and registrations involved:

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Matthew McCauley  
Name of Person Signing

[Signature]  
Signature

3-25-02  
Date 6/13/02

Total number of pages including cover sheet, attachments, and document: 2

04/25/2002 LUMELLER 00000162 2110623

01 FC:481

40.00

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

TRADEMARK  
REEL: 002532 FRAME: 0020



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Name of Person Signing

Signature

3-25-02  
Date (7-3-02)

Total number of pages including cover sheet, attachments, and document: 2

04/25/2002 LUELLER 00000182 2118623

01 FC:481

40.00

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

TRADEMARK  
REEL: 002532 FRAME: 0021

# ASSIGNMENT OF FEDERAL TRADEMARK REGISTRATION

THIS ASSIGNMENT OF FEDERAL TRADEMARK REGISTRATION made and entered into this 18 day of March, 2002, by and between Freshway, Inc. (d/b/a Freshway Food Systems), a Iowa Corporation registered to do business in South Dakota with its principal place of business at 5009 West 12th Street, Suite 9B, Sioux Falls, SD 57106, (hereinafter referred to as "Assignor") and Freshway Food Systems, Inc., a South Dakota corporation, with its principal place of business located at 1411 South Center Avenue, Sioux Falls, SD 57105 (hereinafter referred to as "Assignee").

WHEREAS Assignor has adopted, used and is using the mark referenced below, which is registered in the United States Patent and Trademark Office:

<u>Mark</u>	<u>Registration Number</u>	<u>Registration Date</u>
FRESHWAY SUBS & SALADS	2,118,623	December 9, 1997

WHEREAS Assignee is desirous of acquiring said mark and the registration thereof.

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor does hereby assign to Assignee all right, title and interest in and to the said mark, together with the good will of the business symbolized by the mark, and the above identified registration thereof.

DATED THIS 18<sup>th</sup> DAY OF March, 2002.

**ASSIGNOR:**

FRESHWAY, Inc.

By [Signature]  
Its President

**ASSIGNEE:**

FRESHWAY FOOD SYSTEMS, Inc.

By [Signature]  
Its President

# HYNES & McCAULLEY LAW FIRM

A PROFESSIONAL LIMITED LIABILITY COMPANY

Matthew S. McCaulley  
matt@sdlawfirm.com

122 SOUTH PHILLIPS AVENUE, SUITE 250  
SIOUX FALLS, SD 57104-6706  
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FAX: (605) 332-2525  
www.sdlawfirm.com

Thomas P. Hynes  
tom@sdlawfirm.com  
Of Counsel

March 25, 2002

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, DC 20231

**Re: Assignment of Registration: FRESHWAY SUBS & SALADS  
Registration # 2,118,623**


Dear Commissioner:

Enclosed please find the following:

1. Recordation Form Cover Sheet: Trademark
2. Original Assignment of Fresh Way Mark
3. Check in the amount of \$40.00 (fee code 481).

Please file the above referenced documents and contact me if you have any questions or concerns.

Sincerely,



Matthew McCaulley  
Attorney at Law

cc: Joan Goddard (facsimile only – no enclosures)  
Michael Neustel (facsimile only – no enclosures)

TRADEMARK  
REEL: 002532 FRAME: 0023

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DATED THIS 18<sup>th</sup> DAY OF March, 2002.

**ASSIGNOR:**

FRESHWAY, Inc.

By [Signature]  
Its President

**ASSIGNEE:**

FRESHWAY FOOD SYSTEMS, Inc.

By [Signature]  
Its President

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PHONE: (605) 332-0500  
FAX: (605) 332-2525  
www.sdlawfirm.com

Thomas P. Hynes  
tom@sdlawfirm.com  
Of Counsel

July 3, 2002

U.S. Patent and Trademark Office  
Assignment Division  
Box Assignments, CG-4  
1213 Jefferson Davis Hwy. Suite 320  
Washington, DC 20231

**Re: Document ID No.: 102067865**  
**Assignment of Registration: FRESHWAY SUBS & SALADS**  
**Registration # 2,118,623**

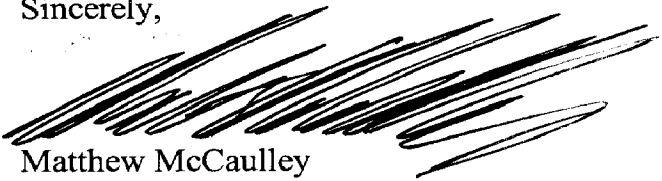
To whom it may concern:

As requested, I have made the appropriate changes by signing where indicated on the cover sheet previously submitted for recording. Enclosed please find the following:

1. Corrected Recordation Form Cover Sheet: Trademark
2. Assignment of Fresh Way Mark

Please file the above referenced documents. If you have any additional questions or concerns, please feel free to call me at the above listed number.

Sincerely,



Matthew McCaulley  
Attorney at Law

MM/sem  
Enclosure

RECORDED: 06/24/2002

TRADEMARK  
REEL: 002532 FRAME: 0025