

RESUBMISSION

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

07-12-2002

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



102153299

original documents or copy thereof.

To the Honorable Commissioner of Pa

1. Name of conveying party(ies): Herman Goelitz Candy Co., Inc. Original Execution Date 6-4-01

2. Name and address of receiving party(ies) Name: Jelly Belly Candy Company Internal Address: Street Address: One Jelly Belly Lane City: Fairfield State: CA Zip: 94533

3. Nature of conveyance: [X] Other Correct Recording Execution Date: See Attached

4. Application number(s) or registration number(s): A. Trademark Application No.(s) First number on Notice of Recordation is S.N. 75,346,767 Reel/Frame 002308 /0752

B. Trademark Registration No.(s) 1,985,641 1,985,642

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Law Office of James R. Cypher Internal Address: Street Address: 405 14th Street - Suite 1607 City: Oakland State: CA Zip: 94612

6. Total number of applications and registrations involved: 2 7. Total fee (37 CFR 3.41): \$ 65.00 [X] Enclosed [X] Authorized to be charged to deposit account if amount enclosed is not sufficient 8. Deposit account number: 03-4075

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. James R. Cypher Name of Person Signing Signature Date 6-27-02

07/11/2002 DRYRME 00000202 75346767

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

01 FC:481 02 FC:482

40.00 DP 25.00 DP

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

TRADEMARK REEL: 002550 FRAME: 0330

RECORDATION FORM PTO-1594 COVER SHEET

TRADEMARKS

Attachment

This is a RESUBMISSION of a recordation of change of name in the Assignment Division of the U.S. Patent and Trademark office originally submitted on 6/4/01, and recorded on 6/8/01 under Reel/Frame 002308/0752, 10 pages.

Two registration were included in the original recording request that was submitted that need to be removed because they were not involved in the name change. The two registrations appear on page 6 of the Notice of Recordation of Assignment Document dated 8/15/01, and on the CORRECTED NOTICE of Recordation of Assignment Document dated 8/24/01, and are as follows:

APPLICATION NUMBER: 74709053 FILING DATE: 07/31/1995
 REGISTRATION NUMBER: 1985642 ISSUE DATE: 07/09/1996
 MARK: JELLY BELLY CHARITIES, INC.

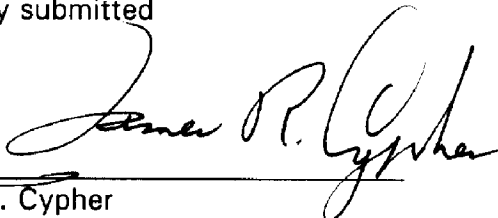
APPLICATION NUMBER: 74709052 FILING DATE: 07/31/1995
 REGISTRATION NUMBER: 1985641 ISSUE DATE: 07/09/1996
 MARK: JELLY BELLY CELEBRITY GOLF TOURNAMENT

I am enclosing:

- (1) a new cover sheet headed RESUBMISSION,
- (2) copy of the first Notice of Recordation of Assignment Document dated 8/15/01,
- (3) copy of Corrected Notice of Recordation of Assignment Document dated 8/24/01
- (4) copy of the original document submitted for recording with the above identified registration numbers to be deleted crossed out, and
- (5) my check in the amount of \$65.00 for the fees for removing the two registrations (\$40.00 for the first and \$25.00 for the second.

If the amount enclosed is not sufficient to cover the fees, you are authorized to charge any additional amount, or refund any overpayment, to my deposit account no. 03-4075.

Respectfully submitted

By 
 James R. Cypher

Date: JUNE 27, 2002

68-21

08-23-2001



101821482

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

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

1. Name of conveying party(ies): HERMAN GOELITZ CANDY COMPANY, INC., A CALIFORNIA CORPORATION, 2400 NORTH WATNEY WAY, FAIRFIELD, CA 94533

2. Name and address of receiving party(ies) Name: JELLY BELLY CANDY COMPANY Internal Address: Street Address: ONE JELLY BELLY LANE City: FAIRFIELD State: CA Zip: 94533

3. Nature of conveyance: Assignment Merger Security Agreement Change of Name Other Execution Date: MARCH 20, 2001

Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State CALIFORNIA Other If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

4. Application number(s) or registration number(s): A. Trademark Application No.(s) 75/346,767 75/712,756 75/646,297 75/458,832

B. Trademark Registration No.(s) 1,132,333 1,184,043 1,203,786 1,241,686 Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: JAMES R. CYPHER Internal Address: Street Address: 405 14TH STREET, SUITE 1607 City: OAKLAND State: CA Zip: 94612

6. Total number of applications and registrations involved: 59 7. Total fee (37 CFR 3.41): \$ 1490.00 Enclosed (Check No. 7229) Authorized to be charged to deposit account 8. Deposit account number: (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. JAMES R. CYPHER Name of Person Signing

Signature of James R. Cypher

Date 06-04-2001

Total number of pages including cover sheet, attachments, and document 15 10

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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Recordation Form PTO-1594 Cover Sheet

TRADEMARKS

Page 2

Attachment to No. 1 Form PTO-1594:

Name and Address of Conveying Party:

Herman Goelitz Candy Company, Inc. the Surviving Corporation, a
California Corporation doing business at 2400 North Watney way,
Fairfield, California 94533,

Name and Address of Receiving Party:

Jelly Belly Candy Company, a California Corporation doing business
at One Jelly Belly Lane, Fairfield, CA 94533

approved and executed March 20, 2001

Attachment to No. 4 A Trademark Serial Numbers:

75/458,831

75/751,277

75/828,073

76/232,675

LAW OFFICES OF

JAMES R. CYPHER
1607 FINANCIAL CENTER
405 14TH STREET
OAKLAND, CA 94612-2747

(510) 832-4111

Page (1) of (2)

TRADEMARK

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TRADEMARKS

Page 3

Attachment to No. 4 B Trademark Registration Numbers:

1,942,689	1,422,190	2,110,068	2,409,599
1,232,091	1,726,046	1,985,642	2,409,598
1,221,315	1,487,677	1,985,641	2,326,794
1,214,948	1,487,678	2,158,868	2,329,734
1,206,405	2,077,329	2,159,116	2,343,441
1,207,449	1,665,173	2,156,931	
1,248,492	1,799,534	2,304,342	
1,225,098	1,837,435	2,261,710	
1,248,499	1,827,579	2,221,795	
1,289,267	1,860,490	2,395,277	
1,597,702	1,863,295	2,259,632	
1,337,901	1,879,970	2,338,503	
1,335,781	2,037,616	2,365,482	
1,422,184	2,085,121	2,409,600	

LAW OFFICES OF

JAMES R. CYPHER
1607 FINANCIAL CENTER
405 14TH STREET
OAKLAND, CA 94612-2747

(510) 832-4111

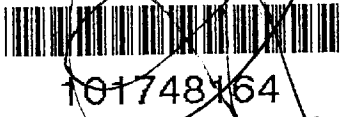
Page (2) of (2)

TRADEMARK
REEL: 002550 FRAME: 0334

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06-13-2001

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

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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. JAMES R. CYPHER Name of Person Signing [Signature] Signature 06-04-2001 Date

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

TRADEMARK REEL: 002550 FRAME: 0335

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Page 2

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approved and executed March 20, 2001

Attachment to No. 4 A Trademark Serial Numbers:

- 75/458,831
- 75/751,277
- 75/828,073
- 76/232,675

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Page 3

Attachment to No. 4 B Trademark Registration Numbers:

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1,207,449	1,665,173	2,156,931	
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1,337,901	1,879,970	2,338,503	
1,335,781	2,037,616	2,365,482	
1,422,184	2,085,121	2,409,600	

LAW OFFICES OF

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OAKLAND, CA 94612-2747

(510) 832-4111

Page (2) of (2)

TRADEMARK

REEL: 002550 FRAME: 0337

State of California



SECRETARY OF STATE

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

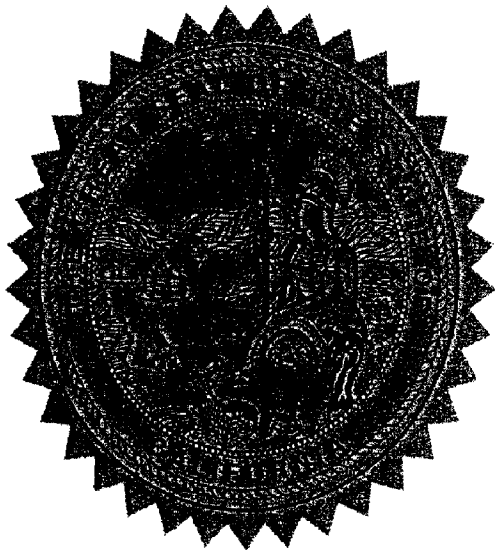
That the attached transcript of 3 page(s) was prepared by and in this office from the record on file, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAY 29 2001

Bill Jones

Secretary of State



A0562902

0757186 SURV

FILED
in the Office of the Secretary of State
of the State of California

MAR 31 2001

Bill Jones
BILL JONES, Secretary of State

**AGREEMENT OF MERGER OF GOELITZ CONFECTIONERY COMPANY
INTO HERMAN GOELITZ CANDY COMPANY, INC.**

THIS AGREEMENT OF MERGER is entered into between HERMAN GOELITZ CANDY COMPANY, INC., a California corporation (herein "Surviving Corporation") and GOELITZ CONFECTIONERY COMPANY, an Illinois corporation (herein "Merging Corporation").

1. Merging Corporation shall be merged into Surviving Corporation.
2. The outstanding shares of Surviving Corporation shall remain outstanding.
3. Surviving Corporation shall acquire all of the stock of Merging Corporation not already owned by Surviving Corporation in exchange for 2,292 shares of the common stock of Surviving Corporation which shall be transferred to the other shareholders of Merging Corporation.
4. Merging Corporation shall from time to time, as and when requested by Surviving Corporation, execute and deliver all such documents and instruments and take all such action necessary or desirable to evidence or carry out this merger.
5. The effect of the merger and the effective date of the merger are as of 11:59 p.m. on March 31, 2001.

IN WITNESS WHEREOF, the parties have executed this Agreement.

HERMAN GOELITZ CANDY COMPANY, INC.

By: *Robert M. Simpson, Jr.*
Robert M. Simpson, Jr., President

By: *Lisa R. Brasher*
Lisa R. Brasher, Secretary

GOELITZ CONFECTIONERY COMPANY

By: *William H. Kelley*
William H. Kelley, President

By: *Lisa R. Brasher*
Lisa R. Brasher, Secretary

FD00059HERM & AGREEMENT OF MERGER (HGCC)

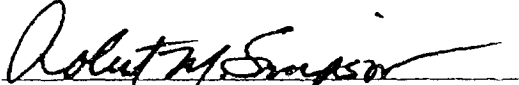
**CERTIFICATE OF APPROVAL OF AGREEMENT OF MERGER
OF GOELITZ CONFECTIONERY COMPANY
INTO HERMAN GOELITZ CANDY COMPANY, INC.**

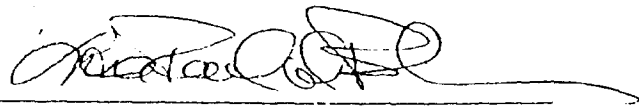
Robert M. Simpson, Jr. and Lisa R. Brasher certify that:

1. They are the President and the Secretary, respectively, of Herman Goelitz Candy Company, Inc., a California corporation (the "Corporation").
2. The Agreement of Merger in the form attached was duly approved by the Board of Directors and shareholders of the Corporation.
3. The shareholder approval was by the holders of 100% of the outstanding shares of the Corporation.
4. There is only one class of shares and the number of shares outstanding is 15,340.
5. An additional 2,292 shares will be issued pursuant to the provisions of the attached Agreement of Merger.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

Dated: March 16, 2001


Robert M. Simpson, Jr., President


Lisa R. Brasher, Secretary

CERTIFICATE OF APPROVAL OF AGREEMENT OF MERGER

OF GOELITZ CONFECTIONERY COMPANY

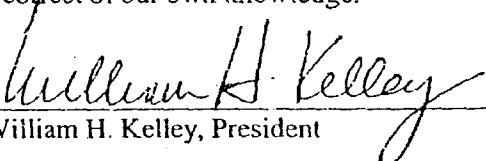
INTO HERMAN GOELITZ CANDY COMPANY, INC.

William H. Kelley and Lisa R. Brasher certify that:


1. They are the President and the Secretary, respectively, of Goelitz Confectionery Company, an Illinois corporation (the "Corporation").
2. The Agreement of Merger in the form attached was duly approved by the Board of Directors and shareholders of the Corporation.
3. The shareholder approval was by the holders of 100% of the outstanding shares of the Corporation.
4. There is only one class of shares of the Corporation and the number of shares outstanding is 690.
5. An additional 2,292 shares of Herman Goelitz Candy Company, Inc. will be issued to the shareholders of the Corporation pursuant to the terms of the attached Agreement of Merger.

We further declare under penalty of perjury under the laws of the State of Illinois that the matters set forth in this certificate are true and correct of our own knowledge.

Dated: March 16, 2001



William H. Kelley, President



Lisa R. Brasher, Secretary



State of California



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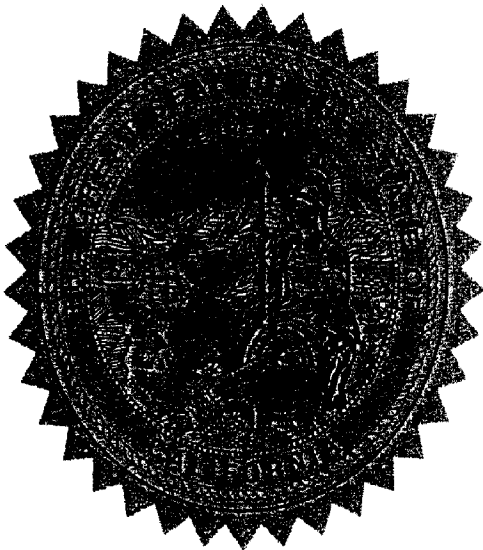
SECRETARY OF STATE

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) was prepared by and in this office from the record on file, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAY 29 2001



Secretary of State

A0562903

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CERTIFICATE OF AMENDMENT
OF
ARTICLES OF INCORPORATION
OF
HERMAN GOELITZ CANDY COMPANY, INC.

FILED
in the office of the Secretary of State
of the State of California

APR 02 2001

Bill Jones
BILL JONES, Secretary of State

ROBERT M. SIMPSON and LISA ROWLAND BRASHER hereby certify that:

1. They are the President and Secretary, respectively, of Herman Goelitz Candy Company, Inc., a California corporation.

2. Article One of the Articles of Incorporation of said corporation shall be amended to read in full as follows:

“ONE: The name of this corporation is:

JELLY BELLY CANDY COMPANY”

3. The foregoing amendment has been approved by the Board of Directors of said corporation.

4. The foregoing amendment was approved by the required vote of the shareholders of said corporation in accordance with Sections 902 and 903 of the California Corporations Code. The corporation has only one class of shares and each outstanding share is entitled to one vote. The total number of outstanding shares entitled to vote with respect to the foregoing Amendment was Fifteen thousand Three Hundred Forty (15,340) Common Shares; and the number of shares voting in favor of the foregoing Amendment equaled or exceeded the vote required, in that the Amendment was approved by the affirmative vote of Fifteen Thousand Three Hundred Forty (15,340) shares, that is, by the affirmative vote of one hundred (100) percent of all the issued and outstanding shares.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on March 20, 2001.


ROBERT M. SIMPSON, President


LISA ROWLAND BRASHER, Secretary

The undersigned declare under penalty of perjury that the matters set forth in the foregoing Certificate are true and correct of their own knowledge and that this declaration was executed on March 20, 2001 at Fairfield, California.


ROBERT M. SIMPSON, President


LISA ROWLAND BRASHER, Secretary



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Recordation Form PTO-1594 Cover Sheet

TRADEMARKS

Page 2

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Attachment to No. 4 A Trademark Serial Numbers:

- 75/458,831
- 75/751,277
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- 76/232,675

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OAKLAND, CA 94612-2747
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