

08-14-2002

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

102190086

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

1. Name of conveying party(ies):

Wilson Foods Company, LLC

08-12-02

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other Delaware limited liability company

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

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other

Execution Date: 07/26/2002

2. Name and address of receiving party(ies)

Name: Reser's Fine Foods, Inc.

Internal

Address:

Street Address: 15570 S.W. Jenkins Road

City: Beaverton State: OR Zip: 97006

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Oregon, 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1891276;1923929; 1897664;1841978 (see attached)

Additional number(s) attached Yes No

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

Name: Jonathan R. Gilbert

Internal Address:

Street Address: Brownstein Rask et al

1200 S.W. Main Building

City: Portland State: OR Zip: 97205

6. Total number of applications and registrations involved:

11

7. Total fee (37 CFR 3.41) \$ 290.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Jonathan R. Gilbert

Name of Person Signing

Signature

08/06/2002

Date

5

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

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

08/13/2002 TDIAZ1

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PAGE 1 of 2

TRADEMARK REEL: 002562 FRAME: 0226

RECORDATION FORM COVER SHEET

(CONTINUATION OF ITEM 4(B))

**Wilson Foods Company, LLC Assignment to Reser's Fine Foods, Inc.
Trademark Registration No.(s) Conveyed:**

1849997

1813938

1799562

1449952

1159362

583607

2245228 (supplemental register)

TRADEMARK ASSIGNMENT

WHEREAS, Wilson Foods Company, LLC, a Delaware limited liability company ("Assignor"), with an address of 1811 West 1700 South Street, Salt Lake City, Utah 84104, is the owner of all right, title, and interest in the Trademarks listed on Schedule 1 to Exhibit A, which exhibit is made a part hereof and incorporated herein by reference; and

WHEREAS, Reser's Fine Foods, Inc., an Oregon corporation ("Assignee"), with an address of 15570 SW Jenkins Road, Beaverton, Oregon 97006, is desirous of acquiring the aforesaid Trademarks, together with the goodwill of the business appurtenant thereto.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign, convey, and transfer unto the said Assignee the entire right, title, and interest in and to the aforesaid Trademarks listed on Schedule 1 to Exhibit A hereto, together with all income, royalties, and damages, now or hereafter due or payable, with respect to the Trademarks, the goodwill of the business symbolized by the Trademarks and the registrations and applications therefor.

Assignor further assigns unto Assignee all right to sue for and to receive all damages accruing from present, future, and past infringements of the Trademarks.

Assignor undertakes that upon the request of Assignee or its designees, it and/or its successor in business, shall make all rightful oaths, testify on behalf of Assignor or its designees in matters involving the subject trademarks and do all other lawful acts necessary to carry out the intent of this assignment, as well as to provide such other material, information, and assistance to Assignee or its designees, as will be considered necessary in connection therewith.

IN WITNESS WHEREOF, the undersigned has caused this assignment to be executed effective as of July 26, 2002.

Wilson Foods Company, LLC

By  _____
William H. Betterton
Title: President and CEO

SCHEDULE 1 to EXHIBIT H

A. United States Registered Trademarks

<u>Trademark Name</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Country</u>
DELSEY'S	1891276	04/25/95	USA
DELSEY'S BURRITO (and design)	1923929	10/03/95	USA
Misc. Design (Delsey's Woman)	1897664	06/06/95	USA
RAYO DE SOL (and design)	1841978	06/28/94	USA
LYNN WILSON'S (stylized)	1849997	08/16/94	USA
MITIA (stylized)	1813938	12/28/93	USA
Misc. Design (LW Boy)	1799562	10/19/93	USA
PAPA LYNN	1449952	07/28/87	USA
LYNN WILSON'S	1159362	06/30/81	USA
LYNN WILSON'S (stylized)	583607	12/15/53	USA
SOUTHWEST WRAP	2245228 (supplemental)	05/11/99	USA

B. United States Common Law Trademarks

<u>Trademark Name</u>	<u>Date of First Use</u>	<u>Date of First Use in Commerce</u>	<u>Description of Goods Used in Connection with Trademark</u>	<u>Manner in which Seller Used the Trademark in Connection with Seller's Business</u>
Misc. Design (P. Lynn Standing Guitar Man)	10/29/91	10/29/91	Mexican Food	Packaging
Misc. Design (Mitia Figure)	06/11/80	06/11/80	Mexican Food	Packaging
Misc. Design (Mitia Figure)	06/11/80	06/11/80	Mexican Food	Packaging

C. United States Pending Applications

<u>Trademark Name</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Country</u>

D. State Registrations

Trademark Name	Reg. No.	Reg. Date	State