

09-09-2002



ET

Docket No.:

-Y

9/9/02

102215823

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):

Gorges/Quik-To-Fix Foods, Inc.

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other

- Association
- Limited Partnership

Additional names(s) of conveying party(ies)  Yes  No

2. Name and address of receiving party(ies):

Name: QTF Acquisition Sub., Inc.

Internal Address:

Street Address: 200 Commerce Street

City: Smithfield State: VA ZIP:

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

If assignee is not domiciled in the United States, a domestic designation is  Yes  N  
(Designations must be a separate document from Additional name(s) & address(es)  Yes  N

3. Nature of conveyance:

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

Execution Date: July 23, 2001

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

A. Trademark Application No.(s)

See attached Exhibit A

B. Trademark Registration No.(s)

See attached Exhibit A

Additional numbers  Yes  No

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

Name: Mary Dalton Baril, Esq.

Internal Address: McGuireWoods LLP

Street Address: One James Center, 901 East Cary Street

City: Richmond State: VA ZIP: 23219-4030

6. Total number of applications and registrations involved:

18

7. Total fee (37 CFR 3.41):.....\$ \$465.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

09/10/2002 6TOM11 00000014 1567716

DO NOT USE THIS SPACE

01 FC:481 40.00 DP  
02 FC:482 425.00 DP

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.

Mary Dalton Baril

Name of Person Signing

Mary Dalton Baril

Signature

9/6, 2002

Date

Total number of pages including cover sheet, attachments, and

9

TRADEMARK

## EXHIBIT A

1. Crisp N Tender (Stylized) (Fed. Reg. No. 1,567,718)
2. Sidnie's Quality Foods (Fed. Reg. No. 2,417,880)
3. Quik-To-Fix Foods and Design (Fed. Reg. No. 2,176,679)
4. Mesquite Broil (Fed. Reg. No. 1,863,397)
5. Redi Ribs (Fed. Reg. No. 1,693,360)
6. Tastycut (Fed. Reg. No. 1,668,673)
7. Tastyrib (Fed. Reg. No. 1,669,611)
8. Charsteaks (Fed. Reg. No. 1,558,271)
9. Gorges (Fed. Reg. No. 1,480,931)
10. Grill-etts (Fed. Reg. No. 1,271,964)
11. Quik-to-Fix and Design (Fed. Reg. No. 1,040,675)
12. Tejitas (Stylized) (Fed. Reg. No. 1,537,517)
13. Tejitas Bites (Fed. Reg. No. 1,537,518)
14. Tenderbroil (Fed. Reg. No. 1,479,792)
15. Charchicken (Fed. Reg. No. 1,610,671)
16. Char D'Ourve (Fed. Reg. No. 2,662,616)
17. Grill Top Burger (Fed. Reg. No. 75/731/334)
18. Breakfast Pals (Fed. Reg. No. 1,903,684)

## ASSIGNMENT

THIS ASSIGNMENT ("Assignment") is made this 23<sup>rd</sup> day of July 2001, by and between Gorges/Quik-To-Fix Foods, Inc., a Delaware corporation located at 9441 L.B.J. Freeway, Suite 214, Dallas, Texas ("Assignor"), and QTF Acquisition Sub., Inc., a Delaware corporation located at 200 Commerce Street, Smithfield, Virginia ("Assignee")

WHEREAS, Assignor has adopted, used, and is the present user and owner of certain marks that have been registered in the United States Patent and Trademark Office, which marks and registration numbers are listed in Exhibit A hereto (collectively, the "Registered Marks");

WHEREAS, pursuant to an Asset Purchase Agreement by and between Smithfield Foods, Inc., a Virginia corporation ("Purchaser"), and Assignor dated July 12, 2001 (the "Asset Purchase Agreement"), Assignor has agreed to sell and assign substantially all of its assets, including the Registered Marks, to Purchaser;

WHEREAS, Purchaser has assigned all of its rights and obligations under the Asset Purchase Agreement to Assignee; and

WHEREAS, Assignee desires to acquire the Registered Marks and all rights associated therewith, together with the goodwill symbolized by the Registered Marks,

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign unto Assignee all rights, title and interest in and to the Registered Marks listed in Exhibit A, together with the goodwill of the business symbolized by the Registered Marks.

IN WITNESS WHEREOF, Assignor and Assignee have hereunto set their hands and seals on the date indicated below.

GORGES/QUIK-TO-FIX FOODS, INC.

By: William D. Day  
Name: WILLIAM D. DAY  
Title: PRESIDENT & CEO

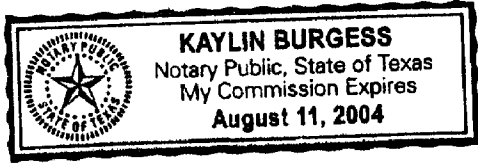
QTF ACQUISITION SUB., INC.

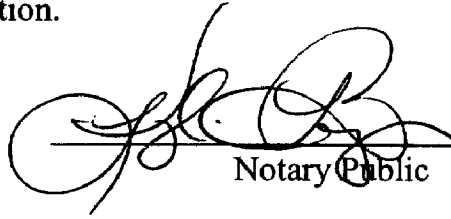
By: \_\_\_\_\_  
Name:  
Title:

STATE OF TEXAS )  
 )  
COUNTY OF DALLAS )

SS

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of July, 2001, by William D. Day, President + CEO of GORGES/QUIK-TO-FIX FOODS, INC., a Delaware corporation, on behalf of the corporation.



  
\_\_\_\_\_  
Notary Public

My Commission Expires: 8/11/04

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ ) SS

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of July, 2001, by \_\_\_\_\_, \_\_\_\_\_ of QTF ACQUISITION SUB., INC., a Delaware corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

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WHEREAS, Assignor has adopted, used, and is the present user and owner of certain marks that have been registered in the United States Patent and Trademark Office, which marks and registration numbers are listed in Exhibit A hereto (collectively, the "Registered Marks");

WHEREAS, pursuant to an Asset Purchase Agreement by and between Smithfield Foods, Inc., a Virginia corporation ("Purchaser"), and Assignor dated July 12, 2001 (the "Asset Purchase Agreement"), Assignor has agreed to sell and assign substantially all of its assets, including the Registered Marks, to Purchaser;

WHEREAS, Purchaser has assigned all of its rights and obligations under the Asset Purchase Agreement to Assignee; and

WHEREAS, Assignee desires to acquire the Registered Marks and all rights associated therewith, together with the goodwill symbolized by the Registered Marks,

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby assign unto Assignee all rights, title and interest in and to the Registered Marks listed in Exhibit A, together with the goodwill of the business symbolized by the Registered Marks.

IN WITNESS WHEREOF, Assignor and Assignee have hereunto set their hands and seals on the date indicated below.

GORGES/QUIK-TO-FIX FOODS, INC.

By: \_\_\_\_\_

Name:

Title:

QTF ACQUISITION SUB., INC.

By: 

Name:

Title:

*Larry Pope*  
*VP & CFO*

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STATE OF TEXAS                    )  
  )  
COUNTY OF \_\_\_\_\_  )

SS

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of July, 2001, by \_\_\_\_\_, \_\_\_\_\_ of GORGES/QUIK-TO-FIX FOODS, INC., a Delaware corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF Virginia )  
 )  
COUNTY OF Spotsylvania ) SS

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of July, 2001, by C. Larry Pope, V.P. & CFO of QTF ACQUISITION SUB., INC., a Delaware corporation, on behalf of the corporation.

Evelyn G. Bryant  
Notary Public

My Commission Expires: 8/31/02