



09-23-2002



102229775

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 3/31/2002)

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): Ault Foods Limited **9.16.02**

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

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

2. Name and address of receiving party(ies)

Name: Parmalat Food Inc.  
Internal Address: \_\_\_\_\_  
Address: \_\_\_\_\_

Street Address: 405 The West Mall, Suite 1000  
City: Etobicoke, Ontario State: \_\_\_\_\_ Zip: \_\_\_\_\_

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State Canada  
 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       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

Execution Date: 10-3-97

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

A. Trademark Application No.(s) \_\_\_\_\_  
\_\_\_\_\_

Additional number(s) attached  Yes  No

B. Trademark Registration No.(s) 1,342,924  
\_\_\_\_\_

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

Name: Helen Hill Minsker  
Internal Address: \_\_\_\_\_  
\_\_\_\_\_

Street Address: Banner & Witcoff, Ltd.  
1001 G Street, NW

City: Washington State: DC Zip: 20001

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:  
19-0733

DO NOT USE THIS SPACE

9. Signature.

Helen Hill Minsker  
Name of Person Signing

[Signature]  
Signature

5/16/02  
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

09/20/2002 DBYRNE 00000122 190733 1342924  
1 FC:481 40.00 CH

TRADEMARK REEL: 2586 FRAME: 0928

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

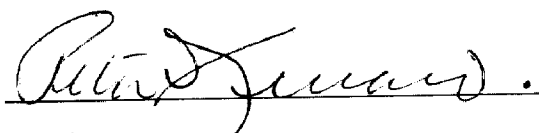
In re Registration of: )  
 Parmalat Food Inc. )  
 )  
 Mark: BD & Design )  
 )  
 Registration No.: 1,342,924 )  
 )  
 Registered: June 18, 1985 )

DESIGNATION OF DOMESTIC REPRESENTATIVE

Banner & Witcoff, Ltd., whose postal address is 1001 G Street, N.W., Eleventh Floor, Washington, D.C. 20001-4597 is hereby designated applicant's domestic representative upon whom notice or process in proceedings affecting the mark may be served. Please direct all correspondence and telephone inquiries regarding this matter to Helen Hill Minsker at the above address and telephone number.

Parmalat Food Inc.

Date: August 16, 2002.

By: 

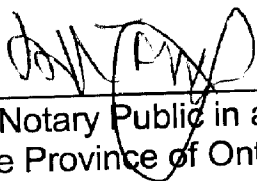
Name: Peter L. Ferraro

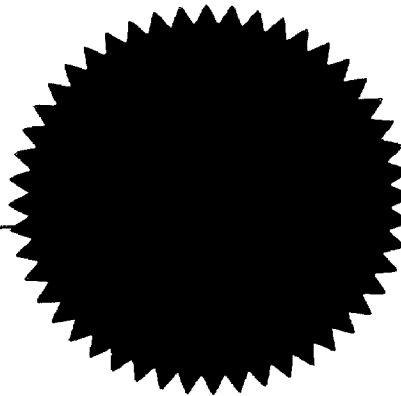
Title: Secretary

<b>CANADA</b>	)	<b>TO ALL TO WHOM THESE PRESENTS</b>
	)	
<b>PROVINCE OF ONTARIO</b>	)	<b>MAY COME, BE SEEN OR KNOWN</b>
	)	
	)	
	)	
<b>TO WIT:</b>	)	

I, Mark Andrew Fust, a Notary Public in and for the Province of Ontario, duly appointed, commissioned, and sworn, and practising at 405 The West Mall, Etobicoke, in the said province **DO HEREBY CERTIFY AND ATTEST** that the paper-writing hereto annexed is a true copy of a document produced and shown to me and purporting to be a Certificate of Amendment, dated the 3rd day of October, 1997, the said copy having been compared by me with the said original document, an act whereof being requested I have granted under my Notarial Form and Seal of Office to serve and avail as occasion shall or may require.

**IN TESTIMONY WHEREOF** I have hereto subscribed my name and affixed my Notarial Seal of Office at Etobicoke this 19<sup>th</sup> day of November, 2001.

  
 \_\_\_\_\_  
 A Notary Public in and for  
 the Province of Ontario





Certificate of Amendment

Canada Business Corporations Act

Certificat de modification

Loi canadienne sur les sociétés par actions

PARMALAT FOOD INC./ LES ALIMENTS PARMALAT INC.

322275-6

Name of corporation-Dénomination de la société

Corporation number-Numéro de la société

I hereby certify that the articles of the above-named corporation were amended

Je certifie que les statuts de la société susmentionnée ont été modifiés :

(a) under section 13 of the Canada Business Corporations Act in accordance with the attached notice;

a) en vertu de l'article 13 de la Loi canadienne sur les sociétés par actions, conformément à l'avis ci-joint;

(b) under section 27 of the Canada Business Corporations Act as set out in the attached articles of amendment designating a series of shares;

b) en vertu de l'article 27 de la Loi canadienne sur les sociétés par actions, tel qu'il est indiqué dans les clauses modificatrices ci-jointes désignant une série d'actions;

(c) under section 179 of the Canada Business Corporations Act as set out in the attached articles of amendment;

c) en vertu de l'article 179 de la Loi canadienne sur les sociétés par actions, tel qu'il est indiqué dans les clauses modificatrices ci-jointes;

(d) under section 191 of the Canada Business Corporations Act as set out in the attached articles of reorganization.

d) en vertu de l'article 191 de la Loi canadienne sur les sociétés par actions, tel qu'il est indiqué dans les clauses de réorganisation ci-jointes.

Director - Directeur

October 3, 1997/le 3 octobre 1997 Date of Amendment - Date de modification



1 — Name of corporation — Dénomination de la société

AULT FOODS LIMITED  
LES ALIMENTS AULT LIMITEE

2 — Corporation No. — N° de la société

322275-6

3 — The articles of the above-named corporation are amended as follows:

Les statuts de la société mentionnée ci-dessus sont modifiés de la façon suivante :

- a. to change the name of the Corporation to PARMALAT FOOD INC./LES ALIMENTS PARMALAT INC.; and
- b. to include the following standard private company restrictions:
  - i. the number of shareholders of the Corporation exclusive of persons who are in its employment and exclusive of persons who, having been formerly in the employment of the Corporation, were, while in that employment, and have continued after termination of that employment to be, shareholders of the Corporation, is limited to not more than fifty, two or more persons who are the joint registered owners of one or more shares being counted as one shareholder;
  - ii. no invitation shall be made to the public to subscribe for any securities of the Corporation; and
  - iii. shares of the Corporation shall not be transferred without the approval of the Board of Directors, such approval which is to be evidenced by a resolution of the Board.

Date  
October 3, 1997

Signature

Title — Titre  
Director

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Filed - Déposée