

10-17-2002

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

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

102251941

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

NRD 9-26-02

1. Name of conveying party(ies): DAWN FOOD PRODUCTS INCORPORATED
Individual(s) Association
General Partnership Limited Partnership
Corporation-State
Other

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

3. Nature of conveyance:
Assignment Merger
Security Agreement Change of Name
Other

Execution Date: 6/19/1998

2. Name and address of receiving party(ies)
Name: DAWN FOODS, INC.
Internal Address:
Street Address: 2021 Micor Crive
City: Jackson State: MI Zip: 49203

Individual(s) citizenship
Association
General Partnership
Limited Partnership
Corporation-State Michigan
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) 951,309

Additional number(s) attached Yes No

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

Name: Todd L. Moore
Internal Address: YOUNG & BASILE, P.C.

Street Address: 3001 West Big Beaver Road
City: Troy State: MI Zip: 48084

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: 25-0115

DO NOT USE THIS SPACE

9. Signature.
Todd L. Moore (Reg. No. 36,874)
Name of Person Signing Signature Date 9/24/02

Total number of pages including cover sheet, attachments, and document: 7

10/16/2002 LMUELLER 00000393 951309 01 FC:8521 40.00 OP

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

TRADEMARK REEL: 002599 FRAME: 0392

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dawn Foods, Inc.

Registration No. 951,309

Mark: **DAWN**

Class: 011

CHANGE OF NAME

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Va 22202-3513

Dear Sir:

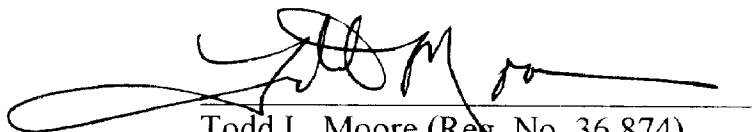
Applicant, Dawn Foods, Inc., encloses a copy of the Certificate of Name Change from the State of Michigan, changing the name of "**DAWN FOOD PRODUCTS INCORPORATED**" to "**DAWN FOODS, INC.**"

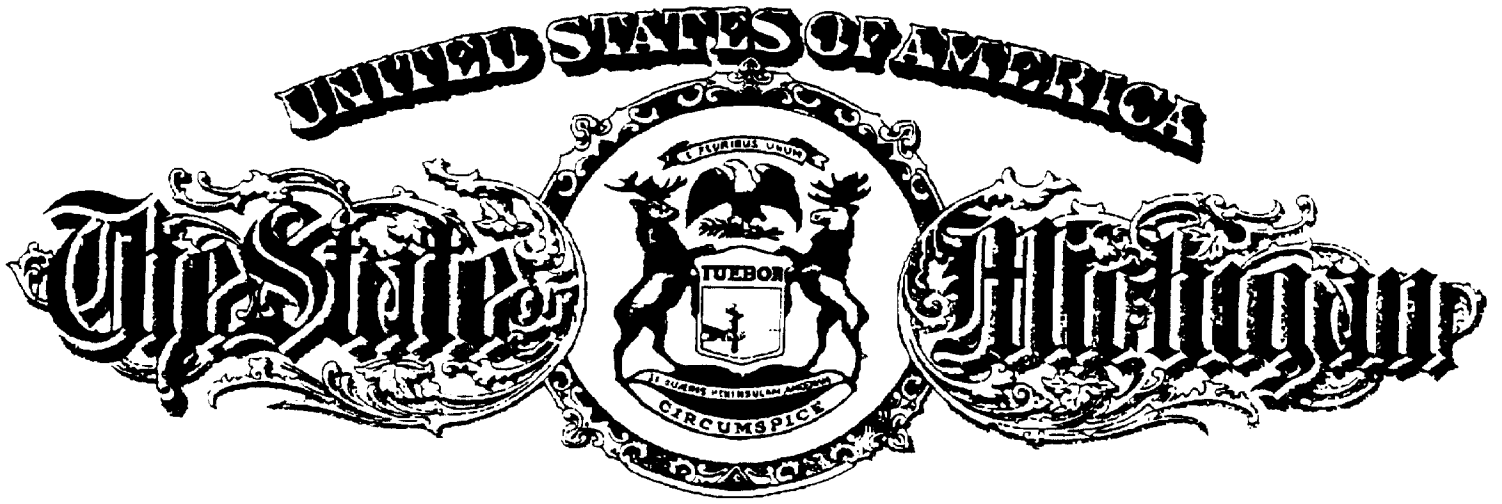
Also enclosed is Recordation Form Cover Sheet (PTO-1594) and Applicant's check in the amount of \$40.00 representing the recordal fee.

Any questions may be directed to the undersigned at (734) 662-0270.

Respectfully submitted,  
YOUNG & BASILE, P.C.

DATED: 9/24/02

  
Todd L. Moore (Reg. No. 36,874)  
Attorney for Dawn Foods, Inc..



Michigan Department of Consumer and Industry Services

Lansing, Michigan

*This is to Certify that the annexed copy has been compared by me with the record on file in this Department and that the same is a true copy thereof.*

*This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.*

*In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 11th day of March, 2002*

*Andrew J. Mitchell*, Director

Bureau of Commercial Services

MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES  
CORPORATION, SECURITIES AND LAND DEVELOPMENT BUREAU

Date Received		(FOR BUREAU USE ONLY)
JUN 23 1998		This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.
		<b>FILED</b>

JUN 23 1998

Administrator  
MI DEPT OF CONSUMER & INDUSTRY SERVICES  
CORPORATION, SECURITIES & LAND DEVELOPMENT BUREAU

Name		
Bobbi Overleese Barnes & Thornburg		
Address		
11 South Meridian Street		
City	State	Zip Code
Indianapolis	Indiana	46204

EFFECTIVE DATE:

Document will be returned to the name and address you enter above.  
If left blank document will be mailed to the registered office.

**CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION**  
For use by Domestic Profit and Nonprofit Corporations  
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972 (profit corporations), or Act 162, Public Acts of 1982 (nonprofit corporations), the undersigned corporation executes the following Certificate:

1. The present name of the corporation is:	Dawn Holdings, Inc.
2. The identification number assigned by the Bureau is:	039-595

3. Article 1 of the Articles of Incorporation is hereby amended to read as follows:

Section 1.01 of Article I of the Restated Articles of Incorporation is hereby amended to read as follows:

**"Section 1.01. Name.** The name of the Corporation is Dawn Foods, Inc."

LB-CK-12<sup>50</sup>-67376

**COMPLETE ONLY ONE OF THE FOLLOWING:**

**4. (For amendments adopted by unanimous consent of incorporators before the first meeting of the board of directors or trustees.)**

The foregoing amendment to the Articles of Incorporation was duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, in accordance with the provisions of the Act by the unanimous consent of the incorporator(s) before the first meeting of the Board of Directors or Trustees.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Type or Print Name)

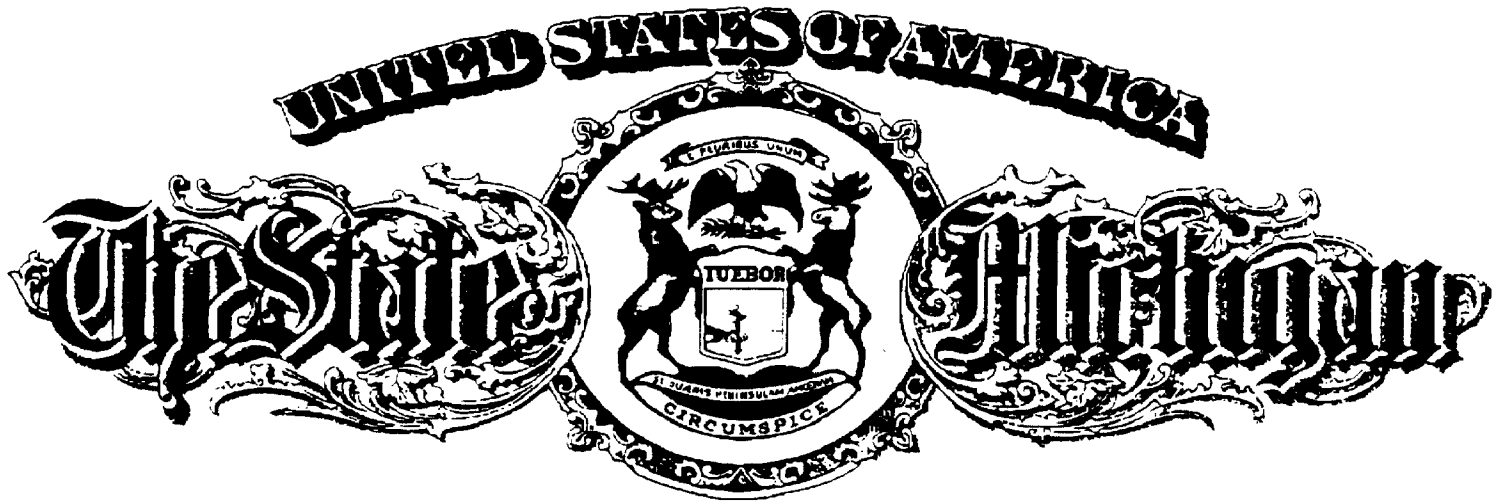
**5. (For profit and nonprofit corporations whose Articles state the corporation is organized on a stock or on a membership basis.)**

The foregoing amendment to the Articles of Incorporation was duly adopted on the 30th day of April, 1998 by the shareholders if a profit corporation, or by the shareholders or members if a nonprofit corporation (check one of the following)

- at a meeting the necessary votes were cast in favor of the amendment.
- by written consent of the shareholders or members having not less than the minimum number of votes required by statute in accordance with Section 407(1) and (2) of the Act if a nonprofit corporation, or Section 407(1) of the Act if a profit corporation. Written notice to shareholders or members who have not consented in writing has been given. (Note: Written consent by less than all of the shareholders or members is permitted only if such provision appears in the Articles of Incorporation.)
- by written consent of all the shareholders or members entitled to vote in accordance with section 407(3) of the Act if a nonprofit corporation, or Section 407(2) of the Act if a profit corporation.
- by the shareholders of a profit corporation pursuant to section 611(2).

Profit Corporations	
Signed this <u>14th</u> day of <u>June</u> , 19 <u>98</u>	
By <u>Miles E. Jones</u> (Signature of an authorized officer or agent)	
<u>Miles E. Jones, President</u> (Type or Print Name)	

Nonprofit Corporations	
Signed this _____ day of _____, 19_____	
By _____ (Signature of President, Vice-President, Chairperson or Vice-Chairperson)	
_____ (Type or Print Name)	_____ (Type or Print Title)



Michigan Department of Consumer and Industry Services

Lansing, Michigan

*This is to Certify that the annexed copy has been compared by me with the record on file in this Department and that the same is a true copy thereof.*

*This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.*

*In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 12th day of March, 2002*

*Andrew S. Mettelf*, Director

Bureau of Commercial Services

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**FILED**

JUL 07 1993

Administrator  
MICHIGAN DEPARTMENT OF COMMERCE  
Corporation & Securities Bureau

**CERTIFICATE OF AMENDMENT**  
**TO THE**  
**RESTATED ARTICLES OF INCORPORATION**  
**OF**  
**DAWN FOOD PRODUCTS, INCORPORATED**

RECEIVED

JUN 20 1993

MICHIGAN DEPT. OF COMMERCE  
CORPORATION & SECURITIES BUREAU

Pursuant to the provisions of Act 284, Public Acts of 1972, as amended (profit corporations),  
the undersigned corporation executes the following Certificate:

**Section 1.** The present name of the corporation is Dawn Food Products, Incorporated.

**Section 2.** The corporation identification number (CID) assigned by the Bureau  
is: 039-595.

**Section 3.** The location of its registered office is:

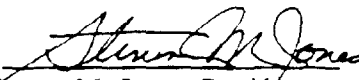
~~2021 Micor Drive, Jackson, Michigan 49203~~  
30600 Telegraph Rd., Bingham Farms, MI 48025

**Section 4.** Article 1 "Identification", Section 1.01 "Name" of the Restated Articles of  
Incorporation is hereby amended to read as follows:

"The name of the Corporation is **DAWN HOLDINGS, INC.**" ✓

**Section 5.** The foregoing amendment to the Restated Articles of Incorporation was duly  
adopted on the 23rd day of June, 1993. The amendment was duly adopted  
by the written consent of all the shareholders or members entitled to vote in  
accordance with Sections 407(2) and 611(2) of the Act.

Signed this 24th day of June, 1993.

By:   
Steven M. Jones, President

LGM00538

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**DOCUMENT WILL BE RETURNED TO NAME AND MAILING ADDRESS INDICATED IN THE BOX BELOW.** Include name, street and number (or P.O. box), city, state and ZIP code.

Name of person or organization remitting fees:

Barnes + Thornburg

Preparer's name and business telephone number:

Louis G. Martine

(317) 331-7236

Louis Martine  
Barnes + Thornburg  
1313 Merchants Bank Bldg  
11 S. Meridian St  
Indianapolis, IN 46204 - 3556

### INFORMATION AND INSTRUCTIONS

1. This form is issued under the authority of Act 284, P.A. of 1972, as amended, and Act 162, P.A. of 1982, as amended. The amendment cannot be filed until this form, or a comparable document, is submitted.
2. Submit one original copy of this document. Upon filing, a microfilm copy will be prepared for the records of the Corporation and Securities Bureau. The original copy will be returned to the address appearing in the box above as evidence of filing.  
Since this document must be microfilmed, it is important that the filing be legible. Documents with poor black and white contrast, or otherwise illegible, will be rejected.
3. This document is to be used pursuant to the provisions of section 631 of the Act for the purpose of amending the articles of incorporation of a domestic profit or nonprofit corporation. Do not use this form for restated articles. A nonprofit corporation is one incorporated to carry out any lawful purpose or purposes not involving pecuniary profit or gain for its directors, officers, shareholders, or members. A nonprofit corporation organized on a nonstock directorship basis, as authorized by Section 302 of the Act, may or may not have members, but if it has members, the members are not entitled to vote.
4. Item 2 — Enter the identification number previously assigned by the Bureau. If this number is unknown, leave it blank.
5. Item 4 — The entire article being amended must be set forth in its entirety. However, if the article being amended is divided into separately identifiable sections, only the sections being amended need be included.
6. This document is effective on the date approved and filed by the Bureau. A later effective date, no more than 90 days after the date of delivery, may be stated.
7. If the amendment is adopted before the first meeting of the board of directors, item 5(a) must be completed and signed in ink by all of the incorporators listed in Article V of the Articles of Incorporation. If the amendment is otherwise adopted, item 5(b) must be completed and signed in ink by the president, vice-president, chairperson, or vice-chairperson of the corporation.
8. FEES: Filing fee (Make remittance payable to State of Michigan) ..... \$10.00  
Franchise fee for profit corporations (payable only if authorized capital stock has increased) — 1/2 mill (.0005) on each dollar of increase over highest previous authorized capital stock.

9. Mail form and fee to:  
Michigan Department of Commerce  
Corporation and Securities Bureau  
Corporation Division  
P.O. Box 30054  
Lansing, MI 48908  
Telephone: (517) 373-0493



# Incoming Correspondence Routing Sheet

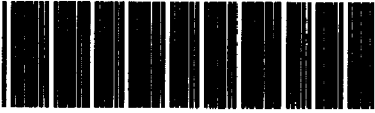
To: Assignment Branch

Word Mark: DAWN

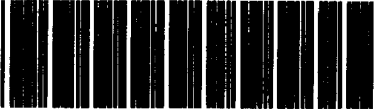
Reg. No.: 0951309



Serial No: 72417730



Mail Date: 09262002



Doc. Type: Assignment D



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**No Fee**

RAM Mail Date: 092602



RECORDED: 09/26/2002

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