

FORM PTO-1594
(Rev. 6-93)

RECORD

04-24-2003



102421711

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Atty Docket No. F1002.273590

OMB No. 0651-0011 (Rev. 4/94)

Handwritten: CORRECTIVE
1/24/03

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

1. Name of conveying party(ies):
Mrs. Smith's Bakeries, LLC

Individuals(s) Association
 General Partnership Limited Partnership
 Corporation
 Other - **Georgia Limited Liability Company**

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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other: **Corrected Assignment to correct error in Assignor's name in assignment recorded at Reel/Frame Nos. 002592/0232**

Execution Date: **December 31, 2002**

2. Name and address of receiving party(ies)
Name: **Mrs. Smith's Brands, Inc.**

Internal Address: **2855 Rolling Pin Lane**

Street Address:

City: **Suwanee** State: **GA** Zip: **30024**

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State **South Carolina**
 Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

Additional names(s) & address(es) attached? Yes No

4. Application numbers(s) or patent numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

| | | |
|------------------|------------------|------------------|
| 2,111,642 | 2,198,664 | 2,043,301 |
| 2,052,338 | 2,054,600 | |

Additional numbers attached? Yes No

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

Name: **William H. Brewster**

Internal Address: **Kilpatrick & Stockton LLP**

Suite 2800

Street Address: **1100 Peachtree Street**

City: **Atlanta** State: **GA** Zip: **30309**

6. Total number of applications and registrations involved: **5**

7. Total fee (37 CFR 3.41).....\$ **140.00**

Enclosed

Authorized to be charged to deposit account
The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0860.

8. Deposit account number: **11-0860**

Handwritten: CHARTER FILE

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.

Lise Shettler *Lise Shettler* **January 24, 2003**
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: **4**

01/06/2003
700022166

FORM PTO-1594
(Rev. 8-02)

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

OMB No. 0591-0011 (excl. 4084)

Atty Docket No. F1002.273590

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

1. Name of conveying party(ies):

Mrs. Smith's Bakeries, Inc.

- Individuals(s)
- General Partnership
- Corporation-State - Georgia
- Other
- Association
- Limited Partnership

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

2. Name and address of receiving party(ies)

Name: Mrs. Smith's Brands, Inc.

Internal Address: 2855 Rolling Pin Lane

Street Address:

City: Suwanee State: GA Zip: 30024

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

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

Execution Date: December 31, 2002

4. Application numbers(s) or patent numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

| | | |
|-----------|-----------|-----------|
| 2,111,642 | 2,198,664 | 2,049,301 |
| 2,082,338 | 2,054,600 | |

Additional numbers attached? Yes No

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

Name: William H. Brewster

Internal Address: Kilpatrick & Stockton LLP

Suite 2800

Street Address: 1100 Peachtree Street

City: Atlanta State: GA Zip: 30309

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed

Authorized to be charged to deposit account
The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0860.

8. Deposit account number:

11-0860

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.

Lise Shettler

Name of Person Signing

Signature

January 6, 2003

Date

Total number of pages including cover sheet, attachments, and documents

3

Jan. 22. 2003 3:30PM

No. 2058 P. 2

TRADEMARK ASSIGNMENT

This assignment is made effective as of the 31st day of December 2002, by and between Mrs. Smith's Bakeries, LLC, a limited liability company organized under the laws of the State of Georgia (the "Assignor") and Mrs. Smith's Brands, Inc., a company organized under the laws of the State of South Carolina (the "Assignee").

WHEREAS, Assignor is the owner of the trademarks and of the registrations thereof shown in Schedule A hereto (the "Trademarks"); and


WHEREAS, Assignee wishes to acquire all of Assignor's rights in and to the Trademarks and the goodwill associated therewith.

NOW, THEREFORE, 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, the Assignor hereby assigns, transfers and conveys to the Assignee all rights, title and interest in and to the Trademarks and the registrations thereof together with the goodwill of the business which is symbolized by the Trademarks and with the right to recover damages and profits and all other remedies for past infringements thereof.

ASSIGNOR:

MRS. SMITH'S BAKERIES, LLC

By:



Stephanie B. Tillman
Assistant Secretary

Jan.22. 2003 3:30PM

No.2058 P. 3

SCHEDULE A
TO
TRADEMARK ASSIGNMENT

TRADEMARKS

REGISTRATION OR
APPLICATION #

US TRADEMARK REGISTRATIONS

| | |
|-------------------------------------|-----------|
| TOP OF THE TREE BAKING COMPANY | 2,111,642 |
| EAT MO' PIE | 2,198,664 |
| MADE MY GREAT GRANDMA'S WAY | 2,052,338 |
| GORDON'S TOP OF THE TREE APPLE PIES | 2,054,600 |
| TOP OF THE TREE GORDON'S APPLE PIES | 2,043,301 |

UNREGISTERED TRADEMARKS

Oooo-La-La!

CHARACTERS AND PERSONAS

The Pieguy

Gordon the 6-Foot 9-Inch Pieguy

Gordon the Pieguy

Gordon the Pieman

 **KILPATRICK
STOCKTON LLP**
Attorneys at Law

EL889246622US

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www.KilpatrickStockton.com

February 13, 2003

direct dial 404 815 6543
direct fax 404 541 3387
LShettler@KilpatrickStockton.com

BOX ASSIGNMENT
Patent and Trademark Office
Assignment Division
Washington, D.C. 20231

Re: **Recordation of Assignment**
From: Mrs. Smith's Bakeries, LLC
To: Mrs. Smith's Brands, Inc.
Reel/Frame 002592/0232
Our Ref. No. FI002.273590

Dear Ms. Russell:

The above referenced assignment incorrectly shows Mrs. Smith's Bakeries, Inc. as the assignor. The assignor actually should have been Mrs. Smith's Bakeries, LLC.

Please find attached a corrected assignment which has been executed by Registrant and the corrective recordation cover sheet.

We also enclose for your information copies of the documents filed on January 6, 2003 and the Notice of Recordation received on January 8, 2003.

Thank you for your assistance in this matter. Kind regards,

Sincerely,



Lise Shettler
Paralegal

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