

02-12-2003

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



102363579

To the Honorable Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, Washington, D.C. 20231
original documents or copy thereof.

1. Name of conveying party(ies):

Brandt's Fruit Trees, Inc.

2-10-03

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

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

3. Nature of conveyance:

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

Execution Date: January 31, 2003

2. Name and address of receiving party(ies)

Name: E. W. Brandt & Sons, Inc.

Internal Address: _____

Street Address: P.O. Box B

City: Parker State: WA Zip: 98939

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State Washington
- 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) 76/011,285

B. Trademark Registration No.(s) _____

Additional number(s) attached Yes No

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

Name: Patrick H. Ballew

Internal Address: _____

Street Address: Stratton Ballew PLLC

213 South 12th Avenue

City: Yakima State: wa Zip: 98902

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:

50-0269

DO NOT USE THIS SPACE

9. Signature.

PATRICK BALLEW
Name of Person Signing

[Signature]
Signature

FEBRUARY 5, 2003
Date

Total number of pages including cover sheet, attachments, and document: **3**

02/11/2003 LMUELLER 00000119 76011285

01 FC:8521

40.00 CP

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

ASSIGNMENT OF PENDING
TRADEMARK APPLICATION(S)

This Assignment is between:

Brandt's Fruit Trees, Inc. (the "Assignor")
A corporation of the state of Washington
561 Ragan Road
Wapato, Washington 98951

and

E.W. Brandt & Sons, Inc.
A corporation of the State of Washington
P.O. Box B
Parker, Washington 98939

(a) Assignor is the owner of certain trademarks and the goodwill appurtenant thereto; and

(b) Assignee desires to acquire from Assignor all of Assignor's interest and goodwill in the pending applications for the trademarks subject to this Assignment.

NOW, THEREFORE the parties agree:

1. In consideration of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee all of Assignor's right, title, and interest in the United States in and to the following trademarks and the applications pending for said trademarks before the United States Patent and Trademark Office:

<u>Trademark(s)</u>	<u>Application Serial No.(s)</u>	<u>Filing Date(s)</u>
HALO	76/011,285	March 27, 2000

2. Assignor hereby represents and warrants it that holds clear title to the assigned trademarks and warrants that the trademarks are in use in commerce regulated by the Congress, or that the Assignor has a bona fide intent to use the mark in commerce regulated by Congress, and that Assignor has the right to make the assignment of the trademarks and pending applications free of the claims of any other person.

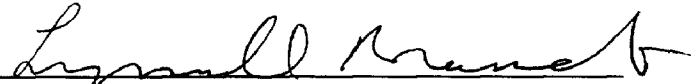
3. This assignment conveys to Assignee all of the goodwill of the business of Assignor symbolized by the trademarks, their use, the pending applications, and any registrations issuing therefrom.

4. This assignment conveys to Assignee the right to sue for any and all past infringements of the assigned trademarks, and to obtain all monetary, injunctive, and other remedies available at law or in equity.

5. The Commissioner of Patents and Trademarks is requested to issue the Certificate of Registration to said Assignee, E.W. Brandt & Sons, Inc.

Dated:

Lynnell E. Brandt



Its: President

STATE OF WASHINGTON)

County of Yakima) ss.
)

On this 31st day of January, 2003, personally appeared before me Lynnell E. Brandt, personally known to me to be the President of Brandt's Fruit Trees, Inc., the Assignor above named, and acknowledged that he/she executed the foregoing Assignment on behalf of the corporation, pursuant to authority duly received, as the free act and deed of the corporation.




Notary Public for the
State of Washington
My commission expires Nov. 5, 2003