

03-19-2003

Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005)

3-19-03 RECORD TRA



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PARTMENT OF COMMERCE 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):

Colonial Beef Company

- 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: 06/19/2000

2. Name and address of receiving party(ies)

Name: Excel Corporation

Internal

Address:

Street Address: 151 North Main

City: Wichita State: KS Zip: 67202

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Delaware, 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) 739,475

Additional number(s) attached Yes No

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

Name: Clifford C. Dougherty III

Internal Address: McAfee & Taft

Street Address: 211 North Robinson 10th Floor, Two Leadership Square

City: Oklahoma City, State: OK Zip: 73102

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:

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9. Signature.

Clifford C. Dougherty III Name of Person Signing

Signature

March 13, 2003 Date

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

3

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

# TRADEMARK ASSIGNMENT

WHEREAS, COLONIAL BEEF COMPANY (hereinafter "Assignor"), a Pennsylvania corporation with a principal office at 3333 South 3<sup>rd</sup> Street, Philadelphia, adopted, used and is using the trademarks shown in Schedule A, attached hereto and incorporated herein, and is the owner of the common law rights and trademark registrations in the United States and the State of West Virginia relating to such trademarks (hereinafter the "Trademarks"); and

WHEREAS, EXCEL CORPORATION (hereinafter "Assignee"), a Delaware corporation with its principal offices and place of business at 151 North Main, Wichita, Kansas 67202, is desirous of acquiring said Trademarks and the common law rights and registrations thereof.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign to Assignee all rights, title and interest in and to said Trademarks and the common law rights and registrations thereof in the United States and the State of West Virginia, together with the goodwill of the business symbolized by said Trademarks and the common law rights and registrations thereof.

This Assignment was executed on this 19th day of June, 2000.

COLONIAL BEEF COMPANY

Signature: 

Name: HIROSHI UTA

Title: PRESIDENT

## SCHEDULE A

<b>MARK</b>	<b>RIGHTS</b>	<b>REGISTRATION NO.</b>	<b>REGISTRATION DATE</b>
MINUTE MAN & TOWN CRIER Design	Federal	745,193	02/12/63
MINUTE MAN	Federal	739,475	10/16/62
TOWN CRIER Design	Federal	740,723	11/13/62
COLONIAL BEEF CO. & TOWN CRIER Design	West Virginia	186,355	06/23/47
COLONIAL BEEF CO. & TOWN CRIER Design	West Virginia	186,353	06/23/47
COLONIAL BEEF CO.	Common Law		
TOWN CRIER Design	Common Law		