

04-23-2003

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

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



102428578

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

1. Name of conveying party(ies): Doane Pet Care Company

4. 21.03

- 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: 04/10/2003

2. Name and address of receiving party(ies)

Name: Trilogy Pet Nutrition, L.L.C.

Internal

Address:

Street Address: P.O. Box 712495

City: Salt Lake City State: UT Zip: 84171

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Other Utah Limited Liability Company

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) 2,442,667

Additional number(s) attached Yes No

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

Name: Peter E. Mims

Internal Address: Vinson & Elkins LLP

2300 First City Tower

Street Address: 1001 Fannin Street

City: Houston State: TX Zip: 77002-6760

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:

22-0365; Attn: DOA480/1

DO NOT USE THIS SPACE

9. Signature:

Peter E. Mims

Name of Person Signing

Signature: Peter E. Mims

Date: 4.15.03

Date

Total number of pages including cover sheet, attachments, and document: 2

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

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OFFICE OF THE COMMISSIONER OF PATENT AND TRADEMARKS FINANCE SECTION APR 21 AM 7:29

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Trademark Assignment

This Trademark Assignment, executed as of April 10, 2003 is made by and among TRILOGY PET NUTRITION, L.L.C., a Utah limited liability company with an address of P.O. Box 712495, Salt Lake City, UT 84171 ("Assignor") and DOANE PET CARE COMPANY, a Delaware corporation with an address of 210 Westwood Place, Suite 300, Brentwood, TN 37027 ("Assignee").


WHEREAS, Assignor is the owner of all right, title, and interest, whether statutory or at common law, in and to the trademark "FRIEND'S BEST" in connection with the sale of pet food, including U.S. Trademark Registration No. 2,442,667 for "FRIEND'S BEST" (hereinafter the "Mark"), and all goodwill associated with the Mark;

WHEREAS, Assignee has acquired Assignor's right, title and interest in and to the Mark, including U.S. Trademark Registration No. 2,442,667 for "FRIEND'S BEST";

NOW, THEREFORE, in consideration of various good and valuable consideration to Assignor, the receipt and sufficiency of which are hereby acknowledged, Assignor agrees as follows:

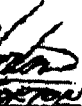
Assignor hereby assigns and transfers to Assignee, its successors and assigns, absolutely and forever, the entire right, title, and interest, in and to U.S. Trademark Registration No. 2,442,667 for "FRIEND'S BEST", together with the goodwill associated with the Mark, and together with all causes of action for any and all past, present, and future infringement of the rights being assigned and the right to receive and retain the proceeds or other remedies relating to any infringements of the Mark.

TRILOGY PET NUTRITION, L.L.C.
A Utah Limited Liability Company
Assignor

By: 
Name: President
Title: President

Accepted by:

DOANE PET CARE COMPANY
A Delaware corporation
Assignee

By: 
Name: David L. Horton
Title: VP + SA Sales Division

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Trademark Assignment

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RECORDED: 04/21/2003

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