

4-30-03

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

RECORDER TR



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DEPARTMENT OF COMMERCE S. Patent and Trademark Office

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

1. Name of conveying party(ies): R. Bruce Fike and Sons Dairy, Inc. d/b/a Fike's Dairy, Inc. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [x] Corporation-State Pennsylvania [] Other Additional name(s) of conveying party(ies) attached? [] Yes [x] No

2. Name and address of receiving party(ies) Name: Fike's Dairy, Inc. Internal Address: Street Address: P.O. Box 1247, 47 West Craig Street City: Uniontown State: PA Zip: 15401 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [x] Corporation-State Pennsylvania [] Other If assignee is not domiciled in the United States, a domestic representative designation is attached: [] Yes [x] No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? [] Yes [x] No

3. Nature of conveyance: [] Assignment [] Merger [] Security Agreement [x] Change of Name [] Other Execution Date: 06/18/1999

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) 1,705,202; 2,248,251; 2,193,684; 1,568,688 Additional number(s) attached [] Yes [x] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Scott A. Schleifstein Internal Address: c/o Cohen Silverman Rowan LLP 360 Lexington Avenue Street Address: City: New York State: NY Zip: 10017

6. Total number of applications and registrations involved: 4 7. Total fee (37 CFR 3.41): \$ 115 [x] Enclosed [] Authorized to be charged to deposit account 8. Deposit account number: N/A (Attach duplicate copy of this page if paying by deposit account)

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. Scott A. Schleifstein Name of Person Signing [Signature] Signature 4/28/2003 Date Total number of pages including cover sheet, attachments, and document: 7

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

04/30/2003 6TON11 00000161 1705202 01 FC:8521 02 FC:8522 40.00 OP 75.00 OP

TRADEMARK REEL: 002720 FRAME: 0975

SECRETARY'S CERTIFICATE

FIKE'S DAIRY, INC.

I, Stephen G. Grygiel, do hereby certify that:

1. I am the duly elected, qualified and acting secretary of Fike's Dairy, Inc., a Pennsylvania corporation (the "Corporation"), and as such have custody of the books and records of the Corporation, including the minutes of the meetings of the Board of Directors of the Corporation.

2. The Corporation is duly organized and validly existing under the laws of the State of Pennsylvania, is in good standing therein, and the principal office of the Corporation is located at 47 West Craig Street, Uniontown, Pennsylvania, 15401.

3. The following documents enclosed with and attached to this Secretary's Certificate, are all true and accurate copies of the originals of those same documents, truly and accurately reflect the change of the Corporation's name from "R. Bruce Fike & Sons Dairy, Inc." to "Fike's Dairy, Inc." and are in good and proper order for filing with the United States Patent and Trademark Office, and any other federal or state agencies, as the Corporation's trademark attorneys, Cohen & Silverman, may deem required or appropriate in connection with registering, protecting, preserving and otherwise maintaining the Corporation's trademarks and servicemarks and all filings, doings and documents attendant or otherwise related thereto:

- * R. Bruce Fike & Sons Dairy, Inc. June 18, 1999 Unanimous Written Consent of Board of Directors
- * Articles of Amendment – Domestic Business Corporation, stamped date of July 2, 1999 by Pa. Dep't. of State
- * Transmittal Document to Fike's Dairy, Inc. from Pa. Dep't. of State, received by Radcliffe, DeHaas & Monaghan dated August 9, 1999

R. BRUCE FIKE & SONS DAIRY, INC.

Unanimous Written Consent of Board of Directors

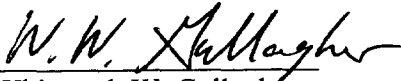
The undersigned, being all of the members of the Board of Directors of R. Bruce Fike & Sons Dairy, Inc. (hereafter "the corporation"), as of June 18, 1999, and hereby waiving any notice and call, pursuant to the provisions of the General Corporation Law of the State of Pennsylvania consent to the adoption of the following resolutions without the holding of a meeting:

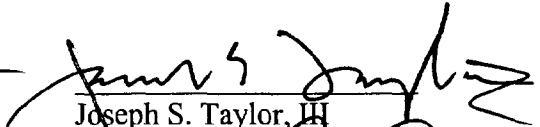
Change of Name of Corporation

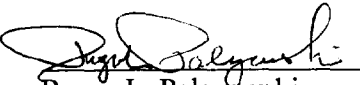
RESOLVED, that the name of the corporation shall be and hereby is changed to Fike's Dairy, Inc.

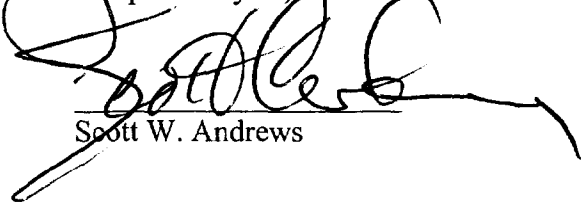
FURTHER RESOLVED, that the officers of the corporation and their duly authorized agents and representatives shall be and hereby are authorized and empowered to execute and deliver all documents, including, without limitation, an Amendment to the corporation's Articles of Incorporation, or Articles of Amendment for a Pennsylvania Domestic Business Corporation, effecting and reflecting the change of the corporation's name, and to take all other actions necessary or appropriate to effect that name change, and that all such actions and steps shall be and hereby are authorized, approved and ratified.

DATED: as of June 18, 1999

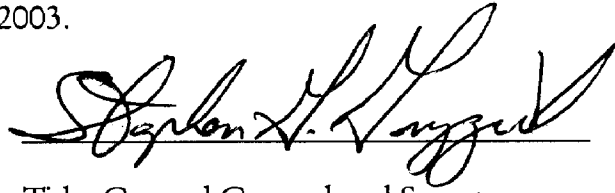

Whitcomb W. Gallagher


Joseph S. Taylor, III


Roger L. Palczewski


Scott W. Andrews

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Corporation, this 23rd day of April, 2003.

A handwritten signature in black ink, appearing to read "Stephen G. Grygiel", written over a horizontal line.

Name: Stephen G. Grygiel

Title: General Counsel and Secretary

[CORPORATE SEAL]

JUL 02 1999

Microfilm Number _____

Filed with the Department of State on _____

Entity Number 121148

Kim Pappas

Secretary of the Commonwealth

JK

ARTICLES OF AMENDMENT-DOMESTIC BUSINESS CORPORATION

DSCB:15-1915 (Rev 89)

In compliance with the requirements of 15 Pa.C.S. § 1915 (relating to articles of amendment), the undersigned business corporation, desiring to amend its Articles, hereby states that:

1. The name of the corporation is: R. Bruce Fike and Sons Dairy, Inc.

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following address to conform to the records of the Department):

(a) <u>47 West Craig Street</u>	<u>Uniontown</u>	<u>Pennsylvania</u>	<u>15401</u>	<u>Fayette</u>
Number and Street	City	State	Zip	County

(b) _____	_____	_____	_____	_____
Name of Commercial Registered Office Provider	_____	_____	_____	County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The statute by or under which it was incorporated is: Business Corporation Law

4. The original date of its incorporation is: September 17, 1965

5. (Check, and if appropriate complete, one of the following):

- The amendment shall be effective upon filing these Articles of Amendment in the Department of State.
- The amendment shall be effective on: _____

6. (Check one of the following):

- The amendment was adopted by the shareholders pursuant to 15 Pa.C.S. § 1914(a) and (b).
- The amendment was adopted by the board of directors pursuant to 15 Pa.C.S. § 1914 (c).

7. (Check, and if appropriate complete, one of the following):

The amendment adopted by the corporation, set forth in full, is as follows:

Article I is hereby amended to change the name of the corporation to Fike's Dairy, Inc.

The amendment adopted by the corporation as set forth in full in Exhibit A, attached hereto and made a part hereof.

PA DEPT. OF STATE PA DEPT. OF STATE
 JUL 02 1999 JUL 15 1999
 BURRILL COMPANY PHILADELPHIA
 1-800-533-8113

TRADEMARK
REEL: 002720 FRAME: 0979

DSCB:15-1915 (Rev 89)-2

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8. (Check if the amendment restates the Articles):

 The restated Articles of Incorporation supersede the original Articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this 18th day of June, 1999.

R. BRUCE FIKE AND SONS DAIRY, INC.

BY SCOTT W. ANDREWS
(Name of Corporation)

BY: 
(Signature)

TITLE: VP & CEO
AND CHAIRMAN OF BOARD OF DIRECTORS