

07-24-2003



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

RECC TF

DEPARTMENT OF COMMERCE U.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): Seaforth Creamery, Inc. 151 Main Street South, P.O. Box 1078 Seaforth, Ontario, NOKIWO

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: June 23, 2003

2. Name and address of receiving party(ies)

Name: Aldi Inc. Internal Address:

Street Address: 1200 North Kirk Road City: Batavia State: IL Zip: 60510

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Illinois 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) 76/099987

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: Allen L. Landmeier Smith, Landmeier, Skaar & Elders, P.C. Internal Address:

Street Address: 15 N. Second Street P. O. Box 127 City: Geneva State: IL Zip: 60134

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: 500963

DO NOT USE THIS SPACE

9. Signature.

Allen L. Landmeier Name of Person Signing

Signature

July 16, 2003 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

07/24/2003 LNWELLER 00000088 76099987

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TRADEMARK REEL: 002784 FRAME: 0926

TRADEMARK ASSIGNMENT

THIS ASSIGNMENT is made by and between ALDI INC., a corporation organized and existing under the laws of the State of Illinois, located and doing business at 1200 North Kirk Road, Batavia, Illinois 60510-1479, USA (hereinafter ALDI) and SEAFORTH CREAMERY INC., existing under the laws of Canada, located and doing business at 151 Main Street South, P.O. Box 1078, Seaforth, Ontario, NOKIWO (hereinafter SEAFORTH).

WHEREAS, SEAFORTH is the applicant for registration of the term TUSCAN GARDEN as a trademark for "spoonable and portable salad dressings" in class 30, under application Serial No. 76/099,987, filed August 1, 2000 in the United States Patent & Trademark Office.

WHEREAS, ALDI is desirous of acquiring all of the right, title and interest of SEAFORTH in and to the trademark TUSCAN GARDEN together with the good will of the business symbolized by said mark, and the above identified application for registration thereof.

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the receipt of which is hereby acknowledged, SEAFORTH does hereby assign all of its rights, title and interest in and to the mark TUSCAN GARDEN and any other term confusingly similar thereto, together with the good will of the business symbolized by the mark and to the above-identified Serial No. 76/099,987 thereof to ALDI.

SEAFORTH CREAMERY INC.

By: 

ATTEST:



[CORPORATE SEAL]

PROV.

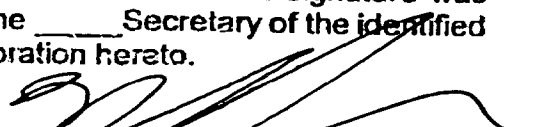
STATE OF ONTARIO)

COUNTY OF HALTON)

SS.

2003

On this 23RD day of JUNE, before me appeared MARK BARIR, the person who signed this instrument, who acknowledged that he/she signed it as a free act on behalf of the identified corporation with authority to do so and that signature was attested to by ELAINE ROBERTSON being the _____ Secretary of the identified corporation who affixed the seal of the identified corporation hereto.



(Signature of notary public)

TRADEMARK ASSIGNMENT

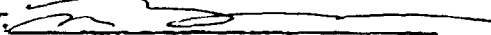
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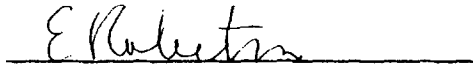
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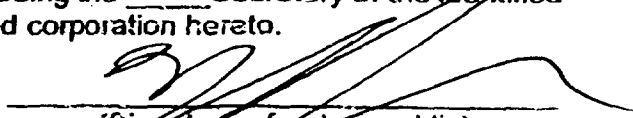
[CORPORATE SEAL]

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COUNTY OF HALTON)

SS.

2003

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(Signature of notary public)

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