

WEMMH-1594 (4/03)

Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. 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):  
**MARSH SUPERMARKETS, LLC**  
  
 Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation-INDIANA  
 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: JANUARY 28, 2003

2. Name and address of receiving party(ies)  
Name: TRADEMARK HOLDINGS, INC.  
Internal Address: \_\_\_\_\_  
Street Address: 1105 NORTH MARKET, SUITE 1300  
City: WILMINGTON State: DELAWARE Zip: 19801  
 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)  
78/240,653  
78/241,184

B. Trademark Registration No.(s)  
1,841,534  
1,223,759

Additional number(s) attached  Yes  No


5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Charles J. Meyer  
Internal Address: Woodard, Emhardt, Moriarty, McNett & Henry LLP  
Street Address: Bank One Center/Tower, 111 Monument Circle, Suite 3700  
City: Indianapolis State: Indiana Zip: 46204

6. Total number of applications and registrations involved: 4

7. Total fee (37 CFR 3.41) \$ 115.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: 23-3030  
(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.*  
Charles J. Meyer  February 2, 2004  
Name of Person Signing      Signature      Date

Total number of pages including cover sheet, attachments, and document: 6

Mail documents to be recorded with required cover sheet information to: 001063-000001.CJM/dys.263050  
Director of the U.S. Patent and Trademark Office, Mail Stop Assignment Recordation Services  
Washington, D.C. 20231  
VIA FACSIMILE (703) 306-5995

CH \$115.00 233030 78240653

001063-000001.CJM/dys.260720

**ASSIGNMENT**

WHEREAS, Marsh Supermarkets, LLC, an Indiana corporation located at 9800 Crosspoint Boulevard, Indianapolis, Indiana 46256 (hereinafter "Assignor"), is the owner of the United States Trademark registrations and applications listed on Schedule A; and,

WHEREAS, Trademark Holdings, Inc., a Delaware corporation located at 1105 North Market, Suite 1300, Wilmington, Delaware 19801 (hereinafter "Assignee"), desires to acquire said marks and registrations thereon;

**NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN**

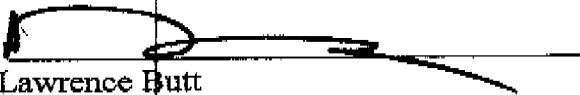
Be it known that for and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration said Marsh Supermarkets, LLC, hereby acknowledges the aforesaid contribution, assignment and transfer, and by these presents does contribute, assign and transfer unto Trademark Holdings, Inc. the entire right, title and interest in and to the above named trademarks, including the Certificates of Registrations, together with the goodwill of the business symbolized by said marks, together with all rights of action, in law or in equity, for any past or future infringement thereof. Assignor agrees to promptly execute and deliver to Assignee or its legal representatives all papers, instruments or affidavits required to carry out and record this transfer and assignment of the Trademark Properties to Assignee.

Said trademarks and registrations are to be held and enjoyed by Trademark Holdings, Inc. for its own use and benefit and for its successors and assigns to the full end of the present or extended term for which said Certificate of Registrations has been granted, as fully and entirely as the same would have been held by Marsh Supermarkets, LLC if this assignment and contribution had not been made.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed and effective as of the 28<sup>th</sup> day of January, 2004.


WITNESS Assignor's hand:

MARSH SUPERMARKETS, LLC

By   
P. Lawrence Butt  
Senior Vice President

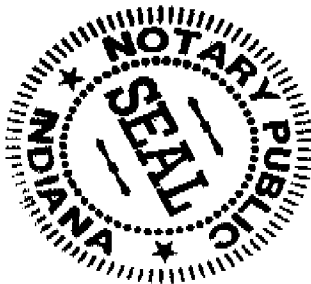
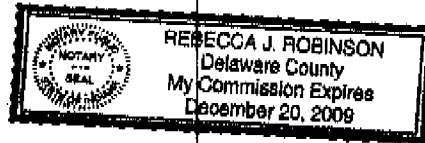
STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF Hamilton            )

Before me, a Notary Public, in and for said County and State, personally appeared the above-named for Assignor, P. Lawrence Butt, to me personally known, and who executed the foregoing Assignment in my presence and acknowledged the execution thereof as his free and voluntary act and deed for the uses and purposes therein set forth and expressed.

  
Notary Public

My Commission Expires:

December 20, 2009



**Schedule A**

<i>U.S. Trademark Registrations</i>		
<i>Tm. Reg. No.</i>	<i>Mark</i>	<i>Reg. Date</i>
1,841,534	O'MALIA'S COUPONPLUS	6/21/94
1,223,759	JOE O'MALIA FOOD MARKETS WHERE QUALITY IS THE TRUE VALUE OF ECONOMY	1/11/83

<i>U.S. Trademark Applications</i>		
<i>Tm. Application No.</i>	<i>Mark</i>	<i>Filed</i>
78/240,653	O'MALIA'S	4/22/03
78/241,184	O'MALIA'S INDY'S PREMIER FOOD MARKET	4/23/03

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