

8-13-03

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

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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):

NPPC SERVICES, INC.

- Individual(s) Association General Partnership Limited Partnership Corporation-State Delaware 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: July 1, 2002

2. Name and address of receiving party(ies)

Name: Societe des Produits Nestle S.A. Internal Address: Trademark Department

Street Address: Case Postale 353 City: Vevey State: Switzerland Zip: 1800

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Switzerland 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)

See Attached Schedule

B. Trademark Registration No.(s)

See Attached Schedule

Additional number(s) attached Yes No

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

Name: Stacy Brankovic Internal Address: Intellectual Property Dept. - 9T NESTLE PURINA PETCARE COMPANY Street Address: Checkerboard Square City: St. Louis State: MO Zip: 63164

6. Total number of applications and registrations involved: 226

7. Total fee (37 CFR 3.41) \$ 5,665.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(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.

Bonnie S. Sparks Name of Person Signing

[Signature] Signature

8 August 2003 Date

Total number of pages including cover sheet, attachments, and document: 8

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

I certify that the foregoing is being deposited with the U.S. Postal Service class mail, postage prepaid, in an envelope addressed as indicated above on August 8, 2003 Stacy Brankovic Stacy Brankovic TRADEMARK

REEL: 002795 FRAME: 0305

OPR/ FINANCE 2003 AUG 13 11:09 AM 40.00 DP 5625.00 DP 01 AUG 21 02 10:52Z

SCHEDULE

| # | Trademark | Serial Number | Registration Number |
|----|---|---------------|---------------------|
| 1 | 2-ROW CHECKERBAND DESIGN | 71081649 | 102844 |
| 2 | 3-ROW CHECKERBAND DESIGN | 74105234 | 1693088 |
| 3 | 3-ROW CHECKERBAND DESIGN | 73123782 | 1089999 |
| 4 | 3-ROW CHECKERBAND DESIGN | 73371755 | 1278600 |
| 5 | 3-ROW CHECKERBAND DESIGN | 73371760 | 1313018 |
| 6 | 3-ROW CHECKERBAND DESIGN | 73371580 | 1278546 |
| 7 | 5-ROW CHECKERBAND DESIGN | 71552702 | 582371 |
| 8 | 5-ROW CHECKERBAND DESIGN | 72179927 | 773299 |
| 9 | 9-SQUARE CHECKERBOARD DESIGN | 72930599 | 930599 |
| 10 | 9-SQUARE CHECKERBOARD DESIGN | 72337475 | 1078666 |
| 11 | 9-SQUARE CHECKERBOARD DESIGN | 75813842 | 2481511 |
| 12 | 9-SQUARE CHECKERBOARD DESIGN | 72337475 | 930356 |
| 13 | 9-SQUARE CHECKERBOARD DESIGN | 73372127 | 1279570 |
| 14 | 9-SQUARE CHECKERBOARD DESIGN | 74357562 | 1852975 |
| 15 | 9-SQUARE CHECKERBOARD DESIGN | 73180003 | 1120673 |
| 16 | 9-SQUARE CHECKERBOARD DESIGN | 73226485 | 1153524 |
| 17 | 9-SQUARE CHECKERBOARD DESIGN | 73372124 | 1279468 |
| 18 | 9-SQUARE CHECKERBOARD DESIGN | 73353942 | 1246543 |
| 19 | 9-SQUARE CHECKERBOARD DESIGN | 73371583 | 1279569 |
| 20 | 9-SQUARE CHECKERBOARD DESIGN | 73335884 | 1229206 |
| 21 | 9-SQUARE CHECKERBOARD DESIGN | 72930531 | 930531 |
| 22 | 9-SQUARE CHECKERBOARD DESIGN | 72191716 | 787875 |
| 23 | 9-SQUARE CHECKERBOARD DESIGN.COM | 75473787 | 2310638 |
| 24 | BEGGIN' STRIPS | 73735544 | 1529939 |
| 25 | BENEFUL | 76031544 | 2521244 |
| 26 | BETTER CARE MAKES BETTER CATS | 74409022 | 1905112 |
| 27 | BETTER CARE MAKES BETTER PUPPIES | 75042833 | 2095889 |
| 28 | BONZ | 72414304 | 949964 |
| 29 | BUTCHER'S BLEND | 73217083 | 1151178 |
| 30 | BUTCHER'S BLEND/BURGER DESIGN | 74243776 | 1766883 |
| 31 | BUTCHER'S BURGER | 74193687 | 1740650 |
| 32 | CAT CHOW | 73353941 | 1272052 |
| 33 | CAT DESIGN (WHISKER LICKIN'S) | 75506507 | 2232414 |
| 34 | CAT MENU | 73702616 | 1496051 |
| 35 | CATS DESIGN (KIT 'N KABOODLE) | 75071168 | 2152886 |
| 36 | CHANGE YOUR DOG FOOD. CHANGE YOUR DOG. | 75624606 | 2472055 |
| 37 | CHECK-R-BOARD | 72258146 | 839742 |
| 38 | CHECK-R-LIX | 73007570 | 994966 |
| 39 | CHECK-R-MIX & CHECKERBOARD DESIGN | 73106338 | 1069088 |
| 40 | CHECKERBOARD DESIGN (25-SQUARE CLUSTER) | 72293612 | 861540 |
| 41 | CHECKERLINE | 71552709 | 507428 |
| 42 | CHECKERS | 72092116 | 715514 |
| 43 | CHECKMARK COMMUNICATIONS DESIGN | 74537856 | 1910374 |
| 44 | CHEK-R-BLOCK | 74061873 | 1655210 |
| 45 | CHEK-R-MYCIN | 73152928 | 1099226 |
| 46 | CHEK-R-MYCIN | 71669699 | 606295 |
| 47 | CHEWY MORSELS | 73548232 | 1399056 |
| 48 | CHICKEN DESIGN (KLUCKERS) | 75282251 | 2181552 |

| # | Trademark | | |
|----|---|----------|---------|
| 49 | CHOW | 72179929 | 781826 |
| 50 | CHOW | 71081648 | 102843 |
| 51 | CHOW | 71655602 | 611152 |
| 52 | CHOW | 71552713 | 552944 |
| 53 | CHOW HOUND | 75623441 | 2464908 |
| 54 | CHOWDER | 71552700 | 524635 |
| 55 | CHUCK WAGON | 72244248 | 870182 |
| 56 | CHUCK WAGON CARTOON DESIGN | 72463728 | 986562 |
| 57 | COVER CAT | 74042933 | 1658429 |
| 58 | CV-FORMULA | 74188269 | 1726728 |
| 59 | DEALER'S PRIDE | 73548439 | 1383609 |
| 60 | DEALER'S PRIDE | 74046744 | 1632506 |
| 61 | DELI-CAT | 74000052 | 1632016 |
| 62 | DELI-CAT DESIGN | 74058151 | 1726048 |
| 63 | DIAMOND DESIGN (PRO-VISIONS) | 74114293 | 1695506 |
| 65 | DISCOVER PURINA O.N.E. | 75475278 | 2228897 |
| 66 | DM DIABETES MANAGEMENT (Stylized) | 76237248 | 2584075 |
| 67 | DM-FORMULA | 75913247 | 2495052 |
| 68 | DOG CHOW | 72254064 | 845968 |
| 69 | DOG CHOW SENIOR 7 + | 75728280 | 2496857 |
| 70 | DOG DESIGN (BEGGIN' STRIPS) | 75410190 | 2263732 |
| 71 | DOG DESIGN (IKE ON KIBBLES AND CHUNKS) | 73762452 | 1579313 |
| 72 | DOG DESIGN (R. P. FETCHEM'S) | 75447658 | 2296879 |
| 73 | DOG DESIGN (T BONZ) | 75033457 | 2126099 |
| 74 | DOGS DON'T KNOW IT'S NOT BACON (Beggin' Strips) | 74300402 | 1818549 |
| 75 | DOUBLE DELIGHTS | 75696615 | 2480554 |
| 76 | EN-FORMULA | 74188272 | 1739185 |
| 77 | ESSENTIAL BALANCE | 75218422 | 2279711 |
| 78 | EXCEED | 74329219 | 1810176 |
| 79 | FIELD 'N FARM | 72244249 | 830698 |
| 80 | FIELD 'N FARM PLUS | 73580213 | 1407883 |
| 81 | FIELD MASTER | 73548438 | 1383608 |
| 82 | FISHY'S | 74181876 | 1751997 |
| 83 | FIT & TRIM | 73082431 | 1048676 |
| 84 | FOUR SQUARE DESIGN | 72170106 | 768468 |
| 85 | GOBBLERS | 75113281 | 2201794 |
| 86 | GOLDEN BULKY | 72248637 | 841709 |
| 87 | GRRRAVY | 73663091 | 1486380 |
| 88 | HA-FORMULA | 75326541 | 2237678 |
| 89 | HAPPY CAT | 73280592 | 1175413 |
| 90 | HAPPY CAT DESIGN | 73226327 | 1155017 |
| 91 | HBL | 78049287 | 2551222 |
| 92 | HEALTHGUARD | 75046940 | 2204218 |
| 93 | HEALTHY MORSELS FORMULA (Puppy Chow) | 78047818 | 2572413 |
| 94 | HEMALERT | 75618594 | 2455957 |
| 95 | HIGH PERFORMANCE FOR MULTIPLE CATS | 75460578 | 2296930 |
| 96 | HIGH PERFORMANCE FOR MULTIPLE CATS | 75460579 | 2296931 |
| 97 | HIGH PERFORMANCE FOR MULTIPLE CATS | 75474262 | 2319830 |
| 98 | INCREDIBLE DOG CHALLENGE | 75899098 | 2486995 |
| 99 | INCREDIBLE DOG CHALLENGE (Stylized) | 75910916 | 2490231 |

| # | Trademark | Registration | Registration |
|-----|--|--------------|--------------|
| 100 | INCREDIBLE DOG FOOD. INCREDIBLE DOGS. | 75399553 | 2492915 |
| 101 | INCREDIBLE PUPPY FOOD. INCREDIBLE PUPPIES. | 75399552 | 2504867 |
| 102 | IT'S TREAT O'CLOCK! | 76242369 | 2540258 |
| 103 | KIT 'N KABOODLE | 73758152 | 1580377 |
| 104 | KITTEN CHOW (STYLIZED) | 72451366 | 986551 |
| 105 | KLUCKERS | 74201882 | 1753364 |
| 106 | LA-FORMULA | 75162928 | 2157588 |
| 107 | LUCKY DOG | 73400807 | 1283555 |
| 108 | LUCKY DOG (STYLIZED) | 73525964 | 1389314 |
| 109 | MAINSTAY | 73216961 | 1152600 |
| 110 | MINI-CHECKER | 74225240 | 1783586 |
| 111 | MINNOWS | 75225874 | 2398217 |
| 112 | MOUSERS | 74180118 | 1747883 |
| 113 | MULTI-PERFORMANCE (PRO PLAN LITTER) | 75282262 | 2222013 |
| 114 | MULTIPLE STRENGTH FOR MULTIPLE CATS | 75464381 | 2282169 |
| 115 | MULTIPLE STRENGTH FOR MULTIPLE CATS | 75464671 | 2291579 |
| 116 | NF-FORMULA | 74188270 | 1739184 |
| 117 | NURSE GRO | 72397428 | 936979 |
| 118 | OM-FORMULA | 74243281 | 1749546 |
| 119 | PHYSICAL EMOTIONAL CAT CHOW & CAT DESIGN | 75793681 | 2488823 |
| 120 | PHYSICAL EMOTIONAL COMPLETE | 78026790 | 2568492 |
| 121 | PRO CLUB | 74337611 | 1837024 |
| 122 | PRO PLAN | 73565634 | 1461219 |
| 123 | PRO PLAN. THE DIFFERENCE IS REAL. | 75242996 | 2241865 |
| 124 | PRO-VISIONS | 74015147 | 1693409 |
| 125 | PROFESSIONAL GROWTH SYSTEM | 76012361 | 2583962 |
| 126 | PROTECTS WHILE IT NOURISHES | 75422588 | 2567701 |
| 127 | PROVEN BY PURINA | 75460866 | 2312495 |
| 128 | PROVEN BY PURINA | 75460565 | 2276752 |
| 129 | PROVEN BY PURINA | 75460557 | 2269895 |
| 130 | PUPPY CHOW | 73681089 | 1484494 |
| 131 | PUPPY PLACE | 75738165 | 2397461 |
| 132 | PURE-PRIDE | 73226083 | 1154125 |
| 133 | PURE-PRIDE 300 | 73336233 | 1294772 |
| 134 | PURINA | 73371581 | 1278599 |
| 135 | PURINA | 71552716 | 523420 |
| 136 | PURINA | 72272633 | 847968 |
| 137 | PURINA | 73372126 | 1278602 |
| 138 | PURINA | 75442525 | 2286619 |
| 139 | PURINA | 71023613 | 61064 |
| 140 | PURINA | 75738731 | 2398732 |
| 141 | PURINA | 72179928 | 772457 |
| 142 | PURINA | 73371762 | 1277697 |
| 143 | PURINA | 72208492 | 808908 |
| 144 | PURINA | 74105230 | 1687254 |
| 145 | PURINA & 9-SQUARE CHECKERBOARD DESIGN | 75823808 | 2428970 |
| 146 | PURINA & 9-SQUARE CHECKERBOARD DESIGN | 73372101 | 1258770 |
| 147 | PURINA & 9-SQUARE CHECKERBOARD DESIGN | 75417727 | 2358220 |
| 148 | PURINA & 9-SQUARE CHECKERBOARD DESIGN | 75507713 | 2249732 |
| 149 | PURINA & 9-SQUARE CHECKERBOARD DESIGN | 76037904 | 2473378 |

| | | | |
|-----|---|----------|---------|
| 150 | PURINA & 9-SQUARE CHECKERBOARD DESIGN | 75380948 | 2269768 |
| 151 | PURINA & 9-SQUARE CHECKERBOARD DESIGN | 75049144 | 2092098 |
| 152 | PURINA & 9-SQUARE CHECKERBOARD DESIGN 100% CNR | 75418627 | 2284008 |
| 153 | PURINA AG CAPITAL | 75146271 | 2129992 |
| 154 | PURINA BALANCED BLEND & DESIGN | 73394577 | 1275433 |
| 155 | PURINA BISCUITS | 73815086 | 1587045 |
| 156 | PURINA DISTRIBUTOR TRACK | 75360527 | 2269712 |
| 157 | PURINA DOG CHOW SEARCH FOR AMERICA'S MOST INCREDIBLE DOG | 75584411 | 2376075 |
| 158 | PURINA FARMS NUTRITIONAL EXCELLENCE SINCE 1926 | 73644185 | 1454557 |
| 159 | PURINA HEARTY CHEWS | 73492613 | 1341309 |
| 160 | PURINA MILLS | 73614586 | 1434891 |
| 161 | PURINA O.N.E. | 73582061 | 1408833 |
| 162 | PURINA O.N.E. | 74082705 | 1650293 |
| 163 | PURINA O.N.E. DESIGN | 73717568 | 1529934 |
| 164 | PURINA PETS FOR PEOPLE BRINGS LOVE HOME & DESIGN | 75166985 | 2200244 |
| 165 | PURINA PETS FOR PEOPLE BRINGS LOVE HOME (STYLIZED) | 75166994 | 2177387 |
| 166 | PURINA PETS FOR PEOPLE PROGRAM | 73648723 | 1463151 |
| 167 | PURINA RESEARCH REPORT | 75360548 | 2306462 |
| 168 | PURINA SPECIAL CARE | 75728281 | 2420080 |
| 169 | PURINA TENDER BITTLES | 72307810 | 872294 |
| 170 | PURINA VETERINARY DIAGNOSTICS | 78073144 | 2585498 |
| 171 | PURINA WWW.PURINASPECIALCARE.COM & 9-SQUARE CHECKERBOARD Design | 75902502 | 2550827 |
| 172 | PURINA. WORLD CLASS SCIENCE AND NUTRITION FOR DOGS AND CATS. | 75320089 | 2414295 |
| 173 | PURINAGRAPH (STYLIZED) | 74026414 | 1645192 |
| 174 | R. P. FETCHEM'S & PURINA & 9-SQUARE CHECKERBOARD DESIGN | 75812412 | 2381372 |
| 175 | RALSTON PURINA STORE BRAND PET FOODS & DESIGN | 74220594 | 1808596 |
| 176 | RALSTON PURINA, THE LEADER IN MOLECULAR NUTRITION | 75812553 | 2445864 |
| 177 | REDEFINING THE POSSIBLE | 75465148 | 2304807 |
| 178 | RIB CHECK | 75506624 | 2272081 |
| 179 | RIB CHECK THE FIT & TRIM HEALTHY HUG & 9-SQUARE CHECKERBOARD DESIGN | 75528165 | 2274377 |
| 180 | ROW OF CATS DESIGN | 75465274 | 2284873 |
| 181 | ROW OF DOGS & CATS DESIGN | 75530271 | 2257301 |
| 182 | ROW OF DOGS, CATS & KITTEN DESIGN | 75465293 | 2279034 |
| 183 | ROW OF PUPPIES DESIGN | 75478170 | 2279074 |
| 184 | SCAMP | 73498984 | 1334604 |
| 185 | SCAMP | 73691990 | 1565833 |
| 186 | SCAMP | 73509521 | 1344501 |
| 187 | SCAMP SCOOP | 74669547 | 2077920 |
| 188 | SECONDNATURE (Stylized) | 75823807 | 2448440 |
| 189 | SECONDNATURE (Stylized) | 75736403 | 2409510 |
| 190 | SHOW CHOW & DESIGN | 74489460 | 1943191 |
| 191 | SMOOCHIES | 74181877 | 1751998 |
| 192 | SPECIAL CARE FOR SPECIAL CATS | 75364986 | 2355720 |
| 193 | SPECIAL DINNERS | 73002952 | 1010533 |
| 194 | SPECIAL FORMULA | 75474923 | 2319929 |
| 195 | SUPER SOW LACTATION CHOW | 73608658 | 1478226 |

| # | Trademark | Reg. No. | Reg. No. |
|-----|--|----------|----------|
| 196 | TENDER VITTLES | 72395182 | 994026 |
| 197 | THE BUTCHER'S GOT A BURGER YOUR DOG'LL FLIP FOR. | 74245156 | 1754590 |
| 198 | THE CONTROL FACTOR | 73180736 | 1120675 |
| 199 | THE DIFFERENCE IS REAL | 75360543 | 2254366 |
| 200 | TIDY CAT | 72311043 | 875869 |
| 201 | TIDY CAT SCOOP SANITIZED ODOR CONTROL | 75414173 | 2204076 |
| 202 | TIDY CATS | 75460577 | 2538773 |
| 203 | TIDY CATS | 75460865 | 2269896 |
| 204 | TIDY CATS | 75474254 | 2284115 |
| 205 | TIDY CATS & DESIGN | 75460867 | 2294752 |
| 206 | TIDY CATS & DESIGN | 75461012 | 2271201 |
| 207 | TIDY CATS & DESIGN | 75460564 | 2288273 |
| 208 | TIDY CATS SCOOP | 75473788 | 2260034 |
| 209 | TIDY CATS SCOOP | 76185548 | 2542716 |
| 210 | TIDY CATS SCOOP & DESIGN | 75473956 | 2261714 |
| 211 | TODAY'S BREEDER | 74024262 | 1642445 |
| 212 | TROUT CHOW | 72029404 | 680078 |
| 213 | TURKEY DESIGN | 75282261 | 2181553 |
| 214 | ULTI-PRO | 75414172 | 2507352 |
| 215 | ULTI-PRO ENHANCED PROTEIN SYSTEM | 76143196 | 2522187 |
| 216 | ULTI-PRO ENHANCED PROTEIN SYSTEM & DESIGN | 75414166 | 2280016 |
| 217 | UNIQUE | 73486499 | 1372899 |
| 218 | UR-FORMULA | 74188268 | 1732166 |
| 219 | WAY OF LIFE | 76112966 | 2560272 |
| 220 | WHISKER LICKIN'S | 73051469 | 1034976 |
| 221 | WHISKER LICKIN'S & CAT FACE DESIGN | 73767149 | 1557114 |
| 222 | WOMEN IN BUSINESS NETWORK & DESIGN | 73394550 | 1267405 |
| 223 | YESTERDAY'S NEWS | 75301341 | 2167539 |
| 224 | YESTERDAY'S NEWS | 75301789 | 2212433 |
| 225 | YESTERDAY'S NEWS | 73452004 | 1335793 |
| 226 | YESTERDAY'S NEWS | 75301672 | 2218294 |

TRADEMARK ASSIGNMENT

WHEREAS, NPPC Services, Inc., a Delaware corporation ("NPPC") desires to convey certain Intellectual Property to Societe des Produits Nestlé S.A., a Swiss corporation (hereinafter "SPN").

WHEREAS, SPN desires to acquire such Intellectual Property from NPPC.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Intellectual Property means all trademark registrations and trademark applications (except intent-to-use applications) set forth on the attached Schedule, service marks, common law trademarks, trade names, brand names, business names, trade dress, license agreements, and copyrights owned by NPPC, together with all goodwill associated with each of the foregoing.

NPPC hereby sells, transfers, conveys and assigns to SPN all of its right, title and interest in the Intellectual Property together with the goodwill associated therewith.

This assignment is effective July 1, 2002.

IN WITNESS WHEREOF, the parties have caused this assignment to be executed on the day and year first above written.

NPPC SERVICES, INC.

By:  *Kevin C. Berryman* **RS**

Kevin C. Berryman

Title: Chief Financial Officer

DOMESTIC REPRESENTATIVE DESIGNATION

Commissioner for Trademarks
Box Assignments
Washington, D.C. 20231


Sir:

Société des Produits Nestlé S.A. hereby appoints Bonnie S. Sparks and Susan M. Denigan, or either of them, members of the Missouri bar, of Nestlé Purina PetCare Company, Checkerboard Square, St. Louis, MO 63164, to sign and prosecute any and all applications to register trademarks of Société des Produits Nestlé S.A., to transact all business in the U.S. Patent and Trademark Office in connection therewith, and to receive Certificates of Registration.

This appointment is in addition to the appointment of Bob Sanders and Kristin Adrian of Nestle USA, Inc. submitted on June 7, 2001.

Respectfully submitted,

SOCIETE DES PRODUITS NESTLE S.A.

By 

Jean-Pierre Maeder
Authorized Signatory

Dated: March 18, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patent & Trademarks, Box Assignments, Washington, D.C. 20231.

on August 8, 2003 (date)


-Attorney

Date: 8-8-03