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U.S. 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): IBJ Whitehall Bank & Trust Company
[] Individual(s) [] Association
[] General Partnership [] Limited Partnership
[] Corporation-State
[X] Other A New York State chartered bank and trust company
Additional name(s) of conveying party(ies) attached? [] Yes [X] No

2. Name and address of receiving party(ies) The Industrial Bank of Japan
Name: Trust Company
Internal Address:
Street Address: 1251 Avenue of the Americas
City: New York State: NY Zip: 10020
[] Individual(s) citizenship
[] Association
[] General Partnership
[] Limited Partnership
[] Corporation-State
[X] Other A New York State chartered bank and trust company
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 [X] Merger
[] Security Agreement [] Change of Name
[] Other
Execution Date: January 8, 2002

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
B. Trademark Registration No.(s)
1869831 1852533 2576951 2110058
2290315 1727905 2222870 2680010
Additional number(s) attached [X] Yes [] No

5. Name and address of party to whom correspondence concerning document should be mailed:
Return To 153808
National Corporate Research, LTD.
225 W. 34th St., Suite 910
New York, N.Y. 10122
(800) 221-0102 (212) 947-7200
City: State: Zip:

6. Total number of applications and registrations involved: 2
7. Total fee (37 CFR 3.41) \$ 615.00
[X] 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.
John P. Sirico, II
Name of Person Signing
Signature
Date 8/13/03
Total number of pages including cover sheet, attachments, and document:

08/20/2003 EDOOPER 00000241 1869831

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

01 FC:0521 40.00 DP
02 FC:0522 575.00 DP

TRADEMARK REEL: 002806 FRAME: 0775

SCHEDULE A

MARK	REGISTRATION NUMBER
BISTRO BISCOTTI	1,869,831
CAFÉ BISCOTTI	1,852,533
CAPE COD CRANBERRY COOKIES & Design	2,576,951
CAPE COD CRANBERRY COOKIES & Design	2,110,058
NONNI'S	2,290,315
NONNI'S (Stylized)	1,727,905
NONNI'S AUTHENTIC ITALIAN FAMILY RECIPE & Design	2,222,870
BROWNSTONE BAKING CO.	2,680,010
GENOA CRISPS	2,701,213
BAKEL CHIPS	2,139,701

SCHEDULE B

MARK	REGISTRATION NUMBER
BAGEL CRISPS	1,306,252
BURNS & RICKER	1,456,716
CLASSIC TUSCANY TOAST and Design	1,484,475
CRISPINI	1,684,571
NEW YORK STYLE	1,515,619
PANETINI	2,349,093
PITA CRISPS	1,562,411
TUSCANY TOAST	1,986,965
WHEAT STALK DESIGN	1,623,858
WHEAT STALK DESIGN	1,592,608
BISCOTTI DI TOSCANA	74/419,619
BURNS & RICKER CRISPINI and Design	2,584,682
NEW YORK STYLE COFFEE BREAK	2,634,213
COFFEE BREAK	2,648,277

State of New York
Banking Department

I, **MICHAEL J. LESSER**, Deputy Superintendent of Banks of the State of New York, do hereby certify that I have caused the annexed copy of **Agreement and Plan of Merger** (with related documents), providing for the merger of the **IBJ WHITEHALL BANK & TRUST COMPANY**, New York, New York, with and into **THE INDUSTRIAL BANK OF JAPAN TRUST COMPANY**, New York, New York, under the name, **THE INDUSTRIAL BANK OF JAPAN TRUST COMPANY**, - filed in the Office of the Superintendent of Banks on **March 31, 2002**, to be compared by a competent clerk with the original on file in the Banking Department, and the same is a correct copy of said **agreement and plan of merger** and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Banking Department at New York, New York, this 23rd day of December 2002.

Michael Lesser

Deputy Superintendent of Banks

State of New York

Banking Department

I, **MICHAEL J. LESSER**, Deputy Superintendent of Banks of the State of New York, **DO HEREBY CERTIFY:**

THAT, in accordance with the provisions of Section 601 (1) of the New York Banking Law, there were filed in the office of the Superintendent of Banks, as of 11:59 p.m. March 31, 2002, an **AGREEMENT AND PLAN OF MERGER**, dated as of January 8, 2002 and other required documents, providing for the merger of the **IBJ WHITEHALL BANK & TRUST COMPANY**, New York, New York, with and into **THE INDUSTRIAL BANK OF JAPAN TRUST COMPANY**, New York, New York, under the name, **THE INDUSTRIAL BANK OF JAPAN TRUST COMPANY**, which merger was approved by the Superintendent of Banks on March 19, 2002; and

THAT, the aforementioned merger has been recognized as valid and effective as of the date and time of such filing.

Witness, my hand and official seal of the Banking Department at the City of New York,

this first day of April in the Year

two thousand and two.



Deputy Superintendent of Banks