

Form PTO-1594  
OMB No. 0651-0027

7-10-03 RECORD



TRA 102534622

U.S. Department of Commerce  
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):

**Doane Pet Care Company**

Individual(s)                       Association  
 General Partnership            Limited Partnership  
 Corporation-State - **Delaware**  
 Other \_\_\_\_\_

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

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3. Nature of Conveyance:

Assignment                       Merger  
 Security Agreement            Change of Name  
 Other \_\_\_\_\_

Execution Date(s): **June 28, 2002**

2. Name and address of receiving party(ies):

Name: **ADM Alliance Nutrition, Inc.**

Internal Address:

Street Address: **1000 North 30<sup>th</sup> Street**

City: **Quincy**    State: **IL**    Zip Code: **62301**

Country: **U.S.A**

Individual(s) citizenship  
 Association  
 General Partnership  
 Limited Partnership  
 Corporation-State - **Illinois**  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representation 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).

Additional numbers attached?  Yes  No

B. Trademark Registration No(s).

**2,161,022; 2,161,021 and 951,459**

Additional numbers attached?  Yes  No

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

Name: **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

Internal Address: **c/o**

**Tracy-Gene G. Durkin, Esq.**

Street Address: **1100 New York Ave., N.W.**

City: **Washington**    State: **D.C.**    Zip Code: **20005-3934**

6. Total number of applications and registrations involved ..... 3

7. Total fee (37 C.F.R. § 3.41) ..... \$90.00

Enclosed  
 Charge: PTO-2038 Credit Card Form Enclosed  
 Authorized to be charged to Deposit Account

8. Deposit Account Number: **19-0036**

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.*

**Tracy-Gene G. Durkin, Esq.**                      *Tracy Durkin*                      4/3/03  
Name of Person Signing                      Signature                      Date

Total number of pages including cover sheet, attachments and document 4

**TRADEMARK ASSIGNMENT**

WHEREAS, Doane Pet Care Company, a Delaware corporation and successor in interest to Windy Hill Pet Food Company, Inc., a Minnesota Corporation with registered address at 210 Westwood Place, South, Suite 300, Brentwood, Tennessee 37027 (hereafter called "Assignor"), is the owner of certain registered trademarks identified on Schedule A (hereinafter the "Marks");

WHEREAS, ADM Alliance Nutrition, Inc. (successor in interest to Consolidated Nutrition, L.C.), with offices at 1000 North 30th Street, Quincy, Illinois 62301 (hereinafter called "Assignee"), is desirous of acquiring the Assignor's right, title and interest in and to said trademarks and the registrations thereof;

WHEREAS, Assignor has agreed in the Manufacturing Agreement dated as of June 28, 2002 ("Manufacturing Agreement"), to assign all of their right, title and interest in, to and under the above identified Marks to Assignee;

NOW, THEREFORE, pursuant to the Manufacturing Agreement, and for valuable and legally sufficient consideration, receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns and transfers to Assignee, its successors and assigns, all of its entire right, title, and interest, whether statutory or at common law, in and to the Marks, together with the goodwill of the business symbolized by the Marks, and all registrations therefore.

Assignor agrees to execute further documents and, at Customer's expense, to do such other acts as may be necessary or desirable to vest full title in and to the Marks in Assignee or as may be necessary or desirable to obtain, renew, issue or enforce the Marks.

Executed this 28<sup>TH</sup> day of JUNE, 2002.

Doane Pet Care Company.  
A Delaware corporation, Assignor

By: David L. Horton

Name: DAVID L. HORTON

Title: VP + GM OF N. AMERICAN OPERATIONS

## SCHEDULE A

<b>Mark</b>	<b>Registered Owner</b>	<b>Reg. No.</b>	<b>Reg. Date</b>
PROUD PAWS	Windy Hill Pet Food Company	2,161,022	5/26/1998
PLAYFUL PAWS	Windy Hill Pet Food Company	2,161,021	5/26/1998
HOUN' DAWG	Windy Hill Pet Food Company	951,459	1/23/1973
HOUN' DAWG AND DESIGN	Windy Hill Pet Food Company	1,799,574	10/19/1993

 **Sterne Kessler  
Goldstein Fox**  
ATTORNEYS AT LAW



Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202

Re: U.S. Registration No. 951,459  
in the name of ADM Alliance Nutrition, Inc.  
Mark: **HOUN' DAWG (Int'l Class 031)**  
Our Ref: 3533.2420000/TGD/ARW

Madam:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Response;
2. Recordation Cover Sheet and attachments filed April 3, 2003 (Exhibit A);
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 19-0036.

Respectfully submitted,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy-Gene G. Durkin  
Attorney for Registrant

TGD/ARW  
Enclosures

153147-1

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 : 202.371.2540 : www.skqf.com

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Michael Q. Lee  
Steven R. Ludwig  
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\*Admitted only in Maryland  
\*Admitted only in Virginia  
•Practice Limited to  
Federal Agencies

July 10, 2003

**WRITER'S DIRECT NUMBER:**  
(202) 772-8660

**INTERNET ADDRESS:**  
JRKIN@SKGF.COM



07-10-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #74

**BOX: PRU**

**TRADEMARK**  
**REEL: 002810 FRAME: 0259**

Accordingly, Registrant, ADM Alliance Nutrition, Inc., hereby requests that the Notice of Acceptance be issued in the new name.

If further action on the part of the Registrant would facilitate acceptance of the Affidavit, please contact the undersigned.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gene G. Durkin  
Attorney for Registrant

Date: July 10, 2003

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

SKGF\_DC1:152124.1

# EXHIBIT A

Due Date: N/A

Registrant: ADM Alliance Nutrition, Inc.  
(formerly Doane Pet Care Company)

Registration Nos.: 951,459; 2,161,021 and 2,161,022

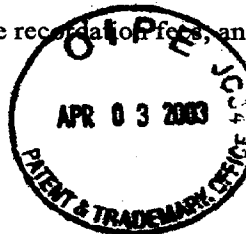
Atty. Docket: 3533.2420000

Atty: TGD/ARW

Marks: HOUN' DAWG; PLAYFUL PAWS and PROUD PAWS

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF cover sheet;
2. Recordation Form Cover Sheet (Form PTO-1594);
3. Assignment;
4. Schedule A;
5. PTO-2038 Credit Card Payment in the amount of \$90.00 to cover the recordation fees, and
6. One (1) return postcard.



BOX: ASSIGNMENTS

Please Date Stamp And Return To Our Courier

SKGF\_DC1:118439.1

TRADEMARK  
REEL: 002810 FRAME: 0262



Robert Greene Sterne  
Edward J. Kessler  
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\*Admitted only in Virginia  
\*Admitted only in Texas

April 3, 2003

WRITER'S DIRECT NUMBER:  
(202) 772-8660

INTERNET ADDRESS:  
TDURKIN@SKGF.COM

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

BOX: ASSIGNMENTS

Re: U.S. Trademark Registrations  
in the name of ADM Alliance Nutrition, Inc.  
Our Ref: 3533.2420000/TGD/ARW

Madam:

Transmitted herewith for appropriate action are the following documents:

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy-Gene G. Durkin

TGD/ARW/jvb  
Enclosures  
SKGF\_DC1:118435.1

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TRADEMARK  
REEL: 002810 FRAME: 0263



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re registration of:

ADM Alliance Nutrition, Inc. (by assignment)

Reg. No.: 951,459

Issued: January 23, 1973

Mark: HOUN' DAWG

Post Registration Division

Examiner: Deborah Y. Ahmed

Atty. Docket: 3533.2420000/TGD/ARW

**RESPONSE**

Applicant respectfully submits this paper in response to the Examiner's Office Action dated March 21, 2003.

The Examiner has rejected the Section 8 Affidavit on the grounds that the owner of the Registration listed in the PTO records is different from the party who filed the Affidavit.

The party who filed the Affidavit, ADM Alliance Nutrition, Inc., is the current owner of the Registration. ADM Alliance Nutrition, Inc. acquired said Registration from Doane Pet Care Company on June 28, 2002. A Request for Recordation of the assignment documents was filed with the Assignment Branch on April 3, 2003. A copy of the Request for Recordation is attached as Exhibit A.