

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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| SUBMISSION TYPE: | NEW ASSIGNMENT |
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| NATURE OF CONVEYANCE: | NUNC PRO TUNC ASSIGNMENT |
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| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Metropolitan Life Insurance Company | | 12/01/1997 | CORPORATION: |

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|-----------------------------|---------------------------------------|
| RECEIVING PARTY DATA | |
| Name: | Merjan Farmlands LLC |
| Street Address: | 7541 Eads Avenue |
| City: | La Jolla |
| State/Country: | CALIFORNIA |
| Postal Code: | 92037 |
| Entity Type: | Limited liability company: CALIFORNIA |

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| PROPERTY NUMBERS Total: 1 | | |
| Property Type | Number | Word Mark |
| Registration Number: | 2244894 | APPLE IN A BAG |

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| CORRESPONDENCE DATA | |
| Fax Number: | (415)369-8930 |
| <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> | |
| Phone: | (415) 369-7505 |
| Email: | lperry@thelenreid.com |
| Correspondent Name: | E. Lynn Perry |
| Address Line 1: | Thelen Reid & Priest LLP |
| Address Line 2: | P.O. Box 190187 |
| Address Line 4: | San Francisco, CALIFORNIA 94119-0187 |

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| ATTORNEY DOCKET NUMBER: | 034664-4 |
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| NAME OF SUBMITTER: | Lynn Perry |
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| Total Attachments: 2 source=apple pg 1#page1.tif source=apple pg 2 001#page1.tif |
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CH \$40.00 2244894

TRADEMARK ASSIGNMENT

(NUNC PRO TUNC)

Metropolitan Life Insurance Company, hereby assigns to **Merjan Farmlands LLC**, a limited liability company established under the laws of the State of California, 7541 Eads Avenue, La Jolla, California 92037, the following trademark:

United States Reg. No. 2244894 dated May 11, 1999 for **APPLE IN A BAG**

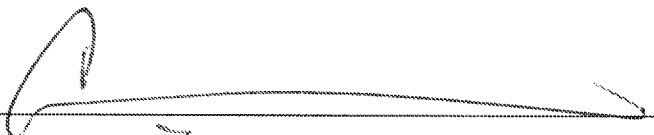
effective nunc pro tunc as of December 1, 1997.

Metropolitan Life Insurance Company

By: _____

Printed Name: _____

Title: _____


Joan Lee
Senior Counsel

STATE OF)
) ss.
COUNTY OF)

On May 17, 2004, before me, Elizabeth Pratts Galvez
personally appeared SOON LEE personally known to me (or proved
to me on the basis of satisfactory evidence) to the person whose name is subscribed to the within
instrument and acknowledged to me that he/she executed the same in his/her authorized capacity,
and that by his/her signature on the instrument the person, or entity upon behalf of which the
person acted, executed the instrument.

WITNESS my hand an official seal.

Elizabeth Pratts Galvez
Notary Public

(SEAL)

ELIZABETH PRATTS-GALVEZ
Notary Public, State of New York
No. 01PR8078038
Qualified in Queens County
Certificate Filed in New York County
Commission Expires June 17, 2008