



1.14.04

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

102648358
TRADEMARKS ONLY

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.

<p>1. Name of conveying party(ies): J.H. Harvey Company</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-GA <input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies) Name: Hare Acquisition Company, LLC Internal Address: Street Address: 727 South Davis Street City: Nashville State: Georgia Zip: 31639</p> <p><input type="checkbox"/> Individual(s) citizenship <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation -- <input checked="" type="checkbox"/> Other -- a Georgia Limited Liability Company</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment) N/A</p> <p>Additional name(s) & address (es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of Conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other</p> <p>Execution Date: October 27, 2003</p>	<p>4. Application number(s) or registration number(s): A. Trademark Application No.(s): 78/238,032 B. Trademark Registration No.(s) N/A</p> <p>Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: Karol A. Kepchar Internal Address: AKIN GUMP STRAUSS HAUER & FELD LLP Street Address: 1676 International Drive, Penthouse City: McLean State: VA Zip: 22102</p>	<p>6. Total number of applications and registrations involved: 1</p> <p>7. Total fee (37 CFR 3.41)..... \$40.00 <input checked="" type="checkbox"/> Enclosed (check) <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: 50-2310 – The PTO is authorized to charge any additional fees which may be due. (Attach duplicate copy of this page if paying by deposit account)</p>

OPR/FINANCE
JAN 14 AM 9:17

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.

Karol A. Kepchar
Name of Person Signing

Signature

January 13, 2004
Date

01/15/2004 LMUELLER 00000254 78238032

01 FC:8521

40.00 Total number of pages including cover sheet, attachments, and document: 3

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

ASSIGNMENT OF TRADEMARK

WHEREAS, J.H. Harvey Company, a Georgia corporation having a business address of 727 S. Davis Street, Nashville, GA 31639 ("Assignor"), owns all right, title and interest in and to the mark "HARVEYS J.H. HARVEY CO. and Design" (hereinafter the "Mark") and U.S. Application Serial No. 78/238,032 for said mark;

WHEREAS, Hare Acquisition Company, LLC, a Georgia limited liability company, having an address of 727 S. Davis Street, Nashville, GA 31639 ("Assignee") is desirous of acquiring all right, title and interest in and to the Mark and the portion of the business to which the mark pertains, together with the goodwill of the business symbolized by the Mark and the application thereof;

WHEREAS, Assignor and Assignee are parties to an Asset Purchase Agreement dated September 2, 2003, relating to the trademarks, domain names and other assets of Assignor;

WHEREAS both the "Harveys" mark and the "J.H. Harvey Co." name have been used by the Assignor in commerce for grocery store services, but have not yet been used together in the particular presentation depicted in U.S. Application Serial No. 78/238,032;

WHEREAS, it is desired that the assignment of said mark and application be made of record in the United States Patent and Trademark Office, and other appropriate Patent and Trademark Offices and authorities.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound hereby, said Assignor hereby assigns to said Assignee all right, title and interest in and to the Mark and the portion of the business to which the mark pertains, which business is ongoing and existing, along with the goodwill of the

