



02-11-2004



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U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

FORM PTO-1618A
Expires 06/30/99
PB 0651-0027

2-6-04

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID# _____
- Correction of PTO Error
Reel # _____ Frame # _____
- Corrective Document
- Reel # _____ Frame # _____

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment

Effective Date
Month Day Year
09/10/1991

Other: _____

Conveying Party

Mark if additional names of conveying parties attached

Name Sigco Food Products Inc.

Execution Date
Month Day Year
01/15/2004

Formerly _____

- Individual General Partnership Limited Partnership Corporation Association

Other: _____

Citizenship/State of Incorporation/Organization: North Dakota

Receiving Party

Mark if additional names of receiving parties attached

Name (line 1) Sonne Labs, Inc.

Address (line 1) 896 - 22nd Avenue North

Address (line 2) _____

Address (line 3) Wahpeton North Dakota 58075
City State/Country Zip Code

- Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be Attached. (Designation must be a separate document from Assignment.)
- Corporation Association
- Other: _____

Citizenship/State of Incorporation/Organization: North Dakota

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to: Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

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REEL: 002911 FRAME: 0138

Domestic Representative Name and Address

Enter for the first Receiving Party Only.

Name _____
Address (line 1) _____
Address (line 2) _____
Address (line 3) _____
Address (line 4) _____

Correspondent Name and Address

Area Code and Telephone Number (202) 672-5300

Name Brian J. McNamara
Address (line 1) Foley & Lardner
Address (line 2) 3000 K Street, N.W., Suite 500
Address (line 3) Washington, D.C. 20007-5109
Address (line 4) _____

Pages

Enter the total number of pages of the attached conveyance document
Including any attachments.

1

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same Property).

Trademark Application Number(s)

Registration Number(s)

1,247,811

Number of Properties

Enter the total number of properties involved. # 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41); \$ 40.00

Method of Payment: Enclosed Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # 19-0741

Authorization to charge additional fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

Norm J. Rich, Esq.

Name of Person Signing


Signature

Feb. 5, 2004
Date

ASSIGNMENT OF TRADEMARK *NUNC PRO TUNC*

WHEREAS, on or about, September 10, 1991, Sigco Food Products, Inc., a North Dakota corporation then doing business at 619 North Fifth Street, Wahpeton, North Dakota 58075 (hereinafter referred to as the "Assignor"), then being the owner of the mark and United States Registration No. 1,247,811, registered August 9, 1983, for said mark SUNBUTTER, assigned in fact said mark and that part of the good will of the business connected with and symbolized by said mark to Sonne Labs, Inc., a North Dakota corporation, doing business at 896 – 22nd Avenue North, Wahpeton, North Dakota 58075 (hereinafter referred to as the "Assignee"), but without having executed a formal United States mark assignment document; and

WHEREAS, said Assignee now desires such formal United States assignment in order to record the same in the United States Patent and Trademark Office;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Assignor hereby confirms the aforesaid assignment and does hereby assign, nunc pro tunc, as of September 10, 1991 and/or as of anytime prior to the present when such assignment was in fact equitably affected, to the aforesaid Assignee, all right, title and interest in and to the said mark SUNBUTTER, said U.S. Registration No. 1,247,811, registered August 9, 1983, that part of the good will of the business connected with and symbolized by the said mark, as well as all rights to injunctive relief, damages or profits, due or accrued, arising out of past infringement of said mark or injury to the said good will, and the right to sue for and recover the same in its, the Assignee's, own name.

IN WITNESS WHEREOF, this Assignment has been executed this 15th day of January, 2004.

Sigco Food Products, Inc.

By: _____

(Signature)

Name: Jay Schuler

Title: President