

RE 2/9/04

09-07-2004



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

RECEIVED

DEPARTMENT OF COMMERCE J.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): Allied Foods, LLC

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State Georgia, Other

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

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other

Execution Date: January 5, 2004

2. Name and address of receiving party(ies) Name: Simmons Allied Pet Food, Inc.

Internal Address: Street Address: 601 N. Hico Siloam Springs State: AR Zip: 72761

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Arkansas, Other

If assignee is not domiciled in the United States, a domestic representative designation 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)

B. Trademark Registration No.(s)

584,787

Additional number(s) attached Yes No

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

Name: Keisling Pieper & Scott PLC

Internal Address:

Street Address: Bank of America Plaza

1 East Center Street, Suite 217

City: Fayetteville State: AR Zip: 72701

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$40.00

- 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.

David B. Pieper, Reg. No. 42,998

Name of Person Signing

Signature

Signature

2/5/04

Date

Total number of pages including cover sheet, attachments, and document: 2

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

TRADEMARK REEL: 003043 FRAME: 0500

TRADEMARK AND SERVICE MARK ASSIGNMENT AGREEMENT

This Trademark and Service Mark Assignment Agreement ("Agreement") is made by and between ALLIED FOODS, LLC ("Assignor") and SIMMONS ALLIED PET FOOD, INC.. ("Assignee") this 5th day of January, 2004, pursuant to that certain Asset Purchase Agreement December 3, 2003, between Assignor and Assignee, as assignee of Simmons Foods, Inc., an Arkansas corporation. Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to them in the Asset Purchase Agreement.

WHEREAS, pursuant to the Asset Purchase Agreement, Assignor has agreed to assign to Assignee all right, title, and interest in and to Assignor's trademarks and service marks and all registrations thereof and pending applications therefor (and all goodwill connected or associated therewith), as more fully set forth in Schedule "A" hereto (the "Assigned Marks");

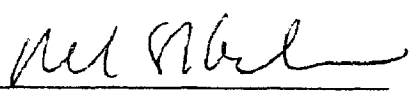
NOW, THEREFORE, for \$10.00 and other good and valuable consideration, the sufficiency of which are hereby acknowledged, subject to and incorporating by reference all rights and obligations set forth in the Asset Purchase Agreement, the parties hereby agree as follows:

Assignment: Assignor hereby assigns to Assignee all right, title, and interest in and to the Assigned Marks, including any and all claims for past infringement thereof, including all rights as opponents in any opposition or cancellation proceeding.

IN WITNESS WHEREOF, the Assignor has entered into this Agreement as of the date written above.

ALLIED FOODS, LLC.

By: _____


Ronald S. Kirschner, President

#137659

KEISLING PIEPER & SCOTT PLC

Bank of America Plaza
One East Center Street, Suite 217
Fayetteville, Arkansas 72701
Telephone (479) 251-0800
Facsimile (479) 251-0801

TRENT C. KEISLING*
DAVID B. PIEPER*
JOHN M. SCOTT

SENIOR COUNSEL
ROBERT R. KEEGAN*
Registered Patent Attorney

August 27, 2004

Mail Stop Assignment Recordation Services
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Trademark Registration No. 584,787 for HI-VI (Stylized)
Atty. Dkt. No. 012604

U.S. Trademark Registration No. 1,699,300 for KAM
Atty. Dkt. No. 012610

U.S. Trademark Registration No. 1,091,052 for NEAT TREATS
Atty. Dkt. No. 012614

U.S. Trademark Registration No. 702,364 for POINTER
Atty. Dkt. No. 012616

U.S. Trademark Registration No. 1,712,027
for STRONGHEART DOG FOOD (and Design)
Atty. Dkt. No. 012618

U.S. Trademark Registration No. 2,053,927 for TONY (and Design)
Atty. Dkt. No. 012620

Dear Sir:

Per instructions from Marcus Kirk, Examiner, Assignment Division, Office of Public Records, we are requesting that the enclosed assignments be recorded at no additional charge, since payment was made previously.

RECORDED: 02/09/2004

TRADEMARK
REEL: 003043 FRAME: 0502