

Doc Code:

FORM PTO-1594 (Modified)  
(Rev. 07/05)  
OMB No. 0691-0027 (exp. 6/30/2008)  
TM05/REV04

RECORDATION FORM COVER SHEET

Docket No.:

3196

TRADEMARKS / SERVICE MARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached original documents or the new address(es) below.

1. Name of conveying party(ies):  
 Rex International Ltd.  
 Missaghi, Arash M.  
 Top Star Distribution Group Inc.  
 Missaghi, Hossein  
 Imperial Rice Ltd.  
 Cata Brands Inc. ; Bishara, Robert

Individual(s)  Association  
 General Partnership  Limited Partnership  
 Corporation-State: CANADA  
 Other \_\_\_\_\_

Citizenship (see guidelines) CANADA  
 Additional names(s) of conveying party(ies)  Yes  No

2. Name and address of receiving party(ies):  
 Additional names, addresses, or citizenship attached?  Yes  No

Name: KUSHA, INC.  
 Internal Address: \_\_\_\_\_  
 Street Address: 2332 BARRANCA PARKWAY  
 City: IRVINE  
 State: CALIFORNIA  
 Country: US ZIP: \_\_\_\_\_

Association Citizenship \_\_\_\_\_  
 General Partnership Citizenship \_\_\_\_\_  
 Limited Partnership Citizenship \_\_\_\_\_  
 Corporation Citizenship CALIFORNIA  
 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 \_\_\_\_\_)

3. Nature of conveyance/Execution Date(s):  
 Execution Date: JANUARY 31, 2001

Assignment  Merger  
 Security Agreement  Change of Name  
 Other ORDER AND TRADEMARK ASSIGNMENT

4. Application number(s) or registration numbers(s) and identification or description of the Trademark/Service Mark:

A. Trademark / Service Mark Application No.(s) \_\_\_\_\_  
 B. Trademark / Service Mark Registration No.(s) 2,344,643

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s)/Service Mark(s) (and Filing Date if Application or Registration Number is unknown):

5. Name & address of party to whom correspondence concerning document should be mailed:  
 Name: WALTER A. HACKLER, Ph.D.  
 Internal Address: \_\_\_\_\_  
 Street Address: 2372 S.E. BRISTOL STREET, SUITE B  
 City: NEWPORT BEACH  
 State: CALIFORNIA Zip: 92660-0755  
 Phone Number: (949) 851-5010  
 Fax Number: (949) 752-1925  
 Email Address: \_\_\_\_\_

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00  
 Authorized to be charged by credit card  
 Authorized to be charged to deposit account  
 Enclosed

8. Payment Information:  
 a. Credit Card Last 4 Numbers \_\_\_\_\_  
 Expiration Date \_\_\_\_\_  
 b. Deposit Account Number 08-0114  
 Authorized User Name WALTER A. HACKLER

9. Signature: \_\_\_\_\_ AUGUST 9, 2006  
 Signature Date  
WALTER A. HACKLER  
 Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 6

CH \$40.00 080114 2344643

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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KUSHA, INC.

Plaintiff,

v.

Civil No. 98-CV-0747E(Sc)

REX INTERNATIONAL LTD., ARASH M.  
MISSAGHI, TOP STAR DISTRIBUTION  
GROUP INC., HOSSEIN MISSAGHI,  
IMPERIAL RICE LTD., CATA BRANDS INC.  
AND ROBERT BISHARA

Defendants.

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**ORDER & TRADEMARK ASSIGNMENT**

This matter came before this Court on the motion of plaintiff, Kusha, Inc. ("Kusha"), filed October 11, 2001, requesting that this Court issue an Order: (1) placing a lien against four United States Trademark Registrations and one United States Application that were and continue to be owned by the defendant Top Star Distribution Group Inc. ("Top Star"); (2) placing a monetary value on those marks; and (3) assigning the four Trademark Registrations and the one Trademark Application to Kusha in partial satisfaction of the Judgment entered by this Court on January 31, 2000 against Top Star and in favor of Kusha in the amount of \$1,000,000.

In a January 27, 2000 Order, this Court found all of the defendants, including, Rex International Ltd., Top Star, Hossein Missaghi, and Arash Missaghi liable for trademark infringement, trademark counterfeiting, and fraud. The January 27, 2000 Order imposed a

*Filed: U.S.D.C., W.D.N.Y., Buffalo  
January 31, 2001 at 5:30p.  
John P. Sullivan, S.U.S.C.J.*

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ORDERED that as of January 26, 2001, Kusha obtained a lien against Top Star's United States Trademark Registrations Numbered 2,342,491, 2,344,643, 2,156,123, and 2,315,825 for the marks TOP TEA, MAHRAM, 1 & 1, and TRUST BASMATI RICE PRODUCE OF INDIA, respectively, and a lien against Top Star's United States Trademark Application Serial Number 75/585,255 for the mark 1&1, and Kusha obtained priority against other creditors as to those marks, and such priority attached and became effective as of January 26, 2001; and it is hereby further

ORDERED, that in partial satisfaction of the Judgment entered by this Court in favor of Kusha and against Top Star, a corporation incorporated in the Province of Ontario in Canada, with addresses at 348 Rexdale Boulevard, Etobicoke, Ontario, M9W 1R6, and 19 Killarney Street, Richmond Hill, Ontario L4B 3G4, all rights, title and interest in and to Top Star's United States interest in the marks TOP TEA, MAHRAM, 1 & 1, and TRUST BASMATI RICE PRODUCE OF INDIAN, including all rights, title and interest in and to United States Trademark Registrations Numbered 2,342,491, 2,344,643, 2,156,123, and 2,315,825 for the marks TOP TEA, MAHRAM, 1 & 1, and TRUST BASMATI RICE PRODUCE OF INDIA, respectively, and Top Star's United States Trademark Application Serial Number 75/585,255 for the mark 1&1, (hereinafter, the "Marks"), along with the goodwill associated with and symbolized by each of those marks, is hereby assigned to Kusha, free and clear of any encumbrances; and it is hereby further

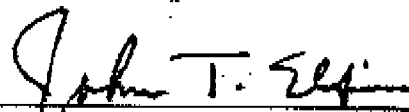
TRADEMARK

REEL: 003366 FRAME: 0888

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ORDERED, that as of the date of this Order, Top Star and all of agents, officers, and directors of Top Star, shall discontinue using, selling and shipping in the United States, either directly or indirectly through Top Star or any other Missaghi family company, products set forth in the United States Trademark Registrations Numbered 2,342,491, 2,344,643, 2,156,123, 2,315,825 and in United States Application Serial Number 75/585,255, bearing the marks TOP TEA, MAHRAM, I&I, and/or TRUST BASMATI RICE PRODUCE OF INDIA or any confusingly similar marks.

Dated: January ~~31~~ 20001.  
Buffalo, New York



Hon. John T. Elfvin, S.U.S.D.J.

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