

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	09/26/1995

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Ehmann Olive Company		09/26/1995	CORPORATION: WISCONSIN

**RECEIVING PARTY DATA**

Name:	Ehmann Olive Company
Street Address:	546 West Street
City:	Watertown
State/Country:	WISCONSIN
Postal Code:	53094
Entity Type:	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 1**

Property Type	Number	Word Mark
Registration Number:	0214880	MT. IDA

**CORRESPONDENCE DATA**

Fax Number: (412)394-4255  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 412-394-2360  
 Email: jtarasi@thorpreed.com  
 Correspondent Name: Jenifer S. Tarasi  
 Address Line 1: 301 Grant Street, 14th Floor  
 Address Line 2: One Oxford Centre  
 Address Line 4: Pittsburgh, PENNSYLVANIA 15219-1425

ATTORNEY DOCKET NUMBER:	RE001033-000
NAME OF SUBMITTER:	Jenifer S. Tarasi
Signature:	/jst/

**CH \$40.00 0214880**

Date:

02/15/2007

**Total Attachments: 5**

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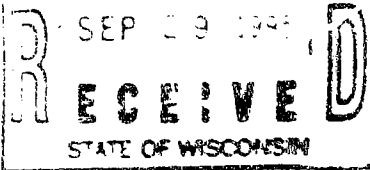
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DOUGLAS LA FOLLETTE  
SECRETARY OF STATE



CERTIFICATE OF OWNERSHIP AND MERGER  
AND  
ARTICLES OF MERGER  
OF  
BERNARD OLIVE COMPANY  
a Wisconsin corporation  
and  
BERNARD OLIVE COMPANY  
a Delaware corporation

The following Articles of Merger were duly adopted by BERNARD OLIVE COMPANY, a Wisconsin corporation, and BERNARD OLIVE COMPANY, a Delaware corporation, in accordance with the provisions of the Wisconsin Business Corporation Law and the Delaware General Corporation Law:

**FIRST:** The Plan and Resolution of Merger so adopted is set forth on Exhibit A attached hereto and made a part hereof. The parties to the Plan and Resolution of Merger are BERNARD OLIVE COMPANY, a Wisconsin corporation, which is the merging corporation ("BOC Wisconsin") and BERNARD OLIVE COMPANY, ("BOC Delaware") a Delaware corporation, which is the surviving corporation. BOC Delaware is a wholly-owned subsidiary of BOC Wisconsin.

**SECOND:** BOC Wisconsin, the merging corporation, is a Wisconsin corporation and is subject to the provisions of the Wisconsin General Business Corporation Law (Chapter 180, Wis. Stats.). The Plan and Resolution of Merger was duly approved and unanimously adopted by both the Board of Directors and by the Shareholders of BOC Wisconsin on September 5, 1995 in accordance with Wis. Stats. Section 180.1103.

**THIRD:** BOC Delaware, the surviving corporation, is a Delaware corporation and is subject to the provisions of the Delaware General Corporation Law (Title 8, Delaware Code). The Plan and Resolution of Merger was duly approved and unanimously adopted by both the Board of Directors and by the Shareholders of BOC Delaware on September 22, 1995 in accordance with Section 253 of the Delaware General Corporation Law.

**FOURTH:** BOC Delaware, which is the surviving corporation, agrees that it may be served with process in the State of Wisconsin in any proceeding for the enforcement of any obligation of BOC Wisconsin, which is the merging corporation, and in any proceeding for the enforcement of the rights of a dissenting shareholder of BOC Wisconsin, against BOC Delaware.

BOC Delaware does hereby irrevocably appoint the Secretary of State of Wisconsin as its agent to accept service of process in any proceeding noted above and any such process

TRADEMARK


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served upon the Secretary of State of Wisconsin shall be forwarded to Ekeann Olive Company, 546 West Street, P. O. Box 474, Watertown, Wisconsin 53094, Attention: President.

EOC Delaware agrees that it will promptly pay to any dissenting shareholders of EOC Wisconsin the amount, if any, to which they shall be entitled under the provisions of Chapter 180 of the Wisconsin Business Corporation Law with respect to the rights of dissenting shareholders.


IN WITNESS WHEREOF, the undersigned officers of EOC Wisconsin, the merging corporation, and of EOC Delaware, the surviving corporation, have hereunto set their hands and have caused the corporate seals of said corporations to be affixed hereunto this 26th day of September, 1995.

**EKEANN OLIVE COMPANY**  
a Delaware Corporation

By   
David C. Lau  
President

By   
Sharon Eiske  
Assistant Secretary

**EKEANN OLIVE COMPANY**  
a Wisconsin Corporation

By   
David C. Lau  
President

By   
Sharon Eiske  
Assistant Secretary

This document was drafted and is returnable to:

Jerome E. Kringel, Esq.  
Michael, Best & Friedrich  
100 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202

~~CONFIDENTIAL INFORMATION~~

**EXHIBIT A****PLAN AND RESOLUTION OF MERGER**

PLAN AND RESOLUTION OF MERGER by and between KEMANN OLIVE COMPANY, a Wisconsin corporation (the "Company"), and KEMANN OLIVE COMPANY, a wholly-owned subsidiary of Company, and a Delaware corporation (the "Sub").

WHEREAS, the respective Boards of Directors and Shareholders of both corporations have unanimously approved this Plan of Merger;

NOW, THEREFORE, the Merger shall be effected as follows:

**ARTICLE I**

At the Effective Time of the merger (hereinafter defined), Company shall be merged into Sub, which shall be and is hereinafter sometimes referred to as the Surviving Corporation. The name of the Surviving Corporation shall remain KEMANN OLIVE COMPANY.

**ARTICLE II**

(a) Except as herein specifically set forth, the identity, existence, purposes, powers, objects, franchises, privileges, rights and immunities of Sub shall continue in effect and unimpaired by the merger, and the corporate franchises, existence and rights of company shall be merged into Sub and Sub as the Surviving Corporation shall be fully vested therewith. The separate existence and corporate organization of Company, except insofar as they may be continued by statute, shall cease when the merger shall become effective.

(b) The merger shall become effective as of the date and time fixed in accordance with the respective state laws. The time when the merger becomes effective is herein called the "Effective Time".

**ARTICLE III**

(a) At the Effective Time, the Certificate of Incorporation of Sub shall be the Certificate of Incorporation of the Surviving Corporation, and the Bylaws of Sub in effect

immediately prior to the Effective Time shall be the Bylaws of the Surviving Corporation.

(b) The directors of Company at the Effective Time shall be the directors of the Surviving Corporation until their successors are elected in accordance with the Bylaws of the Surviving Corporation.

(c) The officers of ~~Sub~~ the Effective Time shall be the officers of the Surviving Corporation.

#### ARTICLE IV

The manner and basis of converting or exchanging the shares of stock of each of the Sub and Company at the Effective Time shall be as follows:

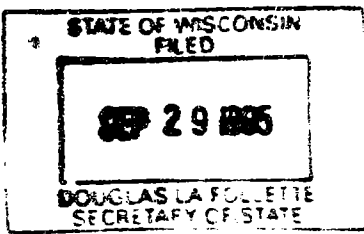
(a) Each share of Common Stock, \$.01 par value, of Sub outstanding immediately prior to the Effective Time shall be cancelled.

(b) Each share of the Common Stock, \$1 par value, of Company outstanding immediately prior to the Effective Time shall be converted into one-one hundredth of a share of Common Stock of the Surviving Corporation.

ARTICLE V

Art of Mergers  
Mergers: Ekaona Olive Company (Domestic)  
Intro: Unlicensed Foreign Corporation (Savanna)

Draw Acct 1522



\$50.00 plus \$25 EXP. Fee

Janifer C. Bersch, Paralegal  
Michael, Best & Friedrich  
100 East Wisconsin Avenue  
Milwaukee, WI 53202-4108