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TO:MCDERMOTT WILL &amp; EMERY LLP COMPANY:227 W. MONROE STREET

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
Stylesheet Version v1.104/03/2008  
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SUBMISSION TYPE:		NEW ASSIGNMENT	
NATURE OF CONVEYANCE:		ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL	
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
SGN Food Concepts, Inc.		04/02/2008	CORPORATION: FLORIDA
RECEIVING PARTY DATA			
Name:	Elgin Dalry Foods, Inc.		
Street Address:	3707 West Harrison Street		
City:	Chicago		
State/Country:	ILLINOIS		
Postal Code:	60624		
Entity Type:	CORPORATION: ILLINOIS		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	1458580	KISSED WITH HONEY	
Registration Number:	1727910	PICTURE OF HEALTH	
CORRESPONDENCE DATA			
Fax Number:	(312)984-7700		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	3123722000		
Email:	chicago_ip_docket@mwe.com, mmorneault@mwe.com, kwalsh@mwe.com		
Correspondent Name:	McDermott Will & Emery LLP		
Address Line 1:	227 W. Monroe Street		
Address Line 2:	Suite 4400		
Address Line 4:	Chicago, ILLINOIS 60606		
ATTORNEY DOCKET NUMBER:	77196-021		
NAME OF SUBMITTER:	Monique A. Morneau		
Signature:	/Monique A. Morneau/		

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Date:

04/03/2008

Total Attachments: 2

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## **CONFIRMATORY ASSIGNMENT OF TRADEMARKS**

**WHEREAS**, SGN Food Concepts, Inc., a Florida corporation having a business address at 16 Duffy Lane, Sugar Grove, Illinois 60554 ("Assignor"), was the owner of the marks:

**KISSED WITH HONEY**, U.S. Serial No.: 73/619,486, filed September 12, 1986, now U.S. Registration No. 1,458,580, issued September 22, 1987; and,  
**PICTURE OF HEALTH**, U.S. Serial No. 74/181,796, filed July 2, 1991, now U.S. Registration No. 1,727,910, issued October 27, 1992 (the "Trademarks");

**WHEREAS**, Elgin Dairy Foods, Inc., an Illinois corporation having a business address at 3707 West Harrison Street, Chicago, Illinois 60624 ("Assignee"), desires to perfect its previous acquisition of certain assets, including all right, title and interest in the above-identified trademarks, the federal Applications for Registration, and the registrations issuing from the Applications, together with the goodwill of the business symbolized by the Trademarks;

**WHEREAS**, Assignor and Assignee previously entered into a certain agreement, which includes among other provisions, the assignment of all right, title and interest in and to the Trademarks to Assignee;

**WHEREAS**, the agreement appoints Assignee as Assignor's attorney-in-fact with full authority in the place and stead of Assignor, and to endorse Assignor's name on all documents necessary to transfer the Trademarks to Assignee; and,

**WHEREAS**, Assignee deems it necessary to execute this Confirmatory Assignment, in particular for recording in the United States Patent and Trademark Office to perfect the previous transfer of the Trademarks and their registrations;

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby confirm the assignment and transfer as

of February 28, 2003 to Assignee the entire right, title and interest in the above-listed United States trademark applications and resulting registrations, together with the goodwill of the business symbolized by the marks, and the right to recover all relief for past infringement or violations of law relating to the marks, the same to be held and enjoyed by the Assignee for its own use and benefit, and for its legal representatives and assigns, to the full term of the registrations, as fully and entirely as the same would have been held and enjoyed by Assignor had this assignment and sale not been made.

This Nunc Pro Tunc Assignment executed at Chicago, Illinois on April 2, 2008, and effects the assignment of the trademarks as of February 28, 2003.

**SGN Food Concepts, Inc. by Elgin Dairy Foods, Inc., under Power of Attorney granted by Assignor**

By: [Signature]  
Name: Elgin Dairy Foods, Inc.  
Title: Exec VP

Witnessed:

\_\_\_\_\_  
name:

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**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APRIL 07, 2008

\*900103266\*

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MCDERMOTT WILL & EMERY LLP  
227 W. MONROE STREET  
SUITE 4400  
CHICAGO, IL 60606UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 900103266

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IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE,  
YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT  
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KIMBERLY WHITE, EXAMINER  
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