

04/30/2008  
700369688

Form PTO-1594 (Rev. 07/05)  
OMB Collection 0651-0027 (exp. 6/30/2008)

U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

**1. Name of conveying party(ies):**

Daisy Brand, LP

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

Citizenship (see guidelines) Texas

Additional names of conveying parties attached?  Yes  No

**3. Nature of conveyance /Execution Date(s) :**

Execution Date(s) June 28, 2007

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

**2. Name and address of receiving party(ies)**

- Yes
- No

Additional names, addresses, or citizenship attached?

Name: Daisy Brand, LLC

Internal

Address: \_\_\_\_\_

Street Address: 12750 Merit Drive, Suite 600

City: Dallas

State: Texas

Country: USA Zip: 75251

- Association Citizenship \_\_\_\_\_
- General Partnership Citizenship \_\_\_\_\_
- Limited Partnership Citizenship \_\_\_\_\_
- Corporation Citizenship \_\_\_\_\_

Other limited liability co Citizenship Texas

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)

**4. Application number(s) or registration number(s) and identification or description of the Trademark.**

A. Trademark Application No (s)

SEE ATTACHED EXHIBIT A

B. Trademark Registration No.(s)

SEE ATTACHED EXHIBIT A

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):  
SEE ATTACHED EXHIBIT A

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

Name: Kay Lyn Schwartz

Internal Address: Gardere Wynne Sewell LLP

3000 Thanksgiving Tower

Street Address: 1601 Elm Street

City: Dallas

State: Texas Zip: 75201-4761

Phone Number: 214-999-4781

Fax Number: 214-999-3781

Email Address: ip@gardere.com

**6. Total number of applications and registrations involved:**

14

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 365.00**

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

**8. Payment Information:**

a. Credit Card Last 4 Numbers 1004  
Expiration Date 04-01-2012

b. Deposit Account Number 07-0153

Authorized User Name Kay Lyn Schwartz

**9. Signature:**

Kay Lyn Schwartz  
Signature

4-30-08  
Date

Kay Lyn Schwartz








Name of Person Signing

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

13

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

EXHIBIT A  
U.S. TRADEMARKS

MARK	APPLICATION/REG. No.	COUNTRY	OUR FILE NO.
<i>Pure &amp; Natural</i>	1636250	U.S.	110747-12
DAISY BRAND	1716092	U.S.	110747-13
DAISY	76/488157	U.S.	110747-3000
	3233847	U.S.	110747-3001
DAISY BRAND	3379034	U.S.	110747-3002
<i>Pure &amp; Natural</i>	3371258	U.S.	110747-3003
	3371257	U.S.	110747-3007
	3371256	U.S.	110747-3009
	3280342	U.S.	110747-3010
	3371288	U.S.	110747-3011
	3286724	U.S.	110747-3012
	3371255	U.S.	110747-3013

<b>Daisy</b>	3139689	U.S.	110747-3016
<b>MARGE</b>	76/678952	U.S.	110747-3017

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Roger Williams  
Secretary of State

### Office of the Secretary of State

### CERTIFICATE OF MERGER

The undersigned, as Secretary of State of Texas, hereby certifies that a filing instrument merging

Daisy Brand, LP  
Domestic Limited Partnership (LP)  
[File Number: 800270398]

Into

Daisy Brand, LLC [Prior Name : Daisy Brand Operating, LLC]  
Domestic Limited Liability Company (LLC)  
[File Number: 800835038]

has been received in this office and has been found to conform to law.

Accordingly, the undersigned, as Secretary of State, and by the virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing the acceptance and filing of the merger on the date shown below.

Dated: 06/29/2007

Effective: 06/29/2007



Roger Williams  
Secretary of State

Come visit us on the internet at <http://www.sos.state.tx.us/>

Phone: (512) 463-5555  
Prepared by: Lisa Jones

Fax: (512) 463-5709  
TDD: 10339

Dial: 7-1-1 for Relay Services  
Document: 176377150002

TRADEMARK

REEL: 003787 FRAME: 0612

**FILED**  
In the Office of the  
Secretary of State of Texas

JUN 29 2007

**Corporations Section**

**CERTIFICATE OF MERGER  
OF A TEXAS LIMITED LIABILITY COMPANY GOVERNED BY THE TBOC  
AND A TEXAS LIMITED PARTNERSHIP GOVERNED BY THE TRLPA**

The undersigned Texas limited liability company and Texas limited partnership have prepared and executed, and hereby file, the following Certificate of Merger in accordance with the provisions of Chapter 10 of the Texas Business Organizations Code and Article 2 of the Texas Revised Limited Partnership Act.

1. **Constituent Entities.** The name, organizational form, state of organization, governing statute and file number issued by the secretary of state for each organization that is a party to the merger are as follows:
  - (a) Daisy Brand Operating, LLC, a Texas limited liability company governed by the Texas Business Organizations Code, file no. 800835038 (the "LLC"). The LLC will survive the merger.
  - (b) Daisy Brand, LP, a Texas limited partnership governed by the Texas Revised Limited Partnership Act, file no. 800270398 (the "Partnership"). The Partnership will not survive the merger.
2. **Plan of Merger.**
  - (a) A plan of merger has been approved and authorized by the constituent entities participating in the merger by all action required by the laws of Texas and their governing documents.
  - (b) An executed plan of merger is on file at the principal place of business of the LLC, the surviving entity in the merger, which is at 12750 Merit Drive, Suite 600, Dallas, Texas 75251.
  - (c) A copy of the plan of merger will be furnished by the LLC, on written request and without cost, to any member or partner of the LLC or the Partnership.
  - (d) The Partnership has complied with the provisions of its partnership agreement regarding furnishing partners copies or summaries of the plan of merger or notices regarding the merger.
3. **Certificate of Formation.** The certificate of formation of the LLC, the surviving entity in the merger, shall be amended as follows:

**"ARTICLE 1 – Entity Name and Type**

The filing entity being formed is a limited liability company. The name of the entity is: Daisy Brand, LLC."

4. **Franchise Taxes.** The LLC, as the surviving entity, will be responsible for the payment of all applicable fees and franchise taxes, if any, of the Partnership and will be obligated to pay and will pay such fees and taxes if the same are not timely paid.
5. **Effectiveness of Filing:** This document becomes effective upon filing with the Secretary of State of the State of Texas.

*[Signatures on the Following Page]*

Executed this 28<sup>th</sup> day of June, 2007.

**DAISY BRAND OPERATING, LLC**

By:   
David M. Sokolsky, Manager

**DAISY BRAND, LP**

By: Daisy Brand GP, LLC, its general partner

By:   
David M. Sokolsky, President  
and Manager

DALLAS 1306270v1

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*[Signatures on the Following Page]*

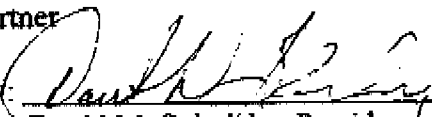
Executed this 28<sup>th</sup> day of June, 2007.

**DAISY BRAND OPERATING, LLC**

By:   
David M. Sokolsky, Manager

**DAISY BRAND, LP**

By: Daisy Brand GP, LLC, its general partner

By:   
David M. Sokolsky, President  
and Manager

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Roger Williams  
Secretary of State

### Office of the Secretary of State

June 29, 2007

Mark J Vane  
600 Congress, Suite 3000  
Austin, TX 78701 USA

RE:  
Daisy Brand, LLC ( File Number: 800835038 )

It has been our pleasure to approve and place on record the filing instrument effecting a merger. The appropriate evidence of filing is attached for your files. Payment of the filing fee is acknowledged by this letter.

If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section  
Business & Public Filings Division

Enclosure

*Come visit us on the internet at <http://www.sos.state.tx.us/>*

Phone: (512) 463-5555  
Prepared by: Lisa Jones

Fax: (512) 463-5709  
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**TRADEMARK**