

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	10/02/2004

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Choctaw Maid Farms, Inc.		09/24/2004	CORPORATION:

RECEIVING PARTY DATA

Name:	Tyson Farms, Inc.
Street Address:	2210 W. Oaklawn Drive
City:	Springdale
State/Country:	ARKANSAS
Postal Code:	72762
Entity Type:	CORPORATION:

PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	0874379	CHOCTAW MAID

CORRESPONDENCE DATA

Fax Number: (479)290-7967
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Email: jenna.johnston@tyson.com
 Correspondent Name: Jenna R. Johnston
 Address Line 1: 2210 W. Oaklawn Drive
 Address Line 4: Springdale, ARKANSAS 72762

NAME OF SUBMITTER:	R. Read Hudson
Signature:	/r. read hudson/
Date:	09/17/2008

Total Attachments: 5

900116381

**TRADEMARK
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NORTH CAROLINA

Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, **ELAINE F. MARSHALL**, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

CHOCTAW MAID FARMS, INC

INTO

TYSON FARMS, INC.

the original of which was filed in this office on the 28th day of September, 2004.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 28th day of September, 2004

Elaine F. Marshall

Secretary of State

Document Id: C20042720034

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State of North Carolina
 Department of the Secretary of State

ARTICLES OF MERGER
 FOREIGN AND DOMESTIC BUSINESS CORPORATION

Pursuant to Sections 55-11-05 and 55-11-07 of the General Statutes of North Carolina, the undersigned corporation does hereby submit the following Articles of Merger as the surviving corporation in a merger between a domestic business corporation and one or more foreign business corporations.

- The name of the surviving corporation is Tyson Farms, Inc.
 a corporation organized under the laws of North Carolina; the name of the merged corporation is Choctaw Maid Farms, Inc., a corporation organized under the laws of Mississippi.
- Attached is a copy of the Plan of Merger that was duly approved in the manner prescribed by law by each of the corporations participating in the merger.
- With respect to the surviving corporation (check either a or b, as applicable):
 a. Shareholder approval was not required for the merger.
 b. Shareholder approval was required for the merger and the plan of merger was approved by the shareholders as required by Chapter 55 of the North Carolina General Statutes.
- With respect to the merged corporation (check either a or b, as applicable):
 a. Shareholder approval was not required for the merger.
 b. Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 of the North Carolina General Statutes.
- The merger is permitted by the law of the state or country of incorporation or organization of each foreign entity which is a party.
- Each foreign entity which is a party has complied or shall comply with the applicable laws of its state or country of incorporation or organization.
- (Complete only if applicable - see instructions.) The mailing address of the surviving foreign corporation is: _____ The surviving foreign corporation will file a statement of any subsequent change in its mailing address with the North Carolina Secretary of State.
- These articles will be effective upon filing, unless a delayed date and/or time is specified: Oct. 2, 2004 - 11:59 p.m. EST

This is the 24 day of September, 20 04.

Tyson Farms, Inc.

Name of Corporation

Dennis Leatherby

Signature

Dennis Leatherby

Sr. Vice President, Finance & Treasurer

Type or Print Name and Title

Notes:

- Filing fee is \$50. This document must be filed with the Secretary of State.
- Certificate(s) of Merger must be registered pursuant to the requirements of N.C.G.S. Section 47-18.1

CORPORATIONS DIVISION
 (Revised January, 2002)

P. O. BOX 29622

RALEIGH, NC 27626-0622
 Form B-12

PLAN OF MERGER

This Plan of Merger has been adopted as of the 24th day of September, 2004 by and between CHOCTAW MAID FARMS, INC., a Mississippi corporation ("Choctaw Maid"), and TYSON FARMS, INC., a North Carolina corporation ("Tyson") (Tyson and Choctaw Maid are collectively referred to herein as the "Constituent Corporations").

WHEREAS, the Board of Directors of each of the Constituent Corporations deems it desirable, upon the terms and subject to the conditions herein stated, that Choctaw Maid be merged with and into Tyson and that Tyson be the surviving corporation;

NOW, THEREFORE, it is agreed as follows:

1. **Merger Transaction: Names of Merging Corporations.** Pursuant to Section 79-4-11.07 of the Mississippi Code of 1972, as amended, and Section 55-11-07 of the General Statues of North Carolina, Choctaw Maid shall merge with and into Tyson, such that Tyson is the surviving corporation (the "Merger").
2. **Terms and Conditions of the Merger.** The terms and conditions of the Merger shall be as follows:
 - a. **Effective Date of the Merger.** The effective date and time of the Merger shall be October 2, 2004 at 11:59 p.m. Eastern Standard Time (the "Effective Time").
 - b. **Manner and Basis of Converting Shares.** As of the Effective Time:
 - i. Each issued and outstanding share of Tyson shall continue as the issued and outstanding shares of common stock of Tyson without

change to the stock certificates evidencing such shares. No additional shares of Tyson shall be issued as a result of the Merger.

- ii. Tyson shall acquire all assets and properties of Choctaw Maid and assume all liabilities of Choctaw Maid as of the Effective Time. In exchange for such assumption, the sole shareholder of Choctaw Maid shall surrender for cancellation all certificates evidencing all issued and outstanding shares of the common stock of Choctaw Maid, and all right with respect to such shares shall upon surrender be cancelled as of the Effective Time. Choctaw Maid shall execute all documents necessary to effect such transfer of assets of Tyson.
- c. Effect of Merger. The Merger shall have the following effect:
 - i. The separate corporation existence of Choctaw Maid shall cease;
 - ii. Tyson shall be the surviving corporation and shall continue to exist as a corporation under the laws of the State of North Carolina, with all the rights and obligations of such a surviving corporation as are provided under the North Carolina Business Corporation Act;
 - iii. Title of all property and assets owned by the Constituent Corporations shall be vested in Tyson without reversion or impairment; and
 - iv. Tyson shall have all liabilities of the Constituent Corporations. Any proceeding pending by or against any of the Constituent Corporations may be continued as if the Merger did not occur, or the surviving

corporation may be substituted in such proceeding for any such
Constituent Corporations.

- d. Name of Surviving Corporation. The name of the surviving corporation shall be Tyson Farms, Inc.
- e. Articles of Incorporation and Bylaws. The Articles of Incorporation of Tyson as of the Effective Time shall be the Articles of Incorporation of the surviving corporation until the same shall be further altered, amended or repealed as therein provided, and the Bylaws of Tyson as of the Effective Time shall be the Bylaws of the surviving corporation until the same shall be altered or amended in accordance with the provisions thereof.
- f. Directors and Officers. The directors and officers of Tyson as of the Effective Time shall be the directors and officers of the surviving corporation until their respective successors are duly elected and qualified.

IN WITNESS WHEREOF, the parties hereto have duly executed and delivered this
Plan of Merger as of the date first set forth above.

TYSON FARMS, INC.

By: Jennifer Kethenby

Title: Sr. Vice President, Finance & Treasurer

CHOCTAW MAID FARMS, INC.

By: Jennifer Kethenby

Title: Sr. Vice President, Finance & Treasurer