

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	04/11/2207

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Rollpak Corporation		09/30/2008	CORPORATION: INDIANA

**RECEIVING PARTY DATA**

Name:	Berry Plastics Corporation
Street Address:	101 Oakley Street
City:	Evansville
State/Country:	INDIANA
Postal Code:	47706
Entity Type:	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 1**

Property Type	Number	Word Mark
Registration Number:	3410190	RIGHT-FIT

**CORRESPONDENCE DATA**

Fax Number: (317)231-7433  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 3172311313  
 Email: jgard@btlaw.com  
 Correspondent Name: Julia Spoor Gard  
 Address Line 1: 11 South Meridian Street  
 Address Line 2: Barnes & Thornburg LLP  
 Address Line 4: Indianapolis, INDIANA 46204

ATTORNEY DOCKET NUMBER:	5723-205837
NAME OF SUBMITTER:	Julia Spoor Gard
Signature:	/jsg/

CH \$40.00 3410190

Date:

11/13/2008

Total Attachments: 2

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**NUNC PRO TUNC TRADEMARK ASSIGNMENT**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Rollpak Corporation**, an Indiana Corporation, 1413 Eisenhower Drive South, Goshen, IN 45626, ("Assignor") assigns *nunc pro tunc*, as of April 11, 2007 to **Berry Plastics Corporation**, a Delaware corporation, 101 Oakley Street, Evansville, IN 47706 ("Assignee"), all rights, title and interests in and to the trademarks attached hereto as Schedule A (the "Marks"), including the registration thereof, all common law rights to the Marks, the goodwill of the on-going business with which the Marks are used, all claims for damages and profits by reason of infringement, and the right to sue for and collect the same for its own use and for the use of its successors and assigns.

Assignor agrees to execute and deliver at the request of the Assignee, all papers, instruments, and assignments, and to perform any other reasonable acts the Assignee may require in order to vest all Assignor's rights, title, and interest in and to the Marks in the Assignee and/or to provide evidence to support any of the foregoing in the event such evidence is deemed necessary by the Assignee, to the extent such evidence is in the possession or control of Assignor.

Rollpak Corporation

By: [Signature]  
Name: Jeffrey D. Thompson  
Title: Vice President  
Date: 9-30-08

STATE OF Indiana )  
COUNTY OF Vanderburgh ) SS:

Subscribed and sworn to before me, a Notary Public, in and for said County and State, this 30th day of September, 2008.

Witness my hand and Notarial Seal this 30th day of September, 2008.

[Signature]  
Notary Public

**KARA HELFERT**  
Notary Public, State of Indiana  
County of Vanderburgh  
My Commission Expires Jun. 1, 2012

County of Residence: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

SCHEDULE A

UNITED STATES TRADEMARKS

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
RIGHT-FIT	3410190	April 8, 2008

OTHER TRADEMARKS

<u>Trademark</u>	<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>
RIGHT-FIT	Mexico	915283	February 20, 2008
RIGHT-FIT	Canada	1383459	February 14, 2008