

## TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Southern Foods Group, Inc.		09/19/2008	CORPORATION: NORTH CAROLINA
Southern Foods, Inc.		09/19/2008	CORPORATION: NORTH CAROLINA
Southern Food Services, Inc.		09/19/2008	CORPORATION: NORTH CAROLINA

## RECEIVING PARTY DATA

Name:	S. Foods, LLC
Street Address:	4355 International Boulevard, Suite 150
City:	Norcross
State/Country:	GEORGIA
Postal Code:	30093
Entity Type:	LIMITED LIABILITY COMPANY: NORTH CAROLINA

## PROPERTY NUMBERS Total: 3

Property Type	Number	Word Mark
Serial Number:	78959815	CHEF'S PREFERENCE
Registration Number:	2711864	CHEF'S PREFERENCE
Registration Number:	2721277	THE PERFECT STEAK PERFECTLY AGED, PERFECTLY CARVED, PERFECTLY PRICED

## CORRESPONDENCE DATA

Fax Number: (336)733-8473

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: (336) 721-3747

Email: trademarkswinston@wcsr.com

Correspondent Name: Randel S. Springer

Address Line 1: Womble Carlyle Sandridge &amp; Rice, PLLC

Address Line 2: One West Fourth Street

900128000

TRADEMARK  
REEL: 003942 FRAME: 0631

CH \$90.00 78959815

Address Line 4: Winston-Salem, NORTH CAROLINA 27101

ATTORNEY DOCKET NUMBER: SOUTHERN FOODS

NAME OF SUBMITTER: Randel S. Springer

Signature: /Randy Springer/

Date: 02/26/2009

**Total Attachments: 42**

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source=Assignment - S. Foods, LLC#page42.tif

**ASSIGNMENT OF TRADEMARKS, SERVICE MARKS  
AND REGISTRATIONS THEREFORE**

**THIS ASSIGNMENT OF TRADEMARKS, SERVICE MARKS AND REGISTRATIONS THEREFORE** made, executed and delivered by and among **SOUTHERN FOODS GROUP, INC. ("SFG")**, **SOUTHERN FOODS, INC. ("SFI")**, and **SOUTHERN FOOD SERVICES, INC. ("SFS")**, all North Carolina corporations (collectively, "Assignor") and **S. FOODS, LLC**, a North Carolina limited liability company ("Assignee").

**WITNESSETH:**

**WHEREAS**, Assignor owns, has adopted, used and is using the marks referenced in Schedule A attached hereto which are registered in the respective states; and

**WHEREAS**, Assignee, whose address is 4355 International Boulevard, Suite 150, Norcross, Georgia 30093, desires to acquire such marks and the registrations thereof, and all other common law trademarks and service marks used by Assignor in this or any other country (the "Marks").

**NOW, THEREFORE**, for Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Effective as of 12:01 a.m. Eastern Standard Daylight Savings Time on September 19, 2008, Assignor hereby sells, assigns and transfers unto Assignee, its successor and assigns:

(a) the full and exclusive present and future right, title and interest of Assignor in and to the Marks in the United States and world-wide, including any and all continuations, divisions, reissues and extensions for the Marks, together with all Convention and Treaty Rights of all kinds in all countries worldwide;

(b) all claims, demands and rights of action, both statutory and based upon common law, that Assignor has or might have in connection with the Marks, together with the right to prosecute such claims, demands and rights of action, including future infringement claims with the right to recover all profits and damages recoverable for past infringement of the same; and

(c) all rights of Assignor to file for foreign Marks.

2. It is hereby covenanted that Assignor has full right to convey the entire interest herein assigned and that Assignor has not executed, and will not execute, any agreement in conflict herewith, and Assignor further covenants and agrees that it will, each time a request is made and without undue delay, execute and deliver all such papers as may be necessary or desirable to perfect the title to the Marks in Assignee, its successors, assigns, nominees or legal representatives, and Assignor agrees to communicate to Assignee or to its nominee all known facts respecting the Marks, to sign all lawful papers, to execute all disclaimers and non-provisional, divisional, continuing, reissue and foreign applications, as necessary, to aid Assignee, its successors, assigns, nominees and legal representatives to secure title for the Marks in any and all countries, all at the expense, however, of Assignee, its successors, assigns, nominees or legal representatives.

3. This Assignment is given pursuant to that certain Asset Purchase Agreement among Assignor and Assignee, dated August 15, 2008 (the "Purchase Agreement"). The execution and delivery of this Assignment shall not serve to modify, alter or limit the terms and conditions of the Purchase Agreement. Capitalized terms not otherwise defined herein shall have the same meanings given them in the Purchase Agreement.

[Remainder of this page left blank intentionally.]

IN WITNESS WHEREOF, Assignor, expressly intending to be legally bound hereby, has caused this Assignment of Trademarks, Service Marks and Registrations therefore to be duly executed effective 12:01 a.m. Eastern Standard Daylight Savings Time on September 19, 2008.

**ASSIGNOR:**

**Southern Food Group, Inc.**

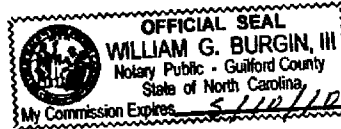
By: Mark A. Nussbaum

Name: Mark A. Nussbaum

Title: President

Signed, sealed and delivered before the undersigned this 19th day of September, 2008.

William G. Burgin, III  
Notary Public



My Commission Expires:

5/10/10

**Southern Foods, Inc.**

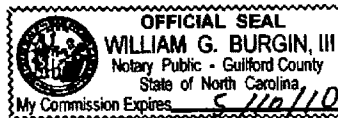
By: Mark A. Nussbaum

Name: Mark A. Nussbaum

Title: President

Signed, sealed and delivered before the undersigned this 19th day of September, 2008.

William G. Burgin, III  
Notary Public



My Commission Expires:

5/10/10

**Southern Food Service, Inc.**

By: Mark A. Nussbaum

Name: Mark A. Nussbaum

Title: President

**TRADEMARK**

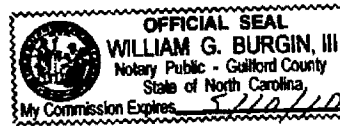
**REEL: 003942 FRAME: 0635**

Signed, sealed and delivered before the  
undersigned this 19th day of September, 2008.

William G. Burgin, III  
Notary Public

My Commission Expires:

5/10/10



**SCHEDULE A**

**See Attached.**



*State of North Carolina*  
*Department of the Secretary of State*

ELAINE F. MARSHALL  
SECRETARY OF STATE

TRADEMARKS SECTION  
(919) 807-2162 (DIRECT DIAL)  
(919) 807-2215 (FACSIMILE)

March 7, 2006

Vic L. Nussbaum  
Southern Foods  
PO Box 26801  
Greensboro, NC 27429-6801

RE: Affidavits of Use for Southern Foods (#9048), (#9049) and (#9050)

Dear Mr. Nussbaum:

The specimens submitted comply with N.C.G.S. §80-5. Therefore, the registrations are extended until their renewal date in five years.

Sincerely,

A handwritten signature in cursive script that reads "Danita Robinson".

Danita Robinson  
Trademarks

TRADEMARKS SECTION  
PO BOX 29622, RALEIGH, NC 27626-0622  
TRADEMRK@SOSNC.COM

TRADEMARK  
REEL: 003942 FRAME: 0638



STATE OF NORTH CAROLINA  
DEPARTMENT OF THE SECRETARY OF STATE

AFFIDAVIT OF USE  
OF A MARK UNDER N.C.G.S. §80-5

MARK:

REGISTRATION NO: 9050

REGISTRATION DATE: 10/02/1990

CLASS NO.: 101

VICTOR L. NUSSBAUM, V.P...... (Name of Person signing the Affidavit, and official capacity)

being hereby warned that willful false statements, and the like, may jeopardize the validity of this document, and that failure to submit this document pursuant to N.C.G.S. §80-5 shall be grounds for cancellation of the registration of the mark by the Secretary of State, declares that SOUTHERN FOODS, INC...... (Registrant of the mark) owns the above identified registration issued, as shown by records filed in this office; that the mark shown therein is still in use in connection with the goods and/or services recited in the registration, {(with the exception of .....

.....)  
(list those goods or services which have been dropped, if applicable)), as evidenced by the specimen(s) attached showing the mark as currently used in the class of goods and/or services in which the mark is registered, and that all statements made of registrant's own knowledge are true and all statements made on information and belief are believed to be true.

REGISTRANT	<u>SOUTHERN FOODS, INC.</u>
BY	<u>VICTOR L. NUSSBAUM</u> <i>Victor L. Nussbaum</i>
TITLE	<u>VICE PRESIDENT</u>
DATE	<u>2/27/06</u>

North Carolina

Guilford County

I, Kathern Smithy, a Notary Public for Guilford County, North Carolina,

do hereby certify that Victor L. Nussbaum personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 27 day of February, 20 06.

(Official Seal)

Kathern Smithy  
Notary Public

My commission expires 02-16-, 20 07.  
Month and Day

\* Southern Foods

P.O. Box 26801  
Greensboro NC 27429-6801

(336) 545-3800

3500 Old Battleground Rd.  
Greensboro NC 27410

STATE OF NORTH CAROLINA  
DEPARTMENT OF THE SECRETARY OF STATE

AFFIDAVIT OF USE  
OF A MARK UNDER N.C.G.S. §80-5

MARK:

REGISTRATION NO: 9049

~~REGISTRATION DATE: 10/02/1990~~

CLASS NO.: 100

VICTOR L. NUSSBAUM, V.P. (Name of Person signing the Affidavit, and official capacity)

being hereby warned that willful false statements, and the like, may jeopardize the validity of this document, and that failure to submit this document pursuant to N.C.G.S. §80-5 shall be grounds for cancellation of the registration of the mark by the Secretary of State, declares that SOUTHERN FOODS, INC. (Registrant of the mark) owns the above identified registration issued, as shown by records filed in this office; that the mark shown therein is still in use in connection with the goods and/or services recited in the registration, ((with the exception of ))

(list those goods or services which have been dropped, if applicable)), as evidenced by the specimen(s) attached showing the mark as currently used in the class of goods and/or services in which the mark is registered, and that all statements made of registrant's own knowledge are true and all statements made on information and belief are believed to be true.

REGISTRANT	SOUTHERN FOODS, INC.
BY	VICTOR L. NUSSBAUM <i>Victor L. Nussbaum</i>
TITLE	VICE PRESIDENT
DATE	2/27/06

North Carolina

*Guilford* County

I, *Kathern Smithery*, a Notary Public for *Guilford* County, North Carolina, do hereby certify that *Victor L. Nussbaum* personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the *27* day of *February*, 20 *06*.

(Official Seal)

*Kathern Smithery*  
Notary Public

My commission expires *02-16-*, 20 *07*.  
Month and Day



3500 OLD BATTLEGROUND RD., GREENSBORO, N.C. 27410



**Vic L. Nussbaum**  
**Vice President Operations**

**P. O. Box 26801**  
**Greensboro NC 27429**  
**[vicn@southernfoods.com](mailto:vicn@southernfoods.com)**

**Ofc: (336) 545-3784**  
**Fax: (336) 545-5296**  
**Cell: (336) 382-8837**

STATE OF NORTH CAROLINA  
DEPARTMENT OF THE SECRETARY OF STATE

AFFIDAVIT OF USE  
OF A MARK UNDER N.C.G.S. §80-5

MARK:

REGISTRATION NO: 9048

REGISTRATION DATE: 10/02/1990

CLASS NO.: 046

VICTOR L. NUSSBAUM, V.P. (Name of Person signing the Affidavit, and official capacity)

being hereby warned that willful false statements, and the like, may jeopardize the validity of this document, and that failure to submit this document pursuant to N.C.G.S. §80-5 shall be grounds for cancellation of the registration of the mark by the Secretary of State, declares that SOUTHERN FOODS, INC. (Registrant of the mark) owns the above identified registration issued, as shown by records filed in this office; that the mark shown therein is still in use in connection with the goods and/or services recited in the registration, {(with the exception of ..... )

(list those goods or services which have been dropped, if applicable)), as evidenced by the specimen(s) attached showing the mark as currently used in the class of goods and/or services in which the mark is registered, and that all statements made of registrant's own knowledge are true and all statements made on information and belief are believed to be true.

REGISTRANT SOUTHERN FOODS, INC.  
BY VICTOR L. NUSSBAUM  
TITLE VICE PRESIDENT  
DATE 3/27/06

North Carolina

Guilford County

I, Kathern Smith, a Notary Public for Guilford County, North Carolina, do hereby certify that Victor L. Nussbaum personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 27 day of February, 20 06.

(Official Seal)

Kathern Smith  
Notary Public

My commission expires 02-16-, 2007.  
Month and Day

**\* Southern Foods**  
3500 OLD BATTLEGROUND RD., GREENSBORO, N.C. 27410



**Vic L. Nussbaum**  
Vice President Operations

P. O. Box 26801  
Greensboro NC 27429  
vicn@southernfoods.com

Ofc: (336) 545-3784  
Fax: (336) 545-5296  
Cell: (336) 382-8837

*Label that is attached  
to cases of food product.*

**Southern Foods, Inc.  
Live Trademarks**

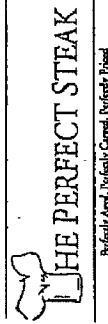
No.	Serial No.	Date Filed	Regis. No.	Date Regis.	Mark	Status	Comments
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Registered for IC029 - frozen meats, fish and poultry. Section 8/15 Declarations of Use & Incontestability due between 04/29/08 and 04/29/09.

Live

1 76/189,120 01/03/01 2,711,864 04/29/03



Registered for IC029 - Meat, namely beefsteaks; Section 8/15 Declarations of Use & Incontestability due between 06/06/08 and 06/06/09;

Live

2 76/443,331 08/23/02 2,721,277 06/06/03

Filed in IC035 Shop-at-home party services in the field of food, namely frozen meats, fish, poultry, fruits, and vegetables;

IC039 Home delivery services, namely, delivery of frozen meats, fish, poultry, fruits and vegetables; consulting services in the field of culinary arts, namely, providing information and consultation in the field of food storage and food preparation. Application was allowed on 11/27/07; first request for extension to file statement of use was granted 6/02/08. Next filing is due 11/27/08.

Live

**CHEF'S PREFERENCE**  
[in block letters]

*pending*

4 78/959815 8/24/2006



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[HELP](#)

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Refine Search Southern [on] &amp; foods [on]&amp; inc [on]&amp; green. Submit

Current Search: S4: Southern [on] &amp; foods [on]&amp; inc [on]&amp; greensboro [ow] docs: 16 occ: 64

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	78959815		CHEF'S PREFERENCE	TARR	LIVE
2	78945178		COMPLETE CHEF	TARR	DEAD
3	76443331	2721277	THE PERFECT STEAK PERFECTLY AGED, PERFECTLY CARVED, PERFECTLY PRICED	TARR	LIVE
4	76269227		THE PERFECT SALMON	TARR	DEAD
5	76268910		THE PERFECT STEAK PERFECTLY AGED, PERFECTLY CARVED, PERFECTLY PRICED	TARR	DEAD
6	76189121		CHEF'S PREFERENCE	TARR	DEAD
7	76189120	2711864	CHEF'S PREFERENCE	TARR	LIVE
8	75071996		SOUTHERN PHILLY	TARR	DEAD
9	75071710		SEAFOOD DUOS	TARR	DEAD
10	75071709	2137794	THE CHEFS PREFERENCE	TARR	DEAD
11	75010765	2031853	CULINAIRE FLAIR	TARR	DEAD
12	75010764	2031852	CULINAIRE FLAIR	TARR	DEAD
13	74422568	1838001	THE CHEF'S PREFERENCE	TARR	DEAD
14	74422567	1900796	THE CHEF'S PREFERENCE	TARR	DEAD
15	74422566		CULINAIRE FLAIR APPETIZERS	TARR	DEAD
16	74422565		CULINAIRE FLAIR APPETIZERS	TARR	DEAD

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**This page was generated by the TARR system on 2008-08-29 07:13:08 ET**

**Serial Number:** 78959815 Assignment Information      Trademark Document Retrieval

**Registration Number:** (NOT AVAILABLE)

**Mark**

**CHEF'S PREFERENCE**

**(words only):** CHEF'S PREFERENCE

**Standard Character claim:** Yes

**Current Status:** A request for the first extension of time to file a statement of use has been granted.

**Date of Status:** 2008-06-02

**Filing Date:** 2006-08-24

**The Notice of Allowance Date is:** 2007-11-27

**Transformed into a National Application:** No

**Registration Date:** (DATE NOT AVAILABLE)

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 114

**Attorney Assigned:**  
OH WON TEAK

**Current Location:** 700 -Intent To Use Section

**Date In Location:** 2008-05-28

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. Southern Foods, Inc.

**Address:**

Southern Foods, Inc.  
3500 Old Battleground Road  
Greensboro, NC 27410  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** North Carolina

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### GOODS AND/OR SERVICES

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**International Class:** 039

**Class Status:** Active

Home delivery services, namely, delivery of frozen meats, fish, poultry, fruits and vegetables; consulting services in the field of culinary arts, namely, providing information and consultation in the field of food storage

**Basis:** 1(b)

**First Use Date:** (DATE NOT AVAILABLE)

**First Use in Commerce Date:** (DATE NOT AVAILABLE)

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### ADDITIONAL INFORMATION

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**Prior Registration Number(s):**

2711864

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-06-02 - Extension 1 granted

2008-05-22 - Extension 1 filed

2008-05-22 - TEAS Extension Received

2007-11-27 - Notice of allowance - mailed

2007-09-04 - Published for opposition

2007-08-15 - Notice of publication

2007-05-25 - Law Office Publication Review Completed

2007-05-25 - Approved for Pub - Principal Register (Initial exam)

2007-05-22 - Examiner's Amendment Entered  
2007-05-22 - EXAMINERS AMENDMENT E-MAILED  
2007-05-22 - Examiners Amendment -Written  
2007-05-22 - Previous allowance count withdrawn  
2007-05-18 - Withdrawn From Pub - Og Review Query  
2007-04-09 - Law Office Publication Review Completed  
2007-04-07 - Approved for Pub - Principal Register (Initial exam)  
2007-03-19 - Examiner's Amendment Entered  
2007-03-19 - EXAMINERS AMENDMENT E-MAILED  
2007-03-19 - Examiners Amendment -Written  
2007-03-19 - Previous allowance count withdrawn  
2007-03-17 - Withdrawn From Pub - Og Review Query  
2007-02-23 - Law Office Publication Review Completed  
2007-02-22 - Assigned To LIE  
2007-01-17 - Approved for Pub - Principal Register (Initial exam)  
2007-01-05 - Teas/Email Correspondence Entered  
2007-01-05 - Communication received from applicant  
2007-01-05 - TEAS Response to Office Action Received  
2007-01-04 - Non-final action e-mailed  
2007-01-04 - Non-Final Action Written  
2006-12-29 - Assigned To Examiner  
2006-08-29 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

J. Reed Johnston, Jr.

**Correspondent**

J. Reed Johnston, Jr.  
TUGGLE DUGGINS & MESCHAN, P.A.  
100 N GREENE ST STE 600  
GREENSBORO NC 27401-2546  
Phone Number: (336) 378-1431  
Fax Number: (336) 274-6590

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Word Mark COMPLETE CHEF

Goods and Services (ABANDONED) IC 011. US 013 021 023 031 034. G &amp; S: Freezers

(ABANDONED) IC 021. US 002 013 023 029 030 033 040 050. G &amp; S: Waterless cookware; namely, pots and pans

(ABANDONED) IC 029. US 046. G &amp; S: Meat; poultry; seafood; frozen fruits; frozen vegetables

(ABANDONED) IC 035. US 100 101 102. G &amp; S: Shop-at-home party services in the field of waterless cookware, namely pots and pans; and food

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.15.05 - Smoke; Steam; Vapor  
02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
02.01.20 - Bakers (men); Butchers (men); Chefs (men); Men, butchers, chefs, and bakers  
02.09.07 - Cooking, humans; Humans, including men, women and children, depicted cooking  
09.05.06 - Chef's Hat  
26.11.21 - Rectangles that are completely or partially shaded

Serial Number 78945178

Filing Date August 4, 2006

Current Filing Basis 1B

Original Filing Basis 1B

Published for

**Opposition** April 10, 2007  
**Owner** (APPLICANT) **Southern Foods, Inc.** CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 27410  
**Attorney of Record** J. Reed Johnston, Jr.  
**Description of Mark** "The mark consists of in part, of a highly stylized chef in the process of cooking."  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** January 4, 2008

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**Serial Number:** 76443331 [Assignment Information](#) [Trademark Document Retrieval](#)

**Registration Number:** 2721277

**Mark**



**(words only):** THE PERFECT STEAK PERFECTLY AGED, PERFECTLY CARVED, PERFECTLY PRICED

**Standard Character claim:** No

**Current Status:** Registered.

**Date of Status:** 2003-06-03

**Filing Date:** 2002-08-23

**Transformed into a National Application:** No

**Registration Date:** 2003-06-03

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 113

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**Current Location:** 900 -File Repository (Franconia)

**Date In Location:** 2003-06-10

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. SOUTHERN FOODS, INC.

**Address:**  
SOUTHERN FOODS, INC.



3500 Old Battleground Road  
Greensboro, NC 27410  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** North Carolina

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### GOODS AND/OR SERVICES

---

**International Class:** 029

**Class Status:** Active

MEAT, NAMELY BEEFSTEAKS

**Basis:** 1(a)

**First Use Date:** 2001-06-01

**First Use in Commerce Date:** 2001-06-01

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### ADDITIONAL INFORMATION

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**Disclaimer:** "STEAK", "AGED", "CARVED", or "PRICED"

**Design Search Code(s):**

09.05.06 - Chef's Hat

26.17.13 - Letters or words underlined and/or overlined by one or more strokes or lines; Overlined words or letters; Underlined words or letters

27.03.05 - Objects forming letters or numerals

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2005-12-06 - TEAS Change Of Correspondence Received

2003-06-03 - Registered - Principal Register

2003-03-11 - Published for opposition

2003-02-19 - Notice of publication

2003-01-06 - Approved for Pub - Principal Register (Initial exam)

2002-12-18 - TEAS Change Of Correspondence Received

2002-12-18 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Joseph F. McNulty, Jr.

**Correspondent**

J. Reed Johnston, Jr.

Tuggle Duggins & Meschan, P.A.

100 N. Greene Street, Suite 600

Greensboro NC 27401

Phone Number: (336) 378-1431

Fax Number: (336) 274-6590

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 ( Use the "Back" button of the Internet Browser to return to TESS)Typed Drawing

Word Mark THE PERFECT SALMON  
Goods and Services (ABANDONED) IC 029. US 046. G & S: FISH, NAMELY SALMON  
Mark Drawing Code (1) TYPED DRAWING  
Serial Number 76269227  
Filing Date June 8, 2001  
Current Filing Basis 1B  
Original Filing Basis 1B  
Published for Opposition September 25, 2001  
Owner (APPLICANT) SOUTHERN FOODS, INC. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 27410  
Attorney of Record Joseph F. McNulty, Jr.  
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SALMON" APART FROM THE MARK AS SHOWN  
Type of Mark TRADEMARK  
Register PRINCIPAL  
Live/Dead Indicator DEAD  
Abandonment Date September 3, 2002

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THE PERFECT STEAK

Perfectly Aged, Perfectly Carved, Perfectly Priced

<b>Word Mark</b>	THE PERFECT STEAK PERFECTLY AGED, PERFECTLY CARVED, PERFECTLY PRICED
<b>Goods and Services</b>	(ABANDONED) IC 029. US 046. G & S: MEAT, NAMELY BEEFSTEAKS
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	09.05.06 - Chef's Hat 26.11.03 - Incomplete rectangles; Rectangles (incomplete)
<b>Serial Number</b>	76268910
<b>Filing Date</b>	June 8, 2001
<b>Current Filing Basis</b>	1B
<b>Original Filing Basis</b>	1B
<b>Owner</b>	(APPLICANT) SOUTHERN FOODS, INC. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 27410
<b>Attorney of Record</b>	Joseph F. McNulty, Jr.
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE No claim is made to the exclusive right to use the word STEAK apart from the mark as shown. APART FROM THE MARK AS SHOWN
<b>Description of Mark</b>	The mark consists of the words THE PERFECT STEAK PERFECTLY AGED, PERFECTLY CARVED, PERFECTLY PRICED, with a chef's hat design serving as the letter "T" in the word "The" and horizontal lines above and below the words THE PERFECT STEAK.
<b>Type of Mark</b>	TRADEMARK

Register        PRINCIPAL  
Live/Dead  
Indicator        DEAD  
Abandonment  
Date            February 28, 2002

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**Word Mark** CHEF'S PREFERENCE  
**Goods and Services** (ABANDONED) IC 030. US 046. G & S: BREAD, CAKES, PASTRIES, COOKIES, CANDY AND PETITFOURS  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design Search Code** 02.01.02 - Men depicted as shadows or silhouettes of men; Silhouettes of men  
 09.05.06 - Chef's Hat  
**Serial Number** 76189121  
**Filing Date** January 3, 2001  
**Current Filing Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** November 13, 2001  
**Owner** (APPLICANT) SOUTHERN FOODS, INC. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 27410  
**Attorney of Record** Joseph F McNulty  
**Prior Registrations** 1838001;1900796;2137794  
**Description of Mark** The lining and stippling is a feature of the mark and does not indicate color.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** DEAD  
**Abandonment Date** August 26, 2002

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## Typed Drawing

Word Mark	SOUTHERN PHILLY
Goods and Services	(ABANDONED) IC 029. US 046. G & S: frozen shaved beef
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	75071996
Filing Date	March 13, 1996
Current Filing Basis	1B
Original Filing Basis	1B
Owner	(APPLICANT) Southern Foods, Inc. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 27410
Attorney of Record	Joseph F. McNulty, Jr.
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOUTHERN" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Abandonment Date	April 1, 1997

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CULINAIRE FLAIR

<b>Word Mark</b>	CULINAIRE FLAIR
<b>Translations</b>	The English translation of "CULINAIRE" is "culinary".
<b>Goods and Services</b>	(CANCELLED) IC 029. US 046. G & S: fresh and frozen meats, fish, and poultry. FIRST USE: 19930527. FIRST USE IN COMMERCE: 19930601
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	02.01.20 - Bakers (men); Butchers (men); Chefs (men); Men, butchers, chefs, and bakers 26.17.02 - Bands, wavy; Bars, wavy; Lines, wavy; Wavy line(s), band(s) or bar(s)
<b>Serial Number</b>	75010764
<b>Filing Date</b>	October 26, 1995
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	October 29, 1996
<b>Registration Number</b>	2031852
<b>Registration Date</b>	January 21, 1997
<b>Owner</b>	(REGISTRANT) Southern Foods, Inc. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 27410
<b>Attorney of Record</b>	Joseph F. McNulty, Jr.

Description of Mark The lining shown in the drawing is a feature of the mark and not intended to indicate color. The stippling shown in the drawing is a feature of the mark and not intended to indicate color.  
Type of Mark TRADEMARK  
Register PRINCIPAL  
Live/Dead Indicator DEAD  
Cancellation Date October 25, 2003

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*The Chef's Preference*

Word Mark	THE CHEF'S PREFERENCE
Goods and Services	(CANCELLED) IC 029. US 046. G & S: fresh and frozen meats, fish, and poultry. FIRST USE: 19930527. FIRST USE IN COMMERCE: 19930601
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	74422568
Filing Date	August 6, 1993
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 8, 1994
Registration Number	1838001
Registration Date	May 31, 1994
Owner	(REGISTRANT) Southern Foods, Inc. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 24410
Attorney of Record	Joseph F. McNulty, Jr.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	DEAD
Cancellation Date	June 9, 2001

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*The Chef's Preference*

<b>Word Mark</b>	THE CHEF'S PREFERENCE
<b>Goods and Services</b>	(CANCELLED) IC 030. US 046. G & S: bread, cakes, pastries, cookies and confectionary, namely candies and petit fours. FIRST USE: 19930527. FIRST USE IN COMMERCE: 19930601
<b>Mark Drawing Code</b>	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
<b>Serial Number</b>	74422567
<b>Filing Date</b>	August 6, 1993
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	November 15, 1994
<b>Registration Number</b>	1900796
<b>Registration Date</b>	June 20, 1995
<b>Owner</b>	(REGISTRANT) Southern Foods, Inc. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 24410
<b>Attorney of Record</b>	Joseph F. McNulty, Jr.
<b>Type of Mark Register</b>	TRADEMARK PRINCIPAL

Live/Dead  
Indicator DEAD  
Cancellation Date June 29, 2002

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**Word Mark** CULINAIRE FLAIR APPETIZERS

**Goods and Services** (ABANDONED) IC 030. US 046. G & S: conffectionary, namely bread, cakes, pies, pastries, cookies, candy, and petit fours. FIRST USE: 19930527. FIRST USE IN COMMERCE: 19930601

**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

**Design Search Code** 02.01.01 - Busts of men facing forward; Heads of men facing forward; Men - heads, portraiture, or busts facing forward; Portraiture of men facing forward  
 02.01.20 - Bakers (men); Butchers (men); Chefs (men); Men, butchers, chefs, and bakers  
 02.01.31 - Men, stylized, including men depicted in caricature form  
 09.03.08 - Ascots; Bandannas; Neckerchiefs; Scarves  
 09.05.06 - Chef's Hat  
 26.17.02 - Bands, wavy; Bars, wavy; Lines, wavy; Wavy line(s), band(s) or bar(s)  
 26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)

**Serial Number** 74422566

**Filing Date** August 6, 1993

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Owner** (APPLICANT) Southern Foods, Inc. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 24410

**Attorney of Record** Joseph F. McNulty, Jr.

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "APPETIZERS" APART FROM THE MARK AS SHOWN

**Description of Mark** The lining shown in the drawing is a feature of the mark and not intended to indicate color. The Stippling shown in the drawing is a feature of the mark and not intended to indicate color.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** May 30, 1995

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<b>Word Mark</b>	CULINAIRE FLAIR APPETIZERS
<b>Goods and Services</b>	(ABANDONED) IC 029. US 046. G & S: fresh and frozen meats, fish, and poultry. FIRST USE: 19930527. FIRST USE IN COMMERCE: 19930601
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	02.01.01 - Busts of men facing forward; Heads of men facing forward; Men - heads, portraiture, or busts facing forward; Portraiture of men facing forward 02.01.20 - Bakers (men); Butchers (men); Chefs (men); Men, butchers, chefs, and bakers 02.01.31 - Men, stylized, including men depicted in caricature form 09.03.08 - Ascots; Bandannas; Neckerchiefs; Scarves 09.05.06 - Chef's Hat 26.17.02 - Bands, wavy; Bars, wavy; Lines, wavy; Wavy line(s), band(s) or bar(s) 26.17.04 - Bands, vertical; Bars, vertical; Lines, vertical; Vertical line(s), band(s) or bar(s)
<b>Serial Number</b>	74422565
<b>Filing Date</b>	August 6, 1993
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Owner</b>	(APPLICANT) Southern Foods, Inc. CORPORATION NORTH CAROLINA 3500 Old Battleground Road Greensboro NORTH CAROLINA 24410
<b>Attorney of Record</b>	Joseph F. McNulty, Jr.

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "APPETIZERS" APART FROM THE MARK AS SHOWN

**Description of Mark** The lining shown in the drawing is a feature of the mark and not intended to indicate color. The stippling shown in the drawing is a feature of the mark and not intended to indicate color.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** DEAD

**Abandonment Date** May 30, 1995

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