

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|------------------------------|-------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | SECURITY INTEREST |

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|--|----------|----------------|-----------------------------------|
| The Great Atlantic & Pacific Tea Company, Inc. | | 08/04/2009 | CORPORATION: MARYLAND |
| Borman's, Inc. | | 08/04/2009 | CORPORATION: DELAWARE |
| Best Cellars Inc. | | 08/04/2009 | CORPORATION: NEW YORK |
| Grape Finds at Dupont, Inc. | | 08/04/2009 | CORPORATION: DISTRICT OF COLUMBIA |
| Pathmark Stores, Inc. | | 08/04/2009 | CORPORATION: DELAWARE |

RECEIVING PARTY DATA

| | |
|--------------------------|----------------------------------|
| Name: | Wilmington Trust Company |
| Street Address: | 1100 North Market Street |
| Internal Address: | Rodney Square North |
| City: | Wilmington |
| State/Country: | DELAWARE |
| Postal Code: | 19890 |
| Entity Type: | Bank and Trust Company: DELAWARE |

PROPERTY NUMBERS Total: 25

| Property Type | Number | Word Mark |
|----------------------|---------|-----------------|
| Registration Number: | 2422415 | BEST CELLARS |
| Registration Number: | 2643503 | BEYOND THE BEST |
| Registration Number: | 3191120 | BIG |
| Registration Number: | 2154639 | |
| Registration Number: | 3085228 | CELLAR-TO-GO-GO |
| Registration Number: | 2263938 | |
| Registration Number: | 2260200 | |
| Registration Number: | 2156290 | |
| | | |

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|----------------------|---------|---------------------------------------|
| Registration Number: | 2156289 | |
| Registration Number: | 3119391 | FIZZY |
| Registration Number: | 2242184 | FIZZY |
| Registration Number: | 3119390 | FRESH |
| Registration Number: | 2246761 | FRESH |
| Registration Number: | 2271317 | |
| Registration Number: | 3032255 | GREAT WINES FOR EVERY DAY |
| Registration Number: | 2243937 | JUICY |
| Registration Number: | 3050162 | JUICY |
| Registration Number: | 3350671 | |
| Registration Number: | 2156235 | |
| Registration Number: | 2133522 | SMOOTH |
| Registration Number: | 2243938 | SOFT |
| Registration Number: | 3032256 | SOFT |
| Registration Number: | 2258387 | |
| Registration Number: | 2824476 | YOU KNOW WHAT YOU LIKE. WE KNOW WINE. |
| Registration Number: | 2156236 | B |

CORRESPONDENCE DATA

Fax Number: (212)859-4000
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 2128598000
Email: teas@ffhsj.com
Correspondent Name: Julie Newman, Fried Frank, et al.
Address Line 1: One New York Plaza
Address Line 4: New York, NEW YORK 10004

| | |
|-------------------------|-----------------|
| ATTORNEY DOCKET NUMBER: | 30029-194/7274 |
| NAME OF SUBMITTER: | Julie A. Newman |
| Signature: | /JAN/ |
| Date: | 08/18/2009 |

Total Attachments: 35

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TRADEMARK

REEL: 004048 FRAME: 0002

GRANT OF SECURITY INTEREST
IN UNITED STATES PATENT AND TRADEMARKS

This GRANT OF SECURITY INTEREST IN UNITED STATES PATENTS AND TRADEMARKS, dated as of August 4, 2009 (this “Grant”), is made by and among (i) THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC. (the “Company”), a Maryland corporation, (ii) each subsidiary of the Company listed on Schedule I attached hereto (each such subsidiary individually a “Guarantor” and collectively, the “Guarantors”) (the Company and the Guarantors are hereinafter referred to, collectively, as the “Grantors”), and (iv) WILMINGTON TRUST COMPANY, as collateral agent (in such capacity, the “Collateral Agent”) for the benefit of Wilmington Trust Company, as trustee (together with any successor or successors in such capacity, the “Trustee”) and the Holders (as defined in the Security Agreement), in consideration of the mutual covenants contained herein and benefits to be derived herefrom.

WITNESSETH:

WHEREAS, Grantors are party to an Indenture, dated as of the date hereof (as amended, restated, amended and restated, modified or supplemented from time to time and including any agreement extending the maturity of, refinancing or otherwise amending, amending and restating or otherwise modifying or restructuring all or any portion of the obligations of the Company under the Notes or such agreement or any successor agreement, the “Indenture”) among the Company, the Guarantors, the Collateral Agent and the Trustee. Each of the Grantors has, pursuant to the Indenture, unconditionally guaranteed the Obligations (as defined in the Security Agreement);

WHEREAS, Grantors are party to a Security Agreement, dated as of the date hereof, in favor of the Collateral Agent and the Secured Parties (as amended, restated, or otherwise modified from time to time, the “Security Agreement”); and

WHEREAS, pursuant to the Security Agreement, Grantors have executed and delivered this Grant for the purpose of recording and confirming the grant of the security interest of the Collateral Agent in the Intellectual Property (as defined below) with the United States Patent and Trademark Office (“PTO”);

NOW, THEREFORE, in consideration of the mutual conditions and agreements set forth herein and in the Security Agreement, and for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors and the Collateral Agent, on its own behalf and on behalf of the other Secured Parties (and each of their respective successors or assigns), hereby agree as follows:

SECTION 1. Defined Terms. Unless otherwise defined herein, terms used herein have the meaning given to them in the Security Agreement. The following terms shall have the following meanings:

“Intellectual Property” shall mean all intellectual and similar property of any Grantor of every kind and nature now owned or hereafter acquired by any Grantor, including inventions, designs, Patents (as defined herein), Licenses, Trademarks (as defined herein), trade secrets, technology, confidential or proprietary technical and business information, know-how, show-how, data or information, domain names, mask works, customer lists, vendor lists, subscription lists, software and databases and all embodiments or fixations thereof and related documentation, registrations and franchises, and all additions, improvements and accessions to, and books and records describing or used in connection with, any of the foregoing.

“Patents” shall have the meaning given in the Security Agreement and shall include the patents set forth on Exhibit A.

“Trademarks” shall have the meaning given in the Security Agreement and shall include the trademarks set forth on Exhibit B.

SECTION 2. Grant of Security Interest. In furtherance and as confirmation of the Security Interest granted by the Grantors to the Collateral Agent (for its own benefit and the benefit of the other Secured Parties) under the Security Agreement, and as further security for the payment or performance, as the case may be, in full of the Obligations, each of the Grantors hereby ratifies such Security Interest and grants to the Collateral Agent (for its own benefit and the benefit of the other Secured Parties) a continuing security interest, in all of the present and future right, title and interest of such Grantor in, to and under its Intellectual Property, whether now owned or existing or hereafter acquired or arising, together with all products, proceeds, substitutions, and accessions thereof, including any claim by Grantors against third parties for past, present, or future infringement, dilution, misappropriation, violation, or unfair competition with any Intellectual Property (collectively, the “Intellectual Property Collateral”).

SECTION 3. Intent. This Grant is being executed and delivered by the Grantors for the purpose of recording and confirming the grant of the security interest of the Collateral Agent in the Intellectual Property Collateral with the United States Patent and Trademark Office. It is intended that the security interest granted pursuant to this Grant is granted in conjunction with, and not in addition to or limitation of, the Security Interest granted to the Collateral Agent, for its own benefit and the benefit of the other Secured Parties, under the Security Agreement. All provisions of the Security Agreement shall apply to the Intellectual Property Collateral. The Collateral Agent shall have the same rights, remedies, powers, privileges and discretions with respect to the security interests created in the Intellectual Property Collateral as in all other Collateral. In the event of a conflict between this Grant and the Security Agreement, the terms of the Security Agreement shall control.

SECTION 4. Recordation. Each Grantor authorizes and requests that the Commissioner for Patents, and the Commissioner for Trademarks and any other applicable government officer record this Grant.

SECTION 5. Collateral Agent As Attorney-In-Fact. Each of the Grantors hereby irrevocably makes, constitutes and appoints the Collateral Agent (and all officers, employees or agents designated by the Collateral Agent) as and for such Grantor’s true and lawful agent and attorney-in-fact in accordance with Section 5.03 of the Security Agreement:

- (a) To supplement and amend from time to time EXHIBITS A and B of this Grant to include any newly developed, applied for, registered, or acquired Intellectual Property of such Grantor and any intent-to-use Trademark applications for which a statement of use or an amendment to allege use has been filed and accepted by the PTO.
- (b) To execute all such instruments, documents, and papers as the Collateral Agent reasonably determines to be necessary or desirable in connection with the exercise of such rights and remedies and to cause the sale, license, assignment, transfer, or other disposition of the Intellectual Property.

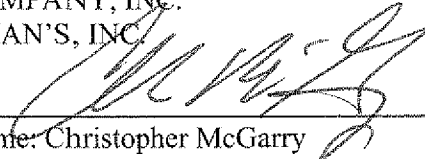
SECTION 6. Termination; Release of Intellectual Property Collateral. Upon termination of the Security Interest in the Intellectual Property Collateral in accordance with the Security Agreement, the Collateral Agent shall promptly execute, acknowledge, and deliver to the Grantor, at such Grantor's expense, an instrument in writing in recordable form releasing the collateral pledge, grant, lien and security interest in the Intellectual Property Collateral under this Grant. Any execution and delivery of termination statements, releases or other documents pursuant to this SECTION 6 shall be without recourse to, or warranty by, the Collateral Agent or any other Secured Party.

[SIGNATURE PAGE FOLLOWS]

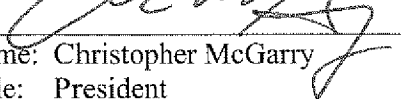
IN WITNESS WHEREOF, the Grantors and the Collateral Agent have caused this Grant to be executed by their duly authorized officers as of the date first above written.

GRANTORS:


THE GREAT ATLANTIC & PACIFIC TEA
COMPANY, INC.
BORMAN'S, INC.

By: 
Name: Christopher McGarry
Title: Vice President and Assistant Secretary

BEST CELLARS INC.
GRAPE FINDS AT DUPONT, INC.

By: 
Name: Christopher McGarry
Title: President

PATHMARK STORES, INC.

By: 
Name: Christopher McGarry
Title: Senior Vice President and Assistant Secretary

COLLATERAL AGENT:

WILMINGTON TRUST COMPANY, as
Collateral Agent

By: Michael G. Oller, Jr.
Name: Michael G. Oller, Jr.
Title: Assistant Vice President

EXHIBIT A

Patents


None

EXHIBIT B

Trademarks

See attached

**THE GREAT ATLANTIC & PACIFIC TEA COMPANY, INC.
US TRADEMARKS**

| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|---|---------------|---|---------------------------|-----------------------------------|--|
| A&P (Design and color)  | @ 11/6/84 | Class 42: Retail Grocery Store Services | 1,304,288 (73/454,363) | 11/6/2014 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Certificate of Renewal Issued |
| A&P (Block Letters) | @ 5/6/03 | Class 35: Retail Grocery Store Services | 2,713,141 (76/390,443) | 5/6/2013 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 4/03/02 |
| AMAZE AWAY | @ 7/18/06 | Class 21: Cleaning Tools, namely, Plastic-Based Cleaning Pads | 3,118,336 (78/549,806) | 7/18/2016 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 1/19/05 |
| AMERICA'S CHOICE | @ 11/26/96 | Class 29: Frozen Fruits, Vegetables, Shortening, Fish, Soups and Soup Mixes | 2,019,444 (74/234,200) | 11/26/2016 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 1/20/07: Cert. of Renewal issued |
| | | Class 30: Rice, Ice Cream, Spices, Salt, Puddings, Tea, Cookies, Breakfast Cereals, Bread And Other Bakery Products, Namely, Cake | | | |
| AMERICA'S CHOICE | @ 11/01/94 | Class 29: Prepared and Processed Fruits and Vegetables, Processed Olives, Ketchup, Mayonnaise, Salad Dressing, Pickles, Tomato Puree, Tomato Paste, Cooking Oil, Vegetable Oils, Cheese | 1,861,428 (74/801,783) | 10/25/2014 | The Great Atlantic & Pacific Tea Company, Inc. 10/25/04: Renewal Filed 11/26/04: Cert. of Renewal issued |
| AMERICA'S CHOICE | @ 10/25/94 | Class 30: Honey, Relish, Mustard, Barbecue Sauce, Sugar, Flour, Peanut Butter and Crackers | 1,860,494 (74/801,784) | 10/25/2014 | The Great Atlantic & Pacific Tea Company, Inc. 10/22/04: Renewal Filed 11/27/04: Cert. of Renewal issued |

TRADEMARK

| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|------------------|---------------|---|------------------------|-----------------------------------|---|
| AMERICA'S CHOICE | @ 1/30/01 | Class 1: Rock Salt, Deicing Preparation S For Use On Exterior Surfaces, Namely, Driveways, Sidewalks, Entrways and Windows; Stain Repellents For Clothing, Upholstery and Carpeting; and Artificial Sweeteners Class 6: Aluminum Foil Class 16: Paper and Plastic Products, Namely, Stationery and Envelopes; Napkins; Tissues; Paper Towels; Paper Bags; Toilet Paper; Plastic Wrap; Plastic Bags; Freezer Paper; Disposable Diapers Class 21: Small Domestic Utensils; Namely, Cooking and Food Molds, Pot And Pan Scrapers, And Spatulas And Whisks; All-Purpose Portable Household Containers, Namely, Baskets, Mugs, Beverage Dispensers, Bottles Sold Empty, Bowls, Buckets, Cookware, Namely, Pots and Pans, Dinner Plates, Cups and Drinking Glasses; Brooms and Dusters, Namely, Cleaning Brushes And Squeegees; Toothbrushes; Cleaning Cloths, Cleaning and Scouring Pads and Steel Wool For Cleaning Class 25: Hosiery Sold Exclusively In Registrant's Retail Outlets Class 29: Fresh, Frozen and Canned Meats, Fish, Poultry and Game; Imitation Meat and Meat Extracts; Preserved, Dried and Cooked Fruits and Vegetables; Eggs; Milk; Margarine, Yogurt; Frozen Creamers; Sour Cream; Frozen Imitation Eggs; Edible Oils; Fruit Preserves; Pickles; Shelled and Roasted Nuts; Peanut Butter; Potato Chips Class 30: Ice Cream and Ice Milk; Cocoa; Rice, Flour, Breakfast Cereal; Bread; Biscuits; Cakes; Pies; Pretzels; Popped Popcorn; Pizza, Pastas, Namely, Spaghetti, Macaroni, Vermicelli, Spaghetti, Fettuccine, Ziti and Pasta Shells; Frozen Bagels, Waffles and Pancakes; Frozen Yogurt; Baking Powder and Soda; Coffee; Tea; Sugar; Corn Meal And Corn Starch, Fudge and Frosting Mixes; Marshmallow Cream; Spices; Extracts Used As Flavoring; Meat Tenderizers; Molasses And Pancake Syrup; Hominy Grits; Mustard; Class 31: Raw Unprocessed Nuts; Unpopped Popcorn; Fresh Fruits and Vegetables; Seeds; Live Plants Class 34: Matches | 2,425,385 (74/332,876) | 1/30/2011 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 11/19/92 § 8 Use Filed: 1/30/07 § 8 Acceptance: 4/4/07 |
| AMERICA'S CHOICE | @ 2/25/86 | Class 29: Packaged Frozen Sea Food | 1,384,513 (73/514,986) | 2/25/2016 | The Great Atlantic & Pacific Tea Company, Inc. Renewal Filed: 2/24/06 |

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|------------------|---------------|---|---------------------------|-----------------------------------|--|
| AMERICA'S CHOICE | @ 10/18/05 | Class 1: Film | 3007194 (78/218,486) | 10/18/2015 | The Great Atlantic & Pacific Tea Company, Inc. Use due: 10/18/2011 |
| | | Class 3: Bubble Bath, Baby Powder, Petroleum Jelly, Baby Wipes, Detergent, Fabric Softener, Starch, Toilet Bowl Cleaners, Shave Gel, Cotton Balls, Dishwasher Detergent, Clothing Detergent, Cookware Scrubber, Anti-Bacterial Kitchen Cleansers, Drain Opener, Soap Pads, Deodorant, Glass Cleaner, Shower Cleaner, Bleach, Carpet Cleaner, Acrylic Floor Cleaner, Furniture Polish, Hand Sanitizer, Soap, Sanitary Wipes, Shampoo, Hair Conditioner, Oil, After Shave, Skin Lotion, Nail Polish, Sun Block Lotion and Sunscreen, Acne Wash, Aloe Lotion, Hair Detangler, Hair Gel, Nail Polish Remover, Ammonia | | | |
| | | Class 4: Lighter Fluid, Charcoal, Fire Logs, Fire Starter Sticks, Candles | | | |
| | | Class 5: Room Deodorizer, Gel and Powder Air Freshener | | | |
| | | Class 7: Vacuum Cleaner Bags | | | |
| | | Class 8: Razors, Plastic Knives, Spoons and Forks | | | |
| | | Class 9: Batteries, Disposable Cameras | | | |
| | | Class 11: Light Bulbs | | | |
| | | Class 16: Plastic Bowls, Plastic Knives, Plastic Forks, Plastic Spoons, Plastic Plates, Plastic Cups, Cloth Wipes, Straws, Vacuum Bags, Coffee Filters, Tape, Writing Paper, Flexible Straws, Cone Filters, Training Pans | | | |
| | | Class 20: Drinking Straws and Flexible Drinking Straws | | | |
| | | Class 21: Latex Gloves, Chip Clips | | | |
| | | Class 28: Toy Vehicles, Namely, Tractor Trailers, Toys, Bubbles | | | |
| | | Class 29: Gelatin, Gelatin, Fat-Free Whipped Topping, Evaporated Milk, Instant Dry Milk, Pumpkin Seeds, Popcorn, Macaroni & Cheese, Pasta, Prepared Lasagna Dinner, Butter, Macaroni & Beef, Spaghetti & Meatball, Beef Ravioli, Marshmallow Fluff And Nut Sandwiches; Pre-Packaged Kids' Meals | | | |
| | | Class 30: Granola Bar, Ice Cubes In A Poly Bag, Candy, Gum, Pancakes, Waffles, Frozen Pops, Semi-Sweet Chocolate Chips, Flaked Coconut, Cake Mix, Frosting, Brownie Mix, Corn Muffin Mix, Mints, Trail Mix, Lollipops, Sour Balls, Lemon Drops, Beer Barrel Candies, Gum Drops, Candied Orange Slices, Caramel Cups, Peanut Butter Cups, Fruit Snacks | | | |
| | | Class 31: Cat Litter | | | |
| | | Class 32: Canned and Bottled Fruit and Vegetable Juices, Grapefruit Juice, Apple Juice, Orange Juice, Frozen Juices | | | |
| AMERICA'S CHOICE | @ 8/09/05 | Class 40: Film Processing Services | 2,983,134 (78/395,344) | 8/9/2015 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 4/02/04 |


TRADEMARK

| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|--------------------------------------|---------------|---|-----------------------------|---|---|
| AMERICA'S COFFEE PROVIDER SINCE 1859 | @ 10/21/08 | Class 30: Coffee | 3,522,886 (Suppl. Register) | Combined Section 8 & Renewal deadline to be filed during the year commencing 10/21/2017 | The Great Atlantic & Pacific Tea Company, Inc. SUPPLEMENTAL REGISTER: Section 8 deadline to be filed during year commencing 10/21/08 |
| A TASTE OF ELEGANCE | @ 10/17/06 | Class 43: Catering Services | 3,158,364 (78/759,275) | 10/17/2016 Use due 10/17/2011 - 10/17/2012 | Pathmark Stores, Inc. |
| ATHENA | @ 7/06/04 | Class 8: Razors and Razor Blades | 2,861,651 (78/238,300) | 7/6/2014 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 4/16/03 |
| AW'SOME O'S | @ 12/26/06 | Class 30: Bakery desserts; Bakery goods; Bakery products; Bakery products, namely sweet bakery goods | 3,189,114 (78/731,611) | 12/26/2011 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 10/12/05 |
| B (stylized and/or with design) | @ 5/12/98 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,156,236 (75/182,649) | 5/12/2008 | Best Cellars Inc. Filed: 10/11/96 |
| BASICS | @ 9/14/04 | Class 35: Retail Supermarket Services; Retail Pharmacy Services | 2,884,450 (78/311,001) | 9/14/2014 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 10/8/03 |
| BEEF BEYOND BELIEF | @ 11/14/06 | Class 29: Meat | 3,172,122 (78/437,260) | 11/14/16 Use due: 11/14/12 | The Great Atlantic & Pacific Tea Company, Inc. ITU Filed: 6/17/04 1/10/05: Settlement Agreement -- Quizno's has agreed to cease and desist using mark. |
| BEST CELLARS | @ 1/23/01 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages and Delicatessen, Bakery, Carry-out and Snack Food Items | 2,422,415 (75/058,148) | 1/23/2011 | Best Cellars Inc. Filed: 2/15/96 |
| BEYOND THE BEST | @ 10/29/02 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,643,503 (75/861,646) | 10/29/2012 | Best Cellars Inc. Filed: 12/01/99 |



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|------------------------------|-----------------------------|--|---------------------------|---|---|
| BEYOND THE SHELF | ® 12/30/03 | Class 35: Retail store services and online retail ordering services over a global computer information network and retail mail order and catalog ordering services, featuring a wide variety of consumer goods, namely, groceries, personal health and beauty products, non-medicated over-the-counter drugs, baby supplies, pet food and supplies, vitamins and nutritional supplements, housewares, hardware, consumer electronics, educational software, computer games, computer accessories, music CDs, books, videos, toys, office and school supplies and sundry items. | 2,800,401 (78/201,136) | 12/30/2013 Use due: 12/30/08 - 12/30/09 | Pathmark Stores, Inc. |
| BIG | ® 1/02/07 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 3,191,120 (78/538,845) | 1/2/2017 | Best Cellars Inc. Filed: 12/28/04 |
| BIG DEALS | ® 9/26/95 | Class 42: Retail Supermarket Services | 1,922,594 (74/176,206) | 9/26/2015 | The Great Atlantic & Pacific Tea Company, Inc. Renewal filed: 9/26/05 |
| BRILLIANT BUBBLES | ® 1/27/04 | Class 28: Toys, namely Bubble-Making Wand and Solution Sets | 2,808,673 (78/202,468) | 1/27/2014 | The Great Atlantic & Pacific Tea Company, Inc. ITU |
| Bubble Icon (Design only) | ® 5/5/98 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,154,639 (75/182,643) | 5/5/2018 | Best Cellars Inc. Filed: 10/11/96 |
| BUILD A CAKE | ™ Pending Filed: 2/13/06 | Class 40: Custom Cake Decorating Services | (78/813,067) | | The Great Atlantic & Pacific Tea Company, Inc. Publ. Date: 10/17/06 Opposition by Build-A-Bear Retail Management, Inc. CLL responded 4/18/07 |
| CELLAR-TO-GO-GO | ® 4/25/06 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 3,085,228 (78/622,476) | 4/25/2016 | Best Cellars Inc. Filed: 5/4/05 |
| CHEFMARK | ™ 9/25/08 | Class 42: Purveyance of Foods from a Delicatessen and/or appetizing section of Retail Supermarkets for off premises consumption. | (77/578,894) | | Pathmark Stores, Inc. Standard Character Mark Date of First Use: 6/00/1974 (taken from PM original logo of CHEFMARK & Design) |

TRADEMARK

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|---|---------------|--|---------------------------|-----------------------------------|--|
| Cherry Icon (Design only) | @ 7/27/99 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,263,938 (75/182,602) | 7/27/2009 | Best Cellars Inc. Filed: 10/11/96 |
| Citrus/Cantaloupes Icon (Design only) | @ 7/13/99 | Class 33: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages, T-Shirts, and Delicatessen, Bakery, Carry-out and Snack Food Items | 2,260,200 (75/182,604) | 7/13/2009 | Best Cellars Inc. Filed: 10/11/96 |
| Cloud Icon (Design only) | @ 5/12/98 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,156,290 (75/193,043) | 5/12/2018 | Best Cellars Inc. Filed: 10/31/96 |
| CONCORDE | @ 7/06/04 | Class 8: Razors and Razor Blades | 2,861,650 (78/238,266) | 7/6/2014 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 4/16/03 |
| Crescent Moon Icon (Design only) (Plain single line circle; wavy horizontal lines) | @ 5/12/98 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,156,289 (75/193,041) | 5/12/2018 | Best Cellars Inc. Filed: 10/31/96 |
| EASY BRIGHT NIGHT | @ 3/22/05 | Class 3: Tooth Whitening Gel | 2,934,844 (78/324,523) | 3/22/2015 | The Great Atlantic & Pacific Tea Company, Inc. Filed 11/7/03 |
| EXPRESS YOURSELF | @ 1/28/03 | Class 35: Retail Grocery Store Services in The Nature of A Self-Checkout Counter | 2,680,997 (76/406,160) | 1/28/2013 Use Filed: 1-28-09 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark |
| (Stylized)  | @ 6/10/03 | Class 35: Retail Grocery Store Services | 2,723,648 (76/386,568) | 6/10/2013 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark |
| FARMER JACK | @ 3/01/88 | Class 43: Catering and Takeout Delicatessen Services Class 42: Retail Supermarket Services | 1,479,128 (73/664,142) | 3/1/2008 | Borman's, Inc. Service Mark |

TRADEMARK

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|--|---------------|--|---------------------------|--------------------------------------|--|
| FARMER JACK Logo (New)  | @ 8/17/04 | Class 35: Grocery Store Services | 2,874,722 (78/269,618) | 8/17/2014 | Borman's, Inc. Service Mark Filed: 7/02/03 |
| FEEL LIKE A TRUE GORMET! | @ 9/07/04 | Class 35: Retail Grocery Store and Delicatessen Services | 2,881,606 (78/266,173) | 9/7/2014 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 6/24/03 |
| FIZZY | @ 7/25/06 | Class 43: Catering Services and Delicatessen Restaurants | 3,119,391 (78/538,858) | 7/25/2016 | Best Cellars Inc. Filed: 12/28/04 |
| FIZZY | @ 4/27/99 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,242,184 (75/182,662) | 4/27/2009 (Supplemental Register) | Best Cellars Inc. Filed: 10/11/96 |
| FOOD BASICS | @ 6/17/03 | Class 35: Retail Supermarket Services | 2,726,744 (76/386,404) | 6/17/2013 | The Great Atlantic & Pacific Tea Company, Inc. |
| (Design and color)  | @ 9/23/03 | Class 35: Retail Supermarket Services | 2,766,316 (76/386,781) | 9/23/2013 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark |
| FOR GOODNESS SHAKE | @ 2/14/06 | Class 5: Protein Food Supplement; Dietary Drink Mix for Use in Meal Replacement in Powder and Liquid Form; Pre-mixed Liquid Meal Replacement Drinks; Dietary Meal Replacement Nutritional Bars | 3,059,403 (78/235,016) | 2/14/2016 | The Great Atlantic & Pacific Tea Company, Inc. ITU |
| FRESH | @ 7/25/06 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 3,119,390 (78/538,848) | 7/25/2006 | Best Cellars Inc. Filed: 12/28/04 |

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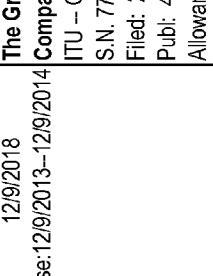
| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
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| FRESH | @ 5/19/99 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,246,761 (75/182,644) | 5/18/2009 (Supplemental Register) | Best Cellars Inc. Filed: 10/11/96 |
| FRESH CHALLENGE | @ 4/19/05 | Class 35: Retail Grocery Store and Supermarket Services | 2,942,219 (78/503,093) | 4/19/2015 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 10/20/04 |
| GIVE YOURSELF ANOTHER CHOICE | @ 8/30/05 | Class 35: Retail Supermarket Services; Retail Pharmacy Services; Retail Liquor Store Services | 2,989,404 (78/431,546) | 8/30/2015 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 6/08/04 |
| GRAPE FINDS | @ 12/17/02 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,663,166 (76/392,260) | 12/17/2012 Use due: 12/17/08 Grace Period: 6/17/09 | Grape Finds at Dupont, Inc. Service Mark Filed: 4/08/02 (No Assignment to Best Cellars Inc.) |
| Grape Icon (Design only) | @ 8/24/99 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,271,317 (75/193,042) | 8/24/2009 | Best Cellars Inc. Filed: 10/31/96 |
| GREAT WINES FOR EVERY DAY | @ 12/20/05 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 3,032,255 (78/538,850) | 12/20/2015 | Best Cellars Inc. 12/28/04 |

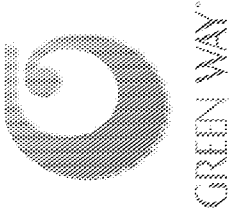
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| GREEN WAY | TM 12/11/07 | <p>Class 29: Olive Oil, Canned Tomatoes, Canned Beans, Broth, Soups, Applesauce, Jams, Fruit Preserves, Peanut Butter, Soybean Milk, Milk, Butter, Cheese, Frozen entrees consisting primarily of Meat or Cheese, Frozen Vegetables, namely, Corn, Peas, Broccoli, Cauliflower, Green Beans and Mixed Vegetables, Frozen Fruits, Pre-cut Vegetable Salad.</p> <p>Class 30: Balsamic Vinegar, Pasta, Pasta Sauce, Salad Dressing, Salsa, Macaroni & Cheese, Breakfast Cereals, Coffee, Tortilla Chips, Cheese Flavored Snacks, namely, Cheese Puffs and Cheese Curls, Popcorn, Pretzels, Crackers, Cookies, Ravioli, Frozen Entrees consisting primarily of Rice or Pasta, Burritos, Enchiladas, Ice Cream, Ice Cream Sandwiches, Sorbets</p> <p>Class 31: Fresh Vegetables</p> <p>Class 32: Fruit Juices and Fruit Drinks, Soft Drinks</p> | (77/349,246) | | The Great Atlantic & Pacific Tea Company, Inc. ITU – OWN BRANDS Filed: 12/11/07 Publ. 6/10/08 Opposition: Publix |
| GREEN WAY | TM 2/29/08 | <p>Class 3: Shampoos and hair conditioners; skin moisturizers; human body conditioners; skin treatment lotions and creams; anti-aging and stretch mark creams, lotions and creams for hands, nails, skin, face, hair, foot and leg muscles and joints; depilatory lotions and creams; shaving lotions and creams; non-medicated skin care preparation, namely, lotions and creams for treating dry and damaged skin, anti-aging, firming, anti-wrinkle, stretch marks, under eye and eyelid firming; gels, namely, depilatory gels, shaving gels, shower gels; oils, namely body oils, non-medicated human body serums; soaps; liquid soaps; bar soaps; anti-bacterial liquid soaps; anti-bacterial bar soaps; hand sanitizers; body washing soaps; bubble bath; bath and facial scrubs; masks namely, beauty masks, facial masks, body masks, gel eye masks, skin masks, and skin moisturizer masks; face peels, cosmetic sun protection creams and lotions, sun creams and lotions; sun block; soaps and detergents for household use for the purposes of cleaning and maintenance without harm to the environment.</p> <p>Class 5: Dietary food supplements.</p> <p>Class 8: Disposable forks, knives and spoons.</p> <p>Class 9: Batteries.</p> <p>Class 11: Compact fluorescent bulbs.</p> <p>Class 16: Paper towels; paper table cloths; paper napkins; bathroom tissue; and facial tissues.</p> <p>Class 21: Paper plates and cups.</p> <p>Class 29: Frozen hamburger patties; seeds; nuts, dried fruits and/or raisins; trail mix; potato chips.</p> <p>Class 30: Teas; sesame sticks; chocolate coated nuts; yogurt coated nuts; macaroni and cheese; pesto sauce; bread; tortillas; tortilla chips.</p> <p>Class 31: Pet food.</p> <p>Class 32: Soda</p> | (77/409,725) | | The Great Atlantic & Pacific Tea Company, Inc. ITU – OWN BRANDS Filed: 2/29/08 Publ. 5/6/08 |


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| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
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|  | © 12/09/08 | Class 16: Notebooks and Notebook Paper | 3,544,867 (77/388,984) | 12/9/2018 Use: 12/9/2013-12/9/2014 | The Great Atlantic & Pacific Tea Company, Inc. ITU -- OWN BRANDS S.N. 77/388,984 Filed: 2/5/08 Publ: 4/29/08 Allowance: 7-22-08 |


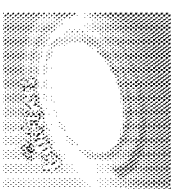
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|  | TM 2/29/08 | Class 3: Shampoos and hair conditioners; skin moisturizers; human body conditioners; skin treatment lotions and creams; anti-aging and stretch mark creams, lotions and creams for hands, nails, skin, face, hair, foot and leg muscles and joints; depilatory lotions and creams; shaving lotions and creams; non-medicated skin care preparation, namely, lotions and creams for treating dry and damaged skin, anti-aging, firming, anti-wrinkle, stretch marks, under eye and eyelid firming; gels, namely, depilatory gels, shaving gels, shower gels; oils, namely body oils, non-medicated human body serums; soaps; liquid soaps; bar soaps; anti-bacterial liquid soaps; anti-bacterial bar soaps; hand sanitizers; body washing soaps; bubble bath; bath and facial scrubs; masks namely, beauty masks, facial masks, body masks; gel eye masks, skin masks, and skin moisturizer masks; face peels, cosmetic sun protection creams and lotions, sun creams and lotions; sun block; soaps and detergents for household use for the purposes of cleaning and maintenance without harm to the environment. Class 5: Dietary food supplements. Class 8: Disposable forks, knives and spoons. Class 9: Batteries. Class 11: Compact fluorescent bulbs. Class 16: Paper towels; paper table cloths; paper napkins; bathroom tissue; and facial tissues. Class 21: Paper plates and cups. Class 29: Frozen hamburger patties; seeds; nuts, dried fruits and/or raisins; trail mix; potato chips; olive oil, canned tomatoes; canned beans; broth; soups; applesauce; jams; fruit preserves; peanut butter; soybean milk; milk; butter; cheese; frozen entrees consisting primarily of meat or cheese; frozen vegetables namely, corn, peas, broccoli, cauliflower, green beans, mixed vegetables; frozen fruits; pre-cut vegetable salad. Class 30: Teas; sesame sticks; chocolate coated nuts; yogurt coated nuts; macaroni and cheese; pesto sauce; bread, balsamic vinegar; pasta; pasta sauce; salad dressing; salsa; macaroni & cheese; breakfast cereals; coffee; tortilla chips; cheese flavored snacks namely, cheese puffs and cheese curls; popcorn; pretzels; crackers; cookies; ravioli; frozen entrees consisting primarily of rice or pasta, burritos; enchiladas; ice cream; ice cream sandwiches; sorbets; tortillas; tortilla chips. Class 31: Pet foods; fresh vegetables Class 32: Soda, fruit juices and fruit drinks | (77)409,787) | | The Great Atlantic & Pacific Tea Company, Inc. ITU – OWN BRANDS Filed: 2/29/08 Publ: 4/29/08 Allowance: 7-22-08 Statement of Use Due: 1/22/09 1st EOT – Use Due: 7/22/09 |
| | | Class 1: Artificial Sweetener | 1,232,381 (73)277,359) | 3/29/2013 | The Great Atlantic & Pacific Tea Company, Inc. OTC Product Line (Pharmacy?) |
| | | Class 3: Mouthwash, Baby Oil, Baby Powder and Toothpaste Class 5: Rubbing Alcohol, Petroleum Jelly, Epsom Salts, Hydrogen Peroxide for Use as a Disinfectant, Aspirin, Cotton Swabs and Adhesive Bandages Class 10: Dental Floss | | | |

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| HARTFORD RESERVE | TM 2/28/08 | Class 1: Artificial Sweeteners Class 29: Preserved fruits and vegetables; dried fruits and vegetables, frozen fruits and vegetables, prepared and processed fruits and vegetables; edible oils, cooking and vegetable oils; fruit preserves, namely jellies and jams; shelled nuts, roasted nuts, processed nuts; snack foods, namely, candied-fruit based fruit snacks, dairy-based snack foods excluding ice cream ice milk and frozen yogurt, dehydrated fruit snacks, fruit and soy based snack foods, fruit based snack foods, soy based snack foods, potato based snack foods, protein based nutrient dense snack bars, vegetable based snack foods and snack dips; snack mix consisting primarily of processed fruits, processed nuts, and raisins; soups and broth; pre-packaged dinners consisting primarily of seafood or poultry served with pasta, rice and vegetables. Class 30: Chocolates, chocolate bars, chocolate candies, chocolate chips, and chocolate truffles, chocolate covered nuts and raisins and chocolate covered potato chips; cocoa; breakfast cereals, pastas; meat tenderizers; mustard; vinegar; frozen, prepared and packaged entrees consisting primarily of pasta or rice; dough based sandwiches with filling consisting primarily of pasta or rice; dried cooked rice, enriched rice, husked rice and puffed rice; rice based snack foods, wholemeal rice; coffee, namely, roasted, powdered or granulated coffee, coffee beans, ground coffee beans, instant coffee and caffeine-free coffee; tea, namely, tea bags, teas for infusions and caffeine free tea; herbal tea, black tea, green tea, lime tea and sage tea; ice cream; frozen yogurt; marinades. Class 32: Fruit drinks and juices, namely apple, grape, cranberry, orange, grapefruit, tomato and/or vegetable juice and juice beverages; fruit juice based and concentrates and aerated fruit juices | (77/408,926) | | The Great Atlantic & Pacific Tea Company, Inc. ITU -- OWN BRANDS Filed: 2/28/08 Opposition pending: Lewis Bros' |
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| I LOVE THIS STORE! | ® 4/18/06 | Class 35: Retail Grocery Store, Liquor Store and Pharmacy Services | 3,081,109 (76/424,332) | 4/18/2016 | The Great Atlantic & Pacific Tea Company, Inc. ITU – Service Mark Filed: 6/24/02 |
| JANE PARKER | ® 1/01/08 | Class 30: Bakery desserts; Bakery goods; Bakery products; Bakery products, namely sweet bakery goods | 3,363,303 (78/692,338) | 1/1/2018 Use due: 1/01/14 | The Great Atlantic & Pacific Tea Company, Inc. ITU Publ: 2/6/07 Statement of Use due: 11/1/07 |
| JUICY | ® 5/04/99 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,243,937 (75/182,646) | 5/4/2009 (Supplemental Register) | Best Cellars Inc. Filed: 10/11/96 |
| JUICY | ® 1/24/06 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 3,050,162 (78/538,852) | 1/24/2016 | Best Cellars Inc. Filed: 12/28/04 |
| Lips Icon (Design only) | ® 12/11/07 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 3,350,671 (76/661,658) | 12/11/2017 | Best Cellars Inc. Filed: 6/14/06 |
| LIVE BETTER WELLNESS CLUB | ® 6/24/08 | Class 35: Retail Store Services in the Field of Pharmaceuticals featuring a Bonus Incentive Program for Customers | 3,452,346 (77/185,924) | 6/24/2018 Use due: 6/24/13 - 6/24/14 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark – PHARMACY Filed: 5/21/07 |
|  | ® 8/26/08 | Class 35: Retail Store Services in the Field of Pharmaceuticals featuring a Bonus Incentive Program for Customers | 3,491,210 (77/185,766) | 8/26/2018 (Use due: 8/26/2013 -- 8/26/2014) | The Great Atlantic & Pacific Tea Company, Inc. Service Mark & Design – PHARMACY S.N. 77/185,766 Filed: 5/21/07 Publ: 3/04/08 |
| Lollipop Icon (Design only) | ® 5/12/98 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,156,235 (75/182,603) | 5/12/2018 | Best Cellars Inc. Filed: 10/11/96 |

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| LULLA-BEES | ™ 12/06/06 | Class 3: Cosmetic products for infants and babies, namely, baby hair conditioner, hair conditioners for babies, baby shampoo, shampoo for babies, baby lotion, lotion for babies, baby oil, baby powder, baby wipes. Class 5: - Baby food; powdered milk for babies; infant formula. Class 10: - Devices for babies, namely, baby bottle nipples, baby bottles, baby nursers, cups adapted for feeding babies and children, teething rings. Class 16: - Baby diapers of paper; disposable diapers; paper diapers; disposable training pants. Class 25: - Cloth diapers; infant cloth diapers; non-disposable cloth training pants. Class 28: - Baby toys, namely, rattles, multiple activity toys. | (77/058,043) | | Pathmark Stores, Inc. Suspended pending disposition of Application S.N. 78/902,922 for LULLABUGS and S.N. 78/913,386 for LULLABEARS Published for Opposition: 10/28/08 |
| LULLA-BEES & Design | ™ 12/06/06 | Class 3: Cosmetic products for infants and babies, namely, baby hair conditioner, hair conditioners for babies, baby shampoo, shampoo for babies, baby lotion, lotion for babies, baby oil, baby powder, baby wipes. Class 5: - Baby food; powdered milk for babies; infant formula. Class 10: - Devices for babies, namely, baby bottle nipples, baby bottles, baby nursers, cups adapted for feeding babies and children, teething rings. Class 16: - Baby diapers of paper; disposable diapers; paper diapers; disposable training pants. Class 25: - Cloth diapers; infant cloth diapers; non-disposable cloth training pants. Class 28: - Baby toys, namely, rattles, multiple activity toys. | (77/058,057) | | Pathmark Stores, Inc. Suspended pending disposition of Application S.N. 78/902,922 for LULLABUGS and S.N. 78/913,386 for LULLABEARS Published for Opposition: 10/28/08 |
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| LULLA-BEES & Design | ™ 12/06/06 | Class 3: Cosmetic products for infants and babies, namely, baby hair conditioner, hair conditioners for babies, baby shampoo, shampoo for babies, baby lotion, lotion for babies, baby oil, baby powder, baby wipes. Class 5: - Baby food; powdered milk for babies; infant formula. Class 10: - Devices for babies, namely, baby bottle nipples, baby bottles, baby nursers, cups adapted for feeding babies and children, teething rings. Class 16: - Baby diapers of paper; disposable diapers; paper diapers; disposable training pants. Class 25: - Cloth diapers; infant cloth diapers; non-disposable cloth training pants. Class 28: - Baby toys, namely, rattles, multiple activity toys. | (77/058,072) | | Pathmark Stores, Inc. Suspended pending disposition of Application S.N. 78/902,922 for LULLABUGS and S.N. 78/913,386 for LULLABEARS Published for Opposition: 10/28/08 |
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| | | Class 5: - Baby food; powdered milk for babies; infant formula. Class 10: - Devices for babies, namely, baby bottle nipples, baby bottles, baby nursers, cups adapted for feeding babies and children, teething rings. | | | |

| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
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| | | Class 16: - Baby diapers of paper; disposable diapers; paper diapers; disposable training pants. Class 25: - Cloth diapers; infant cloth diapers; non-disposable cloth training pants. Class 28: - Baby toys, namely, rattles, multiple activity toys. | | | |
| MARKET SPA | ™ 8/11/08 | Class 3: Shampoos and hair conditioners; Hair Care preparations; Facial Lotions; Body Lotions; Beauty Lotions; Skin Moisturizers; Non-Medicated Skin Care Preparations, Soaps for Personal Use; Nail Polish Removers; Cotton Balls for cosmetic purposes and all purpose cotton swabs for personal use | (77/543,985) | | The Great Atlantic & Pacific Tea Company, Inc. Intent to Use Publ. Date: 3/10/09 Allowed: 6/02/09 Use Due: 12/02/09 |

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| MASTER CHOICE | © 6/29/04 | Class 29: Beef, Canned Tomatoes, Canned Vegetables, Cheese, Condensed Milk, Cooking Oil, Fish, Frozen Entrees, Frozen Vegetables, Jelly Preserves, Peanut Butter, Pickles, Popcorn, Pork, Poultry, Roasted Peppers, Seafood, Shelled & Roasted Nuts, Tuna Class 30: Apple Cider Mix, Baking Cocoa, Belgian Waffles, Breads, Breadsticks, Breakfast Cereal, Brownie Mix, Candy, Cappuccino Mix, Cheesecakes, Chocolate Baking Chips, Cookies, Crackers, Flatbreads, Fruitcake, Hot Cocoa Mix, Ice Cream, Maple Syrup, Mayonnaise, Microwave Popcorn, Mustard, Pasta Pies, Pizza, Rice, Salad Dressing, Salsa, Sauces, Spices, Tea, Vinegar, Waffle Cones Class 31: Fresh Fruits, Fresh Vegetables Class 32: Drinking Water, Fruit Juice, Vegetable Juice | 2,857,946 (78/218,673) | 6/29/2014 Use Due: 6/29/09 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 2/25/03 |
| (Stylized) | © 6/24/97 | Class 29: Cheese, Cooking Oil, Nuts, Canned Tomatoes, Frozen Vegetables, Tuna, Pork, Beef | 2,073,501 (75/070,346) | 6/24/2007 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 3/11/96 |
|  | | Class 30: Mayonnaise, Rice, Mustard, Salsa, Sauces, Spices, Cookies, Breadsticks, Flatbreads, Fruitcake, Pasta, Breakfast Cereals, Condensed Milk, Cheesecakes, Pies, Pizza, Tortilla Chips, Hot Cocoa Mix Class 32: Fruit Juice, Vegetable Juice, Drinking Water, Soft Drinks | | | |
| (Miscellaneous Design) | © 12/15/81 | Class 42: Retail Supermarket Services | 1,182,561 (73/276,030) | 12/15/2011 | Borman's, Inc. 2/14/02: Renewed for 10 years |
|  | | | | | |
| MORE | ™ 8/01/06 | Class 3: potpourri, home fragrance infuser, namely, fragrance emitting receptacles for room fragrances; bath oils, bath milks, bath powder, bath salts Class 4: candles Class 6: metal tins Class 7: electric coffee bean grinders, electric food blenders, electric juicers, electric can openers | (78/942,221) | | The Great Atlantic & Pacific Tea Company, Inc. MARKETING: Anke Kullenberg/Suzanne Cecchi 6/30/09: Statement of Use filed. Publ: 2/12/08 |



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| | | Class 8: non-electric fruit and vegetable peelers, cooking graters, apple corers, pizza wheel cutters, cheese planes, grapefruit trimmers, non-electric kitchen knives, zesters, egg slicers, meat tenderizers, namely, a pronged instrument for pounding meat, nut crackers not of precious metal, seafood crackers, ice scrapers, non-electric garden tools, namely, spades, tilters, trowels, garden supplies, namely hoses and nozzles, non-electric can openers | | | |
| | | Class 11: electric coffee makers, electric coffee percolators, hot plates, electric kettles, blenders, electric juicers, outdoor lighted Christmas ornaments, chocolate fountains | | | |
| | | Class 21: Kitchen utensils, namely, cutting boards, oven mitts, pie servers, jar openers, ice cream scoops, bottle openers, non-electric can openers, garlic presses, turners, spatulas, cooking spoons, cooking forks, potato mashers, whisks, basting brushes, bagel holders not being slicers, coffee scoops, corkscrews, corn cob holders, melon ballers, pepper mills, salt shakers, cooking strainers, turkey basters, and barbecue utensils... | | | |
| | | Bathroom wash basins, electric tooth brushes, soap dishes, tooth brush holders, towel racks, toilet paper holders, shower caddies, ceramic tissue box covers, hampers | | | |
| | | Class 24: bed sheets, towels, bed and bath linen, pillowcases, bed blankets, cloth napkins, cloth placemats, pet blankets, table cloths not made of paper, fabric table runners, bath mitts, oven mitts | | | |
| | | Class 26: ribbons, artificial garland, artificial Christmas wreaths | | | |
| | | Class 27: door mats | | | |
| | | Class 28: stuffed toys, Christmas stockings, tree skirts, tree stands, Christmas tree ornaments, Christmas hats, wooden decorative sleds | | | |
| | | Class 31: pine cones, artificial Christmas trees, edible pet treats, dried flower wreaths | | | |

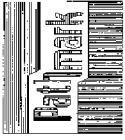


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| <p>MORE (OF WHAT'S SPECIAL)</p>  | TM 8/16/06 | <p>Class 4: candles</p> <p>Class 21: Kitchen utensils, namely, cutting boards, pie servers, jar openers, ice cream scoops, bottle openers, non-electric can openers, garlic presses, turners, spatulas, cooking spoons, cooking forks, potato mashers, whisks, basting brushes, beigel holders (not being slicers), coffee scoops, corkscrews, corn cob holders, melon ballers, pepper mills, salt shakers, cooking coolers, napkin holders, candle holders (not of precious metal), plates, cookery molds, napkin rings (not of precious metal), picture frames, pet feeding dishes, wine glasses, ceramic sculptures, vases, bowls, tea pots (not metal), metal buckets, salad serving tongs.</p> <p>Bathroom accessories, namely wash basins, electric tooth brushes, soap dishes, tooth brush holders, towel racks, toilet paper holders, shower caddies; ceramic tissue box covers.</p> <p>Class 24: Household linen, namely bed sheets, kitchen towels, bed and bath linen, pillowcases, bed blankets, cloth napkins, cloth placemats, pet blankets, table cloths (not made of paper), fabric table runners, bath mitts, oven mitts.</p> | (78/953,659) | | <p>The Great Atlantic & Pacific Tea Company, Inc. MARKETING: Anke Kullenberg, Suzanne Cecchi Use due: 4/14/09 EOT/Use Due: 10/14/09</p> |
| <p>MORE (FOR ALL SEASONS)</p>  | © 8/12/08 | <p>Class 3: potpourri, home fragrance infuser, namely, fragrance emitting receptacles for room fragrances; bath oils, bath milks, bath powder, bath salts</p> <p>Class 4: candles</p> <p>Class 6: decorative tins made of metal</p> <p>Class 7: electric coffee bean grinder, electric food blenders, electric can openers; electric juicers</p> <p>Class 8: Hand tools, namely, non-electric fruit and vegetable peelers, cooking graters, apple corers, pizza wheel cutters, cheese planes, grapefruit trimmers, non-electric kitchen knives, zesters, egg slicers, meat tenderizers, namely, a pronged instrument for pounding meat; seafood crackers (not of precious metal); ice scrapers; non-electric garden tools, namely spades, tillers, trowels; garden supplies, namely hoses and nozzles; non-electric can openers.</p> <p>Class 11: Electric coffee makers; electric coffee percolators; hot plates; electric kettles; blenders, outdoor lighted Christmas ornaments; electric light for Christmas trees; chocolate fountains.</p> | 3,486,531 (78/953,732) | 8/12/18 (Use due: 8/12/13 -- 8/12/14) | <p>The Great Atlantic & Pacific Tea Company, Inc. Anke Kullenberg, Mktg. S.N. 78/953,732 Filed: 8/16/06</p> |

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| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
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| | | Class 21: Kitchen utensils, namely, cutting boards, pie servers, jar openers, ice cream scoops, bottle openers, non-electric can openers, garlic presses, turners, spatulas, cooking spoons, cooking forks, potato mashers, whisks, basting brushes, bagel holders (not being slicers), coffee scoops, corkscrews, corn cob holders, melon ballers, pepper mills, salt shakers, cooking coolers, napkin holders, candle holders (not of precious metal), plates, cookery molds, napkin rings (not of precious metal), picture frames, pet feeding dishes, wine glasses, ceramic sculptures, vases, bowls, tea pots (not metal), metal buckets, salad serving tongs; Garden supplies, namely hose nozzles, cooking graters | | | |
| | | Bathroom accessories, namely wash basins, electric tooth brushes, soap dishes, tooth brush holders, towel racks, toilet paper holders, shower caddies; ceramic tissue box covers. | | | |
| | | Class 24: Household linen, namely bed sheets, kitchen towels, bed and bath linen, pillowcases, bed blankets, cloth napkins, cloth placemats, pet blankets, table cloths (not made of paper), fabric table runners, bath mitts, oven mitts. | | | |
| | | Class 26: Ribbons; artificial garland; artificial wreaths | | | |
| | | Class 27: Door Mats | | | |
| | | Class 28: stuffed toys, Christmas stockings, tree skirts, tree stands, Christmas tree ornaments, Christmas hats, wooden decorative sleds | | | |
| | | Class 31: pine cones, artificial Christmas trees, edible pet treats, dried flower wreaths | | | |

| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|---|---------------|---|---------------------------|-----------------------------------|--|
| NO SO | ™ 10/17/08 | Class 32: Juice beverages, namely, fruit juices | (77/595,210) | | The Great Atlantic & Pacific Tea Company, Inc. ITU – OWN BRANDS Publ. Date: 3/10/09 Allowed: 6/02/09 Use Due: 12/02/09 |
| NO FRILLS | © 5/25/82 | Class 29: Canned peaches, canned tomatoes, canned corn, canned green beans, canned sweet peas, canned pork and beans, corn oil, vegetable oil, applesauce and peanut butter | 1,196,041 (73/165,881) | 5/25/2012 | Pathmark Stores, Inc. Renewed: 5/25/02 |
|  | | | | | |
| ONPOINT | ™ Pending | Class 30: Table syrup | | | |
| | | Class : Sales, Marketing and Distribution and Related Services | (77/476,914) | | The Great Atlantic & Pacific Tea Company, Inc. ITU – OWN BRANDS Filed: 5/19/08 |
| PATHMARK | © 8/06/68 | Class 35: Retail food supermarket services | 0,854,358 (72/285,701) | 8/6/2018 | Pathmark Stores, Inc. Renewed: 8/06/88 8/06/08 |
| PATHMARK | © 5/27/69 | Class 3: Mouthwash and hair tonic | 0,870,210 (72/295,831) | 5/27/2009 | Pathmark Stores, Inc. Renewed: 5/27/89 |
| PATHMARK | © 1/21/03 | Class 32: Soft drinks | 2,677,310 (76/361,018) | 1/21/2013 Use filed: 1/21/09 | Pathmark Stores, Inc. |
| PATHMARK & Design | © 8/24/71 | Class 35: Retail food supermarket services | 0,919,137 (72/324,945) | 8/24/2011 | Pathmark Stores, Inc. Renewed: 8/24/91 8/24/01 |
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| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|--|---------------|--|---------------------------|---|---|
| PATHMARK & Design  | © 2/24/76 | Class 42: Retail drug store services | 1,034,492 (73/055,400) | 2/24/2016 | Pathmark Stores, Inc. Renewed: 2/24/96 2/24/06 |
| PATHMARK GOSPEL CHOIR COMPETITION | ™ 4/16/09 | Class 35: Promoting and sponsoring community events to promote equality and community mindedness. | (77/715,300) | | The Great Atlantic & Pacific Tea Company, Inc. Use based "trade name" Debbie Ortega (PM) Suzanne Cecchi (Marketing) |
| PATHMARK HELPING HANDS IN THE COMMUNITY & Design  | © 5/08/07 | Class 36: Charitable fund raising | 3,240,786 (78/978,145) | 5/08/2017 (Use due: 5/08/2012 -- 5/08/2013) | Pathmark Stores, Inc. Filed as ITU originally; S.N. 78/978,145 Filed: 11/10/2004 PM first used in commerce 11/01/2004 |
| | | Class 41: Charitable services, namely, soliciting, collecting and providing toys for needy children | | | |
| | | Class 45: Charitable services, namely, soliciting, collecting and providing clothing for needy persons | | | |
| PATHMARK HELPING HANDS IN THE COMMUNITY & Design  | © 3/24/09 | Class 43: Charitable services, namely, soliciting, collecting and providing food for needy persons | 3,596,521 (78/514,359) | 3/24/2019 Use due: 3/24/2014 | Pathmark Stores, Inc. S.N. 78/514,359 Filed: 11-10-04 |

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| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|----------------------------------|---------------|--|---------------------------|-----------------------------------|--|
| PATHMARK PARLOR FAVORITES | ™ 2/23/07 | Class 30: Ice cream | (77/114,803) | | Pathmark Stores, Inc. Published: 12/19/07 |
| PATHMARK SHAKERS | ™ 3/21/07 | Class 32: Powders used in the preparation of soft drinks | (77/136,870) | | Pathmark Stores, Inc. Suspended 12/19/07 pending disposition of Application S.N. 77/136,487 for PROTEIN SHAKERS & Design |
| PREFERRED PET | © 7/14/09 | Class 18: Rawhide Chews for Dogs; Pet Collars; Pet Leashes; Pet Travel Cases | 3,655,878 (77/977,324) | | The Great Atlantic & Pacific Tea Company, Inc. ITU – OWN BRANDS Filed: 3/31/08 |
| | | Class 28: Pet Toys | | | |
| | | Class 31: Pet Food; Cat Litter; Edible Pet Treats | | | |
| | | DIVIDED OUT: Class 3: Pet Shampoos Class 20: Pet Beds Class 21: Pet Hair Brushes | | | |
| RED ALARM | © 2/01/05 | Class 32: Soft Drinks | 2,924,218 (78/220,193) | 10/1/2015 Use due: 8/01/10 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 2/28/03 |
| SAV-A-CENTER | © 10/7/1986 | Class 42: Retail Grocery Store Services | 1,412,706 (73/583,389) | 10/7/2016 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 2/18/86 |
| SMART PRICE | ™ 4/13/06 | Class 3 - Bleaching preparations for household use and other substances for laundry use, namely, laundry detergent; cleaning and polishing preparations for household purposes, pet stain and odor removers, combination cleaner and deodorizer for litter boxes; scouring preparations, namely, scouring liquids and scouring powders, abrasive preparations, namely, abrasive paste; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices; non-medicated sun care preparations; non-medicated skin care preparations; baby wipes; cosmetic puffs, namely, synthetic cotton balls; non-medicated shampoos for pets; toothpaste for pets; dental cleaning kits for pets. | (78/860,925) | | |

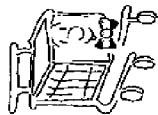

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| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|------|---------------|---|----------------------|-----------------------------------|----------------|
| | | <p>Class 5 - Full line of over-the-counter pharmaceutical preparations; veterinary preparations and medicated products for household pet animals, namely, preparations for the control of aches, pains, soreness and stiffness, preparations for the control of insects and parasites, collars for the control of insects, skin care preparations, ear care preparations, eye care preparations, hairball remedies, behavior training sprays and pads, incontinence pads, vitamin preparations; sanitary preparations for medical purposes and medical personal hygiene purposes; dietetic foods adapted for medical use; food for babies; medical plasters, bandages and gauze for dressings; material for stopping teeth, dental wax; disinfectants for medical instruments and for sanitary purposes; preparations for destroying vermin; fungicides, herbicides.</p> | | | |
| | | <p>Class 6 - Aluminum foil; goods of common metal, namely, general purpose storage containers, hooks, key rings, key chains.</p> | | | |
| | | <p>Class 11 - Light bulbs, heating pads not for medical purposes, electric hand-held hair dryers, water filters; shower heads, shower head sprayers, and faucet sprayers.</p> | | | |
| | | <p>Class 16 - Writing paper, envelopes, writing tablets, notebooks, notebook dividers, calendars, diaries, transparent adhesive tape, adhesive tape for household purposes, pressure sensitive tape for home use, paper filters for coffee makers, paper for use in the manufacture of tea bags, paper napkins, tissue paper; toilet paper, paper towels, paper bags and plastic bags for packing, paper and plastic freezer paper, paper and plastic food wrap, wax paper, trash can liners, paper place mats, paper table cloths, paper baby bibs; disposable diapers, disposable training pants; disposable housebreaking pads for use in training dogs; advertising signs of paper and cardboard, printed paper window signs; artists' materials, namely, artists' brushes and artists' pastels; paint brushes; adhesive tape dispensers, adhesive tape for household and office use; staplers, correcting fluid for type, binder letter clips, paper clips, bookmarks, plastic bubble packs for wrapping or packaging, glue sticks, stationery for household use, note pads, order note pads, self-adhesive note pads, plastic bags for household use, rubber bands, drawing rulers, ungraduated rulers;</p> | | | |
| | | <p>Class 21 - Household or kitchen utensils and containers not of precious metal or coated therewith, namely, graters, sieves, spatulas, strainers, turners, whisks, buckets, dust bins, pots, pans, bowls, dishes, pet feeding dishes, aluminum pans and dishes, felt pads and lambswool pads for cleaning and polishing purposes, dust cloths; shaped ironing board covers; glass cooking and kitchenware, namely, glass cooking pots and pans; combs; sponges for household purposes, sponge mops, sponge mop refills, utility brushes, namely, scrubbing brushes, dustpan brushes, nail brushes; brushes for footwear and pets, hair brushes, clothes brushes, brooms, toothbrushes, electric toothbrushes, electric toothbrushes for pets, dental floss; brush-making materials; steel wool for cleaning; beverage glassware; porcelain and earthenware cookware, namely, bake ware, dinnerware, plates, dishes, bowls, cups, mugs, paper and plastic plates and cups; vases; corkscrews.</p> | | | |


TRADEMARK

| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|------|---------------|---|----------------------|-----------------------------------|----------------|
| | | <p>Class 29 - Meat, fish, poultry and game; meat extracts; preserved, dried and processed fruits, apple sauce, fruit preserves; preserved, dried and cooked vegetables; jellies, jams, compotes; eggs, milk, and milk products, namely, milk, buttermilk, dairy-based food beverages, butter, butter ghee, cream, concentrated butter or edible anhydrous milk fats, milk powder, dehydrated milk, yoghurt, natural yoghurt, drinkable yoghurt, fruit yoghurt, frozen yoghurt, dietetic yoghurt for non-medical purposes, namely, low-fat yoghurt, non-fat yoghurt, low-sugar yoghurt and sugar-free yoghurt, ice cream, cheese, cottage cheese, sour cream, whipped toppings, coffee cream, namely, cream for coffee, and evaporated milk, milk-based beverages with high milk content and flavored with cocoa, chocolate, coffee, or other flavorings, namely, vanilla, fruit juices, fruit flavorings, fruit flavors, mocha, caramel, green tea, mint and honey, dairy-based meat replacements, milk curd, proteins for human consumption, namely, for use as a food additive or food filler, dairy-based chocolate beverages containing milk, namely, chocolate milk; edible fat mixture from vegetable butyric fatty materials, coffee whitener consisting of vegetable-based edible fat, non-dairy creamer, imitation cheese, edible oils and fats, pickles; peanut butter.</p> | | | |
| | | <p>Class 30 - Coffee, decaffeinated coffee, coffee substitutes, tea, tea bags, cocoa, sugar, rice, tapioca, sago, flour, pasta, macaroni and cheese, breakfast cereals, cereal-based snack foods, bread, pastry, and confectionery, namely, pastries, pies, cakes, edible decorations for cakes, frozen confections, biscuits, shortcake, waffles, cookies, crackers, spice-cakes, rusks, chocolate, filled chocolate, milk chocolate, chocolate bars, chocolate candies, chocolate covered nuts, truffles, namely, chocolate truffles, candies, sugarless candies, gum drops, candy bars, caramels, toffee, marshmallow, halvah, marzipan, fudge, nougat, liquorices, fruit jellies and bonbons, fruit and marzipan jellies, pastilles, candy mints, crystal sugar pieces, confectionery chips for baking; non-medicated chewing gum, bubble gum; fruit ices; honey, treacle; yeast, baking-powder; salt, mustard, vinegar, sauces, spaghetti sauces, spices, ice; iced tea.</p> | | | |
| | | <p>Class 31 - Cut and live Christmas trees; unpopped popcorn; unprocessed nuts; absorbent cat litter; fresh fruits and vegetables; seeds, namely, wheat seeds, plant seeds, and rye seeds, bird seeds, grass seed, lawn seed, raw pine bark, mulch, and top soil, flower seeds; living plants and flowers; foodstuffs for animals, birds and fish; pet treats; malt for brewing and distilling.</p> | | | |
| | | <p>Class 32 - Beers; mineral and aerated waters; and other nonalcoholic drinks, namely, energy drinks, sports drinks, bottled artesian water, soda water, seitzer water, nonalcoholic cocktail mixers, ginger ale, root beer; fruit drinks and fruit juices, fruit nectars, apple juice cocktail, cranberry juice cocktail; carbonated and non-carbonated soft drinks; coconut water; vegetable juice, tomato juice, blended fruit and vegetable juice; lemonade and lemon juice; syrups, concentrates, powders and preparations for making fruit drinks; powdered mixes for making non-carbonated soft drinks and isotonic sports drinks, soy-based beverages not being milk substitutes.</p> | | | |

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| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|---|---------------|---|---------------------------|---|--|
| Shopping Cart Design  | ® 8/20/02 | Class 35: Retail supermarket store services | 2,609,325 (76/241,607) | 8/20/2012 Use due: 8/20/07 – 8/20/08 | Pathmark Stores, Inc. |
| SIERRA RANCH  | ™ 3/31/09 | Class 29: Fresh meats. | (77/703,362) | | The Great Atlantic & Pacific Tea Company, Inc. ITU OWN BRANDS |
| | ® 7/15/08 | Class 35: Supermarkets; Retail Grocery Store Services featuring a wide variety of consumer goods of others. | 3,467,757 (77/378,422) | | The Great Atlantic & Pacific Tea Company, Inc. Filed: 1/23/08 (77/378,422) Publ: 4/29/08 |
| SMOOTH | ® 1/27/98 | Class 35: retail store services featuring alcoholic beverages and accessories used in the storage and consumption of alcoholic beverages. | 2,133,522 (75/182,645) | 1/27/2018 Supplemental Register | Best Cellars Inc. Filed: 10/11/96 S.N. 75/182,645 |
| SOFT | ® 5/04/99 | Class 35: retail store services featuring alcoholic beverages and accessories used in the storage and consumption of alcoholic beverages. | 2,243,938 (75/182,648) | 5/4/2009 Supplemental Register | Best Cellars Inc. Filed: 10/11/96 S.N. 75/182,648 |
| SOFT | ® 12/20/05 | Class 35: retail store services featuring alcoholic beverages and accessories used in the storage and consumption of alcoholic beverages. | 3,032,256 (78/538,856) | 12/20/2015 | Best Cellars Inc. Filed: 12/28/04 S.N. 78/538,856 |
| SPLISH SPLASH | ® 2/28/06 | Class 32: Fruit Juice Drinks | 3,062,628 (78/481,891) | 2/28/2016 | The Great Atlantic & Pacific Tea Company, Inc. Filed: 9/10/04 |
| Sun Icon (Design only) | ® 7/06/99 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,258,387 (75/182,600) | 7/6/2009 | Best Cellars Inc. Filed: 10/11/96 S.N. 75/182,600 |
| SUPER FRESH | ® 8/05/97 | Class 42: Retail Grocery Store Services | 2,085,126 (73/732,662) | 8/5/2007 | The Great Atlantic & Pacific Tea Company, Inc. |

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| MARK | STATUS / DATE | GOODS & SERVICES | REGIS. # / Appl. # / | EXP. DATE / USE DUE / RENEWAL DUE | OWNER/COMMENTS |
|---|---------------|---|---------------------------|--|---|
| (Stylized)  | © 2/11/03 | Class 35: Retail Grocery Store and Delicatessen Services Class 42: Catering Services and Delicatessen Restaurants | 2,685,875 (76/346,252) | 2/11/2013 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark |
| THE FOOD EMPORIUM | © 7/29/03 | Class 35: Retail Grocery Store and Delicatessen Services Class 42: Catering and Take-out Delicatessen Services | 2,741,163 (76/360,323) | 7/29/2013 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark |
| THE GREAT ATLANTIC & PACIFIC TEA COMPANY | © 5/27/08 | Class 35: Supermarket Services | 3,435,064 (77/282,376) | 5/27/2018 Use Due: 5/27/2013 thru 5/27/2014 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 9/18/07 First Use: 1870 |
| THE VERY BEST... JUST FOR YOU | © 9/09/03 | Class 35: Retail Grocery Store Services Class 42: Catering and Take-out Delicatessen Services | 2,761,287 (76/439,689) | 9/9/2013 | The Great Atlantic & Pacific Tea Company, Inc. |
| TORNADO SPLASH | © 7/11/06 | Class 32: Fruit juices | 3,115,079 (78/435,495) | 7/11/2016 | The Great Atlantic & Pacific Tea Company, Inc. |
| ULTRA XTREME | © 8/22/06 | Class 3: Laundry Detergent | 3,132,890 (78/715,736) | | The Great Atlantic & Pacific Tea Company, Inc. Filed: 9/19/05 |
| VIA ROMA | ™ 3/31/08 | Class 29: Oil, namely edible oils, cooking oil, dipping oil and olive oil for food; processed olives; olive spread; dipping spice; bruschetta toppings; tapenades; appetizers, namely, artichoke stuffed with feta, sun dried tomato stuffed with feta, sweet pepper stuffed with feta, grape leaves, stuffed grape leaves, sun dried tomato with olive oil, antipasto, giardiniera; roasted peppers in water; sliced cherry peppers in oil; fire roasted sweet red pepper fire roasted yellow pepper, hot peppers, roasted red hot peppers, hot peppers, pepperoncini, grilled vegetables. Class 30: pasta, pasta sauce, fish sauces; meat sauces; capers; pesto sauce; glazes for meat and fish; mustards; chutney; vinegar and dipping spice. | 77/435,941 | Use: July 20, 2009 | The Great Atlantic & Pacific Tea Company, Inc. ITU – OWN BRANDS Filed: 3/31/08 Publ: 7/22/08 Allowance: 1/20/09 Opposition: Coffee Holdings' |

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|---------------------------------------|---------------|--|---------------------------|---|---|
| WALDBAUM'S | @ 7/22/08 | Class 35: Retail Grocery Store Services | 3,471,095 (77/323,811) | 7/22/18 (Use Due: 7/22/13 -- 7/22/14) | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Acquired in conjunction with the acquisition of Waldbaum's in 1904 Filed: 11-07-07 |
| WE'RE THINKING FRESH | @ 7/04/06 | Class 35: Retail Store Services and Supermarket Services | 3,111,361 (78/533,406) | 7/4/2016 | The Great Atlantic & Pacific Tea Company, Inc. Service Mark Filed: 12/16/04 |
| WORTH A SPLURGE | @ 12/17/02 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,663,165 (76/392,259) | 12/17/2012 (Use due: 12/17/07 -- 12/17/08) Grace Period: 6/17/09 | Grape Finds at Dupont, Inc. Service Mark S.N. 76/392,259 Filed: 4/08/02 (No Assignment to Best Cellars Inc.) |
| YOU KNOW WHAT YOU LIKE. WE KNOW WINE. | @ 3/23/04 | Class 35: Retail Store Services featuring Alcoholic Beverages and Accessories used in the Storage and Consumption of Alcoholic Beverages | 2,824,476 76/423,835) | 3/23/2014 | Best Cellars Inc. Filed: 6/21/02 |
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REEL: 004048 FRAME: 0037

Schedule I

Borman's, Inc.
Best Cellars Inc.
Grape Finds at Dupont, Inc.
Pathmark Stores, Inc.

Schedule I to Grant of Security Interest in United States Patents and Trademarks

RECORDED: 08/18/2009

**TRADEMARK
REEL: 004048 FRAME: 0038**