

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|--|---|---------------------|---------------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Duane L. Roper | | 08/25/2010 | INDIVIDUAL: UNITED STATES |
| RECEIVING PARTY DATA | | | |
| Name: | Choice Foods, LLC | | |
| Street Address: | 10172 South Statesman Place | | |
| City: | South Jordan | | |
| State/Country: | UTAH | | |
| Postal Code: | 84095 | | |
| Entity Type: | LIMITED LIABILITY COMPANY: UTAH | | |
| PROPERTY NUMBERS Total: 1 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 3140719 | MARSHMALLOW MUNCHIE | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | (801)566-0750 | | |
| <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> | | | |
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| Email: | murphy@tnw.com, Barraclough@tnw.com, connor@tnw.com, perry@tnw.com, docket@tnw.com | | |
| Correspondent Name: | Steve M. Perry | | |
| Address Line 1: | P.O. Box 1219 | | |
| Address Line 4: | Sandy, UTAH 84091-1219 | | |
| ATTORNEY DOCKET NUMBER: | 2409-005 | | |
| NAME OF SUBMITTER: | Steve M. Perry | | |
| Signature: | /stevemperry/ | | |
| Date: | 08/25/2010 | | |

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 REEL: 004267 FRAME: 0027

Total Attachments: 2
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WHEN RECORDED RETURN TO:

Attorney Docket No.: 2409-005

Steve M. Perry
THORPE NORTH & WESTERN, LLP
P.O. BOX 1219
SANDY, UTAH 84091-1219

ASSIGNMENT

WHEREAS, Duane L. Roper, (hereinafter referred to as "ASSIGNOR"), a citizen of the United States of America, having a principal address at, 10172 South Statesman Place South Jordan, Utah 84095, is the owner of all right, title, and interest in and to the trademark MARSHMALLOW MUNCHIES (hereinafter referred to as the "Mark") which was filed with the U.S. Patent and Trademark Office under registration No. 3,140,719 having a registration date of September 5, 2006 (hereinafter referred to as the "registration"); and

WHEREAS, Choice Foods, LLC, (hereinafter referred to as "ASSIGNEE"), a Limited Liability Company duly organized and existing under the laws of the State of Utah, having a principal business office at 10172 South Statesman Place South Jordan, Utah 84095, is desirous of acquiring all right, title and interest in and to the Mark held by ASSIGNOR and the above-identified registration;

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration paid to the ASSIGNOR by the ASSIGNEE, the receipt and sufficiency of which is hereby acknowledged, THE ASSIGNOR HEREBY ASSIGNS TO THE ASSIGNEE any and all right, title and interest which it may hold in and to the Mark, the above-identified registrations, and any registrations issuing therefrom, together with the goodwill of the business symbolized by and associated with the Mark.

The ASSIGNOR hereby authorizes and requests the United States Commissioner of Patents and Trademarks to issue any and all certificates of registration of the Mark to the ASSIGNEE as the owner of the entire interest of said Mark, for the sole use and benefit of the said ASSIGNEE, its successors, assigns and legal representatives.

This Assignment and Agreement shall be binding upon any and all successors of the ASSIGNOR.

EFFECTIVE as of this 25 day of August, 2010.


By:
Title: