

# TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
Name	Formerly	Execution Date	Entity Type
Next Day Gourmet LP		09/24/2010	LIMITED PARTNERSHIP: INDIANA
<b>RECEIVING PARTY DATA</b>			
Name:	U.S. Foodservice, Inc.		
Street Address:	9399 W. Higgins Road		
City:	Rosemont		
State/Country:	ILLINOIS		
Postal Code:	60018		
Entity Type:	CORPORATION: DELAWARE		
<b>PROPERTY NUMBERS Total: 6</b>			
Property Type	Number	Word Mark	
Registration Number:	2053710	SUPERIOR	
Registration Number:	3430086	SUPERIOR 1-800-328-9400	
Registration Number:	3430087	SUPERIOR OUTLET CENTER	
Registration Number:	1694995	SUPERIOR PRODUCTS	
Registration Number:	3430085	SUPERIOR PRODUCTS	
Registration Number:	1629650	SUPERIOR PRODUCTS MFG. CO.	
<b>CORRESPONDENCE DATA</b>			
Fax Number:	(312)258-5600		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Email:	trademarks@schiffhardin.com		
Correspondent Name:	Amy Cohen Heller, Schiff Hardin LLP		
Address Line 1:	P.O. Box 06079		
Address Line 4:	Chicago, ILLINOIS 60606-0079		
ATTORNEY DOCKET NUMBER:	38876		

OP \$165.00 2053710

**900172429**

**TRADEMARK**  
**REEL: 004284 FRAME: 0562**

NAME OF SUBMITTER:	Amy Cohen Heller
Signature:	/Amy Cohen Heller/
Date:	09/27/2010
<b>Total Attachments: 3</b> source=Next Day Gourmet LP Trademark Assignment Dated 9-24-10#page1.tif source=Next Day Gourmet LP Trademark Assignment Dated 9-24-10#page2.tif source=Next Day Gourmet LP Trademark Assignment Dated 9-24-10#page3.tif	

## **TRADEMARK ASSIGNMENT**

This Assignment is made by Next Day Gourmet LP, a limited partnership of the State of Indiana with a principal office at 9755 Patuxent Woods Drive, Columbia, Maryland, 21046 ("Assignor") to U.S. Foodservice, Inc., a Delaware corporation with a principal office at 9399 W. Higgins Road, Rosemont, IL ("Assignee").

WHEREAS, Assignor has adopted and used, or has a bona fide intent to use, the trademarks identified on Exhibit A (the "Marks"); and

WHEREAS Assignor owns the applications and registrations for the Marks identified on Exhibit A (the "Applications and Registrations"); and

WHEREAS, Assignor desires to assign its full right, title and interest in the Marks, the goodwill of the business symbolized by the Marks, and the Applications and Registrations to Assignee;

NOW, THEREFORE, for one dollar and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Assignor assigns to Assignee: all of Assignor's right, title and interest in and to the Marks and the Applications and Registrations, including all common law rights in the Marks, together with the goodwill of the business symbolized by the Marks; any rights that arise from the Applications and Registrations; all causes of action, past, present and future, for infringement of the Marks or other violations of the rights assigned hereunder; and all rights it may have to seek other registrations of the Marks in all jurisdictions throughout the world.

Assignor represents and warrants that it owns all right, title, and interest in the Marks and the Applications and Registrations.

Upon Assignee's request, Assignor will execute any other documents that may be necessary to effect or record this Assignment.

**NEXT DAY GOURMET LP**

By: Gail Sharps Myers

Print name: GAIL SHARPS MYERS

Title: Asst. Sec.

Date: 9/24/10

AGREED TO AND ACCEPTED:

**U.S. FOODSERVICE, INC.**

By: Gail Sharps Myers

Print name: GAIL SHARPS MYERS

Title: Asst. Sec.

Date: 9/24/10

CH29119211.1

## **EXHIBIT A**

<b>Trademark</b>	<b>Reg No.</b>
SUPERIOR	2053710
SUPERIOR 1-800-328-9400 (Stylized) & Design	3430086
SUPERIOR OUTLET CENTER (Stylized) & Design (color)	3430087
SUPERIOR PRODUCTS	1694995
SUPERIOR PRODUCTS & Design (color)	3430085
SUPERIOR PRODUCTS MFG. CO. (Stylized) & Design	1629650